

CHAPTER 14

**NARRATIVE FORMAT AND EXAMPLES OF COMPLETED TRAFFIC
COLLISION DOCUMENTATION**

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CHAPTER 14

NARRATIVE FORMAT AND EXAMPLES OF COMPLETED TRAFFIC COLLISION DOCUMENTATION

1. SCOPE. This chapter provides an outline of the proper format for both an investigation and a report. Additionally, a number of example investigations/reports are given. The examples provided represent the proper formatting, text, and the minimum acceptable level of documentation required. Additional information may, and in many cases should, be provided in your investigation. Complete instructions for documenting the narrative/supplemental are contained in Chapter 7, Instructions for Completing the CHP 556, Narrative/Supplemental.

2. INVESTIGATION NARRATIVE FORMAT. The investigation narrative format shall be the primary format for documenting a traffic collision. The investigation narrative should consist of, but are not limited to, the following headings. Omit the headings that do not apply to the collision.

a. Facts. Do not include opinions in the facts section.

(1) Notification.

(a) Indicate the type call and time of notification, response location, and arrival time.

(b) Provide a general statement indicating speeds and measurements are approximate and describe how the measurements were obtained, e.g., rolatape, pacing.

(2) Scene Description. The scene description should give clearly written overview of the collision scene.

(a) Name and type of highway (county road, state route, or freeway)

(b) Geographic location (unincorporated/city).

(c) Roadway orientation (straight, curved, or grade).

(d) Lane orientation (North, South, East or West).

(e) Total number of lanes and description (two way, two lane county road).

(f) Intersection description (if applicable).

- (g) Surface composition (asphalt, concrete, or dirt).
- (h) Lane and shoulder widths.
- (i) Roadway markings, traffic controls, and road signs.
- (j) Weather conditions (optional unless a contributing factor), and lighting conditions.
- (k) Any fixed or other objects relevant to the collision.

NOTE: Do not use a term such as "Refer to Diagram" to describe an entire category.

(3) Parties. Complete, in order, the following information for each involved party:

- (a) Party #_ (name), location upon arrival or where contacted, how Party #_ was identified, how Party #_ was determined to have been the driver.
- (b) Vehicle #_ (make, model, and color), location upon arrival, describe damage sustained as a result of the collision, any visible damage not associated with the collision, and any mechanical defects alleged or observed.

(4) Physical Evidence. Describe all evidence not shown on the factual diagram and legend. Include the location the evidence was found and its disposition.

- (a) Examples include: paint transfers, blood evidence, document evidence, etc.

(5) Hit and Run.

- (a) Description of suspect vehicle and party.
- (b) Any witnesses who can identify the suspect and place him/her as the driver at the scene.
- (c) Summary of follow-up actions or explanation as to why follow-up was not possible.

(6) Hazardous Materials.

- (a) Shipping or container name.

- (b) Carrier/shipper identification.
- (c) Presence/absence of placards, labels, and shipping papers.
- (d) Type of packaging.
- (e) Cleanup contractor, method of clean up, and disposition of waste material.

(7) Other Factual Information.

- (a) Driver's license restrictions and physical defects.
- (b) Additional vehicle information if unable to fit on the CHP 555, Traffic Collision Report, Page 1.
- (c) Any additional factual information.

b. Statements. All reasonable means shall be exercised to obtain statements from all involved parties. If reasonably available, statements shall be obtained from any passenger or witness with information pertinent to the completion of a thorough investigation. Statements need not be verbatim but shall record the relevant substance of statement, eliminating unnecessary details. Obtain a narrative statement from each party, passenger, and witness regarding pre-impact event(s), at-impact event(s), and post-impact event(s) in logical order.

- (1) Identify all parties and witnesses by number and last name, passengers by "Passenger" and last name.
- (2) Record the time and location the person was contacted (at the scene, or date, time, and location).
- (3) Record the location of the witness at the time of the collision.
- (4) If statements are obtained by question and answer technique, both should be included.
- (5) When written statements are obtained, a notation of "Statement attached" is sufficient.
- (6) If a statement is not obtained, state the reason why.
- (7) Each statement obtained from passengers or witnesses shall be their own account on how the accident occurred. Do not use, "W -1 (Smith) stated the same as P-1 (Jones)."

(8) Statements should clarify where the party was located, the lane of traffic, speed of each vehicle, and the distance in front of or behind the adjacent vehicles, prior to the collision. Statements may be paraphrased to give a concise, time sequential summary of the events leading up to and including the collision.

c. Opinions and Conclusions.

(1) Summary. This is the officer's opinion, presented in a time sequential order, of how the collision occurred. The summary shall include the following:

(a) Speed, lane, and direction of travel for each vehicle; distance behind the vehicle ahead; or other important information such as: distance from stop sign, location when party observed signal light change phases, etc.

(b) Address each involved party's pre-crash, at-crash, and post-crash location, as well as, their relationship to each other.

(c) Driver actions, reactions to errant vehicles, defective equipment, mechanical condition of vehicle, significant roadway features, and/or weather conditions, etc.

(d) If the collision involves a driver who had been drinking but was found to be not under the influence, include a general statement indicating field sobriety tests were given and the party was not under the influence.

(2) Area of Impact. State what the Area of Impact (AOI) was (e.g., V-1 vs. V-2, V-1 vs. tree) and how the AOI was determined (physical evidence, vehicle damage, and/or statements).

(a) Locate the AOI with a minimum of two measurements from separate reference points.

(b) If more than one AOI, repeat steps above for each.

(3) Intoxication Narrative.

(a) Include the party's actions upon contact, including the symptoms of intoxication.

(b) Explain how the party was determined to be the driver.

(c) Include a statement that field sobriety tests were given, if the subject failed to perform as explained and demonstrated, and if the officer determined the party was under the influence.

- (d) Do not include the Preliminary Alcohol Sensor results.
- (e) Include a statement that the party was arrested.
- (f) Do not include the chemical test results.
- (g) If found, list the location, description, disposition, and name of individual who discovered the alcohol and/or drugs.
- (h) Do not reference an arrest report.

(4) Cause.

- (a) State the Primary Collision Factor (PCF) and who was at fault.
- (b) The elements of the PCF must be supported by articulable facts.
- (c) Record any associated factors.
- (d) List how fault was determined (i.e., The cause is based upon....)
- (e) In felony cases include how the act or neglect was the proximate cause of injury.

d. Recommendations.

- (1) Record what additional follow-up is required.
- (2) Indicate if requesting prosecution, including all charges sought.
- (3) The elements of all charges must be supported in report.
- (4) Indicate if a citation was issued or a complaint will be filed.
- (5) If no recommendations, state "None."

3. REPORT NARRATIVE FORMAT. The investigation narrative format should be used unless the collision meets the criteria of a report, outlined in Chapter 1 of this manual. The narrative under each heading should contain the elements described in the Investigation format section of this chapter. The report narrative, at minimum, should consist of the following headings:

- a. Notification.
- b. Statements.

- c. Summary.
- d. Area of Impact.
- e. Cause.

4. EXAMPLES. Policy requires each investigation performed by Department personnel exhibit the best possible traffic collision investigation and report writing techniques. All traffic collision investigations shall be complete, and answer the questions who, what, when, where, why, and how the collision occurred in a time sequential manner. Additionally, each investigation/report shall be written in a clear and concise manner. The following examples (Annex A through H) illustrate the level of quality expected of departmental personnel and may be used as a template.



ANNEX A

PROPERTY DAMAGE ONLY REPORT

STATE OF CALIFORNIA														
TRAFFIC COLLISION REPORT														
CHP 555 CARS PAGE 1 (REV 11-08) OPI 065														
										PAGE 1 OF 6				
SPECIAL CONDITIONS			NUMBER NUMBERED 0		HT & RUN FELLOW <input type="checkbox"/>		CITY UNINCORPORATED SACRAMENTO SUPERIOR			JUDICIAL DISTRICT SACRAMENTO SUPERIOR		LOCAL REPORT NUMBER 2008 07 1111		
NUMBER KILLED 0			HT & RUN MISDEMEANOR <input type="checkbox"/>		COUNTY SACRAMENTO			REPORTING DISTRICT BEAT 71			DAY OF WEEK MONDAY		TOW AWAY <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
LOCATION	COLLISION OCCURRED ON: 39TH AVENUE						MO DAY YEAR 07/07/2008		TIME (2400) 1120		NCIC # 9252		OFFICER I.D. 015254	
	MILEPOST INFORMATION:						GPS COORDINATES LATITUDE 38.49272° LONGITUDE - 121.41959°						PHOTOGRAPHS BY: <input checked="" type="checkbox"/> NONE	
	AT INTERSECTION WITH: <input checked="" type="checkbox"/> OR: 15 FEET SOUTH OF LEMON HILL DRIVE										STATE HWY REL <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
	PARTY 1			DRIVER'S LICENSE NUMBER C1234567			STATE CA	CLASS C	AIR BAG L	SAFETY EQUIP. G	VEH. YEAR 1999	MAKE / MODEL / COLOR FORD EXPLORER BLK		LICENSE NUMBER 5ABC123
DRIVER <input checked="" type="checkbox"/> NAME (FIRST, MIDDLE, LAST) LAWRENCE PAUL PARM						OWNER'S NAME <input checked="" type="checkbox"/> SAME AS DRIVER								
PEDESTRIAN <input type="checkbox"/> STREET ADDRESS 3345 LEMON HILL DRIVE						OWNER'S ADDRESS <input checked="" type="checkbox"/> SAME AS DRIVER								
PARKED VEHICLE <input type="checkbox"/> CITY / STATE / ZIP SACRAMENTO CA 95828						DISPOSITION OF VEHICLE ON ORDERS OF: <input type="checkbox"/> OFFICER <input checked="" type="checkbox"/> DRIVER <input type="checkbox"/> OTHER								
BICYCLIST <input type="checkbox"/> SEX HAIR EYES HEIGHT WEIGHT MO BIRTHDATE DAY YEAR RACE M BLK BRN 6-00 210 09/15/1967 W						ABC TOWING - (916)555-8793								
OTHER <input type="checkbox"/> HOME PHONE (916)555-1212 BUSINESS PHONE (916)555-3434						PRIOR MECH. DEFECTS <input checked="" type="checkbox"/> NONE APP. <input type="checkbox"/> REFER TO NARRATIVE								
INSURANCE CARRIER ALLSTATE POLICY NUMBER 2345M679						VEHICLE IDENTIFICATION NUMBER: VEHICLE TYPE DESCRIBE VEHICLE DAMAGE SHADE IN DAMAGED AREA 07 <input type="checkbox"/> UNK <input type="checkbox"/> NONE <input type="checkbox"/> MINOR <input checked="" type="checkbox"/> MOD <input type="checkbox"/> MAJOR <input type="checkbox"/> ROLL-OVER								
DIR OF TRAVEL ON STREET OR HIGHWAY N 39TH AVENUE						SPEED LIMIT 25								
PARTY 2			DRIVER'S LICENSE NUMBER N4567890			STATE CA	CLASS C	AIR BAG M	SAFETY EQUIP. G	VEH. YEAR 2005	MAKE / MODEL / COLOR CHEV SILVERADO 1500 WHI		LICENSE NUMBER 6K55555	STATE CA
DRIVER <input checked="" type="checkbox"/> NAME (FIRST, MIDDLE, LAST) MICHAEL GEORGE SHANDRO						OWNER'S NAME <input checked="" type="checkbox"/> SAME AS DRIVER								
PEDESTRIAN <input type="checkbox"/> STREET ADDRESS 4456 ROOSEVELT STREET						OWNER'S ADDRESS <input checked="" type="checkbox"/> SAME AS DRIVER								
PARKED VEHICLE <input type="checkbox"/> CITY / STATE / ZIP SACRAMENTO CA 95828						DISPOSITION OF VEHICLE ON ORDERS OF: <input type="checkbox"/> OFFICER <input checked="" type="checkbox"/> DRIVER <input type="checkbox"/> OTHER								
BICYCLIST <input type="checkbox"/> SEX HAIR EYES HEIGHT WEIGHT MO BIRTHDATE DAY YEAR RACE M BLK BRN 5-10 180 03/05/1949 W						DRIVEN								
OTHER <input type="checkbox"/> HOME PHONE (916)555-2323 BUSINESS PHONE (916)555-4545						PRIOR MECHANICAL DEFECTS <input checked="" type="checkbox"/> NONE APP. <input type="checkbox"/> REFER TO NARRATIVE								
INSURANCE CARRIER FARMERS POLICY NUMBER CR456 9786						VEHICLE IDENTIFICATION NUMBER: VEHICLE TYPE DESCRIBE VEHICLE DAMAGE SHADE IN DAMAGED AREA 22 <input type="checkbox"/> UNK <input type="checkbox"/> NONE <input checked="" type="checkbox"/> MOD <input type="checkbox"/> MAJOR <input type="checkbox"/> ROLL-OVER								
DIR OF TRAVEL ON STREET OR HIGHWAY N 39TH AVENUE						SPEED LIMIT 25								
PARTY 3			DRIVER'S LICENSE NUMBER			STATE	CLASS	AIR BAG	SAFETY EQUIP.	VEH. YEAR	MAKE / MODEL / COLOR		LICENSE NUMBER	STATE
DRIVER <input type="checkbox"/> NAME (FIRST, MIDDLE, LAST)						OWNER'S NAME <input type="checkbox"/> SAME AS DRIVER								
PEDESTRIAN <input type="checkbox"/> STREET ADDRESS						OWNER'S ADDRESS <input type="checkbox"/> SAME AS DRIVER								
PARKED VEHICLE <input type="checkbox"/> CITY / STATE / ZIP						DISPOSITION OF VEHICLE ON ORDERS OF: <input type="checkbox"/> OFFICER <input type="checkbox"/> DRIVER <input type="checkbox"/> OTHER								
BICYCLIST <input type="checkbox"/> SEX HAIR EYES HEIGHT WEIGHT MO BIRTHDATE DAY YEAR RACE						PRIOR MECHANICAL DEFECTS <input type="checkbox"/> NONE APP. <input type="checkbox"/> REFER TO NARRATIVE								
OTHER <input type="checkbox"/> HOME PHONE BUSINESS PHONE						VEHICLE IDENTIFICATION NUMBER: VEHICLE TYPE DESCRIBE VEHICLE DAMAGE SHADE IN DAMAGED AREA <input type="checkbox"/> UNK <input type="checkbox"/> NONE <input type="checkbox"/> MOD <input type="checkbox"/> MAJOR <input type="checkbox"/> ROLL-OVER								
INSURANCE CARRIER POLICY NUMBER						DIR OF TRAVEL ON STREET OR HIGHWAY								
SPEED LIMIT						CA DOT CAL-T TCP/PSG MC/MX								
PREPARER'S NAME H. SCRIBNER 015254						DISPATCH NOTIFIED <input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A			REVIEWER'S NAME			DATE REVIEWED		

ANNEX A

PROPERTY DAMAGE ONLY REPORT (continued)

STATE OF CALIFORNIA TRAFFIC COLLISION CODING CHP 555 CARS PAGE2 (REV. 11-06) OPI 065		PAGE 2 OF 6	
DATE OF COLLISION (MO. DAY YEAR) 07/07/2008		TIME(2400) 1120	NCIC # 9252
OWNER JOHN SMITHE		OWNER ADDRESS 5412 39TH AVENUE SACRAMENTO, CA 95828	
OFFICER I.D. 015254		NUMBER 2008 07 1111	
PROPERTY DAMAGE DESCRIPTION OF DAMAGE MAJOR DAMAGE TO A LANDSCAPE TREE		NOTIFIED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
SEATING POSITION 	OCCUPANTS A - NONE IN VEHICLE B - UNKNOWN C - LAP BELT USED D - LAP BELT NOT USED E - SHOULDER HARNESS USED F - SHOULDER HARNESS NOT USED G - LAP/SHOULDER HARNESS USED H - LAP/SHOULDER HARNESS NOT USED J - PASSIVE RESTRAINT USED K - PASSIVE RESTRAINT NOT USED	SAFETY EQUIPMENT L - AIR BAG DEPLOYED M - AIR BAG NOT DEPLOYED N - OTHER P - NOT REQUIRED CHILD RESTRAINT Q - IN VEHICLE USED R - IN VEHICLE NOT USED S - IN VEHICLE USE UNKNOWN T - IN VEHICLE IMPROPER USE U - NONE IN VEHICLE	M/C BICYCLE - HELMET DRIVER PASSENGER V - NO X - NO W - YES Y - YES EJECTED FROM VEHICLE 0 - NOT EJECTED 1 - FULLY EJECTED 2 - PARTIALLY EJECTED 3 - UNKNOWN
INATTENTION CODES A - CELL PHONE HANDHELD B - CELL PHONE HANDSFREE C - ELECTRONIC EQUIPMENT D - RADIO / CD E - SMOKING F - EATING G - CHILDREN H - ANIMALS I - PERSONAL HYGIENE J - READING K - OTHER			
ITEMS MARKED BELOW FOLLOWED BY AN ASTERISK (*) SHOULD BE EXPLAINED IN THE NARRATIVE.			
PRIMARY COLLISION FACTOR LIST NUMBER (9) OF PARTY AT FAULT 1 A VC SECTION VIOLATED: CITED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO 22350 B OTHER IMPROPER DRIVING* C OTHER THAN DRIVER* D UNKNOWN* WEATHER (MARK 1 TO 2 ITEMS) X A CLEAR B CLOUDY C RAINING D SNOWING E FOG / VISIBILITY FT. F OTHER* G WIND LIGHTING X A DAYLIGHT B DUSK - DAWN C DARK - STREET LIGHTS D DARK - NO STREET LIGHTS E DARK - STREET LIGHTS NOT FUNCTIONING* ROADWAY SURFACE X A DRY B WET C SNOWY - ICY D SLIPPERY (MUDDY, OILY, ETC.) ROADWAY CONDITION(S) (MARK 1 TO 2 ITEMS) A HOLES, DEEP RUT* B LOOSE MATERIAL ON ROADWAY* C OBSTRUCTION ON ROADWAY* D CONSTRUCTION - REPAIR ZONE E REDUCED ROADWAY WIDTH F FLOODED* G OTHER* X H NO UNUSUAL CONDITIONS	TRAFFIC CONTROL DEVICES A CONTROLS FUNCTIONING B CONTROLS NOT FUNCTIONING* C CONTROLS OBSCURED D NO CONTROLS PRESENT / FACTOR* TYPE OF COLLISION A HEAD - ON B SIDE SWIPE C REAR END D BROADSIDE E HIT OBJECT F OVERTURNED G VEHICLE / PEDESTRIAN H OTHER* MOTOR VEHICLE INVOLVED WITH A NON - COLLISION B PEDESTRIAN C OTHER MOTOR VEHICLE D MOTOR VEHICLE ON OTHER ROADWAY E PARKED MOTOR VEHICLE F TRAIN G BICYCLE H ANIMAL: I FIXED OBJECT: J OTHER OBJECT: PEDESTRIAN'S ACTIONS A NO PEDESTRIANS INVOLVED B CROSSING IN CROSSWALK AT INTERSECTION C CROSSING IN CROSSWALK - NOT AT INTERSECTION D CROSSING - NOT IN CROSSWALK E IN ROAD - INCLUDES SHOULDER F NOT IN ROAD G APPROACHING / LEAVING SCHOOL BUS	1 2 3 A HAZARDOUS MATERIAL B CELL PHONE HANDHELD IN USE C CELL PHONE HANDSFREE IN USE D CELL PHONE NOT IN USE E SCHOOL BUS RELATED F 75 FT MOTORTRUCK COMBO G 32 FT TRAILER COMBO H I J K L M N O P Q OTHER ASSOCIATED FACTORS (MARK 1 TO 2 ITEMS) A VC SECTION VIOLATED: CITED <input type="checkbox"/> YES <input type="checkbox"/> NO B VC SECTION VIOLATED: CITED <input type="checkbox"/> YES <input type="checkbox"/> NO C VC SECTION VIOLATED: CITED <input type="checkbox"/> YES <input type="checkbox"/> NO D E VISION OBSCUREMENT: F INATTENTION*: A-CELL PHONE HA G STOP & GO TRAFFIC H ENTERING / LEAVING RAMP I PREVIOUS COLLISION J UNFAMILIAR WITH ROAD K DEFECTIVE VEH. EQUIP.: CITED <input type="checkbox"/> YES <input type="checkbox"/> NO L UNINVOLVED VEHICLE M OTHER* N NONE APPARENT O RUNAWAY VEHICLE	1 2 3 MOVEMENT PRECEDING COLLISION A STOPPED B PROCEEDING STRAIGHT C RAN OFF ROAD D MAKING RIGHT TURN E MAKING LEFT TURN F MAKING U TURN G BACKING H SLOWING / STOPPING I PASSING OTHER VEHICLE J CHANGING LANES K PARKING MANEUVER L ENTERING TRAFFIC M OTHER UNSAFE TURNING N XING INTO OPPOSING LANE O PARKED P MERGING Q TRAVELING WRONG WAY R OTHER* SOBRIETY - DRUG PHYSICAL (MARK 1 TO 2 ITEMS) A HAD NOT BEEN DRINKING B HBD - UNDER INFLUENCE C HBD - NOT UNDER INFLUENCE* D HBD - IMPAIRMENT UNKNOWN* E UNDER DRUG INFLUENCE* F IMPAIRMENT - PHYSICAL* G IMPAIRMENT NOT KNOWN H NOT APPLICABLE I SLEEPY / FATIGUED
SKETCH FOR SKETCH DIAGRAM, SEE PAGE 3		 INDICATE NORTH	
		MISCELLANEOUS	

ANNEX A

PROPERTY DAMAGE ONLY REPORT (continued)

STATE OF CALIFORNIA
SKETCH DIAGRAM
CHP 555 Page 4 (Rev. 11-06) OPI 065 PAGE 3 OF 6

DATE OF INCIDENT 07/07/2008	TIME 1120	NCIC NUMBER 9252	OFFICER I.D. 015254	NUMBER 2008 07 1111
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ALL MEASUREMENTS ARE APPROXIMATE AND NOT TO SCALE UNLESS STATED (SCALE=)

Lemon Hill Drive

Painted broken yellow lines

STOP V-2

V-1

Tree

Concrete gutter

12 ft. 12 ft.

S/B N/B

39th Avenue

PREPARED BY H. SCRIBNER	I.D. NUMBER 015254	DATE 07/07/2008	REVIEWER'S NAME	DATE
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ANNEX A

PROPERTY DAMAGE ONLY REPORT (*continued*)

STATE OF CALIFORNIA

NARRATIVE/SUPPLEMENTAL

PAGE 4 OF 6

DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D. NUMBER
07/07/2008	1120	9252	015254 2008 07 1111

1 Notification

2 I received a radio dispatch of a property damage only collision at 1132 hours. I responded from
3 the intersection of Gerber Road at Wilbur Avenue and arrived on the scene at 1145 hours. All
4 times, speeds, and measurements represented in this report are approximations. I obtained all
5 measurements using a roll meter.

6

7 Statements

8 Party #1 (Parmi): Upon my arrival, I found Parmi seated in the driver's seat of Vehicle #1 (Ford).
9 He related the following: He was driving his Ford Explorer northbound on 39th Avenue toward the
10 intersection with Lemon Hill Drive. He was going "about 30" when his cell phone began to ring.
11 He looked at his cell phone and saw that it was his wife calling. He was concerned about the call
12 because she had surgery two days ago. He picked up the phone, but remembered he didn't have
13 "hands free" and it was against the law to answer it. When he looked up, he saw a white truck
14 (Vehicle #2) stopped at the intersection. He realized he could not stop in time so he swerved to
15 the right. His car went into someone's front yard and hit the tree. Parmi did not remember hitting
16 the truck. There was a set of tire friction marks leading from the roadway to the position of rest of
17 the Ford. I asked Parmi to examine the skid marks and he did. I asked him if he had applied the
18 brakes prior to the collision and he said "I don't remember but I must have." Parmi stated he was
19 alone in his pickup at the time of the collision and he was not injured as a result of the collision.
20 He also stated he did not have any pre-existing mechanical problems with his vehicle.

21

22 Party #2 (Shandro): Upon my arrival, I found Shandro standing along the right side of Vehicle #2
23 (Chevrolet). He related the following: Shandro said he was driving his truck northbound on 39th
24 Avenue. He came to a stop at the limit line. There was a semi-truck traveling slowly through the
25 intersection eastbound on Lemon Hill Drive. As he waited, he looked in his rear view mirror. He
26 saw Vehicle #1 (Ford) coming toward him at approximately 25-30 miles per hour. The driver of
27 the Ford appeared distracted as he kept glancing down toward his vehicle's center console. He
28 thought to himself, "I'm gonna get hit." About that time, he heard the sound of brakes "squealing"

PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
H. SCRIBNER	015254	07/08/2008		

ANNEX A

PROPERTY DAMAGE ONLY REPORT (*continued*)

STATE OF CALIFORNIA

NARRATIVE/SUPPLEMENTAL

PAGE 5 OF 6

DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D. NUMBER
07/07/2008	1120	9252	015254

1 Statements (continued)

2 and he saw the Ford veering off toward the sidewalk. Then he felt the Ford strike the right rear of
3 his pickup. The impact caused the vehicle to shake slightly but it did not move forward. Shandro
4 stated he was alone in his pickup at the time of the collision and he was not injured as a result of
5 the collision. He also stated he did not have any pre-existing mechanical problems with his
6 vehicle.

7

8

9 Summary

10 Party #2 (Shandro) was driving Vehicle #2 (Chevrolet) northbound, in the northbound lane of 39th
11 Avenue, and was stopped at the limit line controlling the intersection of Lemon Hill Drive. Shandro
12 was waiting for a tractor/trailer combination to clear the intersection so he could proceed along his
13 intended route, northbound on 39th Avenue. Party #1 (Parmi) was driving Vehicle #1 (Ford)
14 northbound, in the northbound lane of 39th Avenue, at approximately 30 miles per hour, directly to
15 the rear of the Vehicle #2 (Chevrolet). Parmi's attention was momentarily diverted from driving
16 when his cellular phone began to ring and he reached down and picked it up. When Parmi
17 refocused his attention to driving, he realized he had allowed his vehicle to approach the rear of
18 the Chevrolet to such a close distance, he needed to take immediate evasive action. He steered
19 the Ford to the right and applied the Ford's brakes with enough force to lock the rear tires. The
20 Ford began to leave the tire friction marks found at the scene that veered toward the right side of
21 the roadway. The Ford slid a distance of 12 feet before its left front struck the right rear of the
22 Chevrolet. The impact was glancing and did not cause the Chevrolet to move from its struck
23 location. The Ford continued in a northeasterly direction and entered the front yard at 5412 39th
24 Avenue. The Ford continued across the yard until its front struck the southwest face of a large
25 tree trunk, where it came to rest.

26

27 After the collision both drivers remained at the scene and left their respective vehicles at their
28 positions of rest. The Ford was located facing a northeasterly direction, against the tree. The

PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
H. SCRIBNER	015254	07/08/2008		

ANNEX A

PROPERTY DAMAGE ONLY REPORT (*continued*)

STATE OF CALIFORNIA				
NARRATIVE/SUPPLEMENTAL				PAGE 6 OF 6
DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D.	NUMBER
07/07/2008	1120	9252	015254	2008 07 1111
<p>1 <u>Summary</u> (continued)</p> <p>2 Chevrolet remained facing northbound on 39th Avenue, stopped at the limit line at Lemon Hill</p> <p>3 Drive.</p> <p>4</p> <p>5 <u>Areas of Impact</u></p> <p>6 The areas of impact (AOI) were determined by the physical evidence, the damage sustained by</p> <p>7 the involved vehicles, the statements of the involved parties, and the unmoved locations of</p> <p>8 Vehicle #1 (Ford) and Vehicle #2 (Chevrolet).</p> <p>9</p> <p>10 The first AOI (left front of Ford vs. the right rear of the Chevrolet) occurred in the northbound lane</p> <p>11 of 39th Avenue, six feet west of the east roadway edge of 39th Avenue and 15 feet south of the</p> <p>12 south roadway edge prolongation of Lemon Hill Drive.</p> <p>13</p> <p>14 The second AOI (the middle front of the Ford and a large tree located in the front yard of 5412 39th</p> <p>15 Avenue) was located 10 feet east of the east roadway edge of 39th Avenue and nine feet south of</p> <p>16 the south roadway edge of Lemon Hill Drive.</p> <p>17</p> <p>18 <u>Cause</u></p> <p>19 Based upon the physical evidence, the damage to the involved vehicles and the statements of the</p> <p>20 involved parties, Party #1 (Parmi) was found to be at fault for this collision by driving Vehicle #1</p> <p>21 (Ford) at an unsafe speed for conditions, in violation of section 22350 of the California Vehicle</p> <p>22 Code. The Ford was traveling at an unsafe speed for conditions, in that Parmi was unable to slow</p> <p>23 or stop the Ford before colliding with the rear of the Chevrolet. An associated factor to the</p> <p>24 collision was Parmi's inattention. Parmi's attention was momentarily diverted from the road by</p> <p>25 reaching down and picking up his ringing cellular phone. While his attention was diverted, Parmi</p> <p>26 allowed the Ford to continue forward as it approached the rear of Vehicle #2 (Chevrolet) to such a</p> <p>27 close distance a collision could not be avoided.</p>				
PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
H. SCRIBNER	015254	07/08/2008		


ANNEX B

MISDEMEANOR HIT AND RUN REPORT

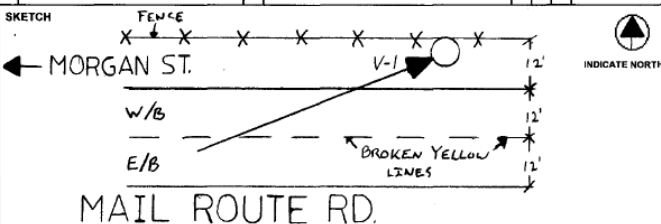
STATE OF CALIFORNIA TRAFFIC COLLISION REPORT CHP 555 CARS PAGE 1 (REV 11-06) OPI 065										PAGE 1 OF 6			
SPECIAL CONDITIONS		NUMBER INJURED 0		HIT & RUN FELONY <input type="checkbox"/>		CITY UNINCORPORATED LASSEN SUPERIOR		JUDICIAL DISTRICT		LOCAL REPORT NUMBER 2009-01-1123			
NUMBER KILLED 0		HIT & RUN MISDEMEANOR <input checked="" type="checkbox"/>		COUNTY LASSEN		REPORTING DISTRICT		BEAT 22		DAY OF WEEK TUESDAY			
										TOW AWAY <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
LOCATION	COLLISION OCCURRED ON: MAIL ROUTE ROAD						MO DAY YEAR 01/27/2009		TIME (2400) 2500		NCIC # 9065		
	MILEPOST INFORMATION:						GPS COORDINATES LATITUDE 40.80116° LONGITUDE - 120.31245°				OFFICER I.D. 014492		
	AT INTERSECTION WITH: <input checked="" type="checkbox"/> OR: .7 MILE(S) EAST OF MORGAN STREET						STATE HWY REL. <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		PHOTOGRAPHS BY: <input checked="" type="checkbox"/> NONE				
PARTY 1		DRIVER'S LICENSE NUMBER		STATE		CLASS		AIR BAG		SAFETY EQUIP.			
DRIVER		NAME(FIRST, MIDDLE, LAST) 20002(A) V.C.											
<input checked="" type="checkbox"/> PEDESTRIAN		STREET ADDRESS											
<input type="checkbox"/> PARKED VEHICLE		CITY / STATE / ZIP											
<input type="checkbox"/> BICYCLIST		SEX		HAIR		EYES		HEIGHT		WEIGHT			
		MO		BIRTHDATE DAY		YEAR		RACE					
<input type="checkbox"/> OTHER		HOME PHONE				BUSINESS PHONE							
		INSURANCE CARRIER				POLICY NUMBER							
		DIR OF TRAVEL ON STREET OR HIGHWAY E MAIL ROUTE ROAD				SPEED LIMIT 55		VEH. YEAR		MAKE / MODEL / COLOR UNK CHEV PICKUP GRY		LICENSE NUMBER	
		CA		DOT		CAL-T		TCP/PSC		MC/MX			
PARTY 2		DRIVER'S LICENSE NUMBER		STATE		CLASS		AIR BAG		SAFETY EQUIP.			
DRIVER		NAME(FIRST, MIDDLE, LAST)											
<input type="checkbox"/> PEDESTRIAN		STREET ADDRESS											
<input type="checkbox"/> PARKED VEHICLE		CITY / STATE / ZIP											
<input type="checkbox"/> BICYCLIST		SEX		HAIR		EYES		HEIGHT		WEIGHT			
		MO		BIRTHDATE DAY		YEAR		RACE					
<input type="checkbox"/> OTHER		HOME PHONE				BUSINESS PHONE							
		INSURANCE CARRIER				POLICY NUMBER							
		DIR OF TRAVEL ON STREET OR HIGHWAY				SPEED LIMIT		VEH. YEAR		MAKE / MODEL / COLOR		LICENSE NUMBER	
		CA		DOT		CAL-T		TCP/PSC		MC/MX			
PARTY 3		DRIVER'S LICENSE NUMBER		STATE		CLASS		AIR BAG		SAFETY EQUIP.			
DRIVER		NAME(FIRST, MIDDLE, LAST)											
<input type="checkbox"/> PEDESTRIAN		STREET ADDRESS											
<input type="checkbox"/> PARKED VEHICLE		CITY / STATE / ZIP											
<input type="checkbox"/> BICYCLIST		SEX		HAIR		EYES		HEIGHT		WEIGHT			
		MO		BIRTHDATE DAY		YEAR		RACE					
<input type="checkbox"/> OTHER		HOME PHONE				BUSINESS PHONE							
		INSURANCE CARRIER				POLICY NUMBER							
		DIR OF TRAVEL ON STREET OR HIGHWAY				SPEED LIMIT		VEH. YEAR		MAKE / MODEL / COLOR		LICENSE NUMBER	
		CA		DOT		CAL-T		TCP/PSC		MC/MX			
		PREPARER'S NAME S. FLETCHER 014492				DISPATCH NOTIFIED <input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A		REVIEWER'S NAME		DATE REVIEWED			

ANNEX B

MISDEMEANOR HIT AND RUN REPORT (continued)

STATE OF CALIFORNIA TRAFFIC COLLISION CODING CHP 555 CARS PAGE2 (REV. 11-06) OPI 065		PAGE 2 OF 6	
DATE OF COLLISION (MO. DAY YEAR) 01/27/2009	TIME(2400) 2500	NCIC # 9065	OFFICER I.D. 014492
OWNER JASON DUNNY	OWNER ADDRESS 37685 MAIL ROUTE ROAD RAVENDALE, CA 96123	NUMBER 2009-01-1123	
PROPERTY DAMAGE	DESCRIPTION OF DAMAGE 30 FEET OF DAMAGED 3 STRAND BARBED WIRE FENCE AND WOOD POSTS		NOTIFIED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
SEATING POSITION 	OCCUPANTS A - NONE IN VEHICLE B - UNKNOWN C - LAP BELT USED D - LAP BELT NOT USED E - SHOULDER HARNESS USED F - SHOULDER HARNESS NOT USED G - LAP/SHOULDER HARNESS USED H - LAP/SHOULDER HARNESS NOT USED J - PASSIVE RESTRAINT USED K - PASSIVE RESTRAINT NOT USED	SAFETY EQUIPMENT L - AIR BAG DEPLOYED M - AIR BAG NOT DEPLOYED N - OTHER P - NOT REQUIRED CHILD RESTRAINT Q - IN VEHICLE USED R - IN VEHICLE NOT USED S - IN VEHICLE USE UNKNOWN T - IN VEHICLE IMPROPER USE U - NONE IN VEHICLE	M/C BICYCLE - HELMET DRIVER PASSENGER V - NO X - NO W - YES Y - YES EJECTED FROM VEHICLE 0 - NOT EJECTED 1 - FULLY EJECTED 2 - PARTIALLY EJECTED 3 - UNKNOWN
INATTENTION CODES			
A - CELL PHONE HANDHELD B - CELL PHONE HANDSFREE C - ELECTRONIC EQUIPMENT D - RADIO / CD E - SMOKING F - EATING G - CHILDREN H - ANIMALS I - PERSONAL HYGIENE J - READING K - OTHER			
ITEMS MARKED BELOW FOLLOWED BY AN ASTERISK (*) SHOULD BE EXPLAINED IN THE NARRATIVE.			
PRIMARY COLLISION FACTOR LIST NUMBER (4) OF PARTY AT FAULT	TRAFFIC CONTROL DEVICES	1 2 3	SPECIAL INFORMATION
1 A VC SECTION VIOLATED: CITED 22107	A CONTROLS FUNCTIONING		A HAZARDOUS MATERIAL
B OTHER IMPROPER DRIVING*	B CONTROLS NOT FUNCTIONING*		B CELL PHONE HANDHELD IN USE
C OTHER THAN DRIVER*	C CONTROLS OBSCURED		C CELL PHONE HANDSFREE IN USE
D UNKNOWN*	D NO CONTROLS PRESENT / FACTOR*	X	D CELL PHONE NOT IN USE
	TYPE OF COLLISION		E SCHOOL BUS RELATED
	A HEAD - ON		F 75 FT MOTORTRUCK COMBO
	B SIDE SWIPE		G 32 FT TRAILER COMBO
	C REAR END		H
	D BROADSIDE		I
WEATHER (MARK 1 TO 2 ITEMS)	E HIT OBJECT		J
X A CLEAR	F OVERTURNED		K
B CLOUDY	G VEHICLE / PEDESTRIAN		L
C RAINING	H OTHER*:		M
D SNOWING			N
E FOG / VISIBILITY FT.			O
F OTHER*:	MOTOR VEHICLE INVOLVED WITH		P
G WIND	A NON - COLLISION		Q
	B PEDESTRIAN		
LIGHTING	C OTHER MOTOR VEHICLE	1 2 3	OTHER ASSOCIATED FACTORS (MARK 1 TO 2 ITEMS)
A DAYLIGHT	D MOTOR VEHICLE ON OTHER ROADWAY		A VC SECTION VIOLATED: CITED
B DUSK - DAWN	E PARKED MOTOR VEHICLE		B VC SECTION VIOLATED: CITED
C DARK - STREET LIGHTS	F TRAIN		C VC SECTION VIOLATED: CITED
D DARK - NO STREET LIGHTS	G BICYCLE		D
E DARK - STREET LIGHTS NOT FUNCTIONING*	H ANIMAL:		E VISION OBSCUREMENT:
			F INATTENTION*:
ROADWAY SURFACE	I FIXED OBJECT: FENCE		G STOP & GO TRAFFIC
X A DRY	J OTHER OBJECT:		H ENTERING / LEAVING RAMP
B WET			I PREVIOUS COLLISION
C SNOWY - ICY			J UNFAMILIAR WITH ROAD
D SLIPPERY (MUDDY, OILY, ETC.)			K DEFECTIVE VEH. EQUIP.: CITED
			L UNINVOLVED VEHICLE
ROADWAY CONDITION(S) (MARK 1 TO 2 ITEMS)	PEDESTRIAN'S ACTIONS		M OTHER*:
A HOLES, DEEP RUT*	A NO PEDESTRIANS INVOLVED		N NONE APPARENT
B LOOSE MATERIAL ON ROADWAY*	B CROSSING IN CROSSWALK AT INTERSECTION		O RUNAWAY VEHICLE
C OBSTRUCTION ON ROADWAY*	C CROSSING IN CROSSWALK - NOT AT INTERSECTION		
D CONSTRUCTION - REPAIR ZONE	D CROSSING - NOT IN CROSSWALK		
E REDUCED ROADWAY WIDTH	E IN ROAD - INCLUDES SHOULDER		
F FLOODED*	F NOT IN ROAD	X	
G OTHER*:	G APPROACHING / LEAVING SCHOOL BUS		
X H NO UNUSUAL CONDITIONS			

SKETCH



MISCELLANEOUS

ANNEX B

MISDEMEANOR HIT AND RUN REPORT (continued)

STATE OF CALIFORNIA INJURED / WITNESSES / PASSENGERS CHP 555 CARS PAGE 3 (REV 11-06) OPI 065													PAGE 3 OF 6				
DATE OF COLLISION (MO. DAY YEAR)			TIME(2400)	NCIC #	OFFICER I.D.					NUMBER							
01/27/2009			2500	9065	014492					2009-01-1123							
WITNESS ONLY	PASSENGER ONLY	AGE	SEX	EXTENT OF INJURY ('X' ONE)				INJURED WAS ('X' ONE)					PARTY NUMBER	SEAT POS.	AIR BAG	SAFETY EQUIP.	EJECTED
				FATAL INJURY	SEVERE INJURY	OTHER VISIBLE INJURY	COMPLAINT OF PAIN	DRIVER	PASS.	PED.	BICYCLIST	OTHER					
<input checked="" type="checkbox"/>	<input type="checkbox"/>	63	M	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
NAME / D.O.B. / ADDRESS													TELEPHONE				
JASON JACK DUNNY (06/08/1945) P.O. BOX 1124 RAVENDALE CA 96123													(530)249-9911				
(INJURED ONLY) TRANSPORTED BY:													TAKEN TO:				
DESCRIBE INJURIES:																	
<input type="checkbox"/> VICTIM OF VIOLENT CRIME NOTIFIED																	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
NAME / D.O.B. / ADDRESS													TELEPHONE				
(INJURED ONLY) TRANSPORTED BY:													TAKEN TO:				
DESCRIBE INJURIES:																	
<input type="checkbox"/> VICTIM OF VIOLENT CRIME NOTIFIED																	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
NAME / D.O.B. / ADDRESS													TELEPHONE				
(INJURED ONLY) TRANSPORTED BY:													TAKEN TO:				
DESCRIBE INJURIES:																	
<input type="checkbox"/> VICTIM OF VIOLENT CRIME NOTIFIED																	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
NAME / D.O.B. / ADDRESS													TELEPHONE				
(INJURED ONLY) TRANSPORTED BY:													TAKEN TO:				
DESCRIBE INJURIES:																	
<input type="checkbox"/> VICTIM OF VIOLENT CRIME NOTIFIED																	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
NAME / D.O.B. / ADDRESS													TELEPHONE				
(INJURED ONLY) TRANSPORTED BY:													TAKEN TO:				
DESCRIBE INJURIES:																	
<input type="checkbox"/> VICTIM OF VIOLENT CRIME NOTIFIED																	
PREPARER'S NAME				I.D. NUMBER		MO. DAY YEAR		REVIEWER'S NAME				MO. DAY YEAR					
S. FLETCHER				014492		01/29/2009											

ANNEX B

MISDEMEANOR HIT AND RUN REPORT (*continued*)

STATE OF CALIFORNIA

NARRATIVE/SUPPLEMENTAL

PAGE 4 OF 6

DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D. NUMBER
01/27/2009	2500	9065	014492

1 **NOTIFICATION:**

2

3 I was contacted by CHP dispatch about a possible hit and run, non-injury collision at 0830
4 hours. Dispatch gave me the name and number of a rancher (J. Dunny) who had
5 approximately 30 feet of fence that had been damaged during the night or early morning. I
6 contacted Dunny by telephone and he informed me that his fence had been hit but no one
7 notified him of the collision. He stated he found the damage at approximately 0615 hours
8 but waited until he was done feeding his cattle to notify CHP. I responded from the CHP
9 office and arrived at the collision scene at 0905 hours. All times, speeds and
10 measurements in this investigation are approximate. Measurements were taken by pacing
11 and vehicle odometer.

