

Rail Incident Investigation Report

Docket No: TR- 180549	Report Date: 4/13/2020
Railroad Owning Track: BNSF Railway	Railroad Operating on Track: BNSF Railway
FRA Investigation: Yes No 🛛	Inspector: Mark Johnson
I. Type of Accident	
Public Crossing Private Crossing	Trestle Pedestrian at Crossing
Pedestrian Not at Crossing 🛛 Other (explain) 🔲	
II. Time and Location of Accident	
Date: 6/17/2018	Time: 10:46am
USDOT Crossing No.: N/A	UTC Crossing No.: N/A
Railroad Milepost: 71.1	GPS Identifier: Lat: 46.3777860 Lon: -120.3110419
Number of Tracks: 5	City: Toppenish County: Yakima
	oppenish Ave. 422' NW of the S. Toppenish Ave. railroad crossing
III. Conditions Surrounding the Accident	
Weather: Clear to cloudy ☒ Fog ☐ Rain ☐ Snow	
Road Condition: Dry 🛛 Wet 🗌 Snow 🗍 Ice 🗍	
Visibility Due to Weather: Daylight 🛛 Darkness 🔲	Unknown
Train Type: Freight 🛛 Passenger 🔲 Locomotive only 🗀	Cars only Train Speed:
Haz-Mat on Train: Yes ☐ No ☒ N/A ☐	Remote Control: Yes No N/A
Type of Haz-Mat:	Nemote control. Tes No N/A
IV. Pedestrian, Driver, or Passenger Fatalities Does this s	ection apply? Yes 🔽 No 🔲
Number of Fatalities: 1 f a	vehicle accident, number of passengers: N/A
Name: Georgeann Rena Aviles	E
Driver: ☐ Passenger ☐ Pedestrian ☒ Ag	e: 52 Gender: Male Female non-binary
Pedestrian trying to get on/off train? Yes ☐ No ☒ Suid	ide: Yes No Undetermined
Alcohol: Yes No V Undetermined Information	n supplied by:
Drugs: Yes ☐ No ☒ Undetermined ☐ Information	n supplied by:
Names of additional fatalities: N/A	

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V. Pedestrian, Driver, or Passenger Injuries Does this section apply? Yes No 🗸
Number of people injured: If a vehicle accident, number of passengers:
Name:
Driver: Passenger: Pedestrian: Age: Gender: Male Female non-binary
Pedestrian trying to get on/off train? Yes No
Drugs: Yes No Undetermined Alcohol: Yes No Undetermined
Names of additional injured persons:
VI. Pedestrian Access (not at a Crossing) Does this section apply? Yes No
Obvious signs of consistent pedestrian trespass? Yes No
If yes, describe: Signs of trespassers from alley way behind the Les Schwab Center through the portion that is not fenced.
Pedestrian (not at a crossing) information: Accessing public area? Yes 🛛 No 🗌
If yes, describe: Railroad tracks separate a residential area and other businesses from the city center of Toppenish.
Deterrents at site, e.g. fence, signs, other? Yes 🗵 No 🗌
If yes, describe: The railroad right of way between Buena Way and S. Toppenish Ave. is mostly fenced or obstructed from access.
Previous collisions at or near site? Yes No \
If yes, describe:
VII. Crossing History Does this section apply? Yes ☐ No ✓
VII. Clossing filstory Does this section apply: Tes 140 Y
Prior accidents at this crossing? Yes No How many?
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IX. Comments
Event Summary:
The railroad incident report indicated at railroad milepost 71.1 in Toppenish, Washington a person stepped in front of the BNSF Railway train and was struck. The Toppenish police report indicated that after being struck by the train the individual was still alive and conscious before being transported to the local hospital. The death certificate indicated that the victim was walking on the railroad tracks before being struck by the train and later succumbed to their injuries at the hospital.
Site Description:
This is a tangent section of mainline track with more than 1500' of sight distance in both directions. There are five sets of tracks that run in a northwest/southeast direction. The tracks divide the city center from residential neighborhoods and businesses. On the north side adjacent to the main track is a siding track and two more industry spurs. The railroad right of way between Buena Way and South Toppenish Avenue is mostly fenced on the north side of the tracks. There are a few sections where there is no fencing present, particularly an estimated 75 foot section behind Les Schwab Tire Center which appears to be a location of high trespassing by pedestrians. During my on-site investigation, I observed three pedestrians at three different times walk from behind the Les Schwab Tire Center through the 75 foot open section of fencing and cross the tracks near where this fatality occurred. Supplementing this report is a Google Earth image that documents the trespass location.
Inspector Recommendations:
I recommend a trespass abatement assessment of the incident area and consider adding approximately 75 feet of fencing to close the gap in the existing fence on the north side of the tracks behind the Les Schwab Tire Center. Sealing off this gap will deter future trespassing at this location and direct pedestrians to either the Buena Way railroad crossing or the South Toppenish Avenue railroad crossings.