12

13 **HIT AND RUN:**

14

15 After the collision, Party #1 (unknown) fled the scene without leaving any information or
16 contacting law enforcement, which is a violation of 20002(a) V.C. (misdemeanor hit and
17 run). At the scene of the collision, there were small broken bushes and displaced dirt that
18 indicated Vehicle #1 (Chevrolet) drifted off the roadway in a northeasterly direction before
19 colliding with the fence. There was no physical evidence on the roadway. Grey paint
20 transfers were discovered on a wood fence post at the collision scene. I contacted the
21 victim, Witness #1 (J. Dunny), at the scene and he said there was an older model Chevrolet
22 pickup abandoned there at 0615 hours when he arrived in the morning; however, when he
23 returned it was gone. He described the truck as a "beat up" grey, 1960's, short bed pickup
24 with a California license plate of 1N99234. He said the truck had recent damage to the
25 front bumper and grille from the post. He looked around to see if anyone was hurt. Not
26 seeing anyone, he decided to feed his cattle before returning to the collision scene. A
27 registration check on the license plate returned with no record found on the vehicle.
28 Witness #1 thought he remembered seeing the Chevrolet a few weeks ago at the Knito

PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
S. FLETCHER	014492	01/29/2009		

ANNEX B

MISDEMEANOR HIT AND RUN REPORT (continued)

STATE OF CALIFORNIA		PAGE 5 OF 6		
NARRATIVE/SUPPLEMENTAL				
DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D.	NUMBER
01/27/2009	2500	9065	014492	2009-01-1123

1 **HIT AND RUN-continued:**

2

3 Ranch a few miles to the east of his ranch. After I left the scene, I drove to the Knito Ranch

4 and contacted Cathy Lynn Knito. Knito informed me that she did not own a grey pickup.

5 She said that the only pickup close in color to the Chevrolet was a light blue Dodge.

6 Knito showed me the Dodge and I determined that it did not have any recent damage on it.

7 Knito allowed me to look around the ranch and I did not see any vehicles that matched the

8 description of the Chevrolet. Kinto did not recognize the description of the Chevrolet and

9 was unable to provide me with any additional information. Due to the lack of an additional

10 witness or physical evidence, the driver can not be identified at this time. Unless additional

11 information becomes available, no further follow-up is possible.

12

13 **STATEMENTS:**

14

15 **Witness #1 (J. Dunny)** was contacted at the scene and related, in essence, the following:

16 He had driven past this section of his property at 2000 hours the night before and the fence

17 was not damaged. When he drove past the location the next morning at approximately

18 0615 hours to feed his cattle he noticed an older model, grey Chevrolet pickup had run into

19 his fence. Witness # 1 stopped to check on the driver to see if anyone was hurt. After

20 looking around the Chevrolet and not finding anyone, he wrote down the license plate of

21 the vehicle and left to feed his cattle. After feeding his cattle, he called the CHP to find out

22 if anyone had reported an accident during the night. While waiting for the CHP to arrive, he

23 asked his neighbors if they had seen or heard anything during the night. His neighbors told

24 him that they had not seen or heard anything. Witness #1 thought he had seen a grey

25 Chevrolet pickup at the Knito Ranch a few weeks earlier.

26

27

28

PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
S. FLETCHER	014492	01/29/2009		

ANNEX B

MISDEMEANOR HIT AND RUN REPORT (continued)

STATE OF CALIFORNIA		PAGE 6 OF 6		
NARRATIVE/SUPPLEMENTAL				
DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D.	NUMBER
01/27/2009	2500	9065	014492	2009-01-1123

1 **SUMMARY:**

2

3 Party #1 (unknown) was traveling eastbound on Mail Route Road at an unknown rate of

4 speed when, for an unknown reason, Vehicle #1 (Chevrolet) traveled off the north roadway

5 edge of Mail Route Road where it struck the fence at 37685 Mail Route Road. Vehicle #1

6 damaged approximately 30 feet of fencing before coming to rest on its wheels in the field

7 north of Mail Route Road. After the collision, Party #1 fled the scene. Sometime later,

8 Vehicle #1 was removed from the scene.

9

10 **AREA OF IMPACT:**

11

12 The area of impact (Vehicle #1 vs. fence) was .7 miles east of Morgan Street and

13 determined to be 25 feet east of the east edge of a storm drain located on the north

14 roadway edge and 12 feet north of the north roadway edge of Mail Route Road. The area

15 of impact was determined by the physical evidence at the scene.

16

17 **CAUSE:**

18

19 Party #1(unknown) caused this collision by allowing Vehicle #1 to veer from a direct course,

20 leave the north roadway edge of Mail Route Road, and collide with the fence, a violation of

21 22107 V.C. (unsafe turning movement). The cause is based on the physical evidence at the

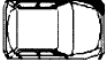
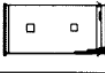
22 scene.

23

PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
S. FLETCHER	014492	01/29/2009		

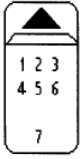

ANNEX C

SCHOOL BUS COLLISION

STATE OF CALIFORNIA											
TRAFFIC COLLISION REPORT											
CHP 555 CARS PAGE 1 (REV 11-06) OPI 065											
PAGE 1 OF 17											
SPECIAL CONDITIONS PUBLIC SCHOOL BUS TYPE 1 (9)		NUMBER PLAKED 0	HT & RUN FELONY <input type="checkbox"/>	CITY ELK GROVE	JUDICIAL DISTRICT SACRAMENTO			LOCAL REPORT NUMBER 2008 03 2222			
		NUMBER KILLED 0	HT & RUN INDEMNIAOR <input type="checkbox"/>	COUNTY SACRAMENTO	REPORTING DISTRICT			BEAT 901	DAY OF WEEK WEDNESDAY	TOW AWAY <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
LOCATION	COLLISION OCCURRED ON: BLOSSOM HILL ROAD				MO 03/12/2008	DAY 1515	YEAR 2008	TIME (2400)	NCIC # 9252	OFFICER I.D. 013460	
	MILEPOST INFORMATION:				GPS COORDINATES LATITUDE 38.40334°			LONGITUDE - 121.37296°	PHOTOGRAPHS BY: SGT. A. STROUD ID 14492		
	<input checked="" type="checkbox"/> AT INTERSECTION WITH: OR: PERCHERON STREET				STATE HWY REL <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO						
PARTY 1	DRIVER'S LICENSE NUMBER N5567800 (ID) (SUSP)	STATE CA	CLASS U	AIR BAG M	SAFETY EQUIP. G	VEH. YEAR 2004	MAKE / MODEL / COLOR NISS ALTIMA RED	LICENSE NUMBER 5JHD948	STATE CA		
DRIVER <input checked="" type="checkbox"/>	NAME (FIRST, MIDDLE, LAST) JENNIFER ANN GRATH					OWNER'S NAME <input checked="" type="checkbox"/> SAME AS DRIVER					
PEDESTRIAN <input type="checkbox"/>	STREET ADDRESS 5624 BLOSSOM HILL ROAD					OWNER'S ADDRESS <input checked="" type="checkbox"/> SAME AS DRIVER					
PARKED VEHICLE <input type="checkbox"/>	CITY / STATE / ZIP ELK GROVE CA 95757					DISPOSITION OF VEHICLE ON ORDERS OF: <input checked="" type="checkbox"/> OFFICER <input type="checkbox"/> DRIVER <input type="checkbox"/> OTHER					
BICYCLIST <input type="checkbox"/>	SEX F	HAIR BLN	EYES GRN	HEIGHT 5-06	WEIGHT 125	MO 06/25/1986	DAY 1986	YEAR 1986	RACE W	ABC TOWING - (916)555-4859	
OTHER <input type="checkbox"/>	HOME PHONE (916)555-0385		BUSINESS PHONE (916)555-8683			PRIOR MECH. DEFECTS <input checked="" type="checkbox"/> NONE APP. <input type="checkbox"/> REFER TO NARRATIVE					
INSURANCE CARRIER NONE		POLICY NUMBER			VEHICLE TYPE 01		DESCRIBE VEHICLE DAMAGE <input checked="" type="checkbox"/> UNK <input type="checkbox"/> NONE <input type="checkbox"/> MINOR <input checked="" type="checkbox"/> MOD <input type="checkbox"/> MAJOR <input type="checkbox"/> ROLL-OVER		SHADE IN DAMAGED AREA COMPACT TOP		
DIR OF TRAVEL: ON STREET OR HIGHWAY W BLOSSOM HILL ROAD		SPEED LIMIT 25			CA _____ DOT _____		CAL-T _____ TCP/PSC _____ MC/MX _____				
PARTY 2	DRIVER'S LICENSE NUMBER C7849683	STATE CA	CLASS B	AIR BAG P	SAFETY EQUIP. C	VEH. YEAR 2003	MAKE / MODEL / COLOR THOMAS FS65 YEL	LICENSE NUMBER 1189999	STATE CA		
DRIVER <input checked="" type="checkbox"/>	NAME (FIRST, MIDDLE, LAST) SUSAN LYNN ROBERTS					OWNER'S NAME <input type="checkbox"/> SAME AS DRIVER ELK GROVE UNIFIED SCHOOL DISTRICT					
PEDESTRIAN <input type="checkbox"/>	STREET ADDRESS 8674 WINDBROOK DRIVE					OWNER'S ADDRESS <input type="checkbox"/> SAME AS DRIVER 11345 BROOKFIELD ROAD ELK GROVE CA 95624					
PARKED VEHICLE <input type="checkbox"/>	CITY / STATE / ZIP SACRAMENTO CA 95822					DISPOSITION OF VEHICLE ON ORDERS OF: <input type="checkbox"/> OFFICER <input checked="" type="checkbox"/> DRIVER <input type="checkbox"/> OTHER					
BICYCLIST <input type="checkbox"/>	SEX F	HAIR BRN	EYES BRN	HEIGHT 5-05	WEIGHT 140	MO 04/23/1973	DAY 1973	YEAR 1973	RACE W	DRIVEN	
OTHER <input type="checkbox"/>	HOME PHONE (916)555-8365		BUSINESS PHONE (916)555-2758			PRIOR MECHANICAL DEFECTS <input checked="" type="checkbox"/> NONE APP. <input type="checkbox"/> REFER TO NARRATIVE					
INSURANCE CARRIER EG UNIFIED SCHOOL DIST		POLICY NUMBER			VEHICLE TYPE 13		DESCRIBE VEHICLE DAMAGE <input checked="" type="checkbox"/> UNK <input type="checkbox"/> NONE <input type="checkbox"/> MINOR <input checked="" type="checkbox"/> MOD <input type="checkbox"/> MAJOR <input type="checkbox"/> ROLL-OVER		SHADE IN DAMAGED AREA B/C TOP		
DIR OF TRAVEL: ON STREET OR HIGHWAY N PERCHERON STREET		SPEED LIMIT 25			CA 42333 DOT _____		CAL-T _____ TCP/PSC _____ MC/MX _____				
PARTY 3	DRIVER'S LICENSE NUMBER	STATE	CLASS	AIR BAG	SAFETY EQUIP.	VEH. YEAR	MAKE / MODEL / COLOR	LICENSE NUMBER	STATE		
DRIVER <input type="checkbox"/>	NAME (FIRST, MIDDLE, LAST)					OWNER'S NAME <input type="checkbox"/> SAME AS DRIVER					
PEDESTRIAN <input type="checkbox"/>	STREET ADDRESS					OWNER'S ADDRESS <input type="checkbox"/> SAME AS DRIVER					
PARKED VEHICLE <input type="checkbox"/>	CITY / STATE / ZIP					DISPOSITION OF VEHICLE ON ORDERS OF: <input type="checkbox"/> OFFICER <input type="checkbox"/> DRIVER <input type="checkbox"/> OTHER					
BICYCLIST <input type="checkbox"/>	SEX	HAIR	EYES	HEIGHT	WEIGHT	MO	BIRTHDATE DAY	YEAR	RACE	PRIOR MECHANICAL DEFECTS <input type="checkbox"/> NONE APP. <input type="checkbox"/> REFER TO NARRATIVE	
OTHER <input type="checkbox"/>	HOME PHONE		BUSINESS PHONE			VEHICLE IDENTIFICATION NUMBER:					
INSURANCE CARRIER		POLICY NUMBER			VEHICLE TYPE		DESCRIBE VEHICLE DAMAGE <input type="checkbox"/> UNK <input type="checkbox"/> NONE <input type="checkbox"/> MINOR <input type="checkbox"/> MOD <input type="checkbox"/> MAJOR <input type="checkbox"/> ROLL-OVER		SHADE IN DAMAGED AREA		
DIR OF TRAVEL: ON STREET OR HIGHWAY		SPEED LIMIT			CA _____ DOT _____		CAL-T _____ TCP/PSC _____ MC/MX _____				
PREPARER'S NAME C. BROSTROM 013460				DISPATCH NOTIFIED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A		REVIEWER'S NAME			DATE REVIEWED		

ANNEX C

SCHOOL BUS COLLISION (continued)

STATE OF CALIFORNIA TRAFFIC COLLISION CODING CHP 555 CARS PAGE2 (REV. 11-06) OPI 065										PAGE 2 OF 17				
DATE OF COLLISION (MO. DAY YEAR) 03/12/2008		TIME(2400) 1515		NCIC # 9252		OFFICER I.D. 013460		NUMBER 2008 03 2222						
PROPERTY DAMAGE		OWNER ADDRESS				NOTIFIED <input type="checkbox"/> YES <input type="checkbox"/> NO								
DESCRIPTION OF DAMAGE														
SEATING POSITION			OCCUPANTS			SAFETY EQUIPMENT			INATTENTION CODES					
			A - NONE IN VEHICLE B - UNKNOWN C - LAP BELT USED D - LAP BELT NOT USED E - SHOULDER HARNESS USED F - SHOULDER HARNESS NOT USED G - LAP/SHOULDER HARNESS USED H - LAP/SHOULDER HARNESS NOT USED J - PASSIVE RESTRAINT USED K - PASSIVE RESTRAINT NOT USED			L - AIR BAG DEPLOYED M - AIR BAG NOT DEPLOYED N - OTHER P - NOT REQUIRED CHILD RESTRAINT Q - IN VEHICLE USED R - IN VEHICLE NOT USED S - IN VEHICLE USE UNKNOWN T - IN VEHICLE IMPROPER USE U - NONE IN VEHICLE			M/C BICYCLE - HELMET DRIVER PASSENGER V - NO X - NO W - YES Y - YES EJECTED FROM VEHICLE 0 - NOT EJECTED 1 - FULLY EJECTED 2 - PARTIALLY EJECTED 3 - UNKNOWN			A - CELL PHONE HANDHELD B - CELL PHONE HANDSFREE C - ELECTRONIC EQUIPMENT D - RADIO / CD E - SMOKING F - EATING G - CHILDREN H - ANIMALS I - PERSONAL HYGIENE J - READING K - OTHER		
ITEMS MARKED BELOW FOLLOWED BY AN ASTERISK (*) SHOULD BE EXPLAINED IN THE NARRATIVE.														
PRIMARY COLLISION FACTOR LIST NUMBER (#) OF PARTY AT FAULT		TRAFFIC CONTROL DEVICES			SPECIAL INFORMATION			MOVEMENT PRECEDING COLLISION						
I A VC SECTION VIOLATED: CITED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO 22450(A)		A CONTROLS FUNCTIONING			A HAZARDOUS MATERIAL			A STOPPED						
B OTHER IMPROPER DRIVING*		B CONTROLS NOT FUNCTIONING*			B CELL PHONE HANDHELD IN USE			B PROCEEDING STRAIGHT						
C OTHER THAN DRIVER*		C CONTROLS OBSCURED			C CELL PHONE HANDSFREE IN USE			C RAN OFF ROAD						
D UNKNOWN*		D NO CONTROLS PRESENT / FACTOR*			D CELL PHONE NOT IN USE			D MAKING RIGHT TURN						
WEATHER (MARK 1 TO 2 ITEMS)		TYPE OF COLLISION			E SCHOOL BUS RELATED			E MAKING LEFT TURN						
X A CLEAR		A HEAD - ON			F 75 FT MOTORTRUCK COMBO			F MAKING U TURN						
B CLOUDY		B SIDE SWIPE			G 32 FT TRAILER COMBO			G BACKING						
C RAINING		C REAR END			H			H SLOWING / STOPPING						
D SNOWING		D BROADSIDE			I			I PASSING OTHER VEHICLE						
E FOG / VISIBILITY FT.		E HIT OBJECT			J			J CHANGING LANES						
F OTHER:*		F OVERTURNED			K			K PARKING MANEUVER						
G WIND		G VEHICLE / PEDESTRIAN			L			L ENTERING TRAFFIC						
LIGHTING		H OTHER:*			M			M OTHER UNSAFE TURNING						
X A DAYLIGHT		I FIXED OBJECT:			N			N XING INTO OPPOSING LANE						
B DUSK - DAWN		J OTHER OBJECT:			O			O PARKED						
C DARK - STREET LIGHTS		K OTHER MOTOR VEHICLE			P			P MERGING						
D DARK - NO STREET LIGHTS		L MOTOR VEHICLE ON OTHER ROADWAY			Q			Q TRAVELING WRONG WAY						
E DARK - STREET LIGHTS NOT FUNCTIONING*		M PARKED MOTOR VEHICLE			OTHER ASSOCIATED FACTORS (MARK 1 TO 2 ITEMS)			R OTHER:*						
ROADWAY SURFACE		N TRAIN			A VC SECTION VIOLATED: CITED <input type="checkbox"/> YES <input type="checkbox"/> NO			SOBRIETY - DRUG PHYSICAL (MARK 1 TO 2 ITEMS)						
X A DRY		O BICYCLE			B VC SECTION VIOLATED: CITED <input type="checkbox"/> YES <input type="checkbox"/> NO			A HAD NOT BEEN DRINKING						
B WET		P ANIMAL:			C VC SECTION VIOLATED: CITED <input type="checkbox"/> YES <input type="checkbox"/> NO			B HBD - UNDER INFLUENCE						
C SNOWY - ICY		Q PEDESTRIAN'S ACTIONS			D			C HBD - NOT UNDER INFLUENCE*						
D SLIPPERY (MUDDY, OILY, ETC.)		A NO PEDESTRIANS INVOLVED			E VISION OBSCUREMENT:			D HBD - IMPAIRMENT UNKNOWN*						
ROADWAY CONDITION(S) (MARK 1 TO 2 ITEMS)		B CROSSING IN CROSSWALK AT INTERSECTION			F INATTENTION:*			E UNDER DRUG INFLUENCE*						
A HOLES, DEEP RUT*		C CROSSING IN CROSSWALK - NOT AT INTERSECTION			G STOP & GO TRAFFIC			F IMPAIRMENT - PHYSICAL*						
B LOOSE MATERIAL ON ROADWAY*		D CROSSING - NOT IN CROSSWALK			H ENTERING / LEAVING RAMP			G IMPAIRMENT NOT KNOWN						
C OBSTRUCTION ON ROADWAY*		E IN ROAD - INCLUDES SHOULDER			I PREVIOUS COLLISION			H NOT APPLICABLE						
D CONSTRUCTION - REPAIR ZONE		F NOT IN ROAD			J UNFAMILIAR WITH ROAD			I SLEEPY / FATIGUED						
E REDUCED ROADWAY WIDTH		G APPROACHING / LEAVING SCHOOL BUS			K DEFECTIVE VEH. EQUIP.: CITED <input type="checkbox"/> YES <input type="checkbox"/> NO									
F FLOODED*					L UNINVOLVED VEHICLE									
G OTHER:*					M OTHER:*									
X H NO UNUSUAL CONDITIONS					N NONE APPARENT									
					O RUNAWAY VEHICLE									
SKETCH FOR SKETCH DIAGRAM, SEE PAGE 4					MISCELLANEOUS									
					 INDICATE NORTH									

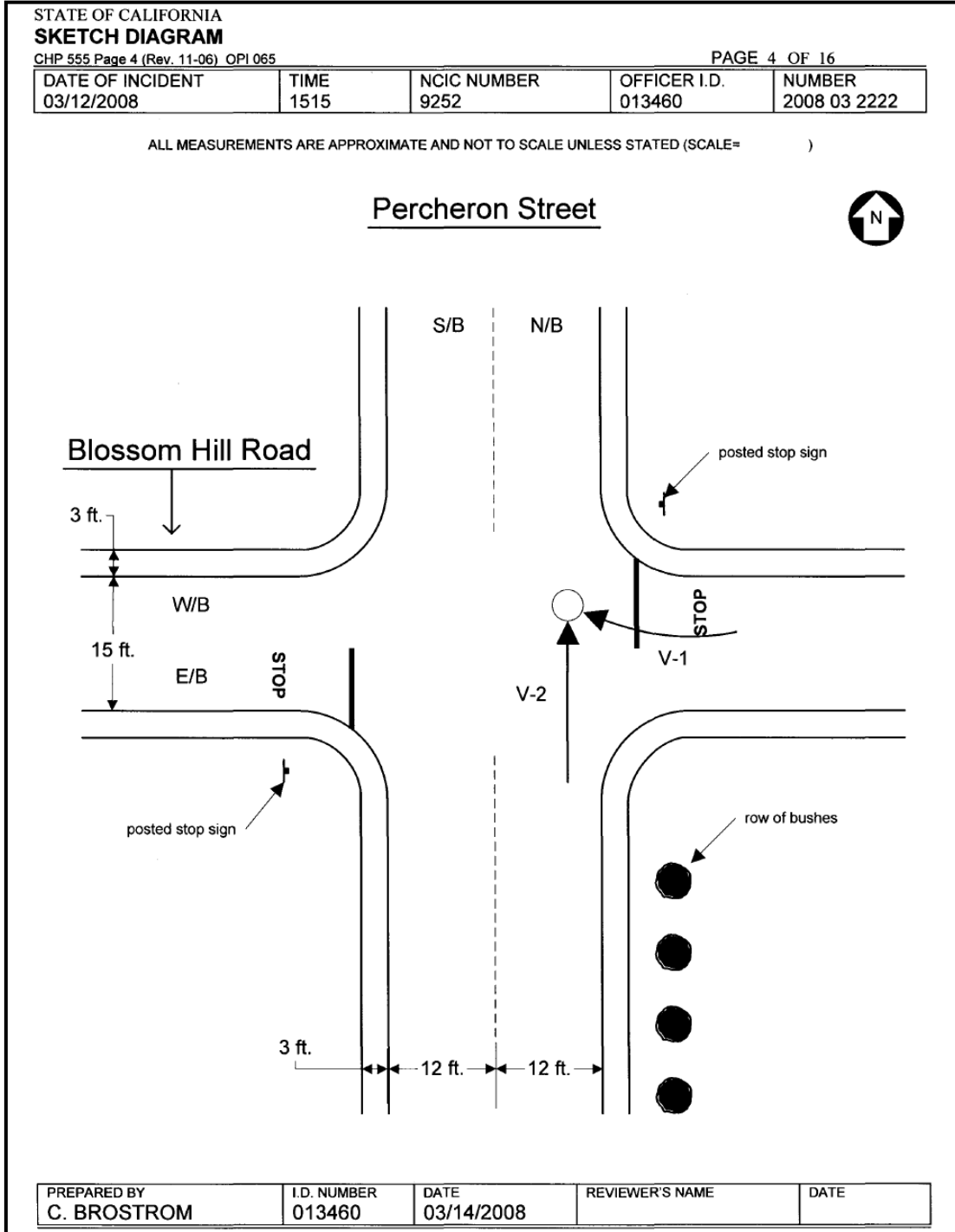
ANNEX C

SCHOOL BUS COLLISION (continued)

STATE OF CALIFORNIA INJURED / WITNESSES / PASSENGERS CHP 555 CARS PAGE 3 (REV 11-08) OPI 065														PAGE 3 OF 17				
DATE OF COLLISION (MO. DAY YEAR) 03/12/2008				TIME(2400) 1515		NCIC # 9252		OFFICER I.D. 013460				NUMBER 2008 03 2222						
WITNESS ONLY	PASSENGER ONLY	AGE	SEX	EXTENT OF INJURY('X' ONE)				INJURED WAS ('X' ONE)					PARTY NUMBER	SEAT POS.	AIR BAG	SAFETY EQUIP.	EJECTED	
				FATAL INJURY	SEVERE INJURY	OTHER VISIBLE INJURY	COMPLAINT OF PAIN	DRIVER	PASS.	PED.	BICYCLIST	OTHER						
<input checked="" type="checkbox"/> # 1	<input type="checkbox"/>	35	F	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
NAME / D.O.B. / ADDRESS DEBORAH LEAH CROSS (02/18/1973) 3726 BLOSSOM HILL ROAD ELK GROVE CA 95624														TELEPHONE (916)555-7639				
(INJURED ONLY) TRANSPORTED BY:														TAKEN TO:				
DESCRIBE INJURIES:																		
<input type="checkbox"/> VICTIM OF VIOLENT CRIME NOTIFIED																		
<input checked="" type="checkbox"/> # 2	<input type="checkbox"/>	64	M	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
NAME / D.O.B. / ADDRESS HERMAN HOWARD PITTMAN (04/06/1943) 1385 BLOSSOM HILL ROAD ELK GROVE CA 95624														TELEPHONE (916)555-3959				
(INJURED ONLY) TRANSPORTED BY:														TAKEN TO:				
DESCRIBE INJURIES:																		
<input type="checkbox"/> VICTIM OF VIOLENT CRIME NOTIFIED																		
<input type="checkbox"/> #	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
NAME / D.O.B. / ADDRESS PASSENGERS IN VEHICLE 2 ARE LISTED ON PAGE 15														TELEPHONE				
(INJURED ONLY) TRANSPORTED BY:														TAKEN TO:				
DESCRIBE INJURIES:																		
<input type="checkbox"/> VICTIM OF VIOLENT CRIME NOTIFIED																		
<input type="checkbox"/> #	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
NAME / D.O.B. / ADDRESS														TELEPHONE				
(INJURED ONLY) TRANSPORTED BY:														TAKEN TO:				
DESCRIBE INJURIES:																		
<input type="checkbox"/> VICTIM OF VIOLENT CRIME NOTIFIED																		
<input type="checkbox"/> #	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
NAME / D.O.B. / ADDRESS														TELEPHONE				
(INJURED ONLY) TRANSPORTED BY:														TAKEN TO:				
DESCRIBE INJURIES:																		
<input type="checkbox"/> VICTIM OF VIOLENT CRIME NOTIFIED																		
<input type="checkbox"/> #	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
NAME / D.O.B. / ADDRESS														TELEPHONE				
(INJURED ONLY) TRANSPORTED BY:														TAKEN TO:				
DESCRIBE INJURIES:																		
<input type="checkbox"/> VICTIM OF VIOLENT CRIME NOTIFIED																		
PREPARER'S NAME C. BROSTROM						I.D. NUMBER 013460		MO. DAY YEAR 03/14/2008		REVIEWER'S NAME				MO. DAY YEAR				

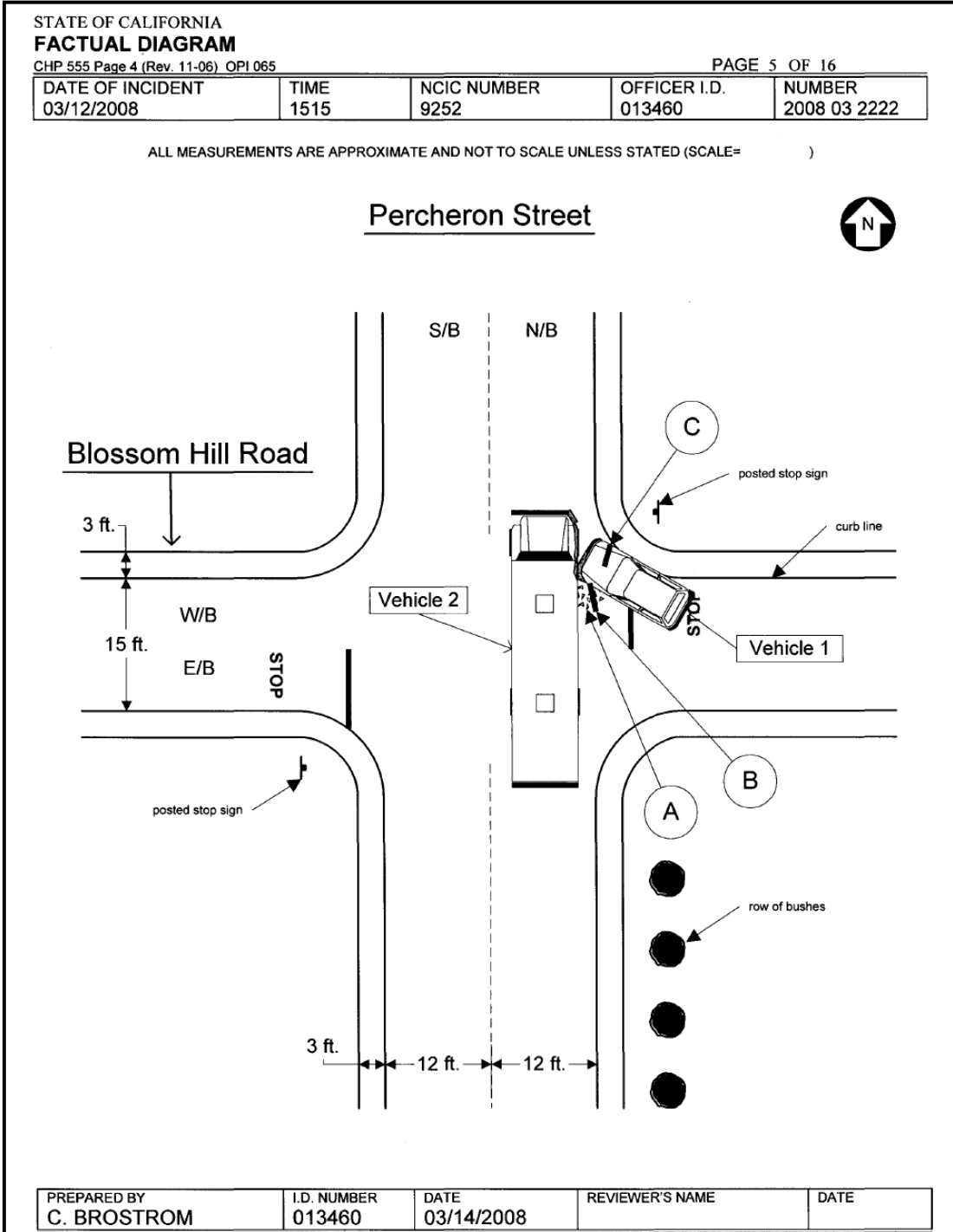
ANNEX C

SCHOOL BUS COLLISION (continued)



ANNEX C

SCHOOL BUS COLLISION (continued)



ANNEX C

SCHOOL BUS COLLISION (continued)

STATE OF CALIFORNIA		PAGE 6 OF 17		
NARRATIVE/SUPPLEMENTAL				
DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D.	NUMBER
03/12/2008	1515	9252	013460	2008 03 2222

1 FACTUAL DIAGRAM LEGEND

2

3 Physical Evidence Description

4 The following items of evidence are depicted on the Factual Diagram and identified by alpha

5 markers.

6

7 (A) An approximate 3' diameter area of vehicle debris and liquids.

8 (B) A tire friction mark 3' 6" in length and 6" in width, ending at the left front tire of Vehicle 1.

9 (C) A tire friction mark 3' in length and 6" in width, ending at the right front tire of Vehicle 1.

10

11 Physical Evidence Locations

12

13 (A) The center of the area was located 1' west of the east curb line prolongation of Percheron

14 Street and 1' south of the north curb line prolongation of Blossom Hill Road.

15 (B) The beginning of the tire friction mark was located 1' east of the east curb line prolongation of

16 Percheron Street and 1' 3" south of the north curb line prolongation of Blossom Hill Road.

17 The ending was located 9" west of the east curb line prolongation of Percheron Street and 6"

18 south of the north curb line prolongation of Blossom Hill Road.

19 (C) The beginning of the tire friction mark was located 1' 9" east of the east curb line prolongation

20 of Percheron Street and 1' north of the north curb line prolongation of Blossom Hill Road.

21 The ending was located 2' east of the east curb line prolongation of Percheron Street and 3'

22 9" north of the north curb line prolongation of Blossom Hill Road.

23

24 Positions of Rest

25

26 The right front wheel of Vehicle 1 was located 1' 9" east of the east curb line prolongation of

27 Percheron Street and 3' 9" north of the north curb line prolongation of Blossom Hill Road.

28

PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
C. BOSTROM	013460	03/14/2008		

ANNEX C

SCHOOL BUS COLLISION (continued)

STATE OF CALIFORNIA		PAGE 7 OF 17		
NARRATIVE/SUPPLEMENTAL				
DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D.	NUMBER
03/12/2008	1515	9252	013460	2008 03 2222
1	<u>Positions of Rest (continued)</u>			
2				
3	The right rear wheel of Vehicle 1 was located 9' 2" east of the east curb line prolongation of			
4	Percheron Street and 10" south of the north curb of Blossom Hill Road.			
5				
6	The right front wheel of Vehicle 2 was located 2' west of the east curb line prolongation of			
7	Percheron Street and 4' north of the north curb line prolongation of Blossom Hill Road.			
8				
9	The right rear wheel of Vehicle 2 was located 2' west of the east curb line prolongation of			
10	Percheron Street and 14' south of the north curb line prolongation of Blossom Hill Road.			
11				
12				
13				
14				
15				
16				
17				
18				
19				
20				
21				
22				
23				
24				
25				
26				
27				
28				
PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
C. BROSTROM	013460	03/14/2008		

ANNEX C

SCHOOL BUS COLLISION (continued)

STATE OF CALIFORNIA		PAGE 8 OF 17		
NARRATIVE/SUPPLEMENTAL				
DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D.	NUMBER
03/12/2008	1515	9252	013460	2008 03 2222

1 FACTS

2

3 Notification

4 I received a radio call of a property damage school bus collision at 1522 hours. I responded from

5 the intersection of Stockton Boulevard at Gerber Road and arrived on the scene at 1530 hours.

6 All times, speeds, and measurements represented in this investigation are approximations. All

7 measurements were obtained using a roll meter.

8

9 Scene Description

10 This collision occurred at the intersection of Percheron Street and Blossom Hill Road, in the city of

11 Elk Grove. Percheron Street is a straight, level, north/south designated city street of asphalt-

12 concrete composition. Percheron Street is a two-way street with one northbound lane and one

13 southbound lane separated by a painted broken yellow line, and is bordered by a six inch raised

14 concrete curb and sidewalk on the east and west.

15

16 Blossom Hill Road is a straight, level, east/west designated city street of asphalt-concrete

17 composition. Blossom Hill Road is a non-delineated, two-way street and is bordered by a rolled

18 concrete curb and sidewalk on the north and south.

19

20 Percheron Street and Blossom Hill Road intersect at an approximate 90 degree angle. The

21 intersection is controlled by roadway markings (white painted "STOP"), painted white limit lines,

22 and posted stop signs at the northeast and southwest corners limiting east and westbound traffic

23 on Blossom Hill Road. North and southbound traffic on Percheron Street is not controlled. There

24 are 5 foot tall bushes lining the east edge of Percheron Street south of the intersection, however,

25 the line of sight for the driver of a vehicle westbound on Blossom Hill Road is sufficiently

26 unobstructed (in excess of 200 feet while stopped at the limit line). Refer to the Factual Diagram

27 for additional information.

28

PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
C. BROSTROM	013460	03/14/2008		

ANNEX C

SCHOOL BUS COLLISION (continued)

STATE OF CALIFORNIA

NARRATIVE/SUPPLEMENTAL

PAGE 9 OF 17

DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D. NUMBER
03/12/2008	1515	9252	013460

1 Parties

2

3 Party 1 (Grath) was located at the scene standing on the sidewalk at the northeast corner of the
4 intersection. Party 1 was identified by her California Identification Card. Party 1 was determined
5 to be a party in this collision by her statement, the statements of Party 2 and the witnesses, and
6 she is the registered owner of Vehicle 1.

7

8 Vehicle 1 (Nissan) was located on its wheels, facing a northwesterly direction wedged between
9 the northeast curb of the intersection and Vehicle 2 (as shown on the Factual Diagram). Vehicle 1
10 sustained moderate left front damage, to include dents and scrapes to the left front fender, hood,
11 bumper, and headlight assembly, as a result of this collision. No previous damage was noted. No
12 mechanical defects were alleged or observed.

13

14 Party 2 (Roberts) was located at the scene standing on the sidewalk at the northeast corner of the
15 intersection. Party 2 was identified by her California Driver License. Party 2 was determined to
16 be a party in this collision by her statement, the statements of Party 1 and the witnesses, and she
17 is employed by Elk Grove Unified School District and assigned to Vehicle 2.

18

19 Vehicle 2 (Thomas School Bus) was located on its wheels, facing north, in the northbound lane of
20 Percheron Street, within the intersection (as shown on the Factual Diagram). Vehicle 2 sustained
21 moderate damage to the right front, to include a bent front bumper, dents to the right side fender,
22 and scrapes to the right side fender and door. No previous damage was noted. No mechanical
23 defects were alleged or observed.

24

25 Physical Evidence

26 A notice of suspension, effective 11/15/2007, addressed to Party 1 was located on the right front
27 floor board of Vehicle 1. A Polaroid photograph was taken of the notice. The photograph was
28 logged and filed at the Area office.

PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
C. BROSTROM	013460	03/14/2008		

ANNEX C

SCHOOL BUS COLLISION (continued)

STATE OF CALIFORNIA				
NARRATIVE/SUPPLEMENTAL				PAGE 10 OF 17
DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D. NUMBER	NUMBER
03/12/2008	1515	9252	013460	2008 03 2222

1 Other Factual Information

2 Party 1 presented a valid California ID Card at the scene of the collision, however, failed to
3 provide a driver's license. Consequently, a driver's license status check was requested and
4 returned suspended, effective 11/15/2007, and served 10/15/2007 with a "J – personal service by
5 officer." Party 1 stated she left her driver's license at home; however, a notice of suspension
6 addressed to Party 1 was located on the right front floorboard of her vehicle. Party 1 could not
7 provide a current registration card. A registration check on Vehicle 1 showed expired as of
8 1/16/2007 with no fees paid to the Department of Motor Vehicles (DMV). Vehicle 1 was
9 impounded per Vehicle Code (VC) section 22651(o). Additionally, Party 1 was unable to provide
10 evidence of vehicle insurance.

11

12

13 STATEMENTS

14

15 Party 1 (Grath) was contacted at the scene and related, in summary, the following:

16

17 Party 1 was driving westbound on Blossom Hill Road. She just left her house and was going to
18 the SaveMart on Stockton Boulevard to buy some groceries. She was going "no more than 25
19 mph" and "coming up on the stop sign at Percheron Street." She stopped at the stop sign for "a
20 second or so" and looked south on Percheron Street. She didn't see "anyone coming" and started
21 to turn right. She "suddenly" saw Vehicle 2 and "slammed on the brakes." It was "too late" and
22 Vehicle 2 struck the left side of her vehicle. She did not move her vehicle after the collision
23 because the "bus didn't move" and she was "pinned in." She exited her vehicle on the right
24 passenger's side. She was wearing her seatbelt and was not injured as a result of the collision.