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Rail Safety Supervisor Comments/Sign Off:
Reviewed, support staff recommendation and approved to close. 4-15-2020 - EE
Director of Transportation Safety Comments/Sign Off:
Reviewed and support staff recommendations for trespass abatement of incident area. Approved to close. 4-17-2020 KH







Google Maps Page 1 of 1

Google Maps

Trespass area RR Milepost 71.1 BNSF Yakima Valley Subdivision



Imagery ©2020 Maxar Technologies, USDA Farm Service Agency, Map data ©2020



From: <u>State Emergency Operations Officer (MIL)</u>

To: Banks, Daniel C (MIL); Hunter, Kathy (UTC); Kenneth W. Holgard; Mark Daniels (FRA); Stacey Thompson (Fed

Railroad Association Reg 8); Stephen Pugsley (pugsles@amtrak.com); Steven Travers; UTC DL WUTC Rail

Reporting

 Subject:
 BNSF Train Incident - 061718

 Date:
 Sunday, June 17, 2018 11:37:08 AM

Time Called in to the State EOC: 1105 hrs on 06/17/18 Reporting Party Name & Position: Deborah Watson Name of Railroad(s) involved: Burlington Santa Fe

Date/Time of Event: 06/17/18 at 1056 hrs.

Milepost and/or Address of Event: 71.1 on the Yakima Sub-Division near Toppenish

Type of Rail Car Involved: Locomotive

Number of Injuries/Fatalities: Trespasser (unknown injuries)

Type and Amount Of HAZMAT Spilled: None

Circumstances of the Incident: Trespasser hit by locomotive at train/road intersection

Name and Phone of Local Contact: None at this time

Railroad Incident Number: None State EOC Incident Number: 18-2177

Dan Fox

State Emergency Operations Officer
Washington Emergency Management Division
Building 20: MS: TA-20

Camp Murray, WA 98430-5122

dutyofficer@mil.wa.gov

24-hr contact number: 1-800-258-5990

Halstead, Lori (UTC)

From:

State Emergency Operations Officer (MIL) < Dutyofficer@mil.wa.gov>

Sent:

Sunday, June 17, 2018 11:37 AM

To:

Banks, Daniel C (MIL); Hunter, Kathy (UTC); Kenneth W. Holgard; Mark Daniels (FRA);

Stacey Thompson (Fed Railroad Association Reg 8); Stephen Pugsley (pugsles@amtrak.com); Steven Travers; UTC DL WUTC Rail Reporting

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Dan Fox

State Emergency Operations Officer

Washington Emergency Management Division

Building 20: MS: TA-20

Camp Murray, WA 98430-5122

dutyofficer@mil.wa.gov

24-hr contact number:

1-800-258-5990

TR- 180549

BNSF Fort Worth	- Network	Operations	Center	-	INCIDENT	REPORT

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	Trailer/Container Damages	Excludes contents. (Mktg-Equip Mtce Team – Evita Murdock)
\$ 0	Not FRA Reportable Subtotal	
\$ 0	Estimated Grand Total (FRA Rep	portable Subtotal + Not FRA Reportable Subtotal)

1.00

Cause Code:	M505	Description:	Under	active investiga	ation					
Brief Narrative o	f Incident:				4					
X-KALULE9-16H cr their train. Train d			gency at	: MP 71.1 acco	unt a trespasser stepped in front of					
1515CT update: To	respasser trans	ported to hospital s	till alive.	. Extend of inju	ıries is unknown.					
Post Accident Testing (FRA):										
Did this incident m	eet FRA Post A	ccident Testing crite	eria?	No						
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Does the NOC GDT	agree with the	above analysis?		Yes						
Craft being Post A	ccident Tested:			NA						