25

26 Party 1 gave me a California ID Card and I asked her if she had a driver's license. Party 1 stated
27 that she must have "picked up her ID Card by mistake" and left her license at home. Party 1
28 stated that she did not have insurance for her vehicle "right now." An expired registration tab was

PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
C. BROSTROM	013460	03/14/2008		

ANNEX C

SCHOOL BUS COLLISION (*continued*)

STATE OF CALIFORNIA		PAGE 11 OF 17		
NARRATIVE/SUPPLEMENTAL				
DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D.	NUMBER
03/12/2008	1515	9252	013460	2008 03 2222
1 <u>Statements</u> (continued)				
2				
3 <u>Party 1 (Grath)</u> (continued)				
4				
5 displayed on the license plate of Vehicle 1 and Party 1 provided an expired registration card. I				
6 asked Party 1 if her vehicle was currently registered and she stated she did not know. She stated				
7 her "boyfriend takes care of that stuff."				
8				
9 <u>Party 2 (Roberts)</u> was contacted at the scene and related, in summary, the following:				
10				
11 Party 2 was driving northbound on Percheron Street at 25 mph. She had just come from Liberty				
12 Elementary School and had nine students on board the bus. She saw Vehicle 1 approaching the				
13 stop sign at Blossom Hill Road. She noticed Vehicle 1 was approaching "kinda fast" and				
14 consequently she started to "slow down a little." She then realized Vehicle 1 was not going to stop				
15 and applied the brakes. Vehicle 1 "went through the stop sign" and struck the right front of the				
16 bus. She immediately stopped the bus and got out through the rear exit. She made sure that				
17 none of the children were injured and told them to stay on the bus. She did not move Vehicle 2				
18 after the collision. She was wearing her seatbelt and was not injured as a result of the collision.				
19				
20 <u>Witness 1 (Cross)</u> was contacted at the scene and related, in summary, the following:				
21				
22 Witness 1 was driving westbound on Blossom Hill Road at 25 to 30 mph. She was approximately				
23 100 feet behind Vehicle 1 and Vehicle 1 was "going a little faster" than her. Witness 1 started to				
24 slow down as she approached the stop sign at Percheron Street. She saw the brake lights on				
25 Vehicle 1 "come on" and Vehicle 1 appeared to slow down. She did not see a turn signal but saw				
26 Vehicle 1 start to turn to the right, as it approached the intersection. Vehicle 1 "coasted" through				
27 the stop sign and did not stop. She then saw Vehicle 1 hit the right side of Vehicle 2.				
28				
PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
C. BROSTROM	013460	03/14/2008		

ANNEX C

SCHOOL BUS COLLISION (continued)

STATE OF CALIFORNIA		PAGE 12 OF 17		
NARRATIVE/SUPPLEMENTAL				
DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D.	NUMBER
03/12/2008	1515	9252	013460	2008 03 2222

1 Statements (continued)

2

3 Witness 2 (Pittman) was contacted in the front yard of his residence, 1385 Blossom Hill Road.

4 Witness 2's residence is located at the northwest corner of the intersection of Blossom Hill Road

5 and Percheron Street. Witness 2 related, in summary, the following:

6

7 Witness 2 was standing in his front yard facing the roadway. He saw Vehicle 1 westbound on

8 Blossom Hill Road, approaching Percheron Street.

9

10 He thought Vehicle 1 was "going a little fast" but not faster than he "usually" sees on his street.

11 He watched as Vehicle 1 approached the intersection and noticed that it was not slowing as much

12 as it should to stop at the stop sign. He saw Vehicle 1 "roll through the stop sign" at 5 to 10 mph.

13 He then saw the front of Vehicle 1 hit the right side of Vehicle 2.

14

15

16 OPINIONS AND CONCLUSIONS

17

18 Summary

19 Party 1 was driving Vehicle 1 and traveling westbound on Blossom Hill Road at 25 to 30 mph,

20 approaching a stop sign at the intersection with Percheron Street. Party 2 was driving Vehicle 2

21 and traveling northbound on Percheron Street at 25 mph, approaching the intersection with

22 Blossom Hill Road and Vehicle 1. As Vehicle 1 approached the stop limit line, Party 1 slowed

23 Vehicle 1 but did not stop. Vehicle 1 traveled into the intersection at approximately 10 mph,

24 directly into the path of Vehicle 2. Party 2 slowed Vehicle 2; however, she was unable to avoid a

25 collision. The right front of Vehicle 2 collided with the left front of Vehicle 1. After the collision,

26 Vehicle 1 came to rest facing a northwesterly direction wedged between the northeast curb of the

27 intersection and Vehicle 2. Vehicle 2 came to rest facing north, in the northbound lane of

28 Percheron Street, within the intersection.

PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
C. BROSTROM	013460	03/14/2008		

ANNEX C

SCHOOL BUS COLLISION (continued)

STATE OF CALIFORNIA		PAGE 13 OF 17		
NARRATIVE/SUPPLEMENTAL				
DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D.	NUMBER
03/12/2008	1515	9252	013460	2008 03 2222

1 Area of Impact (AOI)

2 The area of impact (Vehicle 1 vs. Vehicle 2) was located four feet south of the north curb line of

3 Blossom Hill Road and two feet west of the east curb line of Percheron Street. The AOI was

4 determined based on the statements of the involved parties and witnesses, the position of rest of

5 the vehicles, and the physical evidence.

6

7 Cause

8 The cause of this collision was Party 1's driving in violation of 22450(a)VC – Failure to stop for a

9 posted stop sign, at the limit line, before entering an intersection. Party 1 did not cause her

10 vehicle to stop before entering the intersection directly in the path of Vehicle 2.

11

12

13 RECOMMENDATIONS

14

15 A driver's license status check through DMV revealed Party 1's driving privilege had been

16 suspended as of 11/15/2007 and evidence supports Party 1 was aware of the suspension. Party

17 1 was found to be in violation of 14601.1(a)VC – Driving with a suspended driver's license. A

18 vehicle registration check through DMV revealed Vehicle 1 had not been currently registered as of

19 01/16/07 and there had been no fees paid on the expired registration a violation of 4000(a)(1)VC –

20 Expired vehicle registration. Additionally, Party 1 was not able to provide evidence of financial

21 responsibility at the scene and, therefore, in violation of 16028(c)VC – Failure to provide evidence

22 of financial responsibility when involved in a traffic collision.

23

24 I recommend a complaint be filed (CHP 215, Notice to Appear, 12345AB attached) against

25 Jennifer Ann Grath (Party 1) for the following charges:

26

27 ▪ 22450(a)VC – Failure to stop for a posted stop sign, at the limit line, before entering an

28 intersection.

PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
C. BROSTROM	013460	03/14/2008		

ANNEX C


SCHOOL BUS COLLISION (continued)

STATE OF CALIFORNIA					
NARRATIVE/SUPPLEMENTAL				PAGE 14 OF 17	
DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D.	NUMBER	
03/12/2008	1515	9252	013460	2008 03 2222	
1	<u>RECOMMENDATIONS</u> (continued)				
2					
3	▪ 14601.1(a)VC – Driving with a suspended driver's license.				
4	▪ 4000(a)(1)VC – Expired vehicle registration.				
5	▪ 16028(c)VC – Failure to provide evidence of financial responsibility when involved in a				
6	traffic collision.				
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PREPARED BY		I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
C. BROSTROM		013460	03/14/2008		

ANNEX C

SCHOOL BUS COLLISION (continued)

STATE OF CALIFORNIA		PAGE 15 OF 17		
NARRATIVE/SUPPLEMENTAL				
DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D.	NUMBER
03/12/2008	1515	9252	013460	2008 03 2222

1		LIBERTY ELEMENTARY SCHOOL	36829 Gallagher Road	Elk Grove, CA 95624
2				
3				
4				
5				
6				
7	<u>School Bus #204 passenger list for the afternoon route on 3/12/2008</u>			
8				
1	Robert Shay	10/04/98	3758 Riverview Dr. Elk Grove, CA 95624	(916)555-7684
2	Thomas Shay	03/15/00	3758 Riverview Dr. Elk Grove, CA 95624	(916)555-7684
3	Denise Gallen	06/21/00	6748 Neff Ln. Elk Grove, CA 95624	(916)555-5674
4	Liubov Daniliuk	09/16/99	8673 Wilhert Ct. Elk Grove, CA 95624	(916)555-8143
5	Alejandro Huerta	07/05/98	3884 Robin Rd. Elk Grove, CA 95624	(916)555-9059
6	Henrietta Huerta	08/23/99	3884 Robin Rd. Elk Grove, CA 95624	(916)555-9059
7	James Shadix	06/13/00	7765 Jacob Wy. Elk Grove, CA 95624	(916)555-7599
8	Tatyana Vaskovich	11/09/98	5561 Chilton Dr. Elk Grove, CA 95624	(916)555-3895
9	Yelena Vaskovich	02/30/00	5561 Chilton Dr. Elk Grove, CA 95624	(916)555-3895
9				
10				
11				
12				
13				

PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
C. BROSTROM	013460	03/14/2008		

ANNEX C

SCHOOL BUS COLLISION (continued)

STATE OF CALIFORNIA DEPARTMENT OF CALIFORNIA HIGHWAY PATROL					PARTY NUMBER																																																																																																																										
SCHOOL BUS COLLISION SUPPLEMENTAL REPORT					2																																																																																																																										
CHP 555E (Rev. 2-09) OPI 062																																																																																																																															
DATE OF COLLISION (MONTH, DAY, YEAR)		TIME (2400)		NCIC NUMBER		OFFICER ID NUMBER		NUMBER																																																																																																																							
03/12/2008		1515		9252		13460		2008 03 2222																																																																																																																							
DRIVER INFORMATION																																																																																																																															
CALIFORNIA SPECIAL DRIVERS CERTIFICATE (DL-45)			IF YES SPECIAL CERTIFICATE NUMBER			EXPIRATION DATE		CHP AREA NUMBER																																																																																																																							
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IF APPLICABLE TYPE					RESTRICTIONS (CHECK ALL THAT APPLY)																																																																																																																										
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MEDICAL CERTIFICATE (DL-51A) (VALID FOR 2 YEARS FROM DATE OF EXAM)					IF YES EXAM DATE		EXPIRATION DATE																																																																																																																								
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FIRST AID CERTIFICATE (VALID FOR 3 YEARS FROM ISSUE DATE - ONLY REQUIRED FOR DRIVERS WITH A & RESTRICTION ON THEIR SPECIAL DRIVERS CERTIFICATE)					IF YES ISSUE DATE		EXPIRATION DATE																																																																																																																								
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VEHICLE INFORMATION																																																																																																																															
INSPECTION APPROVAL CERTIFICATE (CHP 292) INSPECTED BY (NAME AND ID NUMBER)				LAST INSPECTION DATE		CHP AREA NUMBER		RATED PASSENGER CAPACITY																																																																																																																							
C. Adams, A1437				01/15/2008		252		41																																																																																																																							
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Place the number assigned to the passenger in the corresponding seating position on the chart below.																																																																																																																															
Place an "X" on the row(s) that do not apply.																																																																																																																															
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ANNEX C

SCHOOL BUS COLLISION (continued)

STATE OF CALIFORNIA DEPARTMENT OF CALIFORNIA HIGHWAY PATROL				
TRUCK / BUS COLLISION SUPPLEMENTAL REPORT				PARTY NUMBER 2
CHP 555D (Rev. 1-07) OPI 062				
DATE OF COLLISION 03/12/2008	TIME (2400) 15:15	NCIC NUMBER 9252	OFFICER I.D. NUMBER 013460	NUMBER 2008 03 2222
GENERAL INSTRUCTIONS - COMPLETE THIS FORM FOR EACH QUALIFYING VEHICLE IF THE CRASH MEETS CRITERIA ON BACK OF THIS FORM.				
QUALIFYING INFORMATION				
THIS FORM IS BEING COMPLETED BECAUSE THIS VEHICLE IS:				
<input type="checkbox"/> A truck or truck combination > 10,000 lbs. GVWR / GCWR <input checked="" type="checkbox"/> A bus with seats for 9 or more persons, including driver <input type="checkbox"/> A vehicle of any type with a hazardous materials placard (includes auto, light truck, van, 10,000 lbs. or less)				
TOTAL INVOLVED VEHICLES IN THE CRASH 2		AT THE TIME OF THE CRASH, THIS VEHICLE WAS:		
NUMBER OF PERSONS SUSTAINING FATAL INJURIES 0		<input checked="" type="checkbox"/> Operating on a Trafficway open to the public (In-Transport) <input type="checkbox"/> Parked on or off the Trafficway		
NUMBER OF INJURED PERSONS TRANSPORTED FOR IMMEDIATE MEDICAL TREATMENT 0		COMMERCIAL DRIVER LICENSE (CDL): <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		
NUMBER OF VEHICLES TOWED FROM SCENE DUE TO DISABLING DAMAGE 0		CDL LICENSE CLASS (Check one): <input type="checkbox"/> Class A <input checked="" type="checkbox"/> Class B <input type="checkbox"/> Class C <input type="checkbox"/> Class D <input type="checkbox"/> Class M		
VEHICLE INFORMATION				
VEHICLE CONFIGURATION (Enter one code from below) 4		CARGO BODY TYPE (Enter one code from below) 2		
1 - Passenger Car (only if vehicle has Hazardous Materials Placard) 2 - Light Truck (only if vehicle has Hazardous Materials Placard) 3 - Bus (seats for 9-15 people, including driver) 4 - Bus (seats for 16 people or more, including driver) 5 - Single-Unit Truck (2 axes, 6 tires) 6 - Single-Unit Truck (3 or more axes) 7 - Truck / Trailer(s) (Single-Unit Truck with Trailer(s)) 8 - Truck / Tractor (without trailer, bobtail, or saddle mount) 9 - Tractor / Semi-Trailer (one trailer) 10 - Tractor / Doubles (two trailers) 11 - Tractor / Triples (three trailers) 99 - Other Truck > 10,000 lbs. (not listed above)		0 - Not Applicable / No Cargo Body 1 - Bus (seats for 9-15 people, including driver) 2 - Bus (seats for 16 people or more, including driver) 3 - Van / Enclosed Box 4 - Cargo Tank 5 - Flatbed 6 - Dump 7 - Concrete Mixer 8 - Auto Transporter 9 - Garbage / Refuse 10 - Grain, Chips, Gravel 11 - Pole 12 - Vehicle Towing Another Motor Vehicle 13 - Intermodal Chassis 14 - Logging 98 - Other Cargo Body (not listed above)		
GVWR / GCWR (Enter one code from below. Use GCWR for truck combinations) 3		HAZARDOUS MATERIALS INVOLVEMENT		
1 - 10,000 lbs. or Less 2 - 10,001 - 26,000 lbs. 3 - Greater than 26,000 lbs.		<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		
Bus Use (Enter one code from below) 1		IF YES, INCLUDE THE FOLLOWING INFORMATION FROM THE PLACARD:		
0 - Not a Bus 1 - School (Public or Private) 2 - Transit 3 - Intercity 4 - Charter 5 - Other		HM 4-Digit # or name from diamond or box: _____ HM Class # from bottom of diamond: _____ Was Haz-Mat released from THIS vehicle's cargo? <input type="checkbox"/> YES <input type="checkbox"/> NO		
MOTOR CARRIER INFORMATION				
CHECK ONE: <input type="checkbox"/> Interstate Carrier <input type="checkbox"/> Intrastate Carrier <input checked="" type="checkbox"/> Not In Commerce - Government <input type="checkbox"/> Not in Commerce - Other Trucks (Over 10,000lbs. GVWR / GCWR)				
Carrier Name: <u>Elk Grove Unified School District</u>				
Carrier Street Address (P.O. Box only if no street address): <u>11345 Brookfield Road</u>				
City / State / ZIP Code: <u>Elk Grove, CA 95624</u>			Phone Number: <u>(916) 555-8376</u>	
Carrier ID Number(s): NONE		USDOT#	MC / MX#	State# CA 42333
SEQUENCE OF EVENTS				
NOTE: FOR THIS VEHICLE, LIST UP TO FOUR EVENTS				
Event 1: 13 Event 2: <input type="checkbox"/> Event 3: <input type="checkbox"/> Event 4: <input type="checkbox"/>				
NON-COLLISIONS 1 Ran Off Road 2 Jackknife 3 Overturn (Rollover) 4 Downhill Runaway 5 Cargo Loss or Shift 6 Explosion or Fire 7 Separation of Units 8 Cross Median / Centerline	NON-COLLISIONS (continued) 9 Equipment Failure (Tires, Brakes, Steering, etc.) 10 Other Non-Collision	COLLISION INVOLVING / WITH (continued) 15 Train 16 Pedalcycle 17 Animal 18 Fixed Object 19 Work Zone Maintenance Equipment 20 Other Moveable Object 98 Other (Describe):		
COLLISION INVOLVING / WITH 12 Pedestrian 13 Motor Vehicle In-Transport 14 Parked Motor Vehicle				
PREPARED BY C. Brostrom ID 13460		REVIEWED BY		DATE
Destroy Previous Editions				
c555D107.pdf				

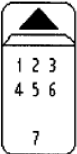

ANNEX D

DUI INVESTIGATION

STATE OF CALIFORNIA											
TRAFFIC COLLISION REPORT											
CHP 555 CARS PAGE 1 (REV 11-06) OPI 065											
PAGE 1 OF 16											
SPECIAL CONDITIONS		NUMBER INJURED 1	HT & RUN FELYNY <input type="checkbox"/>	CITY UNINC		JUDICIAL DISTRICT SANTA BARBARA		LOCAL REPORT NUMBER 2009-02-9910			
		NUMBER KILLED 0	HT & RUN MIDDLE/SEASHOR <input type="checkbox"/>	COUNTY SANTA BARBARA		REPORTING DISTRICT 40		BEAT 40	DAY OF WEEK SUNDAY	TOW AWAY <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
LOCATION	COLLISION OCCURRED ON: US 101 N/B					MO DAY YEAR 02/01/2009	TIME (2400) 2205	NCIC # 9760	OFFICER I.D. 015519		
	MILEPOST INFORMATION: 510 FEET SOUTH OF 101 SB 38.00					GPS COORDINATES LATITUDE 34.46156° LONGITUDE -120.08945°		PHOTOGRAPHS BY: <input type="checkbox"/> NONE			
	AT INTERSECTION WITH: <input checked="" type="checkbox"/> OR: 1.2 MILE(S) NORTH OF REFUGIO ROAD					STATE HWY REL <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		MATULONIS #15726			
	PARTY 1		DRIVER'S LICENSE NUMBER C2345678	STATE CA	CLASS C	AIR BAG L	SAFETY EQUIP. G	VEH. YEAR 1999	MAKE / MODEL / COLOR FORD TAURUS GL GRY	LICENSE NUMBER 2ABC999	STATE CA
DRIVER NAME (FIRST, MIDDLE, LAST) <input checked="" type="checkbox"/> MILO ALEX VARGAS					OWNER'S NAME <input checked="" type="checkbox"/> SAME AS DRIVER						
PEDESTRIAN <input type="checkbox"/>					STREET ADDRESS 222 LINCOLN AVENUE						
PARKED VEHICLE <input type="checkbox"/>					OWNER'S ADDRESS <input checked="" type="checkbox"/> SAME AS DRIVER						
CITY / STATE / ZIP SALINAS CA 93901					DISPOSITION OF VEHICLE ON ORDERS OF: <input checked="" type="checkbox"/> OFFICER <input type="checkbox"/> DRIVER <input type="checkbox"/> OTHER						
BI-CYCLIST <input type="checkbox"/>					SEX M	HAIR BRN	EYES BRN	HEIGHT 5-10	WEIGHT 175	MO BIRTHDATE DAY YEAR 07/09/1979	RACE H
OTHER <input type="checkbox"/>					HOME PHONE (831)555-1234						
INSURANCE CARRIER GEICO					POLICY NUMBER AB321-456						
DIR OF TRAVEL ON STREET OR HIGHWAY N US 101					SPEED LIMIT 65						
PARTY 2					VEH. YEAR MAKE / MODEL / COLOR LICENSE NUMBER STATE						
DRIVER NAME (FIRST, MIDDLE, LAST) <input type="checkbox"/>					OWNER'S NAME <input type="checkbox"/> SAME AS DRIVER						
PEDESTRIAN <input type="checkbox"/>					STREET ADDRESS						
PARKED VEHICLE <input type="checkbox"/>					OWNER'S ADDRESS <input type="checkbox"/> SAME AS DRIVER						
CITY / STATE / ZIP					DISPOSITION OF VEHICLE ON ORDERS OF: <input type="checkbox"/> OFFICER <input type="checkbox"/> DRIVER <input type="checkbox"/> OTHER						
BI-CYCLIST <input type="checkbox"/>					SEX	HAIR	EYES	HEIGHT	WEIGHT	MO BIRTHDATE DAY YEAR	RACE
OTHER <input type="checkbox"/>					HOME PHONE BUSINESS PHONE						
INSURANCE CARRIER					POLICY NUMBER						
DIR OF TRAVEL ON STREET OR HIGHWAY					SPEED LIMIT						
PARTY 3					VEH. YEAR MAKE / MODEL / COLOR LICENSE NUMBER STATE						
DRIVER NAME (FIRST, MIDDLE, LAST) <input type="checkbox"/>					OWNER'S NAME <input type="checkbox"/> SAME AS DRIVER						
PEDESTRIAN <input type="checkbox"/>					STREET ADDRESS						
PARKED VEHICLE <input type="checkbox"/>					OWNER'S ADDRESS <input type="checkbox"/> SAME AS DRIVER						
CITY / STATE / ZIP					DISPOSITION OF VEHICLE ON ORDERS OF: <input type="checkbox"/> OFFICER <input type="checkbox"/> DRIVER <input type="checkbox"/> OTHER						
BI-CYCLIST <input type="checkbox"/>					SEX	HAIR	EYES	HEIGHT	WEIGHT	MO BIRTHDATE DAY YEAR	RACE
OTHER <input type="checkbox"/>					HOME PHONE BUSINESS PHONE						
INSURANCE CARRIER					POLICY NUMBER						
DIR OF TRAVEL ON STREET OR HIGHWAY					SPEED LIMIT						
PREPARER'S NAME J. S. VIALOVOS 015519					DISPATCH NOTIFIED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A		REVIEWER'S NAME			DATE REVIEWED	

ANNEX D

DUI INVESTIGATION (continued)

STATE OF CALIFORNIA TRAFFIC COLLISION CODING CHP 555 CARS PAGE2 (REV. 11-06) OPI 065		PAGE 2 OF 16	
DATE OF COLLISION (MO. DAY YEAR) 02/01/2009		TIME(2400) 2205	NCIC # 9760
OWNER CALTRANS		OWNER ADDRESS 3999 STATE STREET SANTA BARBARA, CA 93105	OFFICER I.D. 015519
PROPERTY DAMAGE DESCRIPTION OF DAMAGE DAMAGED CENTER MEDIAN LANDSCAPE; TREE AND VEGETATION		NUMBER 2009-02-9910	
NOTIFIED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
SEATING POSITION  <p>1 - DRIVER 2 TO 6 - PASSENGERS 7 - STA. WGN REAR 8 - RR. OCC TRK. OR VAN 9 - POSITION UNKNOWN 0 - OTHER</p>	OCCUPANTS A - NONE IN VEHICLE B - UNKNOWN C - LAP BELT USED D - LAP BELT NOT USED E - SHOULDER HARNESS USED F - SHOULDER HARNESS NOT USED G - LAP/SHOULDER HARNESS USED H - LAP/SHOULDER HARNESS NOT USED J - PASSIVE RESTRAINT USED K - PASSIVE RESTRAINT NOT USED	SAFETY EQUIPMENT L - AIR BAG DEPLOYED M - AIR BAG NOT DEPLOYED N - OTHER P - NOT REQUIRED Q - IN VEHICLE USED R - IN VEHICLE NOT USED S - IN VEHICLE USE UNKNOWN T - IN VEHICLE IMPROPER USE U - NONE IN VEHICLE	M/C BICYCLE - HELMET DRIVER PASSENGER V - NO X - NO W - YES Y - YES EJECTED FROM VEHICLE 0 - NOT EJECTED 1 - FULLY EJECTED 2 - PARTIALLY EJECTED 3 - UNKNOWN
INATTENTION CODES A - CELL PHONE HANDHELD B - CELL PHONE HANDSFREE C - ELECTRONIC EQUIPMENT D - RADIO / CD E - SMOKING F - EATING G - CHILDREN H - ANIMALS I - PERSONAL HYGIENE J - READING K - OTHER			
ITEMS MARKED BELOW FOLLOWED BY AN ASTERISK (*) SHOULD BE EXPLAINED IN THE NARRATIVE.			
PRIMARY COLLISION FACTOR LIST NUMBER (H) OF PARTY AT FAULT	TRAFFIC CONTROL DEVICES	SPECIAL INFORMATION	MOVEMENT PRECEDING COLLISION
1 A VC SECTION VIOLATED: CITED YES NO 23152(A)	A CONTROLS FUNCTIONING B CONTROLS NOT FUNCTIONING*	A HAZARDOUS MATERIAL B CELL PHONE HANDHELD IN USE C CELL PHONE HANDSFREE IN USE D CELL PHONE NOT IN USE	A STOPPED B PROCEEDING STRAIGHT C RAN OFF ROAD D MAKING RIGHT TURN E MAKING LEFT TURN F MAKING U TURN G BACKING H SLOWING / STOPPING I PASSING OTHER VEHICLE J CHANGING LANES K PARKING MANEUVER L ENTERING TRAFFIC M OTHER UNSAFE TURNING N XING INTO OPPOSING LANE O PARKED P MERGING Q TRAVELING WRONG WAY R OTHER*
B OTHER IMPROPER DRIVING*	C CONTROLS OBSCURED D NO CONTROLS PRESENT / FACTOR*	E SCHOOL BUS RELATED F 75 FT MOTORTRUCK COMBO G 32 FT TRAILER COMBO H I J K L M N O P Q	
C OTHER THAN DRIVER*	TYPE OF COLLISION		
D UNKNOWN*	A HEAD - ON B SIDE SWIPE C REAR END D BROADSIDE		
WEATHER (MARK 1 TO 2 ITEMS)			
X A CLEAR	X E HIT OBJECT		
B CLOUDY	F OVERTURNED		
C RAINING	G VEHICLE / PEDESTRIAN		
D SNOWING	H OTHER*		
E FOG / VISIBILITY FT.			
F OTHER*	MOTOR VEHICLE INVOLVED WITH		
G WIND	A NON - COLLISION B PEDESTRIAN C OTHER MOTOR VEHICLE D MOTOR VEHICLE ON OTHER ROADWAY		
LIGHTING			
A DAYLIGHT			
B DUSK - DAWN			
C DARK - STREET LIGHTS	E PARKED MOTOR VEHICLE F TRAIN		
D DARK - NO STREET LIGHTS			
X E DARK - STREET LIGHTS NOT FUNCTIONING*	G BICYCLE H ANIMAL:		
ROADWAY SURFACE			
X A DRY	X I FIXED OBJECT: TREE		
B WET	J OTHER OBJECT:		
C SNOWY - ICY			
D SLIPPERY (MUDDY, OILY, ETC.)			
ROADWAY CONDITION(S) (MARK 1 TO 2 ITEMS)			
A HOLES, DEEP RUT*	X A NO PEDESTRIANS INVOLVED		
B LOOSE MATERIAL ON ROADWAY*	B CROSSING IN CROSSWALK AT INTERSECTION		
C OBSTRUCTION ON ROADWAY*	C CROSSING IN CROSSWALK - NOT AT INTERSECTION		
D CONSTRUCTION - REPAIR ZONE	D CROSSING - NOT IN CROSSWALK		
E REDUCED ROADWAY WIDTH	E IN ROAD - INCLUDES SHOULDER		
F FLOODED*	F NOT IN ROAD		
G OTHER*	G APPROACHING / LEAVING SCHOOL BUS		
X H NO UNUSUAL CONDITIONS			
SKETCH FOR SKETCH DIAGRAM, SEE PAGE 4		MISCELLANEOUS	
 INDICATE NORTH			

ANNEX D

DUI INVESTIGATION (continued)

STATE OF CALIFORNIA INJURED / WITNESSES / PASSENGERS CHP 555 CARS PAGE 3 (REV 11-06) OPI 065															PAGE 3 OF 16		
DATE OF COLLISION (MO. DAY YEAR)				TIME(2400)		NCIC #		OFFICER I.D.				NUMBER					
02/01/2009				2205		9760		015519				2009-02-9910					
WITNESS ONLY	PASSENGER ONLY	AGE	SEX	EXTENT OF INJURY('X' ONE)				INJURED WAS ('X' ONE)					PARTY NUMBER	SEAT POS.	AIR BAG	SAFETY EQUIP.	EJECTED
				FATAL INJURY	SEVERE INJURY	OTHER VISIBLE INJURY	COMPLAINT OF PAIN	DRIVER	PASS.	PED.	BICYCLIST	OTHER					
<input type="checkbox"/> #	<input type="checkbox"/>	29	M	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1	1	L	G	0
NAME / D.O.B. / ADDRESS MILO ALEX VARGAS (07/09/1979) 222 LINCOLN AVENUE SALINAS CA 93901															TELEPHONE (831)555-1234		
(INJURED ONLY) TRANSPORTED BY: REFUSED TRANSPORT, MEDICAL WAIVER SIGNED															TAKEN TO:		
DESCRIBE INJURIES: MINOR ABRASIONS TO RIGHT HAND AND RIGHT FOREARM. CONTUSION TO LEFT CLAVICLE, AND COMPLAINT OF PAIN TO LEFT LEG.															<input type="checkbox"/> VICTIM OF VIOLENT CRIME NOTIFIED		
<input checked="" type="checkbox"/> #	<input type="checkbox"/>	43	M	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
NAME / D.O.B. / ADDRESS ADAM JAMES MAYO (09/11/1965) 112 WEST ORTEGA AVE. APT 3-B SANTA BARBARA CA 93111															TELEPHONE (805)555-5678		
(INJURED ONLY) TRANSPORTED BY:															TAKEN TO:		
DESCRIBE INJURIES:															<input type="checkbox"/> VICTIM OF VIOLENT CRIME NOTIFIED		
<input checked="" type="checkbox"/> #	<input type="checkbox"/>	37	M	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
NAME / D.O.B. / ADDRESS MICHAEL JOSEPH STOVER (12/24/1971) 112 WEST ORTEGA AVE. APT 2-B SANTA BARBARA CA 93111															TELEPHONE (805)555-9876		
(INJURED ONLY) TRANSPORTED BY:															TAKEN TO:		
DESCRIBE INJURIES:															<input type="checkbox"/> VICTIM OF VIOLENT CRIME NOTIFIED		
<input type="checkbox"/> #	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
NAME / D.O.B. / ADDRESS															TELEPHONE		
(INJURED ONLY) TRANSPORTED BY:															TAKEN TO:		
DESCRIBE INJURIES:															<input type="checkbox"/> VICTIM OF VIOLENT CRIME NOTIFIED		
<input type="checkbox"/> #	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
NAME / D.O.B. / ADDRESS															TELEPHONE		
(INJURED ONLY) TRANSPORTED BY:															TAKEN TO:		
DESCRIBE INJURIES:															<input type="checkbox"/> VICTIM OF VIOLENT CRIME NOTIFIED		
<input type="checkbox"/> #	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
NAME / D.O.B. / ADDRESS															TELEPHONE		
(INJURED ONLY) TRANSPORTED BY:															TAKEN TO:		
DESCRIBE INJURIES:															<input type="checkbox"/> VICTIM OF VIOLENT CRIME NOTIFIED		
PREPARER'S NAME J. S. VIALOVOS					I.D. NUMBER 015519		MO. DAY YEAR 02/04/2009		REVIEWER'S NAME				MO. DAY YEAR				

ANNEX D

DUI INVESTIGATION (continued)

STATE OF CALIFORNIA
SKETCH DIAGRAM
 CHP 555 Page 4 (Rev. 11-06) OPI 065 PAGE 4 OF 16

DATE OF INCIDENT 02/01/2009	TIME 2205	NCIC NUMBER 9760	OFFICER I.D. NUMBER 015519	NUMBER 2009-02-9910
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ALL MEASUREMENTS ARE APPROXIMATE AND NOT TO SCALE UNLESS STATED (SCALE=)

US-101 Northbound

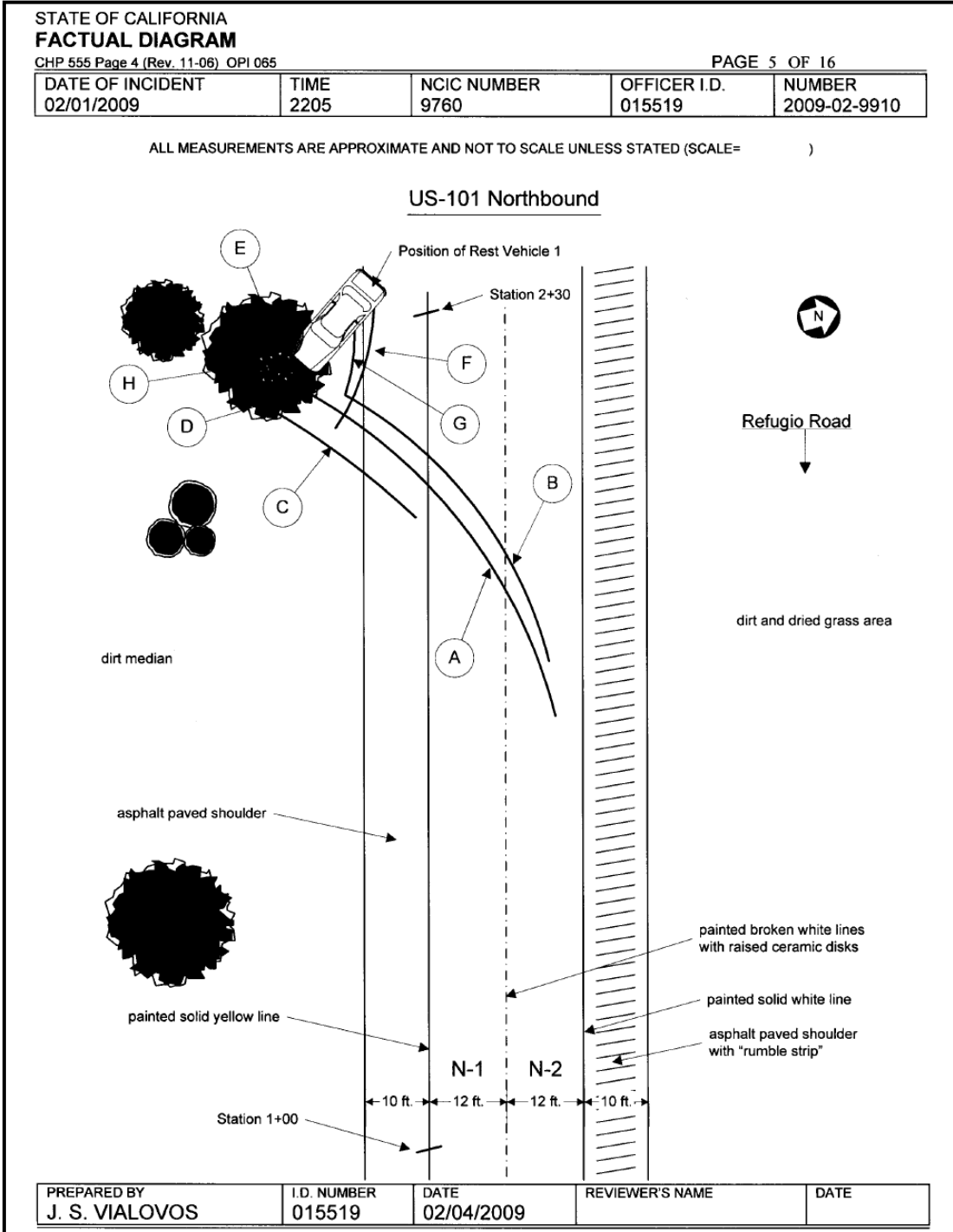
Labels in the diagram include: trees and shrubs, Vehicle 1, dirt median, asphalt paved shoulder, painted solid yellow line, painted broken white lines with raised ceramic disks, painted solid white line, asphalt paved shoulder with "rumble strip", Refugio Road, dirt and dried grass area, and a north symbol.

Dimensions at the bottom of the road layout:
 ← 10 ft. → | ← 12 ft. → (N-1) | ← 12 ft. → (N-2) | ← 10 ft. →

PREPARED BY J. S. VIALOVOS	I.D. NUMBER 015519	DATE 02/04/2009	REVIEWER'S NAME	DATE
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ANNEX D

DUI INVESTIGATION (continued)



ANNEX D

DUI INVESTIGATION (*continued*)

STATE OF CALIFORNIA		PAGE 6 OF 16		
NARRATIVE/SUPPLEMENTAL				
DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D.	NUMBER
02/01/2009	2205	9760	015519	2009-02-9910

1 **FACTUAL DIAGRAM LEGEND**

2

3

4 **STATION LINE**

5

6 A station line was established along the west roadway edge (painted solid yellow line) of

7 US-101 N/B. Station line 1+00 was established approximately 630 feet south of milepost

8 marker 101 SB 38.00. Milepost marker 101 SB 38.00 was located approximately 1.3 miles

9 north of Refugio Road. The station line measurements increase in a northerly direction. At

10 the scene of this collision, the true magnetic compass alignment of US-101 is east-west;

11 however, for the purposes of this investigation, the designated route of north-south will be

12 used for all measurements. Measurements were taken perpendicular to the station line.

13

14 **AREA OF REST**

15

16 Vehicle #1 (V-1, 1999 Ford Taurus GL, Gray)

17 V-1 was located on its wheels facing a southwesterly direction within the dirt median of US 101.

<i>Item</i>	<i>Distance (ft)</i>	<i>Direction</i>	<i>Station</i>
L/F tire	16.3	L	2+23.5
L/R tire	9.5	L	2+31.8

18

19

20

21

22

23

24

25

PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
J. S. VIALOVOS	015519	02/04/2009		

ANNEX D

DUI INVESTIGATION (continued)

STATE OF CALIFORNIA		PAGE 7 OF 16		
NARRATIVE/SUPPLEMENTAL				
DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D. NUMBER	NUMBER
02/01/2009	2205	9760	015519	2009-02-9910

1 PHYSICAL EVIDENCE DESCRIPTION

2

ITEM	SPOTS	DESCRIPTION
A	1-6	Tire Friction Mark (TFM) transitioned to tire furrow, approx. 78' in length
B	7-11	TFM/tire furrow, approx. 54' in length
C	12-15	TFM/tire furrow, approx. 29' in length
D	16-18	Tire furrow, approx. 13' in length
E	19-21	Tire furrow, approx. 8' in length
F	22-24	Tire furrow/TFM, approx. 20' in length
G	25-27	Tire furrow, approx. 16' in length
H	28	Center of debris, approx. 6' in diameter (broken lamp and assembly)

3

4

5 PHYSICAL EVIDENCE LOCATION:

6

SPOT	DISTANCE (ft)	DIRECTION	STATION	DESCRIPTION
1	20	R	1+68.6	Beginning of TFM
2	12	R	1+87.5	Cont. of TFM @ lane divider
3	0	On	2+02.8	Cont. of TFM @ roadway edge
4	10	L	2+12.0	Cont. of TFM on pavement edge, transition to tire furrow
5	16.7	L	2+16.0	Cont. of tire furrow, on dirt median
6	24	L	2+20.5	End of tire furrow
7	19	R	1+75.9	Beginning of TFM
8	12	R	1+92.2	Cont. of TFM @ lane divider
9	0	On	2+08.0	Cont. of TFM @ roadway edge
10	10	L	2+15.7	Cont. of TFM on pavement edge, transition to tire furrow

PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
J. S. VIALOVOS	015519	02/04/2009		

ANNEX D

DUI INVESTIGATION (continued)

STATE OF CALIFORNIA

NARRATIVE/SUPPLEMENTAL

PAGE 8 OF 16

DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D.	NUMBER
02/01/2009	2205	9760	015519	2009-02-9910

SPOT	DISTANCE (ft)	DIRECTION	STATION	DESCRIPTION
11	13.2	L	2+17.0	End of tire furrow
12	1.8	L	1+98.2	Beginning of TFM
13	10	L	2+05.2	Cont. of TFM on pavement edge, transition to tire furrow
14	15	L	2+09.2	Cont. of tire furrow on dirt median
15	24.6	L	2+15.5	End tire furrow
16	24.6	L	2+15.5	Begin tire furrow (at end of C)
17	20	L	2+18.5	Cont. of tire furrow on dirt median
18	16.3	L	2+23.5	End of tire furrow at L/F tire
19	24	L	2+20.5	Begin tire furrow
20	22.5	L	2+22.0	Cont. tire furrow
21	20	L	2+25.0	End tire furrow @ R/F tire
22	14.3	L	2+12.0	Begin tire furrow
23	10	L	2+23.5	Cont. tire furrow on pavement edge, transition to TFM
24	9.5	L	2+31.8	End TFM at L/R tire
25	13.2	L	2+17.0	Begin tire furrow (at end of B)
26	11.6	L	2+25.0	Continue tire furrow
27	12.5	L	2+34.2	End tire furrow
28	23.7	L	2+21.0	Center of 6' diameter debris

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8

PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
J. S. VIALOVOS	015519	02/04/2009		

ANNEX D

DUI INVESTIGATION (*continued*)

STATE OF CALIFORNIA		PAGE 9 OF 16		
NARRATIVE/SUPPLEMENTAL				
DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D.	NUMBER
02/01/2009	2205	9760	015519	2009-02-9910

1 **FACTS**

2

3 **NOTIFICATION**

4

5 At 2207 hours, the Ventura CHP Communication Center dispatched me to an injury traffic collision

6 with an ambulance responding. I responded from Calle Real at State Street and arrived on scene

7 at 2221 hours. All times, speeds and measurements in this investigation are approximate.

8 Measurements were taken by 300-foot rolled fiberglass tape, 25-foot spring steel tape rule, and

9 Rolatape®.

10

11 **SCENE DESCRIPTION**

12

13 This collision occurred on US-101 northbound approximately 1.2 miles north of Refugio Road, in

14 an unincorporated area of Santa Barbara County. At the scene of this collision, the true magnetic

15 compass alignment of US-101 is east-west; however, for the purposes of this investigation, the

16 designated route of north-south will be used for all measurements. The roadway is generally

17 level, relatively straight, asphalt paved State maintained freeway. There are two lanes for

18 northbound traffic, each delineated by painted broken white lines and raised non-reflective

19 pavement markers. Asphalt paved shoulders border the roadway on both sides. The east asphalt

20 paved shoulder includes a slotted highway "rumble strip." The northbound lanes are separated

21 from the southbound lanes by a dirt median of varying widths containing shrubs and trees. There

22 were no visual obstructions or roadway defects noted or claimed. For additional details and

23 roadway dimensions, refer to the Factual Diagram.

24

25

26

27

28

PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
J. S. VIALOVOS	015519	02/04/2009		

ANNEX D

DUI INVESTIGATION (*continued*)

STATE OF CALIFORNIA				
NARRATIVE/SUPPLEMENTAL				PAGE 10 OF 16
DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D. NUMBER	NUMBER
02/01/2009	2205	9760	015519	2009-02-9910

1 **PARTIES**

2

3 **Party # 1 (P-1, Vargas)**

4

5 P-1 was located standing next to the opened driver's side door of Vehicle #1 (Ford) upon my

6 arrival and undergoing evaluation by Santa Barbara County Fire personnel. P-1 was identified by

7 his valid California Driver License (CDL). P-1 was placed as the driver of V-1 by the following:

8 - P-1's personal statement

9 - Statements from witnesses

10 - Injuries to P-1

11 - P-1's seating position in V-1 upon Witness #1's arrival

12 - P-1 is the registered owner of V-1

13 - P-1 was the lone occupant of V-1 at the time of the collision

14

15 **Vehicle # 1 (V-1, Ford)**

16

17 V-1 was located on its wheels, within the freeway center median of US-101, north of Refugio Road

18 facing a southwesterly direction. V-1 sustained moderate damage as a result of this collision.

19 Damage consisted of the following:

20 • Broken right headlamp and headlamp assembly

21 • Grille assembly torn from the vehicle

22 • Leading edge of the right front fender was pushed rearward and to the left

23 • The trailing edge of the right side of the front bumper was pushed rearward and was

24 contacting the right front tire

25 • The passenger side window was broken

26 • The windshield was cracked

27 • The hood was buckled rearward and to the left

PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
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ANNEX D

DUI INVESTIGATION (continued)

STATE OF CALIFORNIA		PAGE 11 OF 16		
NARRATIVE/SUPPLEMENTAL				
DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D. NUMBER	NUMBER
02/01/2009	2205	9760	015519	2009-02-9910

1 V-1 was equipped with a lap/shoulder restraint system. The restraint system was inspected and
2 found to be functioning properly. Additionally, the driver's side airbag had been deployed. V-1
3 had prior minor dents and scratches consistent with normal use. V-1 had no apparent or alleged
4 mechanical defects.
5
6 **Other Factual Information**
7
8 P-1 was evaluated and treated at the scene by Santa Barbara County Fire Unit 5, Paramedic J.
9 Wilson. As a result of this collision, P-1 received minor abrasions to his right hand and right
10 forearm, a minor contusion to his left clavicle consistent with a seatbelt injury, and he complained
11 of minor pain to his left leg. P-1 stated he did not have any pre-existing injury or ailments. He
12 refused medical transport by Santa Barbara Fire Department and signed a medical release of
13 liability.
14
15
16 **STATEMENTS**
17
18 **Party # 1 (P-1, VARGAS)**
19
20 I contacted P-1 at the scene at approximately 2223 hours. He related, essentially, the following:
21 He was driving V-1 northbound on US-101. He had just left a Super Bowl party in Isla Vista and
22 he was driving to Gaviota State Park to meet up with a few friends who were camping that
23 evening. He stated, "I don't really remember what happened." He recalled that he heard the tires
24 going off the road and saw that his car was veering towards the right. He steered to the left in an
25 attempt to return the vehicle to the traffic lane, but V-1 "skidded across the road." P-1 was unable
26 to regain control of his vehicle as it traveled off the roadway and hit a tree. P-1 added, "My car
27 just spun out. I don't really know how it happened, I just lost control."
28

PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
J. S. VIALOVOS	015519	02/04/2009		

ANNEX D

DUI INVESTIGATION (continued)

STATE OF CALIFORNIA		PAGE 12 OF 16	
NARRATIVE/SUPPLEMENTAL			
DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D. NUMBER
02/01/2009	2205	9760	015519 2009-02-9910

1 I asked P-1 the following clarifying questions:

2 Q: "Are you hurt?"

3 A: "No, I'm fine, I might be sore tomorrow."

4 Q: "Were you the only person in your car at the time of this collision?"

5 A: "Yeah."

6 Q: "Were you wearing your seatbelt?"

7 A: "Yeah, I always wear my seatbelt. It's a good thing I do."

8 Q: "How fast were you driving?"

9 A: "I don't remember, probably 55. I wasn't speeding."

10 Q: "Where were you driving tonight?"

11 A: "I was going to a campground to spend the night with a few bros."

12 Q: "What were you drinking tonight?"

13 A: "Just beer."

14 Q: "How many beers did you have?"

15 A: "Oh... three or four."

16 Q: "Where were you drinking before the collision?"

17 A: "At a Super Bowl party in Isla Vista. Did you see that game?"

18 Q: "What time did you start drinking?"

19 A: "Maybe around three o'clock. It was before kick-off."

20 Q: "When did you stop drinking?"

21 A: "About an hour, maybe two hours ago."

22 Q: "Did you have anything to drink after the collision?"

23 A: "Are you crazy? Of course I didn't. I think I've done enough damage."

24 Q: "Do you remember what happened after you drove off the road?"

25 A: "No, I guess I was dazed. I guess I hit that (pointing to the tree). The next thing I remember,

26 there was some guy asking if I was okay."

27 Q: "Did you lose consciousness?"

28 A: "No, just dazed."

PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
J. S. VIALOVOS	015519	02/04/2009		

ANNEX D

DUI INVESTIGATION (continued)

STATE OF CALIFORNIA		PAGE 13 OF 16		
NARRATIVE/SUPPLEMENTAL				
DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D. NUMBER	NUMBER
02/01/2009	2205	9760	015519	2009-02-9910

1 **Witness # 1 (W-1, Mayo)**
2
3 I contacted W-1 at the scene. He related, essentially, the following:
4 He was driving northbound on US-101 in the #2 lane at 65 mph, north of Refugio Road, when he
5 came upon V-1 traveling in the #2 lane at a speed slower than his vehicle. He slowed his vehicle
6 and observed V-1 from approximately 150 feet behind. He saw V-1 weaving within the #2 N/B
7 lane and saw V-1 drift into the #1 N/B lane twice, approximately 15 seconds apart. W-1 estimated
8 that V-1 was traveling at 50 mph. W-1 thought the driver of V-1 might be intoxicated, so he woke
9 his passenger, Stover (W-2), and asked him to call 9-1-1. He noticed V-1 drift onto the right
10 shoulder for "just a second or two" and then "swerve sharply to the left." V-1 "skidded" across the
11 N/B lanes of US-101. V-1 began to turn sideways as it traveled across the highway. V-1 traveled
12 onto the dirt median, and collided with a tree. W-1 immediately drove his vehicle onto the left
13 shoulder and then backed up his vehicle along the shoulder, parking in the center median. W-1
14 exited his vehicle and ran to V-1 to check on P-1. As W-1 approached V-1, he saw P-1 seated in
15 the driver's seat of V-1 and remembered that he was wearing his seatbelt. W-1 did not notice any
16 other persons in V-1 and he asked P-1 if there was anyone else in the vehicle. P-1 told him he
17 was the only person in V-1. P-1 was alert but seemed "pretty drunk" and was complaining that he
18 was upset because his car was damaged. W-1 said he smelled alcohol when he contacted P-1.
19 P-1 exited his vehicle and asked W-1 to take him to the "campground up the road." W-1 told P-1
20 to "stay calm" and asked P-1 to stay in the area until the ambulance arrived to make sure his
21 injuries were not serious. W-1 stayed with P-1 near V-1 until fire personnel arrived at
22 approximately 2215 hours. When asked, W-1 stated that he felt he could easily identify P-1 as the
23 driver of V-1.
24
25
26
27
28

PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
J. S. VIALOVOS	015519	02/04/2009		

ANNEX D

DUI INVESTIGATION (continued)

STATE OF CALIFORNIA		PAGE 14 OF 16		
NARRATIVE/SUPPLEMENTAL				
DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D.	NUMBER
02/01/2009	2205	9760	015519	2009-02-9910

1 **Witness # 2 (W-2, Stover)**

2

3 I contacted W-2 at the scene. He related, essentially, the following:

4 W-2 was the passenger in W-1's vehicle and seated in the right front seat, sleeping. They were

5 traveling on US-101 N/B. The driver, W-1, woke him up and told him to "call 9-1-1." W-1 stated to

6 him "I think this guy is hammered." W-2 reached for his cellular phone, he then saw V-1 traveling

7 out of the #2 N/B lane and onto the right shoulder. V-1 then "veered hard left" and "skidded

8 across the road" onto the dirt center median and hit a tree. W-2 called 9-1-1 as W-1 pulled over to

9 stop and assist P-1. I asked W-2 if he contacted P-1 at all after the collision. W-2 said he was

10 with W-1 when they approached the car. He saw that P-1 was the only one in the car and was in

11 the driver's seat. He also smelled alcohol. W-2 said he really didn't talk to P-1 because he was

12 "on the phone with 9-1-1." I asked W-2 if he saw anything else from V-1 prior to the collision. W-2

13 added that he saw V-1's brake lights activated as it left the roadway.

14

15

16 **OPINIONS AND CONCLUSIONS**

17

18 **SUMMARY**

19

20 P-1 (Vargas) was driving V-1 (Ford) traveling northbound on US-101 in the #2 N/B lane at

21 approximately 50 mph, north of Refugio Road. Due to P-1's intoxicated state, P-1 allowed V-1 to

22 travel to the right, out of the #2 lane, and onto the paved shoulder. V-1 traveled over the slotted

23 highway "rumble strips." When P-1 realized that V-1 was traveling off the roadway, P-1 applied

24 sudden steering input causing V-1 to travel to the left. The aggressive steering input initiated a

25 counterclockwise rotation of V-1 as it traversed across the northbound lanes. P-1 was unable to

26 control V-1 as it continued in a northwesterly direction onto the dirt freeway median. V-1

27 continued in a northwesterly direction and the right front corner of V-1 collided with a tree.

28 Following the impact, V-1 was redirected in a northerly direction and rotated slightly

PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
J. S. VIALOVOS	015519	02/04/2009		

ANNEX D

DUI INVESTIGATION (*continued*)

STATE OF CALIFORNIA

NARRATIVE/SUPPLEMENTAL

PAGE 15 OF 16

DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D.	NUMBER
02/01/2009	2205	9760	015519	2009-02-9910

1 counterclockwise. V-1 came to rest on its wheels facing a southwesterly direction within the
2 freeway median. P-1 remained seated in the driver's seat as the vehicle came to rest.

3

4 **AREA OF IMPACT (AOI)**

5

6 AOI: (V-1 v. Tree)

7 The area where the right front of V-1 collided with the tree occurred on US-101 N/B, approximately
8 1.2 miles north of Refugio Road within the dirt freeway median. The area of impact was
9 determined to be 510 feet south of MPM SB 38.00 and 25 feet west of the west roadway edge of
10 US-101 N/B. The AOI was based upon physical evidence, damage to V-1, and damage to the
11 tree.

12

13 **INTOXICATION NARRATIVE**

14

15 Upon my arrival, I saw P-1 (Vargas) standing adjacent to the driver's side opened door of V-1
16 (Ford). He was being evaluated by Santa Barbara County Fire personnel. P-1 was identified by
17 his valid CDL and placed as the driver of V-1 at the time of the collision.

18

19 I approached P-1, and upon contact, I observed objective signs of intoxication consisting of
20 bloodshot and watery eyes, he was unsteady afoot, his speech was slurred, and he had the odor
21 of an alcoholic beverage on his breath. I asked him if he had been drinking alcohol and he said
22 that he had. I directed him to the flat paved highway shoulder where I asked him a series of pre-
23 field sobriety questions. He admitted to drinking 3 to 4 beers, he denied taking any medications or
24 drugs, and he stated he did not have a physical impairment. I explained and demonstrated a
25 series of field sobriety tests (FSTs) for Vargas to perform. He was unable to perform the tests as
26 explained and demonstrated.

27

PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
J. S. VIALOVOS	015519	02/04/2009		

ANNEX D

DUI INVESTIGATION (*continued*)

STATE OF CALIFORNIA

NARRATIVE/SUPPLEMENTAL

PAGE 16 OF 16

DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D. NUMBER
02/01/2009	2205	9760	015519

1 Based upon P-1's objective signs of intoxication, his admission to drinking alcoholic beverages,
2 his performance on the FSTs, and his involvement in the traffic collision, I determined P-1 had
3 been driving V-1 while under the influence of an alcoholic beverage.
4
5 At 2238 hours, I arrested P-1 for 23152 (a) VC, Misdemeanor DUI, pursuant to 40300.5 (a) VC. I
6 advised P-1 of implied consent pursuant to 23612 VC and P-1 consented to a blood test. I
7 transported P-1 to the DUI trailer at Santa Barbara County Jail. At 2255 hours, I observed Angela
8 Karren, R.N., apply a sterilizing agent to P-1's right arm and withdraw a blood sample into a glass
9 vial. The blood sample was booked into the DOJ locker at Santa Barbara County Jail. P-1 was
10 booked into the Santa Barbara County Jail without further incident.

11

12 **CAUSE**

13

14 **Party # 1 (Vargas)** caused this collision by driving V-1 in violation of 23152 (a) VC, which states in
15 part that it is unlawful for any person who is under the influence of any alcoholic beverage or drug
16 to drive a vehicle. P-1 was operating a motor vehicle while under the influence of an alcoholic
17 beverage, which impaired his judgment and his ability to operate a motor vehicle safely thus
18 resulting in this traffic collision. An associated factor to this collision was that P-1 unsafely turned
19 his vehicle from a direct course, a violation of 22107 VC. This summary was based upon physical
20 evidence, injuries to P-1, damage to V-1, and statements from P-1 and witnesses.

21

22 **RECOMMENDATIONS**


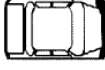
23 I request this investigation be forwarded to the Santa Barbara County District Attorneys Office for
24 review and that charges be filed against **P-1, Milo Alex Vargas**, for violation of 23152(a) VC,
25 operating a motor vehicle while under the influence of an alcoholic beverage and pending
26 chemical test results, 23152(b) VC, driving with a Blood Alcohol Content of 0.08% or above.

27

PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
J. S. VIALOVOS	015519	02/04/2009		



ANNEX E

ON-DUTY EMERGENCY VEHICLE COLLISION

STATE OF CALIFORNIA													
TRAFFIC COLLISION REPORT													
CHP 555 CARS PAGE 1 (REV 11-06) OPI 065													
										PAGE 1 OF 17			
SPECIAL CONDITIONS ON-DUTY EMERGENCY VEHICLE		NUMBER INARRESTED 2		HIT & RUN FELONY <input type="checkbox"/>		CITY UNINCORPORATED SACRAMENTO		JUDICIAL DISTRICT SACRAMENTO		LOCAL REPORT NUMBER 2008 01 6789			
NUMBER KILLED 0		HIT & RUN INDEMNIAOR <input type="checkbox"/>		COUNTY SACRAMENTO		REPORTING DISTRICT 63		BEAT 63		DAY OF WEEK FRIDAY			
LOCATION										TOW AWAY <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
COLLISION OCCURRED ON: FOLSOM BOULEVARD						MO DAY YEAR 01/25/2008		TIME (2400) 2125		NCIC # 9252			
MILEPOST INFORMATION:						GPS COORDINATES LATITUDE 38.57022° LONGITUDE -121.32729°				OFFICER I.D. 013460			
<input checked="" type="checkbox"/> AT INTERSECTION WITH: OR: GARDENIA WAY						STATE HWY REL <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO							
PARTY 1		DRIVER'S LICENSE NUMBER C3958462		STATE CA		CLASS C		AIR BAG M		SAFETY EQUIP. G			
DRIVER <input checked="" type="checkbox"/>		NAME (FIRST, MIDDLE, LAST) HOWARD BERNARD COLLINS						VEH. YEAR 1997		MAKE / MODEL / COLOR FORD F-150 BLU		LICENSE NUMBER 3D59786	
PEDESTRIAN <input type="checkbox"/>		STREET ADDRESS 5617 LONGFELLOW DR						OWNER'S NAME <input checked="" type="checkbox"/> SAME AS DRIVER					
PARKED VEHICLE <input type="checkbox"/>		CITY / STATE / ZIP RANCHO CORDOVA CA 95670						OWNER'S ADDRESS <input checked="" type="checkbox"/> SAME AS DRIVER					
BICYCLIST <input type="checkbox"/>		SEX M		HAIR BLK		EYES BRN		HEIGHT 5-10		WEIGHT 180		NO BIRTHDATE YEAR RACE 01/08/1979 W	
OTHER <input type="checkbox"/>		HOME PHONE (916)555-6847		BUSINESS PHONE (916)555-3860		INSURANCE CARRIER ALLSTATE		POLICY NUMBER 67-5876-95C		DIR OF TRAVEL ON STREET OR HIGHWAY E FOLSOM BOULEVARD		SPEED LIMIT 40	
		VEHICLE TYPE 22						DESCRIBE VEHICLE DAMAGE <input checked="" type="checkbox"/> UNK <input type="checkbox"/> NONE <input type="checkbox"/> MINOR <input checked="" type="checkbox"/> MOD <input type="checkbox"/> MAJOR <input type="checkbox"/> ROLL-OVER		SHADE IN DAMAGED AREA PCIM TRUCK TOP 			
		PRIOR MECH. DEFECTS <input checked="" type="checkbox"/> NONE APP. <input type="checkbox"/> REFER TO NARRATIVE						VEHICLE IDENTIFICATION NUMBER:					
PARTY 2		DRIVER'S LICENSE NUMBER B6923758		STATE CA		CLASS C		AIR BAG L		SAFETY EQUIP. G		VEH. YEAR 2007	
DRIVER <input checked="" type="checkbox"/>		NAME (FIRST, MIDDLE, LAST) ON DUTY EMERGENCY VEHICLE						MAKE / MODEL / COLOR FORD CROWN VICTORIA WHI		LICENSE NUMBER E1234567		STATE CA	
PEDESTRIAN <input type="checkbox"/>		STREET ADDRESS 345 SACRAMENTO COUNTY ROAD						OWNER'S NAME <input type="checkbox"/> SAME AS DRIVER		SACRAMENTO COUNTY			
PARKED VEHICLE <input type="checkbox"/>		CITY / STATE / ZIP SACRAMENTO CA 95806						OWNER'S ADDRESS <input checked="" type="checkbox"/> SAME AS DRIVER					
BICYCLIST <input type="checkbox"/>		SEX M		HAIR BLN		EYES BLU		HEIGHT 5-10		WEIGHT 210		NO BIRTHDATE YEAR RACE 07/03/1983 W	
OTHER <input type="checkbox"/>		HOME PHONE (916)555-1313		BUSINESS PHONE (916)555-1313		INSURANCE CARRIER SACRAMENTO COUNTY		POLICY NUMBER		DIR OF TRAVEL ON STREET OR HIGHWAY W FOLSOM BOULEVARD		SPEED LIMIT 40	
		VEHICLE TYPE 98						DESCRIBE VEHICLE DAMAGE <input checked="" type="checkbox"/> UNK <input type="checkbox"/> NONE <input type="checkbox"/> MINOR <input checked="" type="checkbox"/> MOD <input type="checkbox"/> MAJOR <input type="checkbox"/> ROLL-OVER		SHADE IN DAMAGED AREA SEMI-TOP 			
		PRIOR MECH. DEFECTS <input checked="" type="checkbox"/> NONE APP. <input type="checkbox"/> REFER TO NARRATIVE						VEHICLE IDENTIFICATION NUMBER:					
PARTY 3		DRIVER'S LICENSE NUMBER		STATE		CLASS		AIR BAG		SAFETY EQUIP.		VEH. YEAR	
DRIVER <input type="checkbox"/>		NAME (FIRST, MIDDLE, LAST)						MAKE / MODEL / COLOR		LICENSE NUMBER		STATE	
PEDESTRIAN <input type="checkbox"/>		STREET ADDRESS						OWNER'S NAME <input type="checkbox"/> SAME AS DRIVER					
PARKED VEHICLE <input type="checkbox"/>		CITY / STATE / ZIP						OWNER'S ADDRESS <input type="checkbox"/> SAME AS DRIVER					
BICYCLIST <input type="checkbox"/>		SEX		HAIR		EYES		HEIGHT		WEIGHT		NO BIRTHDATE YEAR RACE	
OTHER <input type="checkbox"/>		HOME PHONE		BUSINESS PHONE		INSURANCE CARRIER		POLICY NUMBER		DIR OF TRAVEL ON STREET OR HIGHWAY		SPEED LIMIT	
		VEHICLE TYPE						DESCRIBE VEHICLE DAMAGE <input type="checkbox"/> UNK <input type="checkbox"/> NONE <input type="checkbox"/> MINOR <input type="checkbox"/> MOD <input type="checkbox"/> MAJOR <input type="checkbox"/> ROLL-OVER		SHADE IN DAMAGED AREA			
		PRIOR MECH. DEFECTS <input type="checkbox"/> NONE APP. <input type="checkbox"/> REFER TO NARRATIVE						VEHICLE IDENTIFICATION NUMBER:					
		PREPARER'S NAME C. BROSTROM 013460						DISPATCH NOTIFIED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A		REVIEWER'S NAME		DATE REVIEWED	

ANNEX E

ON-DUTY EMERGENCY VEHICLE COLLISION (continued)

STATE OF CALIFORNIA TRAFFIC COLLISION CODING CHP 555 CARS PAGE2 (REV. 11-06) OPI 065						PAGE 2 OF 17	
DATE OF COLLISION (MO. DAY YEAR)	TIME(2400)	NCIC #	OFFICER I.D.	NUMBER			
01/25/2008	2125	9252	013460	2008 01 6789			
PROPERTY DAMAGE	OWNER	OWNER ADDRESS		NOTIFIED <input type="checkbox"/> YES <input type="checkbox"/> NO			
DESCRIPTION OF DAMAGE							
SEATING POSITION	OCCUPANTS	SAFETY EQUIPMENT	M/C BICYCLE - HELMET	INATTENTION CODES			
	A - NONE IN VEHICLE B - UNKNOWN C - LAP BELT USED D - LAP BELT NOT USED E - SHOULDER HARNESS USED F - SHOULDER HARNESS NOT USED G - LAP/SHOULDER HARNESS USED H - LAP/SHOULDER HARNESS NOT USED J - PASSIVE RESTRAINT USED K - PASSIVE RESTRAINT NOT USED	L - AIR BAG DEPLOYED M - AIR BAG NOT DEPLOYED N - OTHER P - NOT REQUIRED CHILD RESTRAINT Q - IN VEHICLE USED R - IN VEHICLE NOT USED S - IN VEHICLE USE UNKNOWN T - IN VEHICLE IMPROPER USE U - NONE IN VEHICLE	DRIVER PASSENGER V - NO X - NO W - YES Y - YES EJECTED FROM VEHICLE 0 - NOT EJECTED 1 - FULLY EJECTED 2 - PARTIALLY EJECTED 3 - UNKNOWN	A - CELL PHONE HANDHELD B - CELL PHONE HANDSFREE C - ELECTRONIC EQUIPMENT D - RADIO / CD E - SMOKING F - EATING G - CHILDREN H - ANIMALS I - PERSONAL HYGIENE J - READING K - OTHER			
ITEMS MARKED BELOW FOLLOWED BY AN ASTERISK (*) SHOULD BE EXPLAINED IN THE NARRATIVE.							
PRIMARY COLLISION FACTOR LIST NUMBER (#) OF PARTY AT FAULT	TRAFFIC CONTROL DEVICES	1	2	3	SPECIAL INFORMATION	1 2 3	MOVEMENT PRECEDING COLLISION
A VC SECTION VIOLATED: CITED 21806(A) YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	A CONTROLS FUNCTIONING				A HAZARDOUS MATERIAL		A STOPPED
B OTHER IMPROPER DRIVING*	B CONTROLS NOT FUNCTIONING*				B CELL PHONE HANDHELD IN USE		B PROCEEDING STRAIGHT
C OTHER THAN DRIVER*	C CONTROLS OBSCURED				C CELL PHONE HANDSFREE IN USE		C RAN OFF ROAD
D UNKNOWN*	D NO CONTROLS PRESENT / FACTOR*	X	X		D CELL PHONE NOT IN USE		D MAKING RIGHT TURN
WEATHER (MARK 1 TO 2 ITEMS)	E HIT OBJECT				E SCHOOL BUS RELATED		E MAKING LEFT TURN
X A CLEAR	F OVERTURNED				F 75 FT MOTORTRUCK COMBO		F MAKING U TURN
B CLOUDY	G VEHICLE / PEDESTRIAN				G 32 FT TRAILER COMBO		G BACKING
C RAINING	H OTHER*				H		H SLOWING / STOPPING
D SNOWING	I FIXED OBJECT:				I		I PASSING OTHER VEHICLE
E FOG / VISIBILITY FT.	J OTHER OBJECT:				J		J CHANGING LANES
F OTHER*	K OTHER MOTOR VEHICLE				K		K PARKING MANEUVER
G WIND	L MOTOR VEHICLE ON OTHER ROADWAY				L		L ENTERING TRAFFIC
LIGHTING	M BICYCLE				M		M OTHER UNSAFE TURNING
A DAYLIGHT	N ANIMAL:				N		N XING INTO OPPOSING LANE
B DUSK - DAWN	O OTHER:				O		O PARKED
X C DARK - STREET LIGHTS	P MOTOR VEHICLE INVOLVED WITH				P		P MERGING
D DARK - NO STREET LIGHTS	A NON - COLLISION				Q		Q TRAVELING WRONG WAY
E DARK - STREET LIGHTS NOT FUNCTIONING*	B PEDESTRIAN				OTHER ASSOCIATED FACTORS (MARK 1 TO 2 ITEMS)		R OTHER*:
ROADWAY SURFACE	C OTHER MOTOR VEHICLE				A VC SECTION VIOLATED: CITED YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		SOBRIETY - DRUG PHYSICAL (MARK 1 TO 2 ITEMS)
X A DRY	D MOTOR VEHICLE ON OTHER ROADWAY				B VC SECTION VIOLATED: CITED YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		A HAD NOT BEEN DRINKING
B WET	E PARKED MOTOR VEHICLE				C VC SECTION VIOLATED: CITED YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		B HBD - UNDER INFLUENCE
C SNOWY - ICY	F TRAIN				D		C HBD - NOT UNDER INFLUENCE*
D SLIPPERY (MUDDY, OILY, ETC.)	G BICYCLE				E VISION OBSCUREMENT:		D HBD - IMPAIRMENT UNKNOWN*
ROADWAY CONDITION(S) (MARK 1 TO 2 ITEMS)	H ANIMAL:				F INATTENTION*:		E UNDER DRUG INFLUENCE*
A HOLES, DEEP RUT*	I FIXED OBJECT:				G STOP & GO TRAFFIC		F IMPAIRMENT - PHYSICAL*
B LOOSE MATERIAL ON ROADWAY*	J OTHER OBJECT:				H ENTERING / LEAVING RAMP		G IMPAIRMENT NOT KNOWN
C OBSTRUCTION ON ROADWAY*	K OTHER MOTOR VEHICLE				I PREVIOUS COLLISION		H NOT APPLICABLE
D CONSTRUCTION - REPAIR ZONE	L MOTOR VEHICLE ON OTHER ROADWAY				J UNFAMILIAR WITH ROAD		I SLEEPY / FATIGUED
E REDUCED ROADWAY WIDTH	M BICYCLE				K DEFECTIVE VEH. EQUIP.: CITED YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		
F FLOODED*	N ANIMAL:				L UNINVOLVED VEHICLE		
G OTHER*:	O OTHER:				M OTHER*:		
X H NO UNUSUAL CONDITIONS	P MOTOR VEHICLE INVOLVED WITH				N NONE APPARENT		
	Q				O RUNAWAY VEHICLE		
SKETCH	FOR SKETCH DIAGRAM, SEE PAGE 4				 INDICATE NORTH	MISCELLANEOUS	

ANNEX E

ON-DUTY EMERGENCY VEHICLE COLLISION (continued)

STATE OF CALIFORNIA INJURED / WITNESSES / PASSENGERS CHP 555 CARS PAGE 3 (REV 11-06) OPI 065															PAGE 3 OF 17				
DATE OF COLLISION (MO. DAY YEAR)			TIME(2400)		NCIC #		OFFICER I.D.			NUMBER									
01/25/2008			2125		9252		013460			2008 01 6789									
WITNESS ONLY	PASSENGER ONLY	AGE	SEX	EXTENT OF INJURY('X' ONE)				INJURED WAS ('X' ONE)					PARTY NUMBER	SEAT POS.	AIR BAG	SAFETY EQUIP.	EJECTED		
				FATAL INJURY	SEVERE INJURY	OTHER VISIBLE INJURY	COMPLAINT OF PAIN	DRIVER	PASS.	PED.	BICYCLIST	OTHER							
<input type="checkbox"/>	<input type="checkbox"/>	29	M	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1	I	M	G	0	
NAME / D.O.B. / ADDRESS HOWARD BERNARD COLLINS (01/08/1979) 5617 LONGFELLOW DR RANCHO CORDOVA CA 95670															TELEPHONE (916)555-6847				
(INJURED ONLY) TRANSPORTED BY: WILL SEEK OWN MEDICAL ATTENTION															TAKEN TO:				
DESCRIBE INJURIES: COMPLAINT OF PAIN TO HIS LOWER BACK, NECK, AND HEAD.																			
<input type="checkbox"/> VICTIM OF VIOLENT CRIME NOTIFIED																			
<input type="checkbox"/>	<input type="checkbox"/>	24	M	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2	I	L	G	0	
NAME / D.O.B. / ADDRESS JOHN C. ELLINGER (07/03/1983) 345 SACRAMENTO COUNTY ROAD SACRAMENTO CA 95806															TELEPHONE (916)555-1313				
(INJURED ONLY) TRANSPORTED BY: WILL SEEK OWN MEDICAL ATTENTION															TAKEN TO:				
DESCRIBE INJURIES: ABRASIONS TO HIS LEFT AND RIGHT FOREARMS, COMPLAINT OF PAIN TO HIS NECK AND HEAD.																			
<input type="checkbox"/> VICTIM OF VIOLENT CRIME NOTIFIED																			
<input checked="" type="checkbox"/>	1	<input type="checkbox"/>	34	M	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>						
NAME / D.O.B. / ADDRESS JOSEPH FLORES (06/14/1973) 7316 PAYETTE DRIVE RANCHO CORDOVA CA 95670															TELEPHONE (916)555-3368				
(INJURED ONLY) TRANSPORTED BY:															TAKEN TO:				
DESCRIBE INJURIES:																			
<input type="checkbox"/> VICTIM OF VIOLENT CRIME NOTIFIED																			
<input checked="" type="checkbox"/>	2	<input type="checkbox"/>	32	F	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>						
NAME / D.O.B. / ADDRESS HEIDI MILLER (02/15/1975) 3936 ROSEMARY WAY RANCHO CORDOVA CA 95670															TELEPHONE (916)555-6629				
(INJURED ONLY) TRANSPORTED BY:															TAKEN TO:				
DESCRIBE INJURIES:																			
<input type="checkbox"/> VICTIM OF VIOLENT CRIME NOTIFIED																			
<input type="checkbox"/>		<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>						
NAME / D.O.B. / ADDRESS															TELEPHONE				
(INJURED ONLY) TRANSPORTED BY:															TAKEN TO:				
DESCRIBE INJURIES:																			
<input type="checkbox"/> VICTIM OF VIOLENT CRIME NOTIFIED																			
<input type="checkbox"/>		<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>						
NAME / D.O.B. / ADDRESS															TELEPHONE				
(INJURED ONLY) TRANSPORTED BY:															TAKEN TO:				
DESCRIBE INJURIES:																			
<input type="checkbox"/> VICTIM OF VIOLENT CRIME NOTIFIED																			
PREPARER'S NAME C. BROSTROM					I.D. NUMBER 013460		MO. DAY YEAR 02/01/2008		REVIEWER'S NAME					MO. DAY YEAR					

ANNEX E


ON-DUTY EMERGENCY VEHICLE COLLISION (continued)

STATE OF CALIFORNIA
SKETCH DIAGRAM
 CHP 555 Page 4 (Rev. 11-06) OPI 065 PAGE 4 OF 17

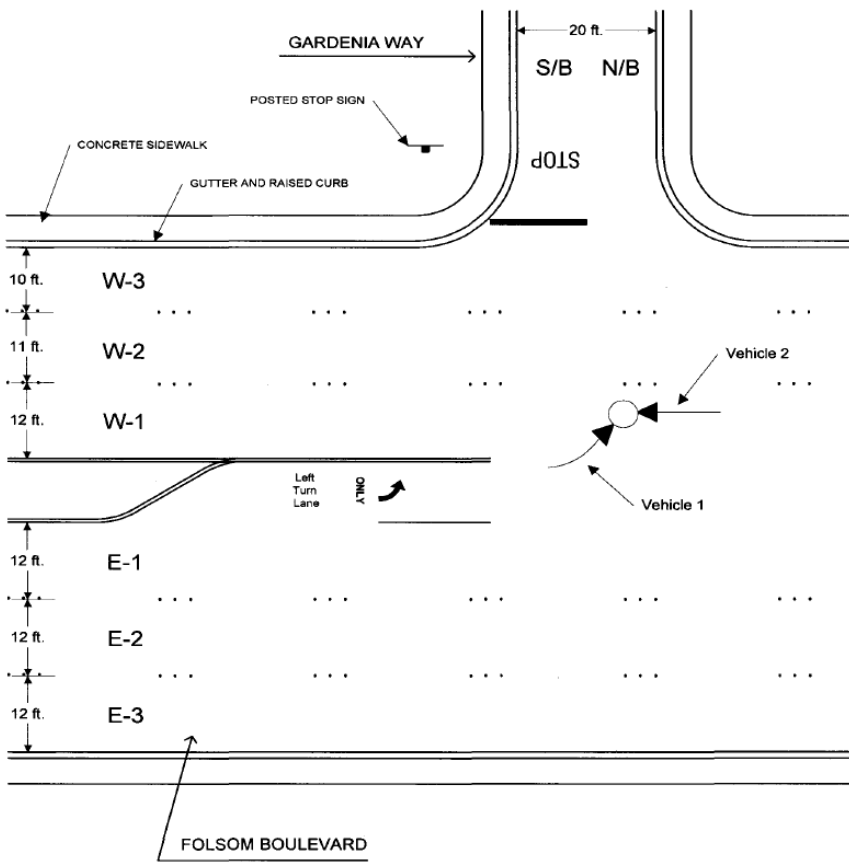
DATE OF INCIDENT 01/25/2008	TIME 2125	NCIC NUMBER 9252	OFFICER I.D. 013460	NUMBER 2008 01 6789
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ALL MEASUREMENTS ARE APPROXIMATE AND NOT TO SCALE UNLESS STATED (SCALE=)

FOLSOM BOULEVARD AT GARDENIA WAY



BEST BUY Parking Lot



PREPARED BY C. BROSTROM	I.D. NUMBER 013460	DATE 02/01/2008	REVIEWER'S NAME	DATE
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ANNEX E

ON-DUTY EMERGENCY VEHICLE COLLISION (continued)

STATE OF CALIFORNIA FACTUAL DIAGRAM		PAGE 5 OF 17		
CHP 555 Page 4 (Rev. 11-06) OPI 065				
DATE OF INCIDENT 01/25/2008	TIME 2125	NCIC NUMBER 9252	OFFICER I.D. 013460	NUMBER 2008 01 6789

ALL MEASUREMENTS ARE APPROXIMATE AND NOT TO SCALE UNLESS STATED (SCALE=)

FOLSOM BOULEVARD AT GARDENIA WAY

A

B


PREPARED BY C. BROSTROM	I.D. NUMBER 013460	DATE 02/01/2008	REVIEWER'S NAME	DATE
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ANNEX E


ON-DUTY EMERGENCY VEHICLE COLLISION (continued)

STATE OF CALIFORNIA FACTUAL DIAGRAM		PAGE 6 OF 17		
CHP 555 Page 4 (Rev. 11-06) OPI 065				
DATE OF INCIDENT 01/25/2008	TIME 2125	NCIC NUMBER 9252	OFFICER I.D. 013460	NUMBER 2008 01 6789

ALL MEASUREMENTS ARE APPROXIMATE AND NOT TO SCALE UNLESS STATED (SCALE=)

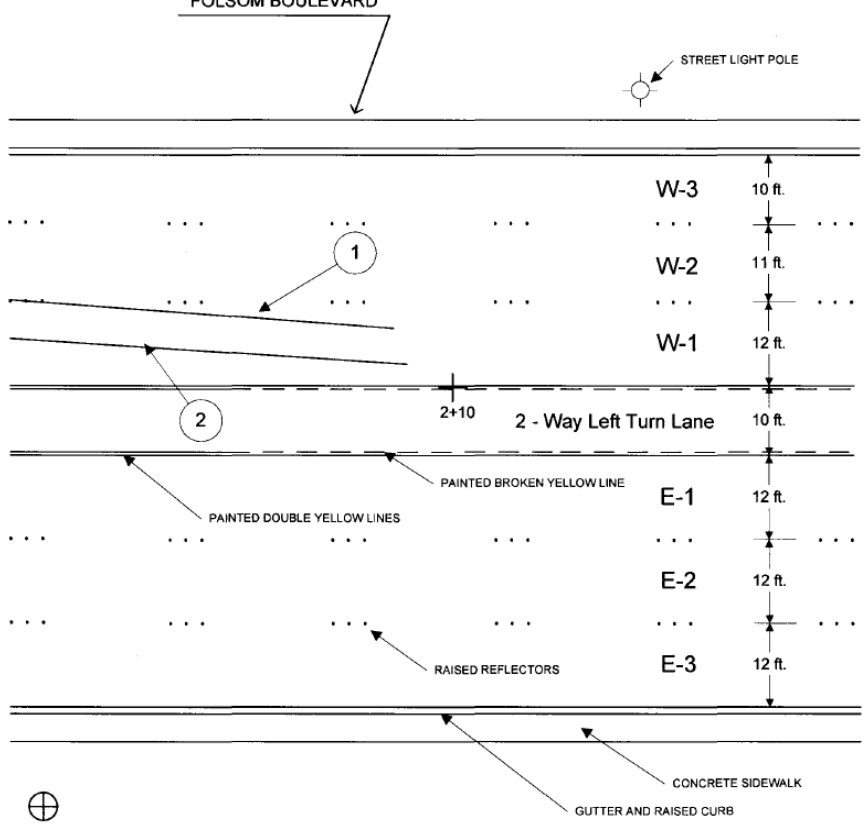



A



SAFEWAY Parking Lot

FOLSOM BOULEVARD





B

Open Field

PREPARED BY C. BROSTROM	I.D. NUMBER 013460	DATE 02/01/2008	REVIEWER'S NAME	DATE
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ANNEX E

ON-DUTY EMERGENCY VEHICLE COLLISION (continued)

STATE OF CALIFORNIA

NARRATIVE/SUPPLEMENTAL

PAGE 7 OF 17

DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D.	NUMBER
01/25/2008	2125	9252	013460	2008 01 6789

1 PHYSICAL EVIDENCE DIAGRAM LEGEND

2

3 Station Line Descriptions

4

5 A station line was established at the collision scene to facilitate the documentation of physical
6 evidence and roadway characteristics. The station line was created using a 300 foot fiberglass
7 tape. Secondary measurements were obtained using a 25 foot steel tape, and taken either to the
8 left or right and perpendicular to the station line.

9

10 The station line was established along the centerline of Folsom Boulevard, centered between the
11 painted double yellow lines. The station line extends, generally, from the west and increases
12 numerically towards the east. Station 1+00 was located 10 feet west of the west curb line
13 prolongation of Gardenia Way.