Notification	ons:		
Time:	Entity:	Person Notified:	Reminders:
1246CT	Service Interruption:	DS 107 notified DDM	Include who notified SID.
1247CT	Resource Operations:	Christi Schneggenburger	
1324CT	Page email: OPR DL Cargorelated	Email and copy of this report	Notify of all derailments, collisions, shipment damages, any incident affecting main track velocity
1254CT	Trainmaster:	Brian Bocchi - ETA 1430CT	Get ETA, check Cell number.
	RFE:		Get ETA, check Cell number.
1304CT	Signal Desk:	Tyson Flatt	593-5998
	MOW Desk:		593-6823 Option 1
	Mechanical Desk:		593-9128
1257CT	NOC GDT:	Tyrone Fitzgerald	
	Div. General Manager:	Jon Gabriel - copy of this report	
	Div. GDT:	Jason Moyer - copy of this report	
	Corridor Supt:	Jan Ruby - copy of this report	
	Div. Sup Ops / Term Sup:		
1307CT	MDPR	Randy Busboom	352-1312
1251CT	Passenger Service:	Dana Williams	Email report to Rich Wessler and Tamara Noel.
1324CT	Superintendent Safety and Operating Practices	Scott Huston - email and copy of this report	California Coleman, Herbert T Chicago Red River Kansas Montana Heartland Northwest Powder River Southwest Twin Cities Cleveland, Scott M Valencia, Randy J Musgrove, Chris E Huston, Scott T Heln, Joshua B Remington, John R Lund, Michael E

The following group list is for the following departments: Safety, Law, Rules, Transportation Support, Rules and field Support, Corporate Relations, Government Affairs, and Evidence Preservation Major event group page list (Not MIP) Also page Region VP. (It is located with the SID Locemotive group lists) Conference Calls: Razardous Incidents Hazardous Incidents Employee Fatalities, life threatening injuries, or amputations. Add "Preliminary Report" to the subject line. Add "Prelimi				
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		Energy Desk:		
817-8670021	I			

EXEMPTION LOG #2



Toppenish Police Department

Report for Incident 18P2516

Nature: AGENCY ASSIST Address: S ELM ST & BUENA WAY

Location: TPL5 **TOPPENISH WA 98948**

Offense Codes: ASST, TAPE, ENRL

Received By: Wane K How Received: T Agency: TPPD

Responding Officers: Zapien O, Steadman Matt, Ward Ni, Rosenow R J

Responsible Officer: Zapien O Disposition: CLO 06/17/18

When Reported: 10:49:12 06/17/18 Occurred Between: 10:49:08 06/17/18 and 10:49:08 06/17/18

Date Assigned: **/**/** Assigned To: Detail:

Status Date: **/**/** Status: Due Date: **/**/**

Complainant:

Last: First: Mid: DOB: **/**/** Dr Lic: Address:

Race: Sex: Phone: City: ,

Offense Codes

Reported: ASST Agency Assist Observed: ASST Agency Assist

Additional Offense: ASST Agency Assist

Additional Offense: TAPE Traffic Accident, Pedestrian Additional Offense: ENRL ENROLLED NATIVE

Circumstances

MEDI Medical Attention

Responding Officers: Unit:

> Zapien O P301 Steadman Matt Z804 Ward Ni C102 P304 Rosenow R J

Responsible Officer: Zapien O Agency: TPPD

Received By: Wane K Last Radio Log: 12:16:02 06/17/18 CMPLT

How Received: T Telephone Clearance: CRO Cleared by Responding

Officer

When Reported: 10:49:12 06/17/18 **Disposition:** CLO Date: 06/17/18

Judicial Status: Occurred between: 10:49:08 06/17/18 Misc Entry:

and: 10:49:08 06/17/18

Modus Operandi:

Description:

Method:

Involvements

Date 06/17/18

06/17/18

Type Name

Cad Call

Description

AVILES, GEORGIANN RENA

10:49:12 06/17/18 AGENCY ASSIST

VICTIM Initiating Call

Narrative

Reporting Officer: O. ZAPIEN 727

On June 17, 2018, at approximately 1049 hours, I responded to a train vs. pedestrian accident, between Buena Way and South Toppenish Avenue. I arrived just as Toppenish Fire had arrived.

Two fire units attended to a female victim, who I recognized as Georgeann Aviles. Georgeann was $\frac{1}{2}$

Her shirt and jeans were torn. Georgeann was alive and conscious. However, she was clearly in pain.

Soon after, Tribal Officers Ives and Castaneda arrived as well as additional medical personal and YSO units. Tribal Officer Ives took over the investigation as Georgeann was an enrolled Indian.

I stood by until my assistance was no longer needed and assisted a city worker block off and divert traffic.

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing report, written in the County of Yakima, City of Toppenish is true and correct, and I am entering my authorized user ID and password to authenticate it.