14

15 Physical Evidence Descriptions

16

17 The items of physical evidence measured at the scene and depicted on the Physical Evidence
18 Diagram are identified using a numeric identifier. The items of evidence are described and
19 located as follows:

20

21

NUMERIC IDENTIFIER	ITEM DESCRIPTION	SPOT(S)
1	A light tire friction mark on the asphalt concrete surface approximately 82.2 feet in length and 0.5 feet in width.	1-3
2	A light tire friction mark approximately 85 feet in length and 0.5 feet in width.	4-6
3	A post impact tire friction mark beginning at deviation, approximately 17.5 feet in length and 0.6 feet in width, ending at the right front tire of Vehicle 2.	7-9
4	A post impact tire friction mark beginning at deviation, approximately 18.5 feet in length and 0.6 feet in width, ending at the left front tire of Vehicle 2.	10-12
5	A post impact tire friction mark approximately 15 feet in length and 0.7 feet in width, ending at the right front tire of Vehicle 1.	13-15
6	A post impact tire friction mark approximately 14.5 feet in length and 0.8 feet in width, ending at the left front tire of Vehicle 1.	16-18
7	A post impact tire friction mark approximately 6.5 feet in length and 0.7 feet in width, ending at the left rear tire of Vehicle 1.	19-21
8	An area of vehicle liquid and debris approximately 10 feet in diameter measured from center.	22

22

PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
C. BROSTROM	013460	02/01/2008		

ANNEX E

ON-DUTY EMERGENCY VEHICLE COLLISION (continued)

STATE OF CALIFORNIA

NARRATIVE/SUPPLEMENTAL

PAGE 8 OF 17

DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D. NUMBER
01/25/2008	2125	9252	013460 2008 01 6789

1 Physical Evidence Locations

2

SPOT	STATION LOCATION	FEET RIGHT OR LEFT
1	2+02	8.7 left
2	1+50	12.0 left
3	1+30.5	13.0 left
4	2+03.8	3.4 left
5	1+50	6.8 left
6	1+29.5	7.7 left
7	1+30.5	13.0 left
8	1+24.5	18.8 left
9	1+18.5	25.2 left
10	1+29.5	7.7 left
11	1+23.0	13.6 left
12	1+16.0	20.3 left
13	1+26.5	10.3 left
14	1+21.0	15.9 left
15	1+14.5	18.7 left
16	1+22.1	13.2 left
17	1+16.0	17.3 left
18	1+09.2	17.8 left
19	1+16.1	2.7 left
20	1+12.5	5.8 left
21	1+11.2	6.2 left
22	1+13.0	21.5 left

3

4

5

POSITIONS OF REST	STATION LOCATION	FEET RIGHT OR LEFT
Vehicle 1 L/F	1+09.2	17.8 left
Vehicle 1 L/R	1+11.2	6.2 left
Vehicle 2 R/F	1+18.5	25.2 left
Vehicle 2 R/R	1+29.2	19.1 left

6

7

8

9

PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
C. BROSTROM	013460	02/01/2008		

ANNEX E

ON-DUTY EMERGENCY VEHICLE COLLISION (continued)

STATE OF CALIFORNIA		PAGE 9 OF 17		
NARRATIVE/SUPPLEMENTAL				
DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D. NUMBER	
01/25/2008	2125	9252	013460	2008 01 6789

1 FACTS
2
3 Notification
4
5 On January 25, 2008, at 2130 hours, I (unit 112-73) received a radio call of a traffic collision, with
6 no details, involving a Sacramento County Sheriff's patrol vehicle. The vehicle collision was
7 located on Folsom Boulevard at Gardenia Way. I responded from Florin Road just west of
8 Sunrise Boulevard, and arrived at the collision scene at 2135 hours.
9
10 The following CHP personnel were present or assisted at the collision scene:
11
12 Lieutenant M. Baldry, ID 8791
13 Sergeant S. Franz, ID 9578
14 Officer T. McIntosh, ID 19130
15 Officer D. Elliot, ID 20196
16
17 Sacramento Sheriff's Department personnel present at the collision scene:
18
19 Sergeant B. Irving, ID 459
20 Deputy A. Osborne, ID 765
21 Deputy L. Brier, ID 345
22
23 All of the speeds, times, and measurements referred to throughout this investigation are
24 approximations. The measurements taken at the collision scene were made using a station line
25 system described in the Factual Diagram Legend.
26
27 Scene Description
28
29 The collision occurred on Folsom Boulevard at the intersection of Gardenia Way, in an
30 unincorporated area of Sacramento County. At the collision scene, Folsom Boulevard is
31 relatively straight and flat. The roadway surface is composed of asphalt concrete construction.
32 The roadway has three eastbound and three westbound lanes. There is a left turn lane for
33 eastbound traffic west of the intersection with Gardenia Way. Two sets of painted double yellow
34 lines separate the east and westbound lanes of travel. East and west of the collision scene the
35 double yellow lines transition to single and broken yellow lines defining a two-way left turn lane.
36 A concrete gutter and raised concrete sidewalk border the roadway on the north and south.
37
38 At the collision scene, Gardenia Way is relatively straight and flat. The roadway surface is
39 composed of asphalt concrete construction. The roadway has one northbound and one
40 southbound lane which are not delineated. A concrete gutter and raised concrete sidewalk
41 border the roadway on the east and west.
42

PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
C. BROSTROM	013460	02/01/2008		

ANNEX E

ON-DUTY EMERGENCY VEHICLE COLLISION (*continued*)

STATE OF CALIFORNIA				
NARRATIVE/SUPPLEMENTAL				PAGE 10 OF 17
DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D. NUMBER	
01/25/2008	2125	9252	013460	2008 01 6789

1 FACTS (continued)
2
3 Scene Description (continued)
4
5 Gardenia Way intersects Folsom Boulevard at an approximate 90 degree angle where it
6 terminates in a "T" type intersection. The intersection is controlled by a posted stop sign, "STOP"
7 roadway marking, and a stop bar limit line for southbound traffic on Gardenia Way. There are no
8 traffic controls for east and westbound traffic on Folsom Boulevard at this location.
9
10 At the time of this collision, all roadway markings and signs were clearly visible and in good
11 condition. No visual obstructions were noted or claimed.
12
13 Parties
14
15 Party 1 (Collins)
16 Upon my arrival at the collision scene, Collins was located standing at the northwest corner of the
17 intersection. Collins identified himself with his California Driver License, and provided Vehicle 1's
18 (1997 Ford F-150) registration card and proof of financial responsibility. A Department of Motor
19 Vehicles inquiry later confirmed the status of his driving privilege was valid and that the F-150's
20 registration was current. Collins was determined to be the driver of the F-150 at the time of this
21 collision by the statements obtained and his own admission.
22
23 Party 1 (Collins) sustained a complaint of pain injury as a result of the collision. Collins
24 complained of pain to his lower back, neck, and head. Upon contact, I asked if Collins wanted
25 medical assistance and he declined. He stated that he would seek his own medical attention
26 should it become necessary.
27
28 Vehicle 1 (1997 Ford F-150) was located within the intersection of Folsom Boulevard and
29 Gardenia Way. The F-150 was located on its wheels, facing in a northerly direction. The F-150
30 sustained moderate collision damage. The damage to the F-150 consisted of the following:
31
32 • Dented, scratched and bound right side door
33 • A broken and detached right side mirror
34 • A dented and scratched right side front bumper
35 • A dented and scratched right front fender
36 • A damaged and flat right front tire and wheel
37 • A dented and scratched hood
38 • A broken right side headlamp and turn signal assembly
39
40
41
42

PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
C. BROSTROM	013460	02/01/2008		

ANNEX E

ON-DUTY EMERGENCY VEHICLE COLLISION (continued)

STATE OF CALIFORNIA		PAGE 11 OF 17		
NARRATIVE/SUPPLEMENTAL				
DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D. NUMBER	NUMBER
01/25/2008	2125	9252	013460	2008 01 6789

1 FACTS (continued)
2
3 Parties (continued)
4
5 Vehicle 1 (continued)
6 The F-150 had prior three hundred and sixty-degree miscellaneous dents and scratches,
7 consistent with its age and normal use. No prior mechanical defects were noted or claimed. The
8 F-150 was equipped with a continuous loop lap/shoulder restraint system. The restraint system
9 was inspected and found to be functioning properly.
10
11 The F-150 was towed from the collision scene at the owner's request by Tow 4 Less Towing.
12
13 Party 2 (Deputy Ellinger)
14 Upon my arrival at the collision scene, Deputy Ellinger was located standing in the westbound
15 traffic lanes directing traffic around the collision scene. Officer Elliot relieved Deputy Ellinger and
16 I contacted him at the northeast corner of the intersection. Deputy Ellinger identified himself with
17 his California Driver License, and provided Vehicle 2's (2007 Ford Crown Victoria – patrol
18 vehicle) registration card. Deputy Ellinger was determined to be the driver of the patrol vehicle at
19 the time of this collision by the statements obtained and his own admission.
20
21 Party 2 (Ellinger) sustained minor injuries as a result of the collision. Deputy Ellinger complained
22 of pain to his neck, and head. Additionally, I observed visible abrasions to his left and right
23 forearms consistent with the deployment of the driver's side airbag in the patrol vehicle. Deputy
24 Ellinger declined medical attention at the scene. Deputy Ellinger advised that his supervisor will
25 take him to receive medical treatment for the abrasions.
26
27 Vehicle 2 (2007 Ford Crown Victoria Police Interceptor – patrol vehicle) was located within the
28 intersection of Folsom Boulevard and Gardenia Way. The patrol vehicle was located on its
29 wheels, facing in a west/northwesterly direction. The patrol vehicle sustained moderate collision
30 damage. The damage to the patrol vehicle consisted of the following:
31
32 • A dented and scratched front bumper
33 • A dented and scratched push bumper assembly
34 • A dented and scratched right front fender
35 • A dented and scratched left front fender
36 • A dented and scratched hood
37 • A broken right side headlamp and turn signal assembly
38 • A broken left side headlamp and turn signal assembly
39
40
41

PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
C. BROSTROM	013460	02/01/2008		

ANNEX E

ON-DUTY EMERGENCY VEHICLE COLLISION (*continued*)

STATE OF CALIFORNIA		PAGE 12 OF 17		
NARRATIVE/SUPPLEMENTAL				
DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D.	NUMBER
01/25/2008	2125	9252	013460	2008 01 6789

1 FACTS (continued)
2
3 Parties (continued)
4
5 Vehicle 2 (continued)
6 The patrol vehicle had prior three hundred and sixty-degree miscellaneous dents and scratches,
7 consistent with its age and normal use. No prior mechanical defects were noted or claimed. The
8 patrol vehicle was equipped with a continuous loop lap/shoulder restraint system. The restraint
9 system was inspected and found to be functioning properly. Additionally, the driver's side airbag
10 had been deployed.
11
12 The patrol vehicle was towed from the collision scene at the owner's request by South Valley
13 Towing.
14
15 Physical Evidence
16
17 Sixty-two digital photographs were taken of the collision scene, involved vehicles, and physical
18 evidence by Sgt. Franz, ID 9578, using a Nikon D70S digital camera. The photographs were
19 directly downloaded to a non-recordable compact disc (CD). The original CD was booked into
20 evidence at the South Sacramento Area Office and a copy maintained in the Area photograph
21 file.
22
23
24 STATEMENTS
25
26 Party 1
27
28 *On January 25, 2008, at 2150 hours, I conducted an interview of Party 1 (Collins) at the collision*
29 *scene. A summary of the interview follows.*
30
31 Collins stated he was driving his F-150 on Folsom Boulevard eastbound at 35 to 40 mph. It was
32 approximately 9:00 or 9:30 p.m. and his destination was his residence on Longfellow Drive. He
33 was coming from a "get together" in the parking lot after work with some of his co-workers. He
34 was a little late getting home and was worried that his wife may be angry. He thought that his
35 worry may have been a distraction to him while driving home. He approached the intersection
36 with Gardenia Way and drove into the left turn lane. There was an SUV traveling westbound on
37 Folsom Boulevard, so he stopped to let it pass. The SUV passed and he saw the police car
38 (Vehicle 2, patrol vehicle) traveling eastbound on Folsom boulevard. He thought the patrol
39 vehicle was in the left lane. He saw that the emergency lights on the patrol vehicle were
40 activated. He described overhead flashing red and blue lights, and flashing headlights. He

PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
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ANNEX E

ON-DUTY EMERGENCY VEHICLE COLLISION (*continued*)

STATE OF CALIFORNIA

NARRATIVE/SUPPLEMENTAL

PAGE 13 OF 17

DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D. NUMBER
01/25/2008	2125	9252	013460

1 STATEMENTS (continued)

2

3 Party 1 (continued)

4 stated he was not sure if the siren was activated. He saw the patrol vehicle approaching but
5 thought that he could make the left turn before it arrived. Collins stated he started to make the
6 left turn, realized it was "going to be close" and "punched it." He thought the patrol vehicle "had
7 to be going really fast" because he thought he could make the turn and "then it (the patrol
8 vehicle) was right there." The patrol vehicle hit the right side of his truck. Collins thought the
9 patrol vehicle was "about at the second street light" (measured using a roll meter to
10 approximately 200 feet) when he started to turn left. After the collision, Collins was approached
11 by the officer. He told the officer he was OK.

12

13 Collins got out of his truck and walked over the northwest corner of the intersection. Collins
14 stated he drank two beers with his co-workers when he "first got there" but had stopped drinking
15 "at least an hour before he started driving home." He stated he did not have any mechanical
16 problems with his F-150 prior to the collision and that he was wearing his seatbelt at the time of
17 the collision. He stated he was feeling pain in his lower back, neck, and head but he did not want
18 emergency medical services.

19

20 Party 2

21

22 *On January 25, 2008, at 2205 hours, I conducted an interview of Party 2 (Deputy Ellinger) at the*
23 *collision scene. A summary of the interview follows.*

24

25 Deputy Ellinger stated he was traveling westbound on Folsom Boulevard at 50 to 55 mph. He
26 was in the #1 lane. He was responding to assist another deputy on an assault call and, due to
27 the nature of the call, was "running with all lights and siren." He described the lights activated to
28 the front of his vehicle as overhead, rotating red and blue lights, "wig wag" headlights, and strobe
29 lights on the left and right side mirrors and behind the grille. He was approaching Gardenia Way
30 and saw a blue Ford F-150 (Vehicle 1) westbound on Folsom Boulevard in the left turn lane. He
31 took his right foot off the accelerator but saw that the F-150 was stopped so he hadn't started
32 braking. "Suddenly" the F-150 started to turn left "right in front" of him. He "slammed on the
33 brakes" and felt the ABS engage. He could not avoid the F-150 and the front of his vehicle hit the
34 right side of it. He got out of his patrol vehicle and immediately radioed dispatch to contact his
35 supervisor and the CHP. He checked on the driver of the F-150 (Party 1) who advised him he
36 was OK and wanted to get out of the F-150. Party 1 walked over to the northwest corner of the
37 intersection. He stated there was traffic backing up on Folsom Boulevard, so he started to try
38 and clear it. He was only there for a minute or two when the CHP and his sergeant arrived. He
39 was relieved by a CHP officer and he walked to the northeast corner of the intersection. Deputy
40 Ellinger stated he checked his patrol vehicle prior to starting his work shift and there were no
41 deficiencies. He was wearing his seatbelt and the airbag deployed. Deputy Ellinger stated he

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ANNEX E

ON-DUTY EMERGENCY VEHICLE COLLISION (continued)

STATE OF CALIFORNIA				PAGE 14 OF 17	
NARRATIVE/SUPPLEMENTAL					
DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D.	NUMBER	
01/25/2008	2125	9252	013460	2008 01 6789	

1 STATEMENTS (continued)
2
3 Party 2 (continued)
4 felt he received the abrasions to his arms from the airbag deployment and that he had pain in his
5 neck and head. Deputy Ellinger declined emergency medical services and said that his
6 "sergeant will take him to get checked out."
7
8 Witness 1
9
10 On January 25, 2008, at 2145 hours, I contacted Witness 1 (Flores) at the collision scene. He
11 stated he was willing to be a witness to the collision; however, he could not wait at the scene.
12 Witness 1 agreed to meet with me the next day at his residence. On January 26, 2008, at 1400
13 hours, I conducted an interview of Witness 1 at his residence, 7316 Payette Drive, Rancho
14 Cordova, CA. The interview was digitally recorded. A summary of the interview follows.
15
16 Flores stated that approximately 9:30 p.m. the previous evening, he was driving eastbound on
17 Folsom Boulevard, in the left lane approaching Gardenia Way. He must have been "some
18 distance behind the truck" (Vehicle 1, Ford F-150) but didn't really notice it until he started to
19 move into the left turn lane and saw that the F-150 was stopped ahead. He saw a vehicle
20 westbound pass their location and then he heard the siren. He looked towards westbound traffic
21 on Folsom Boulevard and saw the police car (Vehicle 2, patrol vehicle) approaching in the left
22 lane. He saw that the patrol vehicle had the emergency lights activated and was approaching at
23 "about 50 to 55 mph." He described the emergency lights as "top mounted red and blue lights."
24 He stated that the overhead lights as well as the headlights were "flashing." As he came to a
25 stop behind the F-150, he saw the F-150 "suddenly bolt forward." He estimated that the patrol
26 vehicle was "a couple of hundred feet away from them" when the F-150 accelerated. He stated
27 he "couldn't believe the F-150 was trying to turn left in front of the police car." He saw the patrol
28 vehicle hit the right side of the F-150. He saw the officer (Party 2) get out of the patrol vehicle
29 and run over to the driver of the F-150 (Party 1). Party 1 then got out of the F-150 and walked
30 over to the northwest corner of the intersection. The officer started directing traffic and Flores
31 drove his car around the east side of the two vehicles. He completed a left turn onto Gardenia
32 Way and pulled over. He got out of his car and walked over to Party 1 still standing at the
33 northwest corner. Flores was talking to Party 1 and Party 1 told him that his wife was going to be
34 "really mad at him now." Party 1 told him that he was "already late and now was in an accident
35 with a police car." The officer was directing traffic for a "couple of minutes only" when the CHP
36 arrived. Flores was certain the vehicles were not moved after the collision.
37
38 Witness 2
39
40 On January 25, 2008, at 2220 hours, I conducted an interview of Witness 2 (Miller) at the collision
41 scene. A summary of the interview follows.
42

PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
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ANNEX E

ON-DUTY EMERGENCY VEHICLE COLLISION (continued)

STATE OF CALIFORNIA

NARRATIVE/SUPPLEMENTAL

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DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D. NUMBER	NUMBER
01/25/2008	2125	9252	013460	2008 01 6789

1 STATEMENTS (continued)

2

3 Witness 2 (continued)

4 Miller stated she was walking to her car in the Safeway parking lot at the northeast corner of
5 Folsom Boulevard and Gardenia Way. She heard a police siren and looked east "towards the
6 sound." She saw a police car (Vehicle 2, patrol vehicle) traveling westbound on Folsom
7 Boulevard with the emergency lights and siren activated. She described the emergency lights as
8 overhead "flashing blue and red" lights and "flashing" headlights.

9

10 She estimated the speed of the patrol vehicle as "not quite freeway speed but a little faster than
11 regular traffic" but could not apply a number. She was looking at the patrol vehicle as it passed
12 her location, "watching to see where the police car was going" when she saw the collision. She
13 heard the "smashing metal sound" and saw "smoke." She did not see where the truck (Vehicle 1,
14 Ford F-150) came from but thought it must have turned left by the way the collision happened.
15 She saw the officer (Party 2) get out of the patrol vehicle, run around the back of the F-150, and
16 check on the driver (Party 1). She saw Party 1 get out of the F-150 and walk over to the
17 northwest corner of the intersection. She put her groceries in her car and walked over to the two
18 vehicles to "see if she could help." The officer was directing traffic around the two vehicles which
19 were still in the intersection. Within "just a minute or two" she saw the CHP arrive on scene. She
20 recalled that the vehicles were not moved. She did not see any other police cars in the area prior
21 to seeing Vehicle 2.

22

23

24 OPINIONS AND CONCLUSIONS

25

26 Summary

27

28 On January 25, 2008, at 2125 hours, Party 1 (Collins) was driving Vehicle 1 (F-150) on Folsom
29 Boulevard eastbound, at 35 to 40 mph. Collins was the F-150's sole occupant, and was returning
30 to his residence from a social gathering with co-workers. It was Collins' intention to turn left at
31 Gardenia Way and continue to drive the F-150 to his residence. As Collins approached Gardenia
32 Way, he steered into the left turn lane. Due to an oncoming vehicle, Collins stopped the F-150 in
33 the left turn lane.

34

35 Party 2 (Deputy Ellinger) was driving Vehicle 2 (patrol vehicle) on Folsom Boulevard westbound,
36 in the W-1 lane, at 50 to 55 mph. Deputy Ellinger was the sole occupant of the patrol vehicle.
37 The patrol vehicle was responding to an emergency call and had the overhead emergency lights
38 and siren activated.

39

40 The patrol vehicle was approaching Gardenia Way and the F-150 stopped in the left turn lane
41 facing the opposite direction. As the patrol vehicle approached the F-150, Collins rapidly

42

PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
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ANNEX E

ON-DUTY EMERGENCY VEHICLE COLLISION (*continued*)

STATE OF CALIFORNIA				
NARRATIVE/SUPPLEMENTAL				PAGE 16 OF 17
DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D.	NUMBER
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1 OPINIONS AND CONCLUSIONS (continued)
2
3 Summary (continued)
4 accelerated the F-150 in a northerly direction, initiating a left turn. Collins accelerated the F-150
5 directly into the westbound path of the approaching patrol vehicle. Deputy Ellinger aggressively
6 applied the brakes. The patrol vehicle decelerated; however, continued westbound and struck
7 the right side of the F-150. The impact caused the F-150 to be redirected in a westerly direction.
8 The patrol vehicle was redirected in a northwesterly direction.
9
10 The F-150 came to rest upon its tires, facing a northerly direction, blocking the W-1 and W-2
11 lanes of Folsom Boulevard within the intersection of Gardenia Way. The patrol vehicle came to
12 rest upon its tires, facing a northwesterly direction, blocking the W-2 lane and partially blocking
13 the W-3 lane of Folsom Boulevard within the intersection of Gardenia Way. Both parties exited
14 their respective vehicles. Both vehicles were towed from the collision scene.
15
16 Area of Impact
17
18 The damage to the involved vehicles and the physical evidence at the collision scene determined
19 the area of impact.
20
21 The Area of Impact (F-150 vs. patrol vehicle) was located approximately three feet west of the
22 east curblin prolongation of Gardenia Way and twenty-two feet south of the north curblin
23 prolongation of Folsom Boulevard.
24
25 Intoxication Narrative
26
27 Upon contacting Party 1 (Collins), I noticed the odor of an alcoholic beverage on his breath. I
28 asked Collins if he'd been drinking. Collins stated that he drank two beers while at the "get
29 together" with his co-workers. He stated further that he'd consumed the two beers early in the
30 evening and had stopped drinking "at least an hour before he started driving home." I asked
31 Collins to perform a series of Field Sobriety Tests which he did. Collins was determined not to be
32 under the influence and was not arrested.
33
34 Cause
35
36 Party 1 (Collins) caused this collision by driving in violation of California Vehicle Code section
37 21806(a) – Failure to yield the right-of-way to an authorized emergency vehicle while such
38 vehicle has at least one red light activated and sounding a siren. The patrol vehicle had clearly
39 visible overhead emergency lights and siren activated as it approached the F-150. Had Collins
40 maintained his position, stopped in the left turn lane, this collision could have been avoided.
41 Collins; however, failed to yield the right-of way to the patrol vehicle and accelerated the F-150
42 directly into the path of the approaching patrol vehicle.

PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
C. BROSTROM	013460	02/01/2008		

ANNEX E

ON-DUTY EMERGENCY VEHICLE COLLISION (*continued*)

STATE OF CALIFORNIA

NARRATIVE/SUPPLEMENTAL

PAGE 17 OF 17

DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D.	NUMBER
01/25/2008	2125	9252	013460	2008 01 6789

1 OPINIONS AND CONCLUSIONS (continued)

2

3 Cause (continued)

4 The cause is based upon the physical evidence at the collision scene, the damage to the
5 involved vehicle, and the independent statements obtained.

6

7

8 RECOMMENDATIONS

9

10 I recommend a copy of this investigation be forwarded for review by the Sacramento District
11 Attorney's Office and the charge of CVC Section 21806(a) be filed against Howard Bernard
12 Collins (Party 1) via "Complaint to be Filed." Citation AB 45678 is attached.

13

PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
C. BROSTROM	013460	02/01/2008		



ANNEX F

FELONY HIT AND RUN INVESTIGATION WITH PROSECUTION

STATE OF CALIFORNIA										TRAFFIC COLLISION REPORT										PAGE 1 OF 42									
SPECIAL CONDITIONS										JUDICIAL DISTRICT										LOCAL REPORT NUMBER									
FATAL										UNINCORPORATED SACRAMENTO SUPERIOR										2008-04-5555									
NUMBER INJURED 0										CITY UNINCORPORATED										BEAT 73									
NUMBER KILLED 1										COUNTY SACRAMENTO										DAY OF WEEK TUESDAY									
HT & RUN FELONY <input checked="" type="checkbox"/>										REPORTING DISTRICT										TOW AWAY <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO									
HT & RUN MISC/MEANOR <input type="checkbox"/>										MO 04/15/2008										TIME (2400) 1256									
NCIC # 9252										OFFICER I.D. 11134										PHOTOGRAPHS BY: <input type="checkbox"/> NONE									
COLLISION OCCURRED ON: NORTON DRIVE										GPS COORDINATES										REFER TO NARRATIVE									
MILEPOST INFORMATION:										LATITUDE 38.460334°										LONGITUDE - 121.323456°									
AT INTERSECTION WITH:										STATE HWY REL										<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO									
<input checked="" type="checkbox"/> OR: 77 FEET NORTH OF STOCKDALE CIRCLE																													
PARTY 1										DRIVER'S LICENSE NUMBER C3314601 (SUSP)										STATE CA									
CLASS U										AIR BAG P										SAFETY EQUIP. G									
VEH. YEAR 1995										MAKE / MODEL / COLOR FORD THUNDERBIRD BLU										LICENSE NUMBER ICRA5H									
STATE CA																													
DRIVER NAME (FIRST, MIDDLE, LAST) BRADLEY HAIGHT										OWNER'S NAME <input checked="" type="checkbox"/> SAME AS DRIVER																			
STREET ADDRESS 2546 SUNNY BIRD DRIVE										OWNER'S ADDRESS <input checked="" type="checkbox"/> SAME AS DRIVER																			
CITY / STATE / ZIP SACRAMENTO CA 95823										DISPOSITION OF VEHICLE ON ORDERS OF: <input type="checkbox"/> OFFICER <input checked="" type="checkbox"/> DRIVER <input type="checkbox"/> OTHER																			
SEX M										HAIR BLK										EYES BRN									
HEIGHT 5-10										WEIGHT 170										MO BIRTHDATE DAY YEAR RACE W									
MO 04/01/1985										YEAR										RACE W									
HOME PHONE (916)555-8389										BUSINESS PHONE NONE										FLED THE SCENE									
INSURANCE CARRIER NONE										POLICY NUMBER										PRIOR MECH. DEFECTS <input checked="" type="checkbox"/> NONE APP. <input type="checkbox"/> REFER TO NARRATIVE									
DIR OF TRAVEL ON STREET OR HIGHWAY S										NORTON DRIVE										VEHICLE IDENTIFICATION NUMBER:									
SPEED LIMIT 25										VEHICLE TYPE 01										DESCRIBE VEHICLE DAMAGE									
CA _____ DOT										CAL-T _____ TCP/PS/C										SHADE IN DAMAGED AREA									
PARTY 2										DRIVER'S LICENSE NUMBER										STATE									
CLASS										AIR BAG										SAFETY EQUIP.									
VEH. YEAR										MAKE / MODEL / COLOR										LICENSE NUMBER									
STATE																													
DRIVER NAME (FIRST, MIDDLE, LAST) JOHN CHARLES MUIR										OWNER'S NAME <input type="checkbox"/> SAME AS DRIVER																			
STREET ADDRESS 9786 NORTON DRIVE										OWNER'S ADDRESS <input type="checkbox"/> SAME AS DRIVER																			
CITY / STATE / ZIP SACRAMENTO CA 95823										DISPOSITION OF VEHICLE ON ORDERS OF: <input type="checkbox"/> OFFICER <input type="checkbox"/> DRIVER <input type="checkbox"/> OTHER																			
SEX M										HAIR BRN										EYES BRN									
HEIGHT 5-08										WEIGHT 165										MO BIRTHDATE DAY YEAR RACE W									
MO 06/15/1988										YEAR										RACE W									
HOME PHONE (916)555-9573										BUSINESS PHONE NONE										PRIOR MECHANICAL DEFECTS <input type="checkbox"/> NONE APP. <input type="checkbox"/> REFER TO NARRATIVE									
INSURANCE CARRIER N/A										POLICY NUMBER										VEHICLE IDENTIFICATION NUMBER:									
DIR OF TRAVEL ON STREET OR HIGHWAY N										NORTON DRIVE										VEHICLE TYPE 60									
SPEED LIMIT 25										DESCRIBE VEHICLE DAMAGE										SHADE IN DAMAGED AREA									
CA _____ DOT										CAL-T _____ TCP/PS/C										UNK NONE MINOR									
PARTY 3										DRIVER'S LICENSE NUMBER										STATE									
CLASS										AIR BAG										SAFETY EQUIP.									
VEH. YEAR										MAKE / MODEL / COLOR										LICENSE NUMBER									
STATE																													
DRIVER NAME (FIRST, MIDDLE, LAST)										OWNER'S NAME <input type="checkbox"/> SAME AS DRIVER																			
STREET ADDRESS										OWNER'S ADDRESS <input type="checkbox"/> SAME AS DRIVER																			
CITY / STATE / ZIP										DISPOSITION OF VEHICLE ON ORDERS OF: <input type="checkbox"/> OFFICER <input type="checkbox"/> DRIVER <input type="checkbox"/> OTHER																			
SEX										HAIR										EYES									
HEIGHT										WEIGHT										MO BIRTHDATE DAY YEAR RACE									
HOME PHONE										BUSINESS PHONE										PRIOR MECHANICAL DEFECTS <input type="checkbox"/> NONE APP. <input type="checkbox"/> REFER TO NARRATIVE									
INSURANCE CARRIER										POLICY NUMBER										VEHICLE IDENTIFICATION NUMBER:									
DIR OF TRAVEL ON STREET OR HIGHWAY										SPEED LIMIT										VEHICLE TYPE									
CA _____ DOT										CAL-T _____ TCP/PS/C										DESCRIBE VEHICLE DAMAGE									
PARTY 4										DRIVER'S LICENSE NUMBER										STATE									
CLASS										AIR BAG										SAFETY EQUIP.									
VEH. YEAR										MAKE / MODEL / COLOR										LICENSE NUMBER									
STATE																													
DRIVER NAME (FIRST, MIDDLE, LAST)										OWNER'S NAME <input type="checkbox"/> SAME AS DRIVER																			
STREET ADDRESS										OWNER'S ADDRESS <input type="checkbox"/> SAME AS DRIVER																			
CITY / STATE / ZIP										DISPOSITION OF VEHICLE ON ORDERS OF: <input type="checkbox"/> OFFICER <input type="checkbox"/> DRIVER <input type="checkbox"/> OTHER																			
SEX										HAIR										EYES									
HEIGHT										WEIGHT										MO BIRTHDATE DAY YEAR RACE									
HOME PHONE										BUSINESS PHONE										PRIOR MECHANICAL DEFECTS <input type="checkbox"/> NONE APP. <input type="checkbox"/> REFER TO NARRATIVE									
INSURANCE CARRIER										POLICY NUMBER										VEHICLE IDENTIFICATION NUMBER:									
DIR OF TRAVEL ON STREET OR HIGHWAY										SPEED LIMIT										VEHICLE TYPE									
CA _____ DOT										CAL-T _____ TCP/PS/C										DESCRIBE VEHICLE DAMAGE									
PREPARER'S NAME D. REICHENBERG 11134										DISPATCH NOTIFIED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A										REVIEWER'S NAME									
																				DATE REVIEWED									

ANNEX F

FELONY HIT AND RUN INVESTIGATION WITH PROSECUTION (continued)

STATE OF CALIFORNIA TRAFFIC COLLISION CODING CHP 555 CARS PAGE2 (REV. 11-06) OPI 065		PAGE 2 OF 42	
DATE OF COLLISION (MO. DAY YEAR) 04/15/2008		TIME(2400) 1256	NCIC # 9252
OWNER		OWNER ADDRESS	OFFICER I.D. 11134
PROPERTY DAMAGE		NUMBER 2008-04-5555	
DESCRIPTION OF DAMAGE		NOTIFIED <input type="checkbox"/> YES <input type="checkbox"/> NO	
SEATING POSITION 	OCCUPANTS A - NONE IN VEHICLE B - UNKNOWN C - LAP BELT USED D - LAP BELT NOT USED E - SHOULDER HARNESS USED F - SHOULDER HARNESS NOT USED G - LAP/SHOULDER HARNESS USED H - LAP/SHOULDER HARNESS NOT USED J - PASSIVE RESTRAINT USED K - PASSIVE RESTRAINT NOT USED	SAFETY EQUIPMENT L - AIR BAG DEPLOYED M - AIR BAG NOT DEPLOYED N - OTHER P - NOT REQUIRED CHILD RESTRAINT Q - IN VEHICLE USED R - IN VEHICLE NOT USED S - IN VEHICLE USE UNKNOWN T - IN VEHICLE IMPROPER USE U - NONE IN VEHICLE M/C BICYCLE - HELMET DRIVER PASSENGER V - NO X - NO W - YES Y - YES EJECTED FROM VEHICLE 0 - NOT EJECTED 1 - FULLY EJECTED 2 - PARTIALLY EJECTED 3 - UNKNOWN	INATTENTION CODES A - CELL PHONE HANDHELD B - CELL PHONE HANDSFREE C - ELECTRONIC EQUIPMENT D - RADIO / CD E - SMOKING F - EATING G - CHILDREN H - ANIMALS I - PERSONAL HYGIENE J - READING K - OTHER
ITEMS MARKED BELOW FOLLOWED BY AN ASTERISK (*) SHOULD BE EXPLAINED IN THE NARRATIVE.			
PRIMARY COLLISION FACTOR LIST NUMBER (#) OF PARTY AT FAULT I A VC SECTION VIOLATED: CITED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO 22350 B OTHER IMPROPER DRIVING* C OTHER THAN DRIVER* D UNKNOWN* WEATHER (MARK 1 TO 2 ITEMS) X A CLEAR B CLOUDY C RAINING D SNOWING E FOG / VISIBILITY FT. F OTHER* G WIND LIGHTING X A DAYLIGHT B DUSK - DAWN C DARK - STREET LIGHTS D DARK - NO STREET LIGHTS E DARK - STREET LIGHTS NOT FUNCTIONING* ROADWAY SURFACE X A DRY B WET C SNOWY - ICY D SLIPPERY (MUDDY, OILY, ETC.) ROADWAY CONDITION(S) (MARK 1 TO 2 ITEMS) A HOLES, DEEP RUT* B LOOSE MATERIAL ON ROADWAY* C OBSTRUCTION ON ROADWAY* D CONSTRUCTION - REPAIR ZONE E REDUCED ROADWAY WIDTH F FLOODED* G OTHER* X H NO UNUSUAL CONDITIONS G APPROACHING / LEAVING SCHOOL BUS	TRAFFIC CONTROL DEVICES A CONTROLS FUNCTIONING B CONTROLS NOT FUNCTIONING* C CONTROLS OBSCURED D NO CONTROLS PRESENT / FACTOR* TYPE OF COLLISION A HEAD - ON B SIDE SWIPE C REAR END D BROADSIDE E HIT OBJECT F OVERTURNED G VEHICLE / PEDESTRIAN H OTHER* MOTOR VEHICLE INVOLVED WITH A NON - COLLISION B PEDESTRIAN C OTHER MOTOR VEHICLE D MOTOR VEHICLE ON OTHER ROADWAY E PARKED MOTOR VEHICLE F TRAIN G BICYCLE H ANIMAL: FIXED OBJECT: J OTHER OBJECT: PEDESTRIAN'S ACTIONS A NO PEDESTRIANS INVOLVED B CROSSING IN CROSSWALK AT INTERSECTION C CROSSING IN CROSSWALK - NOT AT INTERSECTION D CROSSING - NOT IN CROSSWALK E IN ROAD - INCLUDES SHOULDER F NOT IN ROAD G APPROACHING / LEAVING SCHOOL BUS	1 2 3 A HAZARDOUS MATERIAL B CELL PHONE HANDHELD IN USE C CELL PHONE HANDSFREE IN USE D CELL PHONE NOT IN USE E SCHOOL BUS RELATED F 75 FT MOTORTRUCK COMBO G 32 FT TRAILER COMBO H I J K L M N O P Q OTHER ASSOCIATED FACTORS (MARK 1 TO 2 ITEMS) A VC SECTION VIOLATED: CITED <input type="checkbox"/> YES <input type="checkbox"/> NO B VC SECTION VIOLATED: CITED <input type="checkbox"/> YES <input type="checkbox"/> NO C VC SECTION VIOLATED: CITED <input type="checkbox"/> YES <input type="checkbox"/> NO D E VISION OBSCUREMENT: F INATTENTION* G STOP & GO TRAFFIC H ENTERING / LEAVING RAMP I PREVIOUS COLLISION J UNFAMILIAR WITH ROAD K DEFECTIVE VEH. EQUIP.: CITED <input type="checkbox"/> YES <input type="checkbox"/> NO L UNINVOLVED VEHICLE M OTHER* N NONE APPARENT O RUNAWAY VEHICLE	1 2 3 A STOPPED B PROCEEDING STRAIGHT C RAN OFF ROAD D MAKING RIGHT TURN E MAKING LEFT TURN F MAKING U TURN G BACKING H SLOWING / STOPPING I PASSING OTHER VEHICLE J CHANGING LANES K PARKING MANEUVER L ENTERING TRAFFIC M OTHER UNSAFE TURNING N XING INTO OPPOSING LANE O PARKED P MERGING Q TRAVELING WRONG WAY R OTHER* SOBRIETY - DRUG PHYSICAL (MARK 1 TO 2 ITEMS) A HAD NOT BEEN DRINKING B HBD - UNDER INFLUENCE C HBD - NOT UNDER INFLUENCE* D HBD - IMPAIRMENT UNKNOWN* E UNDER DRUG INFLUENCE* F IMPAIRMENT - PHYSICAL* G IMPAIRMENT NOT KNOWN H NOT APPLICABLE I SLEEPY / FATIGUED
SKETCH FOR SKETCH DIAGRAM, SEE PAGE 5 <div style="text-align: center;">  INDICATE NORTH </div>		MISCELLANEOUS	

ANNEX F

FELONY HIT AND RUN INVESTIGATION WITH PROSECUTION (continued)

STATE OF CALIFORNIA INJURED / WITNESSES / PASSENGERS CHP 555 CARS PAGE 3 (REV 11-06) OPI 065															PAGE 3 OF 42		
DATE OF COLLISION (MO. DAY YEAR)			TIME(2400)		NCIC #		OFFICER I.D.			NUMBER							
04/15/2008			1256		9252		11134			2008-04-5555							
WITNESS ONLY	PASSENGER ONLY	AGE	SEX	EXTENT OF INJURY ('X' ONE)				INJURED WAS ('X' ONE)					PARTY NUMBER	SEAT POS.	AIR BAG	SAFETY EQUIP.	EJECTED
				FATAL INJURY	SEVERE INJURY	OTHER VISIBLE INJURY	COMPLAINT OF PAIN	DRIVER	PASS.	PED.	BICYCLIST	OTHER					
<input type="checkbox"/>	<input type="checkbox"/>	19	M	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2				
NAME / D.O.B. / ADDRESS JOHN CHARLES MUIR (06/15/1988) 9786 NORTON DRIVE SACRAMENTO CA 95823												TELEPHONE (916)555-9573					
(INJURED ONLY) TRANSPORTED BY: SACRAMENTO COUNTY FIRE DEPARTMENT							TAKEN TO: EL DORADO HOSPITAL										
DESCRIBE INJURIES: FATAL INJURIES (REFER TO NARRATIVE) PRONOUNCED DECEASED AT EL DORADO HOSPITAL BY DR. GILROY AT 1330 HRS. CORONER'S CASE #2008-254 <input checked="" type="checkbox"/> VICTIM OF VIOLENT CRIME NOTIFIED																	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	23	M	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1	3	P	G	0
NAME / D.O.B. / ADDRESS ORMSBY KILBEE (03/22/1985) 6788 HERITAGE LANE SACRAMENTO CA 95823												TELEPHONE (916)555-2475					
(INJURED ONLY) TRANSPORTED BY:							TAKEN TO:										
DESCRIBE INJURIES:																	
<input type="checkbox"/> VICTIM OF VIOLENT CRIME NOTIFIED																	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	22	M	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1	6	P	H	0
NAME / D.O.B. / ADDRESS WILFRED CODY (11/13/1985) 2547 18TH STREET APT. A SACRAMENTO CA 95815												TELEPHONE (916)555-6027					
(INJURED ONLY) TRANSPORTED BY:							TAKEN TO:										
DESCRIBE INJURIES:																	
<input type="checkbox"/> VICTIM OF VIOLENT CRIME NOTIFIED																	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	17	M	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
NAME / D.O.B. / ADDRESS DAVID BLACK (02/05/1991) 5521 NORTON DRIVE SACRAMENTO CA 95823												TELEPHONE (916)555-5728					
(INJURED ONLY) TRANSPORTED BY:							TAKEN TO:										
DESCRIBE INJURIES:																	
<input type="checkbox"/> VICTIM OF VIOLENT CRIME NOTIFIED																	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	44	F	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
NAME / D.O.B. / ADDRESS PEGGY ANN RHODES (06/25/1963) 5523 NORTON DRIVE SACRAMENTO CA 95823												TELEPHONE (916)555-7295					
(INJURED ONLY) TRANSPORTED BY:							TAKEN TO:										
DESCRIBE INJURIES:																	
<input type="checkbox"/> VICTIM OF VIOLENT CRIME NOTIFIED																	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	18	F	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
NAME / D.O.B. / ADDRESS RHONDA SUSAN RHODES (09/28/1989) 5523 NORTON DRIVE SACRAMENTO CA 95823												TELEPHONE (916)555-7295					
(INJURED ONLY) TRANSPORTED BY:							TAKEN TO:										
DESCRIBE INJURIES:																	
<input type="checkbox"/> VICTIM OF VIOLENT CRIME NOTIFIED																	
PREPARER'S NAME D. REICHENBERG				I.D. NUMBER 11134		MO. DAY YEAR 04/25/2008		REVIEWER'S NAME				MO. DAY YEAR					

ANNEX F

FELONY HIT AND RUN INVESTIGATION WITH PROSECUTION (continued)

STATE OF CALIFORNIA INJURED / WITNESSES / PASSENGERS CHP 555 CARS PAGE 3 (REV 11-06) OPI 065															PAGE 4 OF 42		
DATE OF COLLISION (MO. DAY YEAR)				TIME(2400)	NCIC #			OFFICER I.D.			NUMBER						
04/15/2008				1256	9252			11134			2008-04-5555						
WITNESS ONLY	PASSENGER ONLY	AGE	SEX	EXTENT OF INJURY('X' ONE)				INJURED WAS ('X' ONE)					PARTY NUMBER	SEAT POS.	AIR BAG	SAFETY EQUIP.	EJECTED
				FATAL INJURY	SEVERE INJURY	OTHER VISIBLE INJURY	COMPLAINT OF PAIN	DRIVER	PASS.	PED.	BICYCLIST	OTHER					
<input checked="" type="checkbox"/> # 4	<input type="checkbox"/>	64	F	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
NAME / D.O.B. / ADDRESS MARY KAYE BRIGGS (10/07/1943) 1452 STOCKDALE CIRCLE SACRAMENTO CA 95823												TELEPHONE (916)555-8362					
(INJURED ONLY) TRANSPORTED BY:												TAKEN TO:					
DESCRIBE INJURIES:																	
<input type="checkbox"/> VICTIM OF VIOLENT CRIME NOTIFIED																	
<input checked="" type="checkbox"/> # 5	<input type="checkbox"/>	57	M	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
NAME / D.O.B. / ADDRESS RICKY JAMES COOKMAN (01/10/1951) 7167 NORTON DRIVE SACRAMENTO CA 95823												TELEPHONE (916)555-2058					
(INJURED ONLY) TRANSPORTED BY:												TAKEN TO:					
DESCRIBE INJURIES:																	
<input type="checkbox"/> VICTIM OF VIOLENT CRIME NOTIFIED																	
<input checked="" type="checkbox"/> # 6	<input type="checkbox"/>	23	F	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
NAME / D.O.B. / ADDRESS MARY LOUISE MUIR (05/12/1984) 9786 NORTON DRIVE SACRAMENTO CA 95823												TELEPHONE (916)555-9573					
(INJURED ONLY) TRANSPORTED BY:												TAKEN TO:					
DESCRIBE INJURIES:																	
<input type="checkbox"/> VICTIM OF VIOLENT CRIME NOTIFIED																	
<input type="checkbox"/> #	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
NAME / D.O.B. / ADDRESS												TELEPHONE					
(INJURED ONLY) TRANSPORTED BY:												TAKEN TO:					
DESCRIBE INJURIES:																	
<input type="checkbox"/> VICTIM OF VIOLENT CRIME NOTIFIED																	
<input type="checkbox"/> #	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
NAME / D.O.B. / ADDRESS												TELEPHONE					
(INJURED ONLY) TRANSPORTED BY:												TAKEN TO:					
DESCRIBE INJURIES:																	
<input type="checkbox"/> VICTIM OF VIOLENT CRIME NOTIFIED																	
PREPARER'S NAME D. REICHENBERG				I.D. NUMBER 11134			MO. DAY YEAR 04/25/2008			REVIEWER'S NAME				MO. DAY YEAR			

ANNEX F

FELONY HIT AND RUN INVESTIGATION WITH PROSECUTION (continued)

STATE OF CALIFORNIA FACTUAL DIAGRAM CHP 555 PAGE 4 (REV. 11-06) OPI 065					Page 5 of 42
DATE OF COLLISION (MO. DAY YEAR)	TIME (24HR)	NCIC #	OFFICER I.D.	NUMBER	
04/15/08	1256	9252	11134	2008 04 5555	
ALL MEASUREMENTS ARE APPROXIMATE AND NOT TO SCALE UNLESS STATED (SCALE=)					

SKETCH

PREPARED BY	I.D. NUMBER	MO. DAY YEAR	REVIEWER'S NAME	MO. DAY YEAR
C. BROSTROM	13460	04/19/08		

ANNEX F

FELONY HIT AND RUN INVESTIGATION WITH PROSECUTION *(continued)*

STATE OF CALIFORNIA FACTUAL DIAGRAM CHP 555 PAGE 4 (REV. 11-06) OPI 065		Page 6 of 42		
DATE OF COLLISION (MO. DAY YEAR)	TIME (2400)	NCIC #	OFFICER I.D.	NUMBER
04/15/08	1256	9252	11134	2008 04 5555
ALL MEASUREMENTS ARE APPROXIMATE AND NOT TO SCALE UNLESS STATED (SCALE=)				


PREPARED BY	I.D. NUMBER	MO. DAY YEAR	REVIEWER'S NAME	MO. DAY YEAR
C. BROSTROM	13460	04/19/08		


ANNEX F


FELONY HIT AND RUN INVESTIGATION WITH PROSECUTION (continued)

STATE OF CALIFORNIA FACTUAL DIAGRAM CHP 555 PAGE 4 (REV. 11-06) OPI 065		Page 7 of 42		
DATE OF COLLISION (MO. DAY YEAR) 04/15/08	TIME (2400) 1256	NCIC # 9252	OFFICER I.D. 11134	NUMBER 2008 04 5555
ALL MEASUREMENTS ARE APPROXIMATE AND NOT TO SCALE UNLESS STATED (SCALE=)				

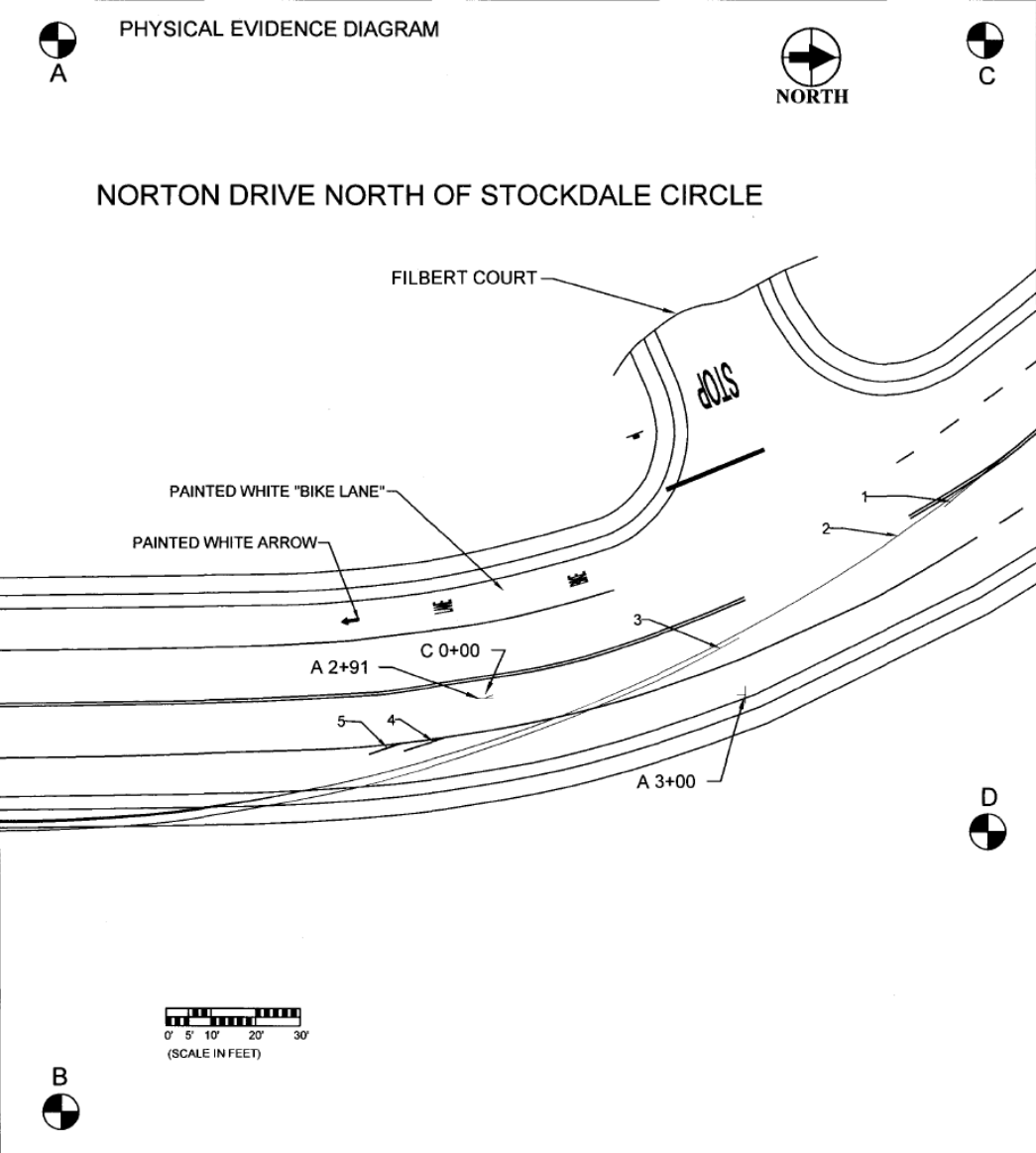
PHYSICAL EVIDENCE DIAGRAM



A



NORTH


C

NORTON DRIVE NORTH OF STOCKDALE CIRCLE




B


D

PREPARED BY C. BROSTROM	I.D. NUMBER 13460	MO. DAY YEAR 04/19/08	REVIEWER'S NAME	MO. DAY YEAR
-----------------------------------	-----------------------------	---------------------------------	-----------------	--------------

ANNEX F

FELONY HIT AND RUN INVESTIGATION WITH PROSECUTION *(continued)*

STATE OF CALIFORNIA FACTUAL DIAGRAM CHP 555 PAGE 4 (REV. 11-06) OPI 065		Page 8 of 42			
DATE OF COLLISION (MO. DAY YEAR)	TIME (2400)	NCIC #	OFFICER I.D.	NUMBER	
04/15/08	1256	9252	11134	2008 04 5555	
ALL MEASUREMENTS ARE APPROXIMATE AND NOT TO SCALE UNLESS STATED (SCALE=)					

The diagram illustrates the intersection of Norton Drive and Fairmont Court. Norton Drive runs diagonally from the top-left to the bottom-right. Fairmont Court is a curved road intersecting Norton Drive from the right. Key features include:

- Norton Drive:** Features a bike lane, gutter, and sidewalk. Lane markings include painted white lines and painted double yellow lines. A station marker 'C 1+50' is shown.
- Fairmont Court:** Features a bike lane, gutter, and sidewalk. Lane markings include painted white lines. A station marker 'D' is shown.
- Intersection:** Shows a 'PAINTED WHITE STOP BAR', a 'POSTED STOP SIGN', and 'PAINTED WHITE "STOP"' text. Distances of 9', 13', and 11' are marked between various lane boundaries.
- Orientation:** Two north arrows are present, labeled 'C' and 'D'.

PREPARED BY	I.D. NUMBER	MO. DAY YEAR	REVIEWER'S NAME	MO. DAY YEAR
C. BROSTROM	13460	04/19/08		

ANNEX F

FELONY HIT AND RUN INVESTIGATION WITH PROSECUTION *(continued)*

STATE OF CALIFORNIA FACTUAL DIAGRAM CHP 555 PAGE 4 (REV. 11-06) OPI 065		Page 9 of 42		
DATE OF COLLISION (MO. DAY YEAR)	TIME (2400)	NCIC #	OFFICER ID.	NUMBER
04/15/08	1256	9252	11134	2008 04 5555
ALL MEASUREMENTS ARE APPROXIMATE AND NOT TO SCALE UNLESS STATED (SCALE=)				

DEBRIS EVIDENCE INSET DIAGRAM

PREPARED BY	I.D. NUMBER	MO. DAY YEAR	REVIEWER'S NAME	MO. DAY YEAR
C. BROSTROM	13460	04/19/08		

ANNEX F

FELONY HIT AND RUN INVESTIGATION WITH PROSECUTION (continued)

STATE OF CALIFORNIA		PAGE 10 OF 42		
NARRATIVE/SUPPLEMENTAL				
DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D.	NUMBER
04/15/2008	1256	9252	11134	2008-04-5555

1 PHYSICAL EVIDENCE DIAGRAM LEGEND

2

3 Station Line Descriptions

4

5 Three station lines were established at the collision scene to facilitate the documentation of

6 physical evidence and roadway characteristics. The station lines were created using 300-foot

7 fiberglass tapes. Secondary measurements were obtained using a 25-foot steel tape, and taken

8 either to the left or right and perpendicular to the station line.

9

10 Station line "A" was established along the centerline of Norton Drive, centered between the

11 painted double yellow lines. The station line extends, generally, from the south and increases

12 numerically towards the north. Station A 0+00 was located 50 feet south of the north curb line

13 prolongation of Stockdale Circle. As Norton Drive curves to the west, the station line remains in a

14 straight line towards the east curb of Norton Drive.

15

16 Station line "B" was established along the north curb line of Stockdale Circle and perpendicular to

17 station line "A." The station line extends, generally, from the east and increases numerically

18 towards the west. Station B 0+00 was located at station A 0+50.

19

20 Station line "C" was established at an approximate 20-degree angle to station line "A." The station

21 line extends, generally, from the southeast and increases numerically towards the northwest.

22 Station C 0+00 was located at station A 2+91. A distance of 7.2 feet was measured from station

23 C 0+20 to station A 3+12.

24

25

26

27

28

29

PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
C. BROSTROM	13460	04/19/2008		

ANNEX F

FELONY HIT AND RUN INVESTIGATION WITH PROSECUTION *(continued)*

STATE OF CALIFORNIA														
NARRATIVE/SUPPLEMENTAL			PAGE 11 OF 42											
DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D.	NUMBER										
04/15/2008	1256	9252	11134	2008-04-5555										
1 <u>Physical Evidence Descriptions</u>														
2														
IDENTIFIER	DESCRIPTION	SPOT(S)												
1	Tire friction mark approximately 21.1 feet in length and 0.04 feet in width	1-3												
2	Tire friction mark approximately 467.4 feet in length and of varying widths	4-19												
3	Tire friction mark approximately 334.7 feet in length and of varying widths	20-29												
4	Tire friction mark approximately 9.8 feet in length and 0.33 feet in width	30-31												
5	Tire friction mark approximately 7.6 feet in length and 0.33 feet in width	32-33												
6	Tire friction mark approximately 18 feet in length and varying in width	34-35												
7	Tire friction mark approximately 57.4 feet in length and varying in width	36-38												
8	Liquid trail approximately 95.8 feet in length and 0.25 feet in width and intermittent	39-43												
A	Broken piece of clear plastic lens with reflectorized material	44												
B	Party #2's right shoe, thong type sandal	45												
C	Broken piece of amber plastic lens	46												
D	Broken pieces of clear plastic lens with reflectorized material	47												
E	Broken piece of clear plastic lens	48												
F	Broken pieces of amber plastic lens with reflectorized material	49												
G	Broken piece of amber plastic lens	50												
H	Broken piece of clear plastic lens in an "S" shape	51												
I	Broken piece of amber plastic lens	52												
J	Broken piece of clear plastic lens with blue overspray	53												
K	Broken pieces of clear plastic lens	54												
L	Broken piece of clear plastic lens	55												
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; padding: 2px;">PREPARED BY</th> <th style="text-align: left; padding: 2px;">I.D. NUMBER</th> <th style="text-align: left; padding: 2px;">DATE</th> <th style="text-align: left; padding: 2px;">REVIEWER'S NAME</th> <th style="text-align: left; padding: 2px;">DATE</th> </tr> </thead> <tbody> <tr> <td style="padding: 2px;">C. BROSTROM</td> <td style="padding: 2px;">13460</td> <td style="padding: 2px;">04/19/2008</td> <td style="padding: 2px;"></td> <td style="padding: 2px;"></td> </tr> </tbody> </table>					PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE	C. BROSTROM	13460	04/19/2008		
PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE										
C. BROSTROM	13460	04/19/2008												

ANNEX F

FELONY HIT AND RUN INVESTIGATION WITH PROSECUTION *(continued)*

STATE OF CALIFORNIA		PAGE 12 OF 42		
NARRATIVE/SUPPLEMENTAL				
DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D. NUMBER	NUMBER
04/15/2008	1256	9252	11134	2008-04-5555

IDENTIFIER	DESCRIPTION	SPOT(S)
M	Broken piece of clear plastic lens with reflectorized material and a broken piece of opaque gray plastic with blue overspray on one side and reflectorized material on the other side	56
N	Broken piece of amber plastic lens	57
O	Party #2's left shoe, thong type sandal	58
P	Broken piece of clear plastic lens with blue overspray	59
Q	Broken piece of amber plastic lens and a broken piece of clear plastic lens	60
R	Broken pieces of clear plastic lens with blue overspray and a broken piece of amber plastic lens	61
S	Broken pieces of clear plastic lens with blue overspray	62
T	Broken piece of amber plastic lens with reflectorized material	63
U	Broken piece of amber plastic lens	64
V	Blue paint chip	65
W	Broken pieces of amber plastic lens	66
X	Broken piece of clear plastic lens with reflectorized material	67
Y	Blue paint chip	68
Z	Broken piece of amber plastic lens with reflectorized material	69
AA	Broken piece of opaque gray plastic on one side and reflectorized material on the other side	70
BB	Broken piece of black plastic	71
CC	Broken pieces of clear plastic lens	72
DD	Ear phones	73
EE	Area of blood and body fluids at the estimated point of rest of Party #2	74
FF	Broken silver colored ball chain	75
GG	Portable cassette player	76

PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
C. BROSTROM	13460	04/19/2008		

ANNEX F

FELONY HIT AND RUN INVESTIGATION WITH PROSECUTION *(continued)*

STATE OF CALIFORNIA		PAGE 13 OF 42		
NARRATIVE/SUPPLEMENTAL				
DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D. NUMBER	NUMBER
04/15/2008	1256	9252	11134	2008-04-5555

IDENTIFIER	DESCRIPTION	SPOT(S)
HH	Key	77
II	Plastic bag containing "Joy" dish washing liquid and a "Snickers" candy bar	78
JJ	2 liter bottle of "Pepsi Twist" soda	79

1

2

3 Physical Evidence Locations

4

5 Tire friction marks and liquid trail evidence widths and locations.

6

SPOT	STATION LOCATION	FEET RIGHT OR LEFT	WIDTH/INCHES
1	C 1+32.3	9.9 left	0.5
2	C 1+23.7	6.9 left	0.5
3	C 1+12.4	3.2 left	0.5
4	C 1+32.3	9.9 left	0.5
5	C 1+18.7	5.7 left	0.5
6	C 0+96.8	At	1.0
7	A 3+29.5	4.5 left	1.0
8	A 3+19	At	1.0
9	A 2+94	8.76 left	1.0
10	A 2+76	14.3 right	2.0
11	A 2+44.7	21.2 right	2.0
12	A 1+52.2	24.0 right	8.0
13	A 1+22	18.2 right	8.0
14	A 0+94.4	8.2 right	12.0
15	A 0+77.2	At	8.0

PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
C. BROSTROM	13460	04/19/2008		

ANNEX F

FELONY HIT AND RUN INVESTIGATION WITH PROSECUTION *(continued)*

STATE OF CALIFORNIA		PAGE 14 OF 42		
NARRATIVE/SUPPLEMENTAL				
DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D.	NUMBER
04/15/2008	1256	9252	11134	2008-04-5555

SPOT	STATION LOCATION	FEET RIGHT OR LEFT	WIDTH/INCHES
16	B 0+18	At	5.0
17	B 0+43.6	19.6 left	2.0
18	B 0+60.4	24.6 left	2.0
19	B 0+86.8	21.1 left	2.0
20	C 0+58.5	7.8 right	1.0
21	A 3+21.7	At	3.0
22	A 2+99	8.7 right	3.0
23	A 2+61.4	19.6 right	3.0
24	A2+28.2	25.0 right	5.0
25	A 1+39.2	24.2 right	5.0
26	A 0+98.1	13.7 right	5.0
27	A 0+70	At	8.0
28	B 0+15	At	3.0
29	B 0+29.8	12.6 left	1.0
30	A 2+82	8.6 right	4.0
31	A 2+72.7	11.5 right	4.0
32	A 2+72	9.79 right	4.0
33	A 2+64.8	12.1 right	4.0
34	A 1+34.9	16.1 right	2.0
35	A 1+17.5	11.6 right	5.0
36	A 1+10.3	13.0 right	4.0
37	A 0+79	At	6.0
38	A 0+59.2	12.8 left	2.0
39	B 0+31.2	10.7 left	3.0
40	B 0+68.3	23.2 left	3.0

PREPARED BY C. BROSTROM	I.D. NUMBER 13460	DATE 04/19/2008	REVIEWER'S NAME	DATE
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ANNEX F

FELONY HIT AND RUN INVESTIGATION WITH PROSECUTION (continued)

STATE OF CALIFORNIA		PAGE 15 OF 42		
NARRATIVE/SUPPLEMENTAL				
DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D.	NUMBER
04/15/2008	1256	9252	11134	2008-04-5555

SPOT	STATION LOCATION	FEET RIGHT OR LEFT	WIDTH/INCHES
41	B 0+96.3	14.7 left	3.0
42	B 1+04.5	11.2 left	3.0
43	B 1+21.5	6.7 left	3.0

1

2

3 Debris evidence locations

4

SPOT	STATION LOCATION	FEET RIGHT OR LEFT
44	A 0+82.5	3.3 right
45	A 1+19.5	22.6 right
46	A 0+55.8	5.2 left
47	B 0+08.3	2.4 left
48	B 0+62.8	18.9 left
49	A 0+67.1	5.9 left
50	A 0+87.5	12.5 left
51	A 0+89.2	10.1 left
52	A 0+91.3	0.6 left
53	A 0+90	4.9 left
54	A 0+89	0.7 left
55	A 0+91.7	1.0 right
56	A 0+93.3	5.9 left
57	A 0+94	2.8 right
58	A 0+90.2	4.2 right
59	A 0+95.9	3.3 left
60	A 0+98.8	1.3 left

PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
C. BROSTROM	13460	04/19/2008		

ANNEX F

FELONY HIT AND RUN INVESTIGATION WITH PROSECUTION (continued)

STATE OF CALIFORNIA

NARRATIVE/SUPPLEMENTAL

PAGE 16 OF 42

DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D.	NUMBER
04/15/2008	1256	9252	11134	2008-04-5555

SPOT	STATION LOCATION	FEET RIGHT OR LEFT
61	A 0+98.1	3.5 right
62	A 1+04	2.7 right
63	A 1+00.6	6.3 right
64	A 1+06	14.3 right
65	A 1+20.5	8.5 right
66	A 1+29	7.4 right
67	A 0+86.6	3.28 left
68	A 1+36.2	6.7 right
69	A 1+21.9	3.0 right
70	A 0+66.9	21.7 left
71	A 0+69.7	7.2 left
72	A 0+83	5.3 left
73	A 0+85	14.0 left
74	A 1+00	8.0 left
75	A 1+01.4	5.7 left
76	A 1+24.5	11.3 right
77	A 1+26.6	11.4 right
78	A 1+27.6	13.0 right
79	A 1+29.2	15.1 right

- 1
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- 5

PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
C. BROSTROM	13460	04/19/2008		

ANNEX F

FELONY HIT AND RUN INVESTIGATION WITH PROSECUTION (continued)

STATE OF CALIFORNIA		PAGE 17 OF 42		
NARRATIVE/SUPPLEMENTAL				
DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D.	NUMBER
04/15/2008	1256	9252	11134	2008-04-5555
1 <u>FACTS</u>				
2				
3 <u>Notification</u>				
4 I received a radio dispatch of a collision with an ambulance responding at 1300 hours. I				
5 responded from Florin Road at Bradshaw Road. While driving to the scene Sacramento				
6 Communications Center advised me, via radio transmission, that the collision possibly involved a				
7 fatality and a hit and run vehicle. I arrived on the scene at 1310 hours. All times, speeds and				
8 measurements noted in this investigation are approximate. All measurements were obtained by				
9 Officer Brostrom who utilized fiberglass and steel tape measures.				
10				
11 <u>Scene Description</u>				
12 This collision occurred on Norton Drive between the intersections of Filbert Court on the north and				
13 Stockdale Circle on the south. Norton Drive is a north-south oriented county road that provides				
14 access to the Parkway Oaks area of Sacramento County. The roadway has an approximate 2.5%				
15 downhill grade for southbound traffic. The north and southbound lanes are separated by painted				
16 double yellow lines. Bicycle lanes border the east and west roadway edges. The bicycle lanes				
17 are bordered on their east and west edges by rolled concrete gutters and three-foot wide				
18 sidewalks. The roadway is constructed of asphalt/concrete and there were no extraordinary				
19 surface contaminants visible. There are single-family homes bordering both the east and west				
20 road edges. The frequency of the homes qualifies the area as a residential area as defined by				
21 515 of the Vehicle Code (VC). When I arrived at the scene, the weather was warm and no rainfall				
22 was observed or felt.				
23				
24				
25				
26				
PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
D. REICHENBERG	11134	04/25/2008		

ANNEX F

FELONY HIT AND RUN INVESTIGATION WITH PROSECUTION (continued)

STATE OF CALIFORNIA		PAGE 18 OF 42		
NARRATIVE/SUPPLEMENTAL				
DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D.	NUMBER
04/15/2008	1256	9252	11134	2008-04-5555

1 Parties

2 Party #1 (Haight)

3 Party #1 fled from the scene of this collision immediately after it occurred. Post collision

4 investigation outlined in the Hit and Run section of the report led to the identification of Haight on

5 April 20, 2008. Haight was identified by a suspended California Driver License (CDL). Haight's

6 driving privilege had been suspended on December 11, 2007 under authority of 13365 VC, Failure

7 to Appear, with service order "M" – service by an officer. An additional suspension was in effect

8 beginning on November 26, 2007, under authority of 14601.1(a) VC, Negligent Operator, service

9 order "M."

10

11 Vehicle #1 (Ford Thunderbird)

12 Vehicle #1 was found parked in the driveway at 2546 Sunny Bird Drive, Sacramento (Haight's

13 residence) on April 20, 2008, at 1400 hours.

14 The Ford sustained moderate damage to the right front. Specifically, the right side headlight and

15 side marker lens were fractured with large sections of the lens material missing. The plastic

16 interior structure of the headlight component was also fractured. The bumper fascia, along the

17 right side beginning at the right frame rail support, was displaced rearward with maximum

18 displacement occurring at the right corner to a depth of two inches. Obliquely aligned scuffing

19 was found within the displacement beginning near the outboard edge of the clearance light and

20 extending upward and outward toward the right fender. The scuff was approximately two inches

21 wide and extended a total distance of five inches. Present within the scuff was a checkerboard

22 patterned fabric impression.

23 The leading edge of the right fender was displaced rearward two inches and the edge curled

24 inward toward the side marker lamp pocket. Longitudinally aligned scratch marks were found on

25 the top of the fender extending from the leading edge to the base of the "A" pillar post. Blue

26 colored fiber strands were found adhered to the hood and fender.

PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
D. REICHENBERG	11134	04/25/2008		

ANNEX F

FELONY HIT AND RUN INVESTIGATION WITH PROSECUTION (continued)

STATE OF CALIFORNIA		PAGE 19 OF 42		
NARRATIVE/SUPPLEMENTAL				
DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D. NUMBER	
04/15/2008	1256	9252	11134	2008-04-5555
<p>1 There was a one-foot wide band of dust wiped from the hood that extended from its leading, edge</p> <p>2 on the right side, and extending rearward to the base of the windshield. The Ford was visually</p> <p>3 inspected for mechanical defects and none were noted. The Ford was impounded under the</p> <p>4 authority 22655.5 VC – Evidence, and towed by Big Ben's towing located at 8473 Fulton</p> <p>5 Boulevard, Sacramento CA 95822.</p> <p>6</p> <p>7 <u>Party #2 (Muir)</u></p> <p>8 Party #2 (Muir) had been transported to El Dorado Hospital by Sacramento County Fire</p> <p>9 Department Emergency Medical Services prior to my arrival. After arriving at the hospital, Muir</p> <p>10 expired due to injuries he received as a result of this collision. Death was pronounced by Dr.</p> <p>11 Gilroy at 1330 hours. A Sacramento County Coroner Report number of 2008-254 was assigned</p> <p>12 to the case. Muir was identified by Deputy Coroner Rayburn. Muir was in possession of his CDL</p> <p>13 upon his arrival at El Dorado Hospital. I arrived at El Dorado Hospital at 1500 hours. I viewed</p> <p>14 and photographed Muir's injuries. A bag containing a blue colored nylon jogging suit was placed</p> <p>15 under the hospital gurney Muir was lying upon. The bag was labeled with the name John Muir on</p> <p>16 its exterior. Deputy Coroner Rayburn took possession of the bag and the clothing. The clothing</p> <p>17 was released to me by Deputy Coroner Rayburn at 1530 hours. I transported the clothing to the</p> <p>18 CHP, South Sacramento Area Office and placed the clothing in an evidence locker pending further</p> <p>19 inspection.</p> <p>20 The Sacramento County Coroner's report listed the following injuries Muir sustained as a result of</p> <p>21 the collision:</p> <ul style="list-style-type: none"> 22 • Compound fracture to the lower right leg 23 • Scrape and small laceration to the lateral right knee 24 • Scrapes to the upper thigh and mid torso along the right lateral aspect 25 • Scrapes to the upper left leg along the lateral aspect 26 • Two inch obliquely aligned laceration to the mid forehead extending from the right eye to 27 the mid scalp line 28 • Underlying the laceration was a fracture to the frontal aspect of the skull 29 • Fracture to the spine at C5 <p>30</p>				
PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
D. REICHENBERG	11134	04/25/2008		

ANNEX F

FELONY HIT AND RUN INVESTIGATION WITH PROSECUTION (continued)

STATE OF CALIFORNIA		PAGE 20 OF 42		
NARRATIVE/SUPPLEMENTAL				
DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D.	NUMBER
04/15/2008	1256	9252	11134	2008-04-5555

1 Physical Evidence

2 Physical Evidence Collected

3 The following table outlines specific items of physical evidence observed at the collision scene on

4 April 15, 2008. The items are noted with corresponding alpha identifiers on the Physical Evidence

5 Diagram and Legend. All of the items listed were collected and processed into the CHP, South

6 Sacramento Area Office Evidence Locker.

7

ITEM	DESCRIPTION	SIGNIFICANCE
C	Broken piece of amber plastic lens	Among several pieces collected at the scene and reassembled*
E	Broken piece of clear plastic lens	Among several pieces collected at the scene and reassembled*
G	Broken piece of amber plastic lens	Among several pieces collected at the scene and reassembled*
H	Broken piece of clear plastic lens	Among several pieces collected at the scene and reassembled. The piece was highlighted by an "S" shaped ridge that was instrumental in matching the piece to the make, model and year of the vehicle involved in the collision. (Refer to the photograph exhibit 2.)
J	Broken piece of clear plastic lens with blue overspray	Among several pieces collected at the scene and reassembled. This piece was collected at the scene and matched to the remainder of the plastic piece still attached to Vehicle #1 within the damaged area. (Refer to photograph exhibit 8.)

PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
D. REICHENBERG	11134	04/25/2008		

ANNEX F

FELONY HIT AND RUN INVESTIGATION WITH PROSECUTION (continued)

STATE OF CALIFORNIA		PAGE 21 OF 42		
NARRATIVE/SUPPLEMENTAL				
DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D.	NUMBER
04/15/2008	1256	9252	11134	2008-04-5555

ITEM	DESCRIPTION	SIGNIFICANCE
K	Broken piece of clear plastic lens	Among several pieces collected at the scene and reassembled*
L	Broken piece of clear plastic lens	Among several pieces collected at the scene and reassembled*
M	Broken piece of opaque gray plastic with blue overspray on one side	This piece was collected at the scene and matched to the remainder of the plastic piece still attached to Vehicle #1 within the damaged area. (Refer to photograph exhibits 6 and 7.)
N	Broken piece of amber plastic lens	Among several pieces collected at the scene and reassembled*
P	Broken piece of clear plastic lens with blue overspray	Among several pieces collected at the scene and reassembled. This piece was collected at the scene and matched to the remainder of the plastic piece, still attached to Vehicle #1 within the damaged area. (Refer to photograph exhibit 8.)
Q	Broken piece of clear plastic lens	Among several pieces collected at the scene and reassembled*
R	Broken piece of clear plastic lens	Among several pieces collected at the scene and reassembled*

PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
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ANNEX F

FELONY HIT AND RUN INVESTIGATION WITH PROSECUTION (continued)

STATE OF CALIFORNIA		PAGE 22 OF 42		
NARRATIVE/SUPPLEMENTAL				
DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D. NUMBER	NUMBER
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ITEM	DESCRIPTION	SIGNIFICANCE
S	Broken piece of clear plastic lens with blue overspray	Among several pieces collected at the scene and reassembled. This piece was collected at the scene and matched to the remainder of the plastic piece, still attached to Vehicle #1 within the damaged area. (Refer to photograph exhibit 8.)
U	Broken piece of amber plastic lens	Among several pieces collected at the scene and reassembled*
V	Blue paint chip	Among several pieces collected at the scene that appear to match the paint found in the damaged area of Vehicle #1
W	Several broken pieces of amber plastic lens	Among several pieces collected at the scene and reassembled*
X	Broken pieces of clear plastic lens	Among several pieces collected at the scene and reassembled*
BB	Broken piece of black plastic	This piece was collected at the scene and matched to the remainder of the plastic piece, still attached to Vehicle #1 within the damaged area. (Refer to photograph exhibits 9 and 10.)

1

2 * These items were reassembled and compared to the replacement right side marker for the same

3 make, model and year as Vehicle #1. The reassembled piece appeared to match the replacement

4 part and the damaged area of Vehicle #1.

5

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D. REICHENBERG	11134	04/25/2008		

ANNEX F

FELONY HIT AND RUN INVESTIGATION WITH PROSECUTION (continued)

STATE OF CALIFORNIA		PAGE 23 OF 42		
NARRATIVE/SUPPLEMENTAL				
DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D.	NUMBER
04/15/2008	1256	9252	11134	2008-04-5555

1 On April 16, 2008, Officers Reichenberg and Brostrom went to American Auto Wreckers, 1254 W.
2 Main Street, Sacramento, CA. The purpose of the visit was to attempt to locate a side marker
3 lens constructed of plastic similar to that found at the scene.
4
5 Officer Brostrom located a lens lying loose on the front seat of a Nissan Sentra that appeared to
6 match the broken pieces found at the scene, specifically the "S" shaped ridge identified on
7 evidence item H. A 1995 Ford Thunderbird was parked next to the Nissan. That Ford was
8 missing its right front side marker lens. Officer Brostrom matched the loose lens to the one
9 missing from the right front of the Ford. On April 16, 2008, the pieces found at the scene of the
10 collision were reassembled and the result was an apparent match to the lens found at the
11 wreckers.
12
13 On April 16, 2008, Officer Brostrom went to Folsom Lake Ford and located a replacement part for
14 the right side marker of a 1995 Ford Thunderbird. The replacement part was compared to the
15 assembled pieces found at the scene and the side marker found at American Auto Wreckers. All
16 items were an apparent match. The replacement part and comparisons were photographed. The
17 replacement part remained at the dealership. The lens found at the wreckers was placed into
18 evidence at the CHP, South Sacramento Area office.
19
20 The following series of photographs illustrate some of the items of physical evidence collected at
21 the scene and their comparison to the exemplar items noted above and to Vehicle #1.
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PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
D. REICHENBERG	11134	04/25/2008		

ANNEX F

FELONY HIT AND RUN INVESTIGATION WITH PROSECUTION (continued)

STATE OF CALIFORNIA		PAGE 24 OF 42		
NARRATIVE/SUPPLEMENTAL				
DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D. NUMBER	NUMBER
04/15/2008	1256	9252	11134	2008-04-5555

1 Side marker found at American Auto Wreckers

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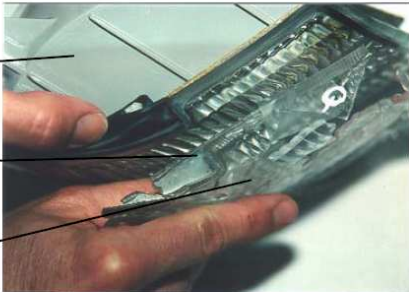
31

32



1995 Ford Thunderbird side marker replacement part

Exhibit 1

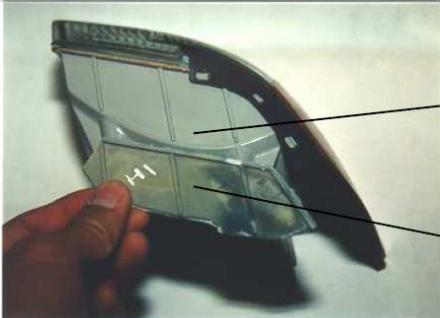


1995 Ford Thunderbird side marker replacement part

"S" shape

Reassembled pieces

Exhibit 2



1995 Ford Thunderbird side marker replacement part

Item I

Exhibit 3


PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
D. REICHENBERG	11134	04/25/2008		

ANNEX F

FELONY HIT AND RUN INVESTIGATION WITH PROSECUTION (continued)

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NARRATIVE/SUPPLEMENTAL				
DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D. NUMBER	NUMBER
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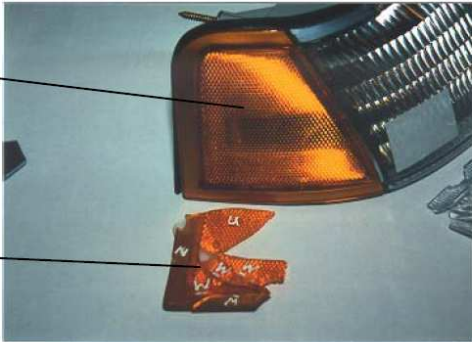
1 1995 Ford Thunderbird side marker replacement part
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Reassembled pieces

10 Exhibit 4

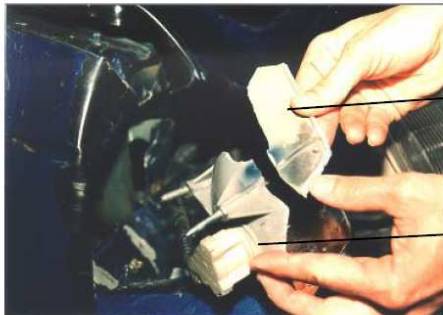
11
12 1995 Ford Thunderbird
13 side marker replacement part
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Reassembled pieces

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20 Exhibit 5

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Item I

Broken piece still attached to Vehicle #1

29 Exhibit 6

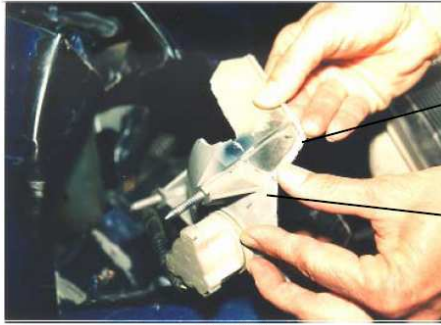
PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
D. REICHENBERG	11134	04/25/2008		

ANNEX F

FELONY HIT AND RUN INVESTIGATION WITH PROSECUTION (continued)

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NARRATIVE/SUPPLEMENTAL				
DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D. NUMBER	NUMBER
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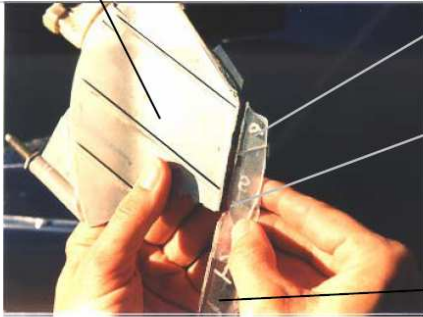
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Item I

Broken piece still attached to Vehicle #1

Exhibit 7




Broken piece still attached to Vehicle #1

Item P

Item S

Item J

Exhibit 8



Item BB

Broken piece still attached to Vehicle #1

Exhibit 9

PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
D. REICHENBERG	11134	04/25/2008		

ANNEX F

FELONY HIT AND RUN INVESTIGATION WITH PROSECUTION (continued)

STATE OF CALIFORNIA		PAGE 27 OF 42		
NARRATIVE/SUPPLEMENTAL				
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Exhibit 10

11 On April 20, 2008, Officers Reichenberg and Brostrom went to 2546 Sunny Bird Drive in response
 12 to information obtained from Witness Black. Vehicle #1, a blue, 1995 Ford Thunderbird, bearing
 13 CA license personalized plate "ICRASH" was found parked in the driveway exhibiting damage and
 14 evidence consistent to that, which would have been sustained in this collision. The following items
 15 were removed from Vehicle #1 at that time:

ITEM	DESCRIPTION	SIGNIFICANCE
37	Light blue nylon fibers attached to Vehicle #1 along the right edge of the hood, near the rearmost edge	The fibers appeared to match the nylon jacket worn by Party #2 at the time of the collision establishing Vehicle #1 contacted Party #2 at this location
38	Light blue nylon fibers attached to Vehicle #1 along the top edge of the right front fender, near the rearmost edge	The fibers appeared to match the nylon jacket worn by Party #2 at the time of the collision establishing Vehicle #1 contacted Party #2 at this location

PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
D. REICHENBERG	11134	04/25/2008		

ANNEX F

FELONY HIT AND RUN INVESTIGATION WITH PROSECUTION (*continued*)

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17 On April 21, 2008, I obtained the clothing Muir had been wearing at the time of the collision from

18 the CHP, South Sacramento Area Evidence Locker. The clothing was examined and the following

19 was noted:

20

21

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- There was a three-inch tear to the right pant leg just below the knee level. The tear was vertically aligned and there were bloodstains surrounding the tear. An area of smudging, that appeared to be a melting of the nylon fabric was present at the top of the tear.
- There was a vertically aligned tear to the jackets right sleeve. The tear was jagged in appearance with what appeared to be melting of the fabric occurring near the top edge of the tear.
- The jacket fabric appeared to be the same color of the fiber strands found adhered to the Ford's hood and right front fender.

Item 38



Item 39



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1 On April 16, 2008, Officers Brostrom and Hamilton attended the autopsy of Party #2. While
2 conducting the autopsy, Dr. Smith found blue paint chips resembling those found at the scene and
3 that of Vehicle #1 in Party #2's head hair. Those pieces, along with a sample of Party #2's head
4 hair were collected and booked into evidence at the CHP, South Sacramento Area Evidence
5 Locker (evidence items 40 through 43).
6
7 On April 22, 2008, Officers Reichenberg and Brostrom went to Big Ben's Towing. A paint
8 exemplar was collected from the right front bumper fascia of Vehicle #1 (evidence Item 44). Item
9 I, found at the collision scene, was matched to the fractured side marker bulb housing, still
10 attached to Vehicle #1. Item BB, found at the scene of the collision, was matched to a fractured
11 plastic part at the right front side marker still attached to Vehicle #1. In addition, the reassembled
12 lens pieces of the side marker (items J, S and P) were matched to the fractured side marker bulb
13 housing, still attached to Vehicle #1. (Refer to photograph exhibits 6 through 10.)
14
15 On April 23, 2008, evidence item 39 and Party #2's light blue nylon jacket were submitted to the
16 Sacramento County Crime Lab for comparison. Additionally, the blue paint exemplar removed
17 from Vehicle #1 (evidence item 44) and sample blue paint chips found at the scene (evidence
18 items V and Y) were submitted for comparison.
19
20 Individual photographic lineups containing a photo of Haight were shown to witnesses Kilbee and
21 Cody. Both lineups were placed into evidence at the CHP, South Sacramento Area Office.
22
23 Digital photographs of the scene were taken by Sergeant Harrison, ID 9245. Digital photographs
24 taken at the autopsy of Party #2 were taken by Officer Hamilton, ID 14546. Digital photographs of
25 Vehicle #1, the replacement part, and evidence comparisons were taken by Officer Reichenberg,
26 ID 11134.
27
28 All photographs and digitally recorded statements were downloaded to CD and placed into
29 evidence at the CHP, South Sacramento Area Office.

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1 Hit and Run

2 The following is a chronological summary of the events that led to the arrest of Haight for

3 20001 VC, Felony Hit and Run:

4 ▪ On the day of the collision, Witness D. Black reported seeing a blue colored Ford

5 Thunderbird driving eastbound on Norton Drive from Stockdale Circle immediately after the

6 collision occurred. The Ford was reportedly occupied by several adult males.

7 ▪ On the day of the collision, Officer Jones, the CHP South Sacramento Area Public Affairs

8 Officer, issued a press release asking that any information related to the case be reported

9 to the CHP South Sacramento Area office.

10 ▪ Analysis of the evidence at the scene led to confirmation that the suspect vehicle was a

11 Ford Thunderbird, blue in color.

12 ▪ Information obtained from Witness P. Rhodes led to the location of Vehicle #1 parked in the

13 driveway at 2546 Sunny Bird Drive, Sacramento, CA.

14 ▪ Contact was made with Haight at his residence immediately after the discovery of the Ford.

15 A subsequent interrogation of Haight produced a confession in which Haight admitted to

16 being the driver of the Ford when it struck victim Muir.

17 ▪ Statements from Passengers Cody and Kilbee confirmed that Haight was the driver of the

18 Ford at the time of the collision.

19 ▪ On April 30, 2008, Officers Reichenberg and Brostrom obtained an arrest warrant for

20 Haight. On that same date, at 1700 hours, Officer Reichenberg telephoned Haight and told

21 him the arrest warrant had been issued. Haight agreed to surrender himself to Officer

22 Reichenberg at the CHP, South Sacramento Area Office. At 1800 hours Haight arrived at

23 the Area Office and was arrested for 20001 VC, Felony Hit and Run and 192c (1) Penal

24 Code, Vehicular Manslaughter and 14601.1(a) VC Driving on a Suspended License.

25

26 Other Factual Information

27 CHP, Valley Division Multi-disciplinary Accident Investigation Team was asked to conduct a

28 mechanical inspection of Vehicle #1, an analysis of the collision dynamics and an estimate of the

29 velocity Vehicle #1 at its loss of control. The results are contained in their report VL-350-08.

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1 **STATEMENTS**

2

3 Party #1 Bradley Haight

4 *On April 20, 2008, at 1315 hours, Haight was contacted at his residence by Officers Reichenberg*

5 *and Brostrom. Haight was asked to come to the CHP, South Sacramento Area Office, to be*

6 *interviewed concerning his vehicle's involvement in this collision. Haight voluntarily agreed to*

7 *come to the office. Upon his arrival Haight was advised that he was not under arrest, he was*

8 *under no obligation to stay at the office and he could leave at any time. Haight then provided the*

9 *following statement. At the conclusion of the statement, Haight was allowed to leave the office.*

10 *The following is a summary of that digitally recorded interview:*

11

12 Haight stated that he was the owner of the blue Ford Thunderbird parked in his driveway on April

13 20, 2008. On April 15, 2008, sometime in the afternoon he loaned his Ford to a friend named

14 "George." Haight could or would not provide any further identifying information on George except

15 that he was a white male adult in his mid 40's. He knew George as they both play cards at the

16 Silver Fox Card Room on Stockton Boulevard. On the day of the collision, he and George were at

17 the Silver Fox and George asked to borrow the car to run a "quick errand." George brought the

18 car back about an hour later and then left without saying anything about being involved in any

19 collision. He hasn't seen George since that time. When Haight left the Silver Fox, he discovered

20 the damage to the front of his car. He has been trying to find George ever since. He didn't bother

21 to report the incident to the police because he was just going to pay to get the car fixed.

22

23 *On April 25, 2008 at 1700 hours, Officer Reichenberg telephoned Haight at his residence and*

24 *requested that Haight come to the CHP, South Sacramento Area Office for a follow up interview.*

25 *Haight agreed to come to the office and arrived at 1800 hours. The following is a summary of the*

26 *digitally recorded follow up interview:*

27

28 Haight was advised of the content of the statements provided by Kilbee and Cody, which

29 implicated him as being the driver of the Ford when it struck Muir.

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1 He was also advised that we had matched much of the physical evidence found at the scene to
2 the Ford. At that point, Haight began to cry and stated, "I didn't mean to do it." Approximately five
3 minutes were allowed to elapse while Haight regained his composure. He was then asked to
4 describe the details of the collision. Haight said that on the day of the collision he, Cody and
5 Kilbee were playing cards at his house. It was about 12:45 in the afternoon and they wanted to go
6 to the store and get some beer. They left his house and he was driving the Ford. Kilbee was
7 seated in the right front seat and Cody was in the right rear. Kilbee was kidding with him about
8 how slow he was driving as they traveled down Norton Drive. Haight decided he would "show off
9 a little" so he "stomped on the gas." He got up to about 65 mph when he reached the stop sign by
10 the school. He "just kept going" without stopping and "the curve in the road came up real fast."
11 He tried to steer around the curve but the car began to "fishtail." He crossed into the northbound
12 lane and went up on the sidewalk. The "guy" (Muir) was walking southbound along the east
13 sidewalk. As his vehicle drove onto the sidewalk, Muir turned and looked at him. Haight recalled
14 Muir "got a real scared look on his face and began to run toward the road." It was "too late to do
15 anything" and the right front of his car struck Muir. After the collision, he managed to regain
16 control of his car and he fled from the scene by turning down Stockdale Circle. He went home
17 and tried to decide what to do. He felt that Muir had to be injured from the collision but "he was
18 scared" because he knew he would go to jail if he turned himself in. Haight said he lied to us the
19 first time we talked because he thought he "could get away with it."
20
21 Haight was then asked a series of questions that elicited the following responses.
22 Haight said he has acted in an irresponsible manner while driving on prior occasions but would not
23 provide any details. He knew of the dangers of driving at that speed in the residential area and it's
24 proximity to the school but he "just wasn't thinking." He admitted knowing that the probability of
25 his causing a collision driving in that manner was high but he ignored the thought. Haight said he
26 had not consumed any alcoholic beverages or illicit drugs during the 24-hour period prior to the
27 collision. He is not currently on any prescribed medication. He was wearing his seatbelt at the
28 time of the collision. He said the Ford did not suffer from any pre-collision mechanical defects.
29

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1 Passenger Ormsby Kilbee

2 *On April 21, 2008, at 1430 hours, Officers Brostrom and Reichenberg responded to the Silver Fox*
3 *Card Room, 1425 Stockton Boulevard, Sacramento, CA in an attempt to locate "George." They*
4 *contacted the business manager (Benjamin Santiago) who said he knew "George" as he was a*
5 *frequent customer; in fact, he was currently playing "Hold-em" in the card room. Santiago then led*
6 *Officers Brostrom and Reichenberg into the card room and introduced us to Ormsby Kilbee.*
7 *Kilbee was asked to come to the CHP, South Sacramento Area Office for an interview. He*
8 *complied and an interview was conducted by Officers Brostrom and Reichenberg beginning at*
9 *1450 hours. The following is a summary of that digitally recorded interview:*

10

11 Kilbee said he was a passenger in the right front of the Ford when it struck Muir. Haight was
12 driving the vehicle at the time of the collision and Willy (Passenger Wilfred Cody) was seated in
13 the right rear. They had been playing cards at Haight's house that morning and they were going
14 to get some beer when the collision occurred. As they traveled southbound on Norton Drive,
15 Haight suddenly began to accelerate. Kilbee said he told Haight to slow down but he refused.
16 The Ford was traveling about "60" when they went through the stop sign by the school. He then
17 "screamed at Haight to slow down but he just kept going." When they got to the curve in the road,
18 Haight tried to steer to follow the road but the Ford began skidding. They went across the road
19 and onto the sidewalk where they hit Muir.

20

21 He "screamed at Haight to stop the car" so they could help Muir. Haight said "hell no, I'm not
22 going to prison" and he drove home. While they traveled home he saw a fire truck going south on
23 Norton Drive and he thought the truck was going to the scene to help Muir. When they arrived at
24 Haight's house, he asked Haight if he was going to report the collision and Haight said, "Yeah, I
25 will." Kilbee then left Haight's residence and drove home. He did not call anyone and report the
26 collision because Haight had said he would report it. As a passenger in the vehicle, he did not
27 feel it was his responsibility.

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1 Kilbee was then shown a photo lineup containing a photograph of Haight. Kilbee identified
2 photograph #3 as Haight and the person driving the Ford at the time it struck Muir. Kilbee then
3 provided an address of 2547 18th Street, Apt. A, Sacramento, CA for "Willy" Cody.
4
5 Passenger Wilfred Cody
6 *On April 24, 2008, at 1700 hours, Officers Brostrom and Reichenberg arrived at 2547 18th Street,*
7 *Apt. A, Sacramento, CA and contacted Wilfred Cody. A digitally recorded interview was*
8 *conducted with Cody at that time. The following is a summary of that interview:*
9
0 Cody said he was a passenger in the right rear of the Ford at the time it struck the pedestrian
1 (Muir). Haight was driving the Ford and Kilbee was the right front passenger. They were at
2 Haight's house all morning playing cards. They were going to get some lunch when the collision
3 occurred. He had been with Haight and Kilbee since about eight o'clock that morning and he did
4 not see either of them consume any alcoholic beverage or drugs. Cody said Haight was driving
5 the Ford southbound on Norton Drive when he began to accelerate. There was no reason for the
6 acceleration but they got up to "about 55 or 60 mph." He and Kilbee both told Haight to slow down
7 but he said "hell no, I'm hungry and thirsty" and kept going. He went through the stop sign by the
8 school without stopping or "even slowing down." As they went around the curve to the right, the
9 Ford began to "skid." They crossed the northbound lane and "went up onto the sidewalk." The
!0 pedestrian was walking on the sidewalk in front of them. He (the pedestrian) saw them coming
!1 and tried to get out of the way by running toward the street.
!2 "It was too late though" and the right front of the Ford struck the pedestrian. The pedestrian came
!3 up onto the hood of the Ford and then fell off.
!4 They both screamed at Haight to stop so they could help the pedestrian but Haight just kept going.
!5 As they drove away from the scene he told Haight to stop at least three more times but Haight
!6 refused. Cody recalled Haight saying something to the effect that he didn't want to get in trouble
!7 and he wasn't going to stop. They drove back to Haight's house and inspected the damage to the
!8 Ford. Cody said there was damage to the right front near the headlight. At that time, Haight said

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<p>1 he was going to call and report the collision so he (Cody) went home. Cody was asked if he had</p> <p>2 talked to either Haight or Kilbee since he left them on the day of the collision and he said no.</p> <p>3 Cody was then shown a photographic lineup containing a photo of Haight in position #3. Cody</p> <p>4 identified the photo in position #3 as that of Haight.</p> <p>5</p> <p>6 <u>Witness Mary Briggs</u></p> <p>7 <i>On April 17, 2008, a canvass of the area surrounding the collision was conducted to attempt to</i></p> <p>8 <i>identify witnesses. At 1300 hours, Briggs was contacted at her residence, 1452 Stockdale Drive,</i></p> <p>9 <i>Sacramento by Officer Reichenberg and identified as a witness to the event. The following is a</i></p> <p>10 <i>summary of the statement obtained from Briggs at that time:</i></p> <p>11</p> <p>12 Briggs related she was at her home on Stockdale Drive all morning. She heard the sound of</p> <p>13 skidding tires through the neighborhood periodically from mid-morning on. At approximately 1230</p> <p>14 hours, she again heard the sound of skidding tires. She believes she heard the sound of an</p> <p>15 impact during that particular time. Immediately following the impact sound, she heard voices</p> <p>16 yelling at someone. She could not recall the exact text of the yelling but she believes it was</p> <p>17 someone yelling at the driver to slow down. She said the yelling went on for approximately four</p> <p>18 minutes. She never went out to the street to investigate.</p> <p>19</p> <p>20 <u>Witness David Black</u></p> <p>21 <i>On April 20, 2008, Officer D. Buttonwillow, received information from the father of the deceased</i></p> <p>22 <i>victim (Muir) that Black may have information concerning the identity of the vehicle involved in the</i></p> <p>23 <i>collision. The father of the victim said Black was a student at Continental High School. An inquiry</i></p> <p>24 <i>was made with Continental High School to see if Black was a student there. It was confirmed he</i></p> <p>25 <i>was and arrangements were made to interview Black at the school. At 0955 hours, Officers</i></p> <p>26 <i>Reichenberg and Brostrom met Black at Continental High School and conducted an interview.</i></p> <p>27 <i>The following is a summary of that interview:</i></p> <p>28</p>				
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1 Black related that on the day of the collision he was in front of his residence (5521 Norton Drive,
2 Sacramento, CA) taking out the trash. He heard the sound of squealing tires and turned toward
3 the street. At that time, he observed a royal blue colored vehicle traveling northbound on Norton
4 Drive. He was "somewhat" sure the vehicle was a Ford Thunderbird and it had collision damage
5 to its right front. When he first observed the Ford, it was swerving from side to side as if out of
6 control and it ran the stop sign at Rimrock Drive (near the school) at a high rate of speed. The
7 driver then appeared to regain control of the vehicle as it sped off northbound on Norton Drive.
8 Black described the driver as a white male adult with a shaved head wearing a black jacket.
9 There was a right front passenger in the vehicle that was wearing a ball cap and may have been a
10 white male adult. The Ford then ran the stop sign at Sunny Harbor Drive and he last saw the
11 vehicle as it approached Lake Terrace Drive.
12 The neighbor to his immediate south (Witness Peggy Rhodes) was also outside at the time and
13 witnessed the driving act. Black said he did not think much of what he saw because he did not
14 know the collision had just occurred. A few moments later, he heard the sound of sirens and he
15 went down the street to investigate. That is when he learned of the collision involving Muir. He
16 told an officer at the scene what he had observed and went home.
17 A few days later he was talking to Witness Peggy Rhodes. She told him she had described the
18 Ford to her daughter, Rhonda. Rhonda said she recognized the description of the Ford as
19 belonging to a friend of hers. The friend lived on Sunny Bird Drive just south of Elder Creek Road.
20 They (Peggy and Rhonda) drove by the friend's house after the collision and the Ford was parked
21 in the driveway on Sunny Bird Drive. The neighbor then described the location of the Ford to
22 Black. Black said he drove by the location described by Rhonda on Monday but did not see the
23 vehicle. Black described the location, given to him by Rhonda, as the third house on the left
24 (traveling northbound) on Sunny Bird Drive, south of Elder Creek Road.
25
26 Statement of Ricky Cookman
27 *On April 17, 2008, at 1200 hours, Officer Reichenberg conducted a canvass of the area*
28 *surrounding the collision in an attempt to locate witnesses. During the canvass, Cookman was*
29 *identified as a witness and the following statement was obtained:*

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<p>1 Cookman related that he was inside his residence at 7167 Norton Drive. He went out the home's 2 front door and walked in a southerly direction to deposit some recycle material in a recycle bin 3 located at the southwest corner of the residence. He had just turned away from the recycle bin, 4 and was facing west when he began to hear the sound of skidding tires. The sound continued for 5 a "few moments" and he heard the sound of an impact. 6 After hearing the sound of an impact, a dark blue vehicle came into his view. The vehicle had 7 previously been blocked from his view by the south wall of his garage. When the vehicle came 8 into view it was skidding from side to side as if out of control and it was traveling south on Norton 9 Drive. He estimated the vehicle's velocity to be "about 50." There was a person on the hood of 10 the vehicle when he first saw it. As the vehicle continued southbound, the person slid off the 11 vehicle's hood toward its right side. The vehicle then turned right onto Stockdale Circle and fled 12 from the scene. Cookman could not give an estimate of the vehicle's speed as it turned onto 13 Stockdale but said it was "fishtailing from side to side" and was leaving "skid marks." 14 He yelled to his wife to call 911 because there had been an accident. He ran to the victim (Muir) 15 and attempted to render aid. Muir appeared to be unconscious and not breathing. Muir did not 16 say anything while he (Cookman) was with him. 17 Cookman was asked to describe the vehicle he observed. He said it was a dark blue Camaro or 18 Firebird type vehicle. He could not describe any damage or the occupants. 19 20 <u>Statement of Rhonda Rhodes</u> 21 <i>During the interview with Witness Black, Black identified his neighbor, Rhodes, as an additional</i> 22 <i>witness. He stated that he was contacted by Rhonda's mother, Peggy Rhodes, and told that</i> 23 <i>Rhonda may have information as to the identity of Party #1 and the location of Vehicle #1. On</i> 24 <i>April 20, 2008 beginning at 1130 hours, Officers Reichenberg and Brostrom contacted Rhodes at</i> 25 <i>her residence. The following is a summary of the statement obtained from Rhodes at that time:</i> 26 27 Rhonda Rhodes related that her mother, Peggy Rhodes, called her at work and told her about the 28 accident. Rhonda stated her mother sounded nervous and upset. Peggy told her that she 29 recognized the driver as the brother of Valencia's (her cousin) boyfriend.</p>				
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1 The brother had asked her (Rhonda) to go on a date but she refused. Rhonda could not recall the
2 brother's name. Peggy told Rhonda that she recognized the Ford and described it to her.
3 Rhonda agreed that the description of the Ford matched the vehicle she'd seen the brother driving
4 before. Rhonda and Peggy knew where the brother lived on Sunny Bird Drive. They drove by the
5 house on Sunny Bird Drive on the day of the collision and saw the Ford parked in the driveway. It
6 looked like someone tried to hide the Ford behind some garbage cans but she could see the right
7 front was damaged. Rhonda was asked why she had not come forward with this information
8 when she learned of the Ford's involvement. She said the brother was a member of a gang and
9 she feared for her family's safety.
10
11 Statement of Peggy Rhodes
12 *During the interview with Witness Black, Black identified his neighbor, Peggy Rhodes, as an*
13 *additional witness. He stated that while he was in his front yard when he observed Vehicle #1,*
14 *Peggy Rhodes was also in her front yard. On April 20, 2008, beginning at 1200 hours, Officers*
15 *Reichenberg and Brostrom contacted Peggy Rhodes at her residence. The following is a*
16 *summary of the statement obtained from Rhodes at that time:*
17
18 Rhodes related she was "weeding" in the front yard of her residence when she heard the sound of
19 tires "screeching." She looked towards the sound and observed the back of a blue colored Ford
20 Thunderbird accelerating through the stop sign at Norton Drive and Rimrock Drive. The Ford was
21 accelerating southbound on Norton Drive and the back of the vehicle was fishtailing. Rhodes
22 continued to hear the tires screeching "for a good while" after the Ford was no longer in view. She
23 then heard the sound of an impact and thought the Ford had hit another vehicle.
24 Rhodes saw the same blue Ford come back (northbound on Norton Drive) by her house but it
25 seemed to be driving normally. All of her observations of the Ford occurred within a 5-minute time
26 span. She didn't think the Ford stopped at the stop sign at Norton Drive and Rimrock Drive when
27 she saw it the second time, but it didn't seem to be "speeding." Rhodes saw damage to the right
28 side of the Ford that confirmed her earlier assumption that it had it had struck another vehicle.
29 She didn't know the blue vehicle had struck a person until later.

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1 Rhodes said the Ford "looked familiar." She knew it was a Thunderbird because she saw the long
2 brake lights with the bird in the middle. Rhodes stated that she recognized the Ford as a vehicle
3 she'd seen at her niece, Valencia's, boyfriend's house on Sunny Bird Drive. She drove by the
4 house after she discovered the pedestrian had been struck to see if it was the same vehicle. She
5 saw the vehicle in the driveway.

6 Rhodes was adamant that she recognized the Ford but did not recognize, nor could she identify,
7 the driver. She described the driver as a white male, in his twenties, with a baldhead. Rhodes
8 said she'd only seen his face from the side. There were other occupants of the vehicle but she
9 could not be sure of their description or seating position.

10 Rhodes said she did not immediately report her observations to the police, as she feared
11 retribution from the driver, as he is a known "gangster."
12
13

14 Statement of Mary Muir

15 *Mary Muir is Party #2, Muir's sister. She was contacted on April 15, 2008, at 1800 hours by*
16 *Officer Baltazar at Muir's home. Mary Muir provided the following information:*
17

18 Muir said that her brother John left the residence about 25 minutes before the collision occurred.
19 He said he was going to walk to the corner store (Jay's Market) to get some dishwashing liquid
20 and soda. She heard all the sirens and came out of their house to see what was going on. That's
21 when she saw John lying in the street. She ran up to help him and a couple of the neighbors also
22 came out to help. He was unconscious and not breathing when she got to him. He was lying on
23 his right side and they kept him in that position until the fire department arrived and began to help.
24 Mary said John had the day off from work and "slept in that morning." "He got up around 1100
25 hours and watched some television before he left to go to the store."
26
27
28
29

PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
D. REICHENBERG	11134	04/25/2008		

ANNEX F

FELONY HIT AND RUN INVESTIGATION WITH PROSECUTION (continued)

STATE OF CALIFORNIA		PAGE 40 OF 42		
NARRATIVE/SUPPLEMENTAL				
DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D. NUMBER	NUMBER
04/15/2008	1256	9252	11134	2008-04-5555

1 **OPINIONS AND CONCLUSIONS**

2

3 Summary

4 Haight (Party #1) was driving his Ford Thunderbird (Vehicle #1) southbound on Norton Drive

5 approaching the intersection with Stockdale Circle. Passenger Ormsby Kilbee was seated in the

6 right front of the Ford and Passenger Wilfred Cody was seated in the right rear. Muir (Party #2)

7 was walking southbound on the east sidewalk of Norton Drive north of Stockdale Circle.

8 As the Ford approached the intersection with Stockdale Circle, it was traveling at a calculated

9 velocity of 64 mph (refer to MAIT supplemental) within the southbound lane. As Haight attempted

10 to steer the Ford through the left to right curve in the roadway, the Ford was traveling too fast to

11 make the turn and began to yaw in a clockwise direction. The Ford entered the northbound lane

12 of Norton Drive and continued across the northbound lane and bicycle lane before it drove onto

13 the sidewalk bordering the east side of Norton Drive. Muir saw that the Ford was approaching his

14 location and began to run in a westerly direction in an attempt to avoid being struck. Muir reached

15 the east roadway edge of Norton Drive before the right front of the Ford struck his right side.

16

17 When the right front of the Ford struck Muir's right side, Muir rode up onto the Ford's hood and

18 eventually struck the Ford's right side "A" pillar post. After striking the pillar post, Muir rolled off

19 the right side of the Ford and came to rest in the southbound lane of Norton Drive just north of

20 Stockdale Circle.

21

22 After the Ford struck Muir, Haight regained control of the vehicle. Haight drove the Ford

23 westbound on Stockdale Circle and fled from the scene. Muir remained at his position of rest.

24

25 Area of Impact

26 The areas of impact were determined by the physical evidence located at the scene and the

27 statements of Haight, Kilbee and Cody.

PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
D. REICHENBERG	11134	04/25/2008		

ANNEX F

FELONY HIT AND RUN INVESTIGATION WITH PROSECUTION (continued)

STATE OF CALIFORNIA		PAGE 41 OF 42		
NARRATIVE/SUPPLEMENTAL				
DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D. NUMBER	NUMBER
04/15/2008	1256	9252	11134	2008-04-5555

1 The first area of impact (right front of the Ford vs. the right side of Muir) was located at the east
2 roadway edge of Norton Drive and 77 feet north of the north roadway edge prolongation of
3 Stockdale Circle.
4
5 The second area of impact (Muir's body vs. the roadway surface) was located 5 feet east of the
6 west roadway edge of Norton Drive and 50 feet north of the north roadway edge prolongation of
7 Stockdale Circle.
8
9 Cause
10 Haight (Party #1) was the cause of this collision as he was driving the Ford (Vehicle #1) at an
11 unsafe speed for conditions in violation of 22350 VC, which states:
12
13 No person shall drive a vehicle upon a highway at a speed greater than is reasonable or prudent
14 having due regard for weather, visibility, the traffic on, and the surface and width of, the highway,
15 and in no event at a speed which endangers the safety of persons or property.
16
17 Haight was driving the Ford at a calculated velocity of 64 mph, while attempting to negotiate a left
18 to right curve in the roadway. The critical velocity of the curve, that speed at which the curve
19 could be negotiated given the available friction between the tires and the roadway surface, was
20 calculated to be 53 mph. As a result, the Ford crossed the northbound lane and entered the
21 sidewalk. When the Ford entered the sidewalk, it forced Muir (Party #2) to take evasive action by
22 running to the west. The right front of the Ford then struck Muir as he attempted to avoid the
23 collision. Refer to the MAIT Supplemental Report for the velocity analysis.
24
25
26 RECOMMENDATIONS
27
28 I recommend the Sacramento County District Attorney review this investigation and file the
29 following charges against Haight:

PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
D. REICHENBERG	11134	04/25/2008		

ANNEX F

FELONY HIT AND RUN INVESTIGATION WITH PROSECUTION (continued)

STATE OF CALIFORNIA		PAGE 42 OF 42			
NARRATIVE/SUPPLEMENTAL					
DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D. NUMBER	NUMBER	
04/15/2008	1256	9252	11134	2008-04-5555	
1	• 20001(a) VC, Duty to Stop at Accident Scene:				
2	The driver of any vehicle involved in an accident resulting in injury to any person, other than				
3	himself or herself, or in the death of any person shall immediately stop the vehicle at the scene				
4	of the accident, provide the required information and render reasonable aid.				
5					
6	Haight (Party #1) drove the Ford (Vehicle #1) from the scene immediately after the collision				
7	occurred when he had clear knowledge that he had been involved in the collision and that Muir				
8	(Party #2) had been injured as a result of the collision.				
9					
10	▪ 192(c)(1) Penal Code, Vehicular Manslaughter:				
11	Manslaughter is the unlawful killing of a human being without malice.				
12	(c) Vehicular—				
13	(1) driving a vehicle in the commission of an unlawful act, not amounting to felony, and with				
14	gross negligence.				
15					
16	Haight's driving pattern as described by witnesses immediately prior to the collision and confirmed				
17	through analysis of physical evidence, was grossly negligent in that he drove the Ford at a				
18	calculated velocity of 64 mph through the residential neighborhood, a posted 25 mph zone.				
19	Haight was told by his passengers he was driving too fast and Haight's own statement indicates				
20	his attitude towards the safety of others on the road was callous.				
21					
22	▪ 14601.1(a) VC, Driving on a Suspended License:				
23	No person shall drive a motor vehicle when his or her driving privilege is suspended or				
24	revoked.				
25					
26	Haight's privilege to drive was suspended on the date the collision occurred.				
27					
PREPARED BY		I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
D. REICHENBERG		11134	04/25/2008		



ANNEX G

FATAL COLLISION WITH FELONY PROSECUTION

STATE OF CALIFORNIA													
TRAFFIC COLLISION REPORT													
CHP 555 CARS PAGE 1 (REV 11-06) OPI 065													
										PAGE 1 OF 23			
SPECIAL CONDITIONS FATAL		NUMBER INJURED 2		HIT & RUN FELONY <input type="checkbox"/>		CITY UNINCORPORATED		JUDICIAL DISTRICT SACRAMENTO SUPERIOR		LOCAL REPORT NUMBER 2007 10 8888			
NUMBER KILLED 1		HIT & RUN WIDE/NEAR <input type="checkbox"/>		COUNTY SACRAMENTO		REPORTING DISTRICT		BEAT 71		DAY OF WEEK WEDNESDAY			
LOCATION		COLLISION OCCURRED ON: 47TH AVENUE				MO DAY YEAR 10/10/2007		TIME (2400) 0135		NCIC # 9252			
		MILEPOST INFORMATION:				GPS COORDINATES LATITUDE 38.51038°				LONGITUDE - 121.44561°			
		AT INTERSECTION WITH: <input checked="" type="checkbox"/> OR: 13 FEET WEST OF STEINER DRIVE				STATE HWY REL <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		PHOTOGRAPHS BY: D. REICHENBERG ID 11134					
PARTY 1		DRIVER'S LICENSE NUMBER A1234567 (SUSP)		STATE CA	CLASS U	AIR BAG P	SAFETY EQUIP. H		VEH. YEAR 1984		MAKE / MODEL / COLOR TOYT X-CAB PICKUP WHI		
		LICENSE NUMBER 6LMN789		STATE CA									
DRIVER <input checked="" type="checkbox"/>		NAME(FIRST, MIDDLE, LAST) JAMES ADAM BROWNING				OWNER'S NAME <input checked="" type="checkbox"/> SAME AS DRIVER							
PEDES- TRIAN <input type="checkbox"/>		STREET ADDRESS 106 ELM COURT, APARTMENT C				OWNER'S ADDRESS <input checked="" type="checkbox"/> SAME AS DRIVER							
PARKED VEHICLE <input type="checkbox"/>		CITY / STATE / ZIP SACRAMENTO CA 95823				DISPOSITION OF VEHICLE ON ORDERS OF: <input checked="" type="checkbox"/> OFFICER <input type="checkbox"/> DRIVER <input type="checkbox"/> OTHER							
BICY- CLIST <input type="checkbox"/>		SEX M	HAIR BRN	EYES BRN	HEIGHT 5-11	WEIGHT 255	BIRTHDATE MO DAY YEAR 01/01/1976	RACE W	HELP U TOWING COMPANY - (916)555-1234				
OTHER <input type="checkbox"/>		HOME PHONE (916)123-4567		BUSINESS PHONE NONE								PRIOR MECH. DEFECTS <input checked="" type="checkbox"/> NONE APP. <input type="checkbox"/> REFER TO NARRATIVE	
		INSURANCE CARRIER GEICO				POLICY NUMBER ABC123						VEHICLE IDENTIFICATION NUMBER:	
		DIR OF TRAVEL ON STREET OR HIGHWAY W 47TH AVENUE				SPEED LIMIT 45		VEHICLE TYPE 22		DESCRIBE VEHICLE DAMAGE <input type="checkbox"/> UNK <input type="checkbox"/> NONE <input type="checkbox"/> MINOR <input type="checkbox"/> MOD <input checked="" type="checkbox"/> MAJOR <input type="checkbox"/> ROLL-OVER		SHADE IN DAMAGED AREA DP/V	
PARTY 2		DRIVER'S LICENSE NUMBER		STATE	CLASS	AIR BAG	SAFETY EQUIP.		VEH. YEAR		MAKE / MODEL / COLOR		
		LICENSE NUMBER		STATE									
DRIVER <input type="checkbox"/>		NAME(FIRST, MIDDLE, LAST)				OWNER'S NAME <input type="checkbox"/> SAME AS DRIVER							
PEDES- TRIAN <input type="checkbox"/>		STREET ADDRESS				OWNER'S ADDRESS <input type="checkbox"/> SAME AS DRIVER							
PARKED VEHICLE <input type="checkbox"/>		CITY / STATE / ZIP				DISPOSITION OF VEHICLE ON ORDERS OF: <input type="checkbox"/> OFFICER <input type="checkbox"/> DRIVER <input type="checkbox"/> OTHER							
BICY- CLIST <input type="checkbox"/>		SEX	HAIR	EYES	HEIGHT	WEIGHT	BIRTHDATE MO DAY YEAR	RACE	PRIOR MECHANICAL DEFECTS <input type="checkbox"/> NONE APP. <input type="checkbox"/> REFER TO NARRATIVE				
OTHER <input type="checkbox"/>		HOME PHONE		BUSINESS PHONE								VEHICLE IDENTIFICATION NUMBER:	
		INSURANCE CARRIER				POLICY NUMBER						VEHICLE TYPE	
		DIR OF TRAVEL ON STREET OR HIGHWAY				SPEED LIMIT		DESCRIBE VEHICLE DAMAGE <input type="checkbox"/> UNK <input type="checkbox"/> NONE <input type="checkbox"/> MINOR <input type="checkbox"/> MOD <input type="checkbox"/> MAJOR <input type="checkbox"/> ROLL-OVER		SHADE IN DAMAGED AREA			
PARTY 3		DRIVER'S LICENSE NUMBER		STATE	CLASS	AIR BAG	SAFETY EQUIP.		VEH. YEAR		MAKE / MODEL / COLOR		
		LICENSE NUMBER		STATE									
DRIVER <input type="checkbox"/>		NAME(FIRST, MIDDLE, LAST)				OWNER'S NAME <input type="checkbox"/> SAME AS DRIVER							
PEDES- TRIAN <input type="checkbox"/>		STREET ADDRESS				OWNER'S ADDRESS <input type="checkbox"/> SAME AS DRIVER							
PARKED VEHICLE <input type="checkbox"/>		CITY / STATE / ZIP				DISPOSITION OF VEHICLE ON ORDERS OF: <input type="checkbox"/> OFFICER <input type="checkbox"/> DRIVER <input type="checkbox"/> OTHER							
BICY- CLIST <input type="checkbox"/>		SEX	HAIR	EYES	HEIGHT	WEIGHT	BIRTHDATE MO DAY YEAR	RACE	PRIOR MECHANICAL DEFECTS <input type="checkbox"/> NONE APP. <input type="checkbox"/> REFER TO NARRATIVE				
OTHER <input type="checkbox"/>		HOME PHONE		BUSINESS PHONE								VEHICLE IDENTIFICATION NUMBER:	
		INSURANCE CARRIER				POLICY NUMBER						VEHICLE TYPE	
		DIR OF TRAVEL ON STREET OR HIGHWAY				SPEED LIMIT		DESCRIBE VEHICLE DAMAGE <input type="checkbox"/> UNK <input type="checkbox"/> NONE <input type="checkbox"/> MINOR <input type="checkbox"/> MOD <input type="checkbox"/> MAJOR <input type="checkbox"/> ROLL-OVER		SHADE IN DAMAGED AREA			
PREPARER'S NAME D. REICHENBERG 011134		DISPATCH NOTIFIED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A				REVIEWER'S NAME				DATE REVIEWED			

ANNEX G

FATAL COLLISION WITH FELONY PROSECUTION (continued)

STATE OF CALIFORNIA TRAFFIC COLLISION CODING CHP 555 CARS PAGE2 (REV. 11-06) OPI 065		PAGE 2 OF 23	
DATE OF COLLISION (MO. DAY YEAR) 10/10/2007		TIME(2400) 0135	NCIC # 9252
OWNER SACRAMENTO COUNTY		OWNER ADDRESS 555 SACTO WAY SACRAMENTO, CA 95811	OFFICER I.D. 011134
PROPERTY DAMAGE DESCRIPTION OF DAMAGE SCUFFING AND PAINT TRANSFER TO SIGNAL LIGHT POLE		NUMBER 2007 10 8888	
NOTIFIED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
SEATING POSITION 	OCCUPANTS A - NONE IN VEHICLE B - UNKNOWN C - LAP BELT USED D - LAP BELT NOT USED E - SHOULDER HARNESS USED F - SHOULDER HARNESS NOT USED G - LAP/SHOULDER HARNESS USED H - LAP/SHOULDER HARNESS NOT USED J - PASSIVE RESTRAINT USED K - PASSIVE RESTRAINT NOT USED	SAFETY EQUIPMENT L - AIR BAG DEPLOYED M - AIR BAG NOT DEPLOYED N - OTHER P - NOT REQUIRED Q - IN VEHICLE USED R - IN VEHICLE NOT USED S - IN VEHICLE USE UNKNOWN T - IN VEHICLE IMPROPER USE U - NONE IN VEHICLE	M/C BICYCLE - HELMET DRIVER PASSENGER V - NO X - NO W - YES Y - YES EJECTED FROM VEHICLE 0 - NOT EJECTED 1 - FULLY EJECTED 2 - PARTIALLY EJECTED 3 - UNKNOWN
INATTENTION CODES A - CELL PHONE HANDHELD B - CELL PHONE HANDSFREE C - ELECTRONIC EQUIPMENT D - RADIO / CD E - SMOKING F - EATING G - CHILDREN H - ANIMALS I - PERSONAL HYGIENE J - READING K - OTHER			
ITEMS MARKED BELOW FOLLOWED BY AN ASTERISK (*) SHOULD BE EXPLAINED IN THE NARRATIVE.			
PRIMARY COLLISION FACTOR LIST NUMBER (4) OF PARTY AT FAULT	TRAFFIC CONTROL DEVICES	SPECIAL INFORMATION	MOVEMENT PRECEDING COLLISION
1 A VC SECTION VIOLATED: CITED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO 23152(A)	A CONTROLS FUNCTIONING B CONTROLS NOT FUNCTIONING*	A HAZARDOUS MATERIAL B CELL PHONE HANDHELD IN USE	A STOPPED B PROCEEDING STRAIGHT
B OTHER IMPROPER DRIVING*	C CONTROLS OBSCURED D NO CONTROLS PRESENT / FACTOR*	C CELL PHONE HANDSFREE IN USE D CELL PHONE NOT IN USE	C RAN OFF ROAD D MAKING RIGHT TURN
C OTHER THAN DRIVER*	TYPE OF COLLISION		
D UNKNOWN*	A HEAD - ON B SIDE SWIPE C REAR END D BROADSIDE	E SCHOOL BUS RELATED F 75 FT MOTORTRUCK COMBO G 32 FT TRAILER COMBO H I	E MAKING LEFT TURN F MAKING U TURN G BACKING H SLOWING / STOPPING I PASSING OTHER VEHICLE
WEATHER (MARK 1 TO 2 ITEMS)			
A CLEAR B CLOUDY C RAINING D SNOWING E FOG / VISIBILITY FT.	F HIT OBJECT G OVERTURNED H VEHICLE / PEDESTRIAN I OTHER*:	J K L M N	J CHANGING LANES K PARKING MANEUVER L ENTERING TRAFFIC M OTHER UNSAFE TURNING N XING INTO OPPOSING LANE
F OTHER*: G WIND	MOTOR VEHICLE INVOLVED WITH		
LIGHTING			
A DAYLIGHT B DUSK - DAWN C DARK - STREET LIGHTS D DARK - NO STREET LIGHTS E DARK - STREET LIGHTS NOT FUNCTIONING*	A NON - COLLISION B PEDESTRIAN C OTHER MOTOR VEHICLE D MOTOR VEHICLE ON OTHER ROADWAY E PARKED MOTOR VEHICLE F TRAIN G BICYCLE H ANIMAL:	O P Q	O PARKED P MERGING Q TRAVELING WRONG WAY R OTHER*:
ROADWAY SURFACE			
A DRY B WET C SNOWY - ICY D SLIPPERY (MUDDY, OILY, ETC.)	I FIXED OBJECT: SIGNAL POLE J OTHER OBJECT:	OTHER ASSOCIATED FACTORS (MARK 1 TO 2 ITEMS) A VC SECTION VIOLATED: CITED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO 22107 B VC SECTION VIOLATED: CITED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO C VC SECTION VIOLATED: CITED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO D	A HAD NOT BEEN DRINKING B HBD - UNDER INFLUENCE C HBD - NOT UNDER INFLUENCE* D HBD - IMPAIRMENT UNKNOWN* E UNDER DRUG INFLUENCE* F IMPAIRMENT - PHYSICAL* G IMPAIRMENT NOT KNOWN H NOT APPLICABLE I SLEEPY / FATIGUED
ROADWAY CONDITION(S) (MARK 1 TO 2 ITEMS)			
A HOLES, DEEP RUT* B LOOSE MATERIAL ON ROADWAY* C OBSTRUCTION ON ROADWAY* D CONSTRUCTION - REPAIR ZONE E REDUCED ROADWAY WIDTH F FLOODED* G OTHER*: H NO UNUSUAL CONDITIONS	PEDESTRIAN'S ACTIONS A NO PEDESTRIANS INVOLVED B CROSSING IN CROSSWALK AT INTERSECTION C CROSSING IN CROSSWALK - NOT AT INTERSECTION D CROSSING - NOT IN CROSSWALK E IN ROAD - INCLUDES SHOULDER F NOT IN ROAD G APPROACHING / LEAVING SCHOOL BUS	H ENTERING / LEAVING RAMP I PREVIOUS COLLISION J UNFAMILIAR WITH ROAD K DEFECTIVE VEH. EQUIP.: CITED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO L UNINVOLVED VEHICLE M OTHER*: N NONE APPARENT O RUNAWAY VEHICLE	
SKETCH FOR SKETCH DIAGRAM, SEE PAGE 5		MISCELLANEOUS  INDICATE NORTH	

ANNEX G

FATAL COLLISION WITH FELONY PROSECUTION (continued)

STATE OF CALIFORNIA INJURED / WITNESSES / PASSENGERS CHP 555 CARS PAGE 3 (REV 11-06) OPI 065															PAGE 3 OF 23		
DATE OF COLLISION (MO. DAY YEAR)			TIME(2400)	NCIC #	OFFICER I.D.					NUMBER							
10/10/2007			0135	9252	011134					2007 10 8888							
WITNESS ONLY	PASSENGER ONLY	AGE	SEX	EXTENT OF INJURY('X' ONE)				INJURED WAS ('X' ONE)					PARTY NUMBER	SEAT POS.	AIR BAG	SAFETY EQUIP.	EJECTED
				FATAL INJURY	SEVERE INJURY	OTHER VISIBLE INJURY	COMPLAINT OF PAIN	DRIVER	PASS.	PED.	BICYCLIST	OTHER					
<input type="checkbox"/>	<input type="checkbox"/>	30	M	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1	3	P	H	0
NAME / D.O.B. / ADDRESS MICHAEL JOHN BROAD (07/04/1977) 7625 ALACANTE WAY SACRAMENTO CA 95823															TELEPHONE (916)234-5678		
(INJURED ONLY) TRANSPORTED BY: SACRAMENTO COUNTY CORONER'S OFFICE															TAKEN TO: SACRAMENTO COUNTY MORGUE		
DESCRIBE INJURIES: SUSTAINED FATAL INJURIES (REFER TO NARRATIVE). PRONOUNCED DECEASED AT THE SCENE BY AMR PARAMEDIC B. JONES AT 0150 HOURS. CORONER'S CASE #2007-999																	
															<input checked="" type="checkbox"/> VICTIM OF VIOLENT CRIME NOTIFIED		
<input type="checkbox"/>	<input type="checkbox"/>	31	M	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1	1	P	H	0
NAME / D.O.B. / ADDRESS JAMES ADAM BROWNING (01/01/1976) 106 ELM COURT, APARTMENT C SACRAMENTO CA 95823															TELEPHONE (916)123-4567		
(INJURED ONLY) TRANSPORTED BY: AMR AMBULANCE															TAKEN TO: SACRAMENTO MEDICAL CENTER		
DESCRIBE INJURIES: CONTUSIONS TO BOTH KNEES AND A CIRCUMFERENTIAL CONTUSION TO HIS CHEST.																	
															<input type="checkbox"/> VICTIM OF VIOLENT CRIME NOTIFIED		
<input type="checkbox"/>	<input type="checkbox"/>	28	M	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1	4	P	D	0
NAME / D.O.B. / ADDRESS RICHARD GENE HENRY (04/01/1979) 945 MELBORN STREET SACRAMENTO CA 95823															TELEPHONE (916)345-6789		
(INJURED ONLY) TRANSPORTED BY: AMR AMBULANCE															TAKEN TO: SACRAMENTO MEDICAL CENTER		
DESCRIBE INJURIES: COMPLAINT OF PAIN TO HIS NECK AND BACK.																	
															<input type="checkbox"/> VICTIM OF VIOLENT CRIME NOTIFIED		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	48	M	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
NAME / D.O.B. / ADDRESS PHILIP ALAN JUNG (11/11/1958) 9595 STEINER DRIVE SACRAMENTO CA 95823															TELEPHONE (916)456-7890		
(INJURED ONLY) TRANSPORTED BY:															TAKEN TO:		
DESCRIBE INJURIES:																	
															<input type="checkbox"/> VICTIM OF VIOLENT CRIME NOTIFIED		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	38	M	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
NAME / D.O.B. / ADDRESS PAUL ROLAND (05/20/1969) 1258 STACEY STREET SACRAMENTO CA 95808															TELEPHONE (916)336-8952		
(INJURED ONLY) TRANSPORTED BY:															TAKEN TO:		
DESCRIBE INJURIES:																	
															<input type="checkbox"/> VICTIM OF VIOLENT CRIME NOTIFIED		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	39	M	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
NAME / D.O.B. / ADDRESS HANK ANDREW REDMAN (04/15/1968) 8696 CHARDONNAY CIRCLE SACRAMENTO CA 95823															TELEPHONE (916)567-8901		
(INJURED ONLY) TRANSPORTED BY:															TAKEN TO:		
DESCRIBE INJURIES:																	
															<input type="checkbox"/> VICTIM OF VIOLENT CRIME NOTIFIED		
PREPARER'S NAME D. REICHENBERG			I.D. NUMBER 011134		MO. DAY YEAR 10/12/2007		REVIEWER'S NAME					MO. DAY YEAR					

ANNEX G

FATAL COLLISION WITH FELONY PROSECUTION *(continued)*

STATE OF CALIFORNIA INJURED / WITNESSES / PASSENGERS CHP 555 CARS PAGE 3 (REV 11-06) OPI 065															PAGE 4 OF 23				
DATE OF COLLISION (MO. DAY YEAR)			TIME(2400)		NCIC #		OFFICER I.D.					NUMBER							
10/10/2007			0135		9252		011134					2007 10 8888							
WITNESS ONLY	PASSENGER ONLY	AGE	SEX	EXTENT OF INJURY('X' ONE)				INJURED WAS ('X' ONE)					PARTY NUMBER	SEAT POS.	AIR BAG	SAFETY EQUIP.	EJECTED		
				FATAL INJURY	SEVERE INJURY	OTHER VISIBLE INJURY	COMPLAINT OF PAIN	DRIVER	PASS.	PED.	BICYCLIST	OTHER							
<input checked="" type="checkbox"/>	<input type="checkbox"/>	32	F	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>							
NAME / D.O.B. / ADDRESS															TELEPHONE				
MARY ANN BECKMAN (10/31/1974) 2525 EL CAMINO REAL SACRAMENTO CA 95823															(916)678-9012				
(INJURED ONLY) TRANSPORTED BY:															TAKEN TO:				
DESCRIBE INJURIES:															<input type="checkbox"/> VICTIM OF VIOLENT CRIME NOTIFIED				
<input checked="" type="checkbox"/>	<input type="checkbox"/>	36	M	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>							
NAME / D.O.B. / ADDRESS															TELEPHONE				
EVAN SCOTT SCRIBBLE (12/25/1970) 49 CHAMPION CIRCLE WEST SACRAMENTO CA 95691															(916)867-5309				
(INJURED ONLY) TRANSPORTED BY:															TAKEN TO:				
DESCRIBE INJURIES:															<input type="checkbox"/> VICTIM OF VIOLENT CRIME NOTIFIED				
<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>							
NAME / D.O.B. / ADDRESS															TELEPHONE				
(INJURED ONLY) TRANSPORTED BY:															TAKEN TO:				
DESCRIBE INJURIES:															<input type="checkbox"/> VICTIM OF VIOLENT CRIME NOTIFIED				
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PREPARER'S NAME					I.D. NUMBER		MO. DAY YEAR		REVIEWER'S NAME					MO. DAY YEAR					
D. REICHENBERG					011134		10/12/2007												

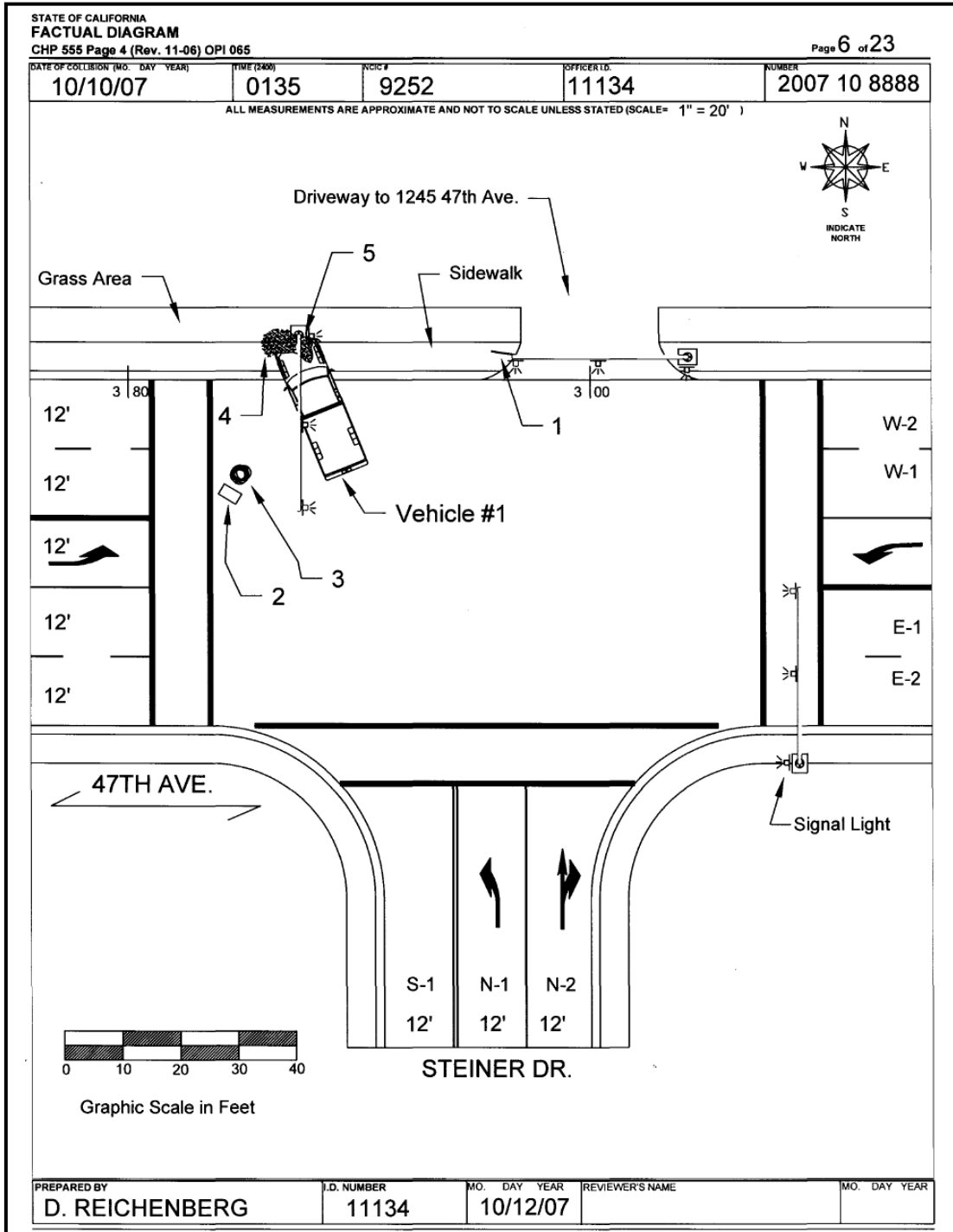
ANNEX G

FATAL COLLISION WITH FELONY PROSECUTION *(continued)*

STATE OF CALIFORNIA FACTUAL DIAGRAM CHP 555 Page 4 (Rev. 11-06) OPI 065		Page 5 of 23		
DATE OF COLLISION (MO. DAY YEAR)	TIME (2400)	KCIC #	OFFICER ID.	NUMBER
10/10/07	0135	9252	11134	2007 10 8888
ALL MEASUREMENTS ARE APPROXIMATE AND NOT TO SCALE UNLESS STATED (SCALE=)				
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PREPARED BY	I.D. NUMBER	MO. DAY YEAR	REVIEWER'S NAME	MO. DAY YEAR
D. REICHENBERG	11134	10/12/07		

ANNEX G

FATAL COLLISION WITH FELONY PROSECUTION (continued)



ANNEX G

FATAL COLLISION WITH FELONY PROSECUTION (*continued*)

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1 PHYSICAL EVIDENCE DIAGRAM LEGEND

2

3 Station Line Description

4

5 A station line was established along the north roadway edge (seam between the asphalt concrete
6 W-2 lane and the concrete rolled gutter) of 47th Avenue. Station 3+00 was established at the east
7 roadway edge prolongation of Steiner Drive. Station measurements increase to the west. Offset
8 measurements were taken perpendicular, left and right of the station line. Measurements were
9 recorded in feet and tenths of feet.

10

11 Physical Evidence Descriptions

12

Item #	Description	Station	Offset
1	4 foot long tire scuff mark	Begin 3+13 End 3+17	4.5 R 5 R
2	Metal tool box from Vehicle #1's bed	Northwest corner 3+63.5 Southeast corner 3+61.5	18 L 21.5 L
3	3.5 foot diameter coil of air hose	Center 3+60.5	16 L
4	Six foot wide puddle of radiator spatter and motor oil	West end 3+57 East end 3+48	7 L 7 L
5	Face of damaged signal pole	3+49	7.5 L
V-1	Right front tire	3+47	4.5 R
V-1	Right rear tire	3+40	8.5 L

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1 **Facts**

2

3 **Notification**

4 While on patrol as unit 112-71, Officer Washabaugh and I were dispatched to a collision with an
5 ambulance responding at 0140 hours. We responded from Stockton Boulevard at Perry Avenue
6 and arrived on the scene at 0154 hours. All speeds and measurements contained in this report
7 are approximate. All measurements were obtained using steel and fiberglass tape measures.

8

9 **Scene Description**

10 This collision occurred just west of the intersection of 47th Avenue and Steiner Drive within the
11 unincorporated area of south Sacramento County. The intersection is a "T" intersection with 47th
12 Avenue being the through highway. Steiner Drive runs north-south from the south edge of 47th
13 Avenue
14
15 47th Avenue is a major, multi-lane, east-west aligned county road. There are two lanes for travel
16 in each direction. There is a left turn lane for eastbound traffic that provides access to a church
17 parking lot. There is a left turn lane for westbound traffic turning onto southbound Steiner Drive.
18 The left turn lanes are delineated by solid painted white lines. There are raised concrete medians
19 separating the east and westbound lanes. The travel lanes are constructed of asphalt/concrete.
20 The eastbound #1 and #2 lanes are separated by a broken painted white line. The westbound #1
21 and #2 lanes are also separated by a broken painted white line. There are painted white
22 crosswalks located along all prolongations of the intersection. There are raised concrete
23 sidewalks bordering both the north and south roadway edges. Rolled concrete gutters separate
24 the asphalt/concrete lanes from the raised sidewalks. The driveway to the First Baptist Church at
25 1245 47th Avenue, is located along the north roadway edge partially within the prolongations of the
26 intersection.

27

28 Steiner Drive is a north-south aligned county road that provides access from 47th Avenue to the

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1 Lincoln Heights neighborhood of Sacramento County. There is one lane for southbound travel.
2 There is one northbound through lane that is bordered on its west by a left turn lane for traffic
3 turning west onto 47th Avenue. The north and southbound lanes are separated by painted solid
4 double yellow lines. The left turn lane is delineated by a solid painted white line. The roadway is
5 constructed of asphalt/concrete. There are rolled concrete curb and gutters, and raised concrete
6 sidewalks, bordering both the east and west roadway edges.

7
8 The intersection is controlled in all directions by official traffic control signals. The signal light
9 phasing was observed for approximately 10 minutes after Vehicle #1 (Toyota) was removed from
10 the intersection and the signal timing and light illumination appeared to be in proper working order.
11 The weather was overcast and a light rain had fallen which left the roadway surface wet. It was
12 not raining when I arrived on the scene.

13

14 Parties

15 Party #1 (Browning) was found in the rear of an AMR ambulance when I arrived at the scene. He
16 was later contacted at the Sacramento Medical Center where he was identified by a California
17 Identification Card. Browning's privilege to drive had been suspended on July 17, 2007, under
18 authority of 13353.2 (a) CVC, Excessive Blood Alcohol with service code "J" personal service by
19 an officer. An additional suspension was in effect under the same authority dated May 4, 2007,
20 with service code "J." Browning's driving record showed two convictions for 23152 (a) CVC one
21 dated June 6, 2007 and the second dated August 20, 2007. Browning was established as the
22 driver of Vehicle #1 (Toyota) at the time of the collision by his sustained injury pattern and
23 statements. Browning sustained injuries consisting of contusions to both knees. Additionally a
24 circumferential contusion was noted to his chest (injuries photographed). A check with the
25 Sacramento County Probation Department revealed Browning was currently on court ordered
26 probation for prior driving under the influence arrests. The record showed he had completed a
27 court ordered DUI offender program on September 15, 2007.

28

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1 Vehicle #1 (Toyota extra-cab pickup) was found at rest upon its wheels facing a northwesterly
2 direction. Its position is depicted on the factual diagram. The Toyota sustained total damage in
3 the collision. Its front structure was displaced rearward in a "V" shaped pattern consistent with a
4 pole strike. The "V" shaped vertex was aligned just to the right of the vehicle's midline. The front
5 bumper was displaced rearward approximately two feet with contact damage extending laterally to
6 one foot on both the left and right sides of the area of maximum intrusion. Commensurate contact
7 damage was noted to the hood and radiator as they were both displaced rearward. The vehicle's
8 engine was displaced from its mounts and was shifted to the vehicle's left side. The windshield
9 was shattered with the fracture emanating from a position near its midline at the leading edge.
10



11
12

13 Induced damage was found to both fenders as their leading edges were turned inward. The driver
14 side door was jammed in a closed position. The passenger side door was found in a full open
15 position. Both door windows were found in a closed position. The rear sliding window was found
16 in an open position. The ignition key was located in the ignition. The knee bolsters along both
17 sides of the steering column were cracked and displaced forward. The vehicle's steering wheel

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1 ring was bent forward at the six o'clock position and the steering column was displaced up and
2 forward. The vehicle's dash and glove box area, immediately forward of the right side passenger
3 seat, was displaced forward. No prior damage or defects were noted.

4

5 Physical Evidence

- 6 • Damage sustained to the front and interior of Vehicle #1
- 7 • Scuffing and blue and white paint transfer to the base of traffic signal pole
- 8 • Injuries to Driver #1 (Browning)
- 9 • Injuries to Passenger Henry
- 10 • Injuries to Passenger Broad
- 11 • Blood sample obtained from Driver #1 and placed into evidence at the Sacramento County
12 Main Jail Evidence Locker
- 13 • Digitally recorded statements of Browning, Henry and Witnesses Jung, Roland, Redman,
14 Scribble and Beckman contained on CD and booked into the CHP, South Sacramento Area
15 Evidence Locker
- 16

17 Other Factual Information

18 Passenger Henry fled from the scene immediately after the collision occurred. He was found
19 hiding behind a gas station located at 47th Avenue and Sampson Boulevard by Officers Salmeron
20 and Galvez. At the time he was found, Henry was wearing a white tee shirt with a Harley
21 Davidson motorcycle printed on the front and a blue baseball hat. He was subsequently
22 transported to the Sacramento Medical Center (SMC), via AMR ambulance where he was
23 identified by a California Identification Card. I contacted Henry at SMC and noted he did not
24 display any injuries. He complained of pain to his neck and back. I inspected his chest and legs
25 for contusions, abrasions and/or lacerations and found none. Those areas of his body were
26 photographed.

27

28 Passenger Broad was found seated in the right front passenger seat of Vehicle #1. He was found
29 un-seatbelted. He was declared deceased at the scene by AMR Paramedic B. Jones at 0150
30 hours. On October 10, 2007, beginning at 1000 hours, I attended the autopsy performed on

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1 Broad by Dr. Stevens at the Sacramento County Morgue. Dr. Stevens noted the following injuries

2 Broad sustained as a result of the collision:

- 3 • Fractures to the right side ribs #4, 5, and 6
- 4 • Dicing lacerations to the right side of the face
- 5 • Complete transection of the spine at C6

6

7 The injuries were photographed.

8

9

10 **STATEMENTS**

11

12 *Driver #1 (Browning): When I arrived at the Sacramento Medical Center on October 10, 2007, at*
13 *0300 hours, I observed Browning in Trauma Room 4. I observed his interaction with hospital staff*
14 *for approximately 10 minutes. He appeared lucid and was communicating with the hospital staff.*
15 *I then contacted Browning and obtained the following digitally recorded statement:*

16

17 Browning said he had been at a party with passengers Henry and Broad. The party was at the
18 house of a friend named Paul Roland. He was unsure what the address was but it was on Stacey
19 Street. He drank several beers during the three hours they spent at the party. He could not say
20 how many but they were "Coors Light" brand. He did not see Henry or Broad drink anything
21 alcoholic. They decided to leave to go to another party at a house on Fruitridge Road. He was
22 seated in the right front seat and Broad was driving. Henry was seated in the rear extra cab
23 section on the right side. They were going from Stockton Boulevard toward Franklin Boulevard
24 when Broad just drove off the road and struck the pole. He (Browning) managed to get out of the
25 truck. He laid down on the grass and waited for help to come. He did not see Broad or Henry
26 after the collision. Browning said he owned the truck but let Broad drive because he (Browning)
27 had been drinking. Browning was asked if the Toyota suffered from any mechanical defects prior
28 to the collision and he said no. Browning was asked to identify persons at the party on Stacey
29 Street and he said he only knew Paul and gave a telephone number of 916-336-8952.

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1 Browning was asked a series of follow-up questions that revealed the following information:
2 Browning owned the involved Toyota truck since he purchased it in 2005. It had never suffered
3 from any mechanical defects. Browning worked his regular eight hour shift at Newtown grocery
4 store as a clerk the day prior to the collision and spent the remainder of the evening at home
5 watching "American Idol." He got up on the day of the collision at approximately 1000 hours and
6 spent the morning watching television. He cleaned his apartment during the afternoon hours. He
7 called Henry and Broad at about 1900 hours to see if they wanted to go to the party at Roland's
8 house. They both said yes and both met him at his apartment at about 2200 hours. They left his
9 apartment at about 2215 hours and arrived at Roland's around 2220 hours. All three of them rode
10 in Browning's Toyota which he drove. Henry sat in the left rear jump seat and Broad rode in the
11 right front passenger seat. Browning was asked if he suffered from any medical conditions and he
12 said no. Browning said there were approximately five people at the party at Roland's house
13 during the time they were there.

14
15 *On October 10, 2007, at 1500 hours, I re-contacted Browning at the Sacramento County Main Jail
16 for the purpose of conducting a follow-up interview and re-evaluating his injuries. The follow-up
17 interview was digitally recorded. Prior to commencing with the interview, Browning was advised of
18 his Miranda rights. Browning waived the Miranda rights and provided the following summarized
19 statement:*

20 Browning was confronted with the statement provided by Witness Roland, specifically, that Roland
21 observed Browning drive the Toyota when they left his residence immediately before the collision
22 occurred. Additionally, I advised Browning that his injury pattern was consistent with his being the
23 driver of the Toyota at the time of the collision and, given the impact forces, Broad could not have
24 been the driver. At that time Browning admitted that he had been the driver of the Toyota at the
25 time of the collision. He said he had tried to avoid responsibility because he had recently been
26 arrested for driving under the influence and was on probation for the offense. He admitted to
27 being arrested two times for driving under the influence during the past year. He has a substance
28 abuse (alcohol) problem and he knows he should be in a rehabilitation program. He recently

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1 completed a DUI Offender Program where they talked about the dangers of drinking and driving.
2 Specifically, that your ability to drive while intoxicated is severely diminished and the probability of
3 causing a collision goes way up. Browning was asked if he realized he could hurt an innocent
4 party by driving while under the influence and he said yes. He was asked if he thought about that
5 before he drove away from Witness Roland's house and he said yes, but that he thought he could
6 make it to the other party and he did not want anyone else to drive his truck.

7

8 I then examined Browning's chest and lower legs for signs of impact. I found a distinctly circular
9 pattern of bruising to his upper chest. The circumference of the bruising was approximately 14
10 inches: the diameter of the Toyota's steering wheel ring. Additionally, there was bruising to both
11 knees.

12

13 *Passenger Henry: When I arrived at the Sacramento Medical Center on October 10, 2007, I*
14 *observed Henry in Trauma Room 7. I observed his interaction with hospital staff for approximately*
15 *10 minutes. He appeared lucid and was communicating with the hospital staff. I then contacted*
16 *Henry and obtained the following digitally recorded statement:*

17

18 Henry related that he had been at home on the day of the collision. He received a telephone call
19 from Browning at around 1900 hours. Browning asked if he wanted to go to a party. He said yes
20 and met Browning and Broad at Browning's apartment at about 2200 hours. He did not notice
21 anything out of the ordinary with Browning and he appeared to be sober. He did not see Browning
22 drink anything alcoholic while they were at his apartment. He and Broad arrived at the apartment
23 at about the same time.

24

25 They left Browning's apartment in Browning's Toyota pickup. He was a passenger in the left rear
26 jump seat (directly behind the driver), Browning was driving and Broad sat in the right front seat.

27 They went to the party that was being held at a friend of Browning's, Henry knew only as Paul.

28 They arrived around 2230 hours. Paul lived at an unknown address on Stacey Street. They

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1 stayed at the party for approximately three hours during which time he consumed "about six Coors
2 Light beers." He saw both Browning and Broad also drinking Coors Light beer but he could not
3 estimate how much each had consumed. The party was "dead" as there were only three or four
4 other people at the house. Since the party was "dead" the three of them decided to go to another
5 party being held at a house on Fruitridge Road. They left Paul's house in Browning's Toyota at
6 around 0100 hours. Henry could not be sure who was driving when they left because he was
7 "highly intoxicated." All he knew was that he was "scrunched" into the rear seat behind the driver.
8 He was not wearing a seatbelt. In fact, he could not be sure if there was a seatbelt in the position
9 where he was seated.

10

11 Henry said he recalled traveling on 47th Avenue when he heard the "sound" of the collision. He
12 was thrown forward and "jostled" around and then the Toyota came to rest. He sat there for
13 approximately 30 seconds before he crawled out of the cab through the rear sliding window. He
14 saw Browning lying down on the grass but he did not see Broad. He (Henry) ran from the scene
15 because he had been drinking and he didn't want to get into trouble. He ran down to the gas
16 station and hid behind the dumpster. That's where he was when the CHP found him.

17

18 *Witness Philip Jung: Jung was contacted at the scene by Officer Washabaugh who obtained the*
19 *following statement: Jung related he was traveling eastbound on 47th Avenue approaching a red*
20 *signal light at the intersection of Steiner Drive. He observed the involved Toyota pickup traveling*
21 *westbound on 47th Avenue approaching Steiner Drive. The Toyota was the only other vehicle on*
22 *47th Avenue around the intersection at that time. Jung estimated the Toyota was traveling at*
23 *approximately 50 miles per hour. Suddenly, and without warning, the Toyota veered off the north*
24 *side of the roadway and struck the signal pole. A bunch of debris flew out of the Toyota's bed and*
25 *the vehicle "spun around." When it came to rest there was steam rising from the engine area.*

26

27 He saw a man get out of the Toyota using the right front door. That man lied down on the grass
28 area in front of the Toyota and remained there until the ambulance arrived. Another man crawled

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1 out of the interior of the Toyota using the rear sliding window. He could not tell where the man
2 had been seated during the collision. That man ran from the scene westbound on 47th Avenue.
3
4 Jung described the man who ran from the scene as a white male adult, approximately 30 years
5 old, standing five foot eight inches tall and weighing approximately 180 pounds. The man was
6 wearing a blue baseball cap, a white tee shirt with some sort of design printed on the front and
7 blue jeans. Jung said he did not get a clear look at the fleeing man's face and he could not
8 provide a hair color nor could he identify the man.
9
10 Jung was asked to describe the man he saw getting out of the Toyota using the right side door.
11 He said he talked to the man as he laid on the grass. He stayed with him until the ambulance
12 arrived. Jung then walked over to the AMR ambulance in which Browning was being treated (no
13 other patients were in the ambulance) and he pointed to Browning and said "that's him." Jung
14 added that he could smell alcohol on Browning's breath while they waited for the ambulance.
15
16 *Witness Roland: Roland was contacted on October 10, 2007, at 0930 hours, by Officer*
17 *Reichenberg. The contact occurred at Roland's home at 1258 Stacey Street, Sacramento, CA. A*
18 *digitally recorded statement was obtained at that time. The following is a summary of that*
19 *statement:*
20
21 Roland said that he had a small party at his residence last night (October 9, 2007). He recalled
22 that Browning arrived at the party around 2200 hours accompanied by two friends he did not
23 know. Browning introduced them but he could not recall their names. He described one as being
24 a white male adult wearing a blue hat, white tee shirt with a Harley Davidson motorcycle printed
25 on the front. The second person was a white male adult about six feet tall and weight about 200
26 lbs. He was wearing a red flannel shirt and blue jeans. The party had not really gotten started
27 when they arrived. They stayed for about three hours and drank several "Coors Light" beers and
28 then left. Roland was asked to be more specific as to the amount of beer each of the three

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1 consumed and he said he could not recall specifics. When they left they all seemed "fine"

2 meaning they were not intoxicated.

3

4 When they left the only ones at the party were himself, Hank Redman and Redman's girlfriend

5 Mary Beckman. He recalled escorting Browning out to the street when they left. The three got

6 into Browning's Toyota. Browning drove, the guy wearing the ball cap got into the jump seat

7 behind Browning and the third guy wearing the flannel shirt was the right front passenger.

8

9 Roland was asked if he knew of Browning's prior arrest history for driving under the influence.

10 Roland said he had talked often with Browning concerning his penchant for drinking and then

11 driving. During those talks, Browning admitted he had a drinking problem and he uses poor

12 judgment when he's been drinking. They talked on at least two occasions about how devastating

13 it would be for his family if he were to become involved in a collision or to hurt someone else

14 because he caused a collision. Browning admitted he has had several "close calls" while driving

15 under the influence. Roland said he told Browning not to drive when they left but Browning

16 insisted he was not intoxicated.

17

18 *Witness Redman: Redman was contacted on October 10, 2007, at 1030 hours by telephone by*

19 *Officer Reichenberg. A digitally recorded statement was obtained from Redman at that time and*

20 *is summarized below:*

21

22 Redman stated that he was present at Paul Roland's residence during the evening hours of

23 October 9, 2007. At approximately 2200 hours, Browning arrived at the residence accompanied

24 by two friends whom he did not know. The friends were never introduced to him or his girlfriend,

25 Witness Mary Beckman. He spoke briefly with Browning during the evening and observed him

26 consume approximately four to six Coors Light beers. Redman could not estimate how much beer

27 Browning's friends consumed during their time at Roland's house but he did see them drink out of

28 at least one can of beer. Redman said that Browning seemed a "little buzzed" when they left but

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1 Browning told him that one of his friends was going to drive. Browning and his friends left Paul's
2 house around 0100 hours. He did not escort them to the street and did not see who was driving
3 the Toyota when they left.
4
5 *Witness Beckman: Beckman was contacted by telephone on October 10, 2007, at 1100 hours by*
6 *Officer Reichenberg. A digitally recorded statement was obtained from Beckman at that time and*
7 *is summarized below:*
8
9 Beckman was present at Roland's house on October 9, 2007 during the evening hours. She was
10 there with her boyfriend (Witness Redman) and she did not know the host, Paul Roland. She
11 recalled that at around 2130 hours, three guys showed up at the house. They were all drinking
12 beer but she had no idea how much each had consumed. She was never introduced to them but
13 recalled one was wearing a red shirt and one was wearing a "Harley" shirt. She didn't notice
14 anything out of the ordinary about their demeanor. They seemed fine and appeared sober when
15 they left at about 0100 hours.
16
17 *Witness Scribble: Scribble is the paramedic that attended to Browning during his on-scene*
18 *medical care and during his transport to Sacramento Medical Center. Scribble was contacted on*
19 *October 10, 2007 at 1900 hours, by telephone. A digitally recorded statement was obtained at*
20 *that time and is summarized below:*
21
22 Scribble said that he attended to Browning from the time he arrived on the scene of the collision at
23 0145 hours, until he turned him over to the staff at the Sacramento Medical Center. Scribble said
24 that Browning spoke to him about his injuries but did not discuss details of the collision. During
25 their conversation he noticed an odor of an alcoholic beverage about his person. Scribble
26 described Browning as "dead drunk." Browning admitted to Scribble that he had consumed three
27 beers before the collision.
28

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ANNEX G

FATAL COLLISION WITH FELONY PROSECUTION (*continued*)

STATE OF CALIFORNIA

NARRATIVE/SUPPLEMENTAL

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1 **OPINIONS AND CONCLUSIONS**

2

3 Summary

4 Party #1 (Browning) had attended a small party at the home of Witness Roland on October 9,
5 2007, from approximately 2200 hours to 0115 hours, October 10, 2007. During that time he
6 consumed a quantity of "Coors Light" beer (estimated to be six 12 ounce cans). He left Witness
7 Roland's residence at approximately 0115 hours with passengers Henry and Broad in Browning's
8 Toyota pickup (Vehicle #1). When they left Roland's house Browning was driving the Toyota,
9 Passenger Broad was seated in the right front seat while Passenger Henry was seated in the
10 jump seat directly behind Browning. The three were traveling to a party at a residence on
11 Fruitridge Road. Browning drove directly from Roland's residence on Stacey Street toward their
12 destination on Fruitridge Road.

13

14 Browning was driving the Toyota westbound on 47th Avenue approaching the intersection with
15 Steiner Drive in the #2 lane at a speed estimated by Witness Jung as 50 miles per hour. Jung's
16 estimate of 50 miles per hour is consistent with the damage sustained to the front of the Toyota as
17 a result of its impact with the signal light. Browning's judgment and ability to drive the Toyota was
18 impaired due to his consumption of an alcoholic beverage. As the Toyota entered the intersection
19 with Steiner Drive, Browning allowed the Toyota to veer to the right. The Toyota traveled off the
20 north roadway edge, across the raised concrete sidewalk, and struck the east face of a signal light
21 pole.

22

23 At impact with the pole, all three unrestrained occupants continued forward while the Toyota's
24 forward motion was halted. Browning's chest struck the Toyota's steering wheel ring while his
25 knees struck the knee bolsters along both sides of the steering column. Browning's impact with
26 the interior of the Toyota caused the contusions observed to his chest and both knees. The right
27 front passenger (Broad) traveled forward and struck the dash and windshield immediately forward
28 of his seated position. Broad's impact with the interior of the Toyota inflicted his fatal injuries.

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1 Passenger Henry's forward travel brought him into contact with the soft seat back of the driver's
2 seat. The seat back acted as a force attenuator mitigating the injuries he sustained.
3
4 The slight off set (right of center) nature of the impact with the pole caused the Toyota to yaw in a
5 clockwise direction. During the yaw, the Toyota moved to the occupants left causing the
6 occupants individual positions to move to the right within the interior of the vehicle. Browning
7 would have moved toward the center console area, Broad would have moved up against the
8 passenger door and Henry would have moved toward the right side of the vehicle. This
9 movement would not have allowed for any exchange of seated positions within the front seating
10 area as Broad would not have been displaced from the front passenger seat. As the Toyota
11 yawed and slid to a stop the occupants would have moved back to the left toward their original
12 seated positions. After yawing, the Toyota came to rest with its front tires on the sidewalk and the
13 rear tires in the westbound #2 lane of 47th Avenue.
14
15 Once the Toyota came to rest, Browning exited the Toyota by crawling over the top of Broad and
16 opening the right side door. He then walked to the grass area immediately in front of the Toyota
17 where he laid down and awaited medical aid. Passenger Henry crawled out of the Toyota using
18 the rear sliding window and attempted to flee from the scene by running to the intersection of 47th
19 Avenue and Sampson Boulevard where he hid behind a garbage dumpster. Passenger Broad
20 expired at the scene as a result of the injuries he sustained as a result of the collision. Passenger
21 Henry was found and detained by Officer Salmeron and Galvez.
22
23 Area of Impact
24 The area of impact between the signal light pole and the front of Vehicle #1 (Toyota) was
25 established by physical evidence and the position of rest of the Toyota. The area of impact was
26 located 13 feet west of the west roadway edge prolongation of Steiner Drive and seven feet north
27 of the north roadway edge of 47th Avenue.
28

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1 Intoxication Narrative

2 Party #1 (Browning) was contacted at the Sacramento Medical Center at October 10, 2007 at
3 0310 hours. During the contact, I noticed an odor of an alcoholic beverage emitting from his
4 breath. Browning's eyes were bloodshot and glassy and his speech was slurred. Because of
5 Browning's injuries only one field sobriety test could be administered which was the horizontal
6 gaze nystagmus. Based on the nature of the collision, Browning's objective signs of intoxication,
7 his being the driver of the Vehicle #1 (Toyota) at the time of the collision, and the fatal injuries
8 sustained by Passenger Broad, I arrested Browning for 23153 (a) CVC, Felony Driving Under the
9 Influence. The arrest was made on October 10, 2007 at 0330 hours. A blood sample was
10 obtained from Browning's right arm at 0345 hours. The sample was drawn by L. Grimes, RN and I
11 deposited the blood into the evidence locker at the Sacramento County Main Jail at 0600 hours on
12 October 10, 2007. Browning was treated for his injuries and released for booking at 0800 hours.
13 He was transported to the Sacramento County Main Jail, by Officer S. Bennetti, and booked into
14 custody for 23153 (a) CVC at 0845 hours on October 10, 2007.

15

16 Cause

17 Party #1 (Browning) was the cause of this collision as he was driving Vehicle #1 (Toyota) while his
18 judgment and ability to do so was impaired by the consumption of an alcoholic beverage in
19 violation of 23152 (a) California Vehicle Code:

20

21 *"It is unlawful for any person who is under the influence of any alcoholic beverage or drug, or*
22 *under the combined influence of any alcoholic beverage and drug, to drive a motor vehicle."*

23

24 The cause is based upon the following:

- 25 • Browning was established as the driver of Vehicle #1 (Toyota) at the time of the collision by
26 statements and his injury pattern.
27 • His level of impairment was established by the dynamics of the collision and his objective
28 signs of intoxication.
29

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FATAL COLLISION WITH FELONY PROSECUTION (continued)

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1 An associated factor is Browning's allowing the Toyota to veer off the north roadway edge when
2 unsafe to do so in violation of 22107 CVC:
3
4 *"No person shall turn a vehicle from a direct course or move right or left upon a roadway until such
5 movement can be made with reasonable safety and then only after the giving of an appropriate
6 signal in the manner provided in this Chapter in the event any other vehicle may be affected by
7 the movement."*
8
9 The associated factor is based upon the fact that Browning allowed the Toyota to veer off the
10 north roadway edge of 47th Avenue when it was unsafe to do so.
11
12

13 **RECOMMENDATIONS**
14

15 The Sacramento County District Attorney's Office should review this report and consider the filing
16 of the following charges against Party #1 (Browning):
17

18 187/191.5 (a) California Penal Code: Browning was driving Vehicle #1 (Toyota) while under the
19 influence of an alcoholic beverage, a violation of 23152 (a). His prior arrest history (two
20 convictions) is indicative of a person who knows the dangers associated with such an act and as
21 such his behavior in driving while under the influence is grossly negligent. Additionally, Browning
22 had completed a DUI Offender program in which the dangers of driving while under the influence
23 are extolled and he held conversations with Witness Roland on the subject. Browning was also
24 approached by Witness Roland and advised not to drive.
25

26 23153 (a) CVC: Browning was driving Vehicle #1 (Toyota) when his ability to do so was impaired
27 due to the consumption of an alcoholic beverage in violation of 23152 (a) CVC. As a result of his

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1 driving under the influence he caused this collision which resulted in fatal injuries to Passenger				
2 Broad.				
3				
4 14601.1 (a) CVC: Browning's privilege to drive the Toyota was under suspension at the time of				
5 the collision.				
6				
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