Date, Time: Sun Jun 17 12:43:19 PDT 2018

Supplement

CAD Call info/comments

```
TRAIN VS PED
10:50:53 06/17/2018 - Wane K
CALL TRANSFERRED TO FIRE DIST 5
10:54:28 06/17/2018 - Wane K - From: Zapien O
NOT FINDING ANYTHING IN INTERSECTION,
10:54:57 06/17/2018 - Hernandez K
YM05 REQ NWAR ON STANDBY
10:55:19 06/17/2018 - Hernandez K
S ELM / BUENA WAY
10:56:10 06/17/2018 - Hernandez K
OFF ASOTIN/ W 1ST
10:58:44 06/17/2018 - Wane K - From: Zapien O
SEE IF OTHER AGENCIES CAN HELP WITH TRAFFIC CONTROL, BUENA WAY COMPLETELY
BLOCKED, STANDING TRAIN
10:59:18 06/17/2018 - Wane K
TRIBAL & YSO ADVISED
10:59:48 06/17/2018 - Wane K - From: Zapien O
CALL PUBLIC WORKS SEE IF THEY CAN HELP WITH TRAFFIC CONTROL DIVERT TRAFFIC AWAY
FROM BUENA WAY
11:05:04 06/17/2018 - Wane K - From: Steadman Matt
HAVE ASOTIN & BUENA SHUT DOWN
11:05:59 06/17/2018 - Wane K
PW ADVISED/ 2 GUYS WILL COME IN A SET CLOSED DETOUR SIGNS / 1 ON BUENA WAY & S
ELM OTHER ON BUENA WAY & ASOTIN/
11:09:30 06/17/2018 - Hernandez K
ARMC ADV OF TRAUMA ALERT
11:11:01 06/17/2018 - Wane K - From: Rosenow R J
I GOT WASHINGTON & BUENA WAY SHUT DOWN
11:13:53 06/17/2018 - Wane K
 Address change from E TOPPENISH AVE & N A ST to ASOTIN AVE & E 1ST AVE
11:14:26 06/17/2018 - Wane K
 Address change from ASOTIN AVE & E 1ST AVE to S ELM ST & BUENA WAY
11:15:12 06/17/2018 - Hernandez K
TRANS ARMC
11:15:22 06/17/2018 - Hernandez K
W/ 2 FIRE RIDERS
11:44:42 06/17/2018 - Wane K - From: Zapien O
PW JUST BLOCKED S ELM & BUENA/ WASHINGTON & S FIR/ HEADED TO ASOTIN & BUENA WY
TO BLOCK OFF
```

Name Involvements:

VICTIM: 72099

Last: AVILES First: GEORGIANN Mid: RENA

 DOB:
 03/06/66
 Dr Lic:
 Rewresservice
 Address:
 607 LARENA LN

 Race:
 I
 Sex:
 F
 Phone:
 () City:
 WAPATO, WA 98951

Height: 5'02" Weight: 160 Eyes: BRO

Hair: BLK

CITY OF TOPPENISH PUBLIC RECORDS REQUEST REQUESTOR: Lori Halstead EXEMPTION LOG

# 90T	Record Type	Date	Date Author	Page(s)	Brief Explanation	Exemption Claimed
<u></u>	TPD Incident Report 18P2505	6/16/2018	Officer J. Rosenow	2-3, 5	Records not relating to the commission of juvenile offense - 2-3, 5; Identity of witness - 2-3, 5; Invasion of Privacy - 3	RCW 13.50.100(2); RCW 42.56.240(2); RCW 42.56.050
5	TPD Incident Report 18P2516	6/17/2018	6/17/2018 Sergeant O. Zapien	ය _.	Invasion of Privacy - 3; Driver license number - 5	RCW 42.56.050; RCW 42.56.230(7)(c)



STATE OF WASHINGTON DEPARTMENT OF HEALTH

CERTIFICATE OF DEATH

LOCAL FILE NUMBER: 969

4839198

DATE ISSUED: 02/26/2020 FEE NUMBER: 105687912

CERTIFICATE NUMBER: 2018-026852

FIRST AND MIDDLE NAME(S): GEORGEANN RENA LAST NAME(S): AVILES

COUNTY OF DEATH: YAKIMA DATE OF DEATH: JUNE 17, 2018 HOUR OF DEATH: 06:18 PM

SEX: FEMALE

SOCIAL SECURITY NUMBER:

AGE: 52 YEARS

HISPANIC ORIGIN: NO, NOT SPANISH/HISPANIC/LATINO

RACE: NATIVE AMERICAN: YAKAMA, FILIPINO

BIRTH DATE: MARCH 06, 1966 BIRTHPLACE: TOPPENISH, WA

MARITAL STATUS: DIVORCED

SURVIVING SPOUSE: NOT APPLICABLE

OCCUPATION: HOMEMAKER INDUSTRY: OWN HOME

EDUCATION: NO DIPLOMA, 9TH - 12TH GRADE

US ARMED FORCES: NO

INFORMANT: JASMINE AVILES RELATIONSHIP: DAUGHTER

ADDRESS: 5980 YAKIMA VALLEY HWY, WAPATO, WA 98951

CAUSE OF DEATH:

A: EXSANGUINATION / SHOCK,
INTERVAL: HOURS

B: SEVERE BODY TRAUMA INTERVAL: HOURS

C: BEING STRUCK BY A RAILROAD TRAIN

INTERVAL: HOURS

D:

INTERVAL:

OTHER CONDITIONS CONTRIBUTING TO DEATH:

DATE OF INJURY: JUNE 17, 2018
HOUR OF INJURY: 10:49 AM
INJURY AT WORK: NO

PLACE OF INJURY: RAILROAD PROPERTY, RAILROAD TRACKS

LOCATION OF INJURY: BETWEEN BUENA WAY & S. TOPPENISH AVE.

CITY, STATE, ZIP: TOPPENISH, WASHINGTON 98948

COUNTY: YAKIMA

DESCRIBE HOW INJURY OCCURRED: GEORGEANN WAS WALKING ON THE RAILROAD TRACKS AND SHE WAS STRUCK BY A RAILROAD TRAIN.

IF TRANSPORTATION INJURY, SPECIFY: NOT APPLICABLE

PLACE OF DEATH: HOSPITAL
FACILITY OR ADDRESS:

CITY, STATE, ZIP: YAKIMA, WASHINGTON 98902

RESIDENCE STREET: 5980 YAKIMA VALLEY HWY

CITY, STATE, ZIP: WAPATO, WA 98951

INSIDE CITY LIMITS: NO COUNTY: YAKIMA

TRIBAL RESERVATION: NOT APPLICABLE

FATHER: BENJAMIN O AVILES MOTHER: LEONA PETERS

METHOD OF DISPOSITION: BURIAL

PLACE OF DISPOSITION: 1910 SHAKER CHURCH CEMETERY

CITY, STATE: WHITE SWAN, WASHINGTON

DISPOSITION DATE: JUNE 20, 2018

FUNERAL FACILITY: VALLEY HILLS FUNERAL HOME OF WAPATO

ADDRESS: 218 WEST THIRD ST

CITY, STATE, ZIP: WAPATO, WASHINGTON 98951 FUNERAL DIRECTOR: DAVID HUMPHERYS

MANNER OF DEATH: ACCIDENT

AUTOPSY: NO

WERE AUTOPSY FINDINGS AVAILABLE TO COMPLETE

CAUSE OF DEATH: NOT APPLICABLE

DID TOBACCO USE CONTRIBUTE TO DEATH: NO

PREGNANCY STATUS IF FEMALE: UNKNOWN IF PREGNANT WITHIN THE

PAST YEAR

CERTIFIER NAME: JACK B. HAWKINS

TITLE: CORONER/ME

CERTIFIER ADDRESS: 1711 ENGLEWOOD AVENUE

CITY, STATE, ZIP: YAKIMA, WA 98902 DATE SIGNED: JUNE 18, 2018

CASE REFERRED TO ME/CORONER: YES

FILE NUMBER: 18-306 A9

ATTENDING PHYSICIAN: NOT APPLICABLE

LOCAL DEPUTY REGISTRAR: WENDY GARCIA DATE RECEIVED: JUNE 19, 2018



Affidavit for Correction

This is a legal document. Complete in ink and do not alter.

Mail to: Center for Health Statistics

P.O. Box 47814 Olympia, WA 98504-7814

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q	First			Last					MM/DD/YYYY			County)	
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16a.	Signature:	· · · · · ·		,						arent (if required):			
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1. (Only a parent(s), legal guardian	(if the	child is u	nder 1	B), or the name	ed ind	ividual (if	8 or older)	may	y change the birth	certifica	ate	
	he proof(s) must match the a	asserte	ed fact(s).	For ex	ample, if the a	ffidavi	t says the	name shou	ld b	e Mary Ann Doe,	the proc	of must sho	w the name to be
	Occumentary proof must be five	e or me	ore years	old or o	established wit	hin fiv	e years of	birth					
Chile	d under 18							8 years or o					
•	If legal guardian(s), include ce Up to age one, last name can							the adult c	an c	change his or her	birth cei	rtificate ieces of do	cumentary proof are
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•	No proof is required to change									nentary proof are			e documentary proof
	To correct the sex of the child					al			itst	oirth date, place of	birth, o	r name, on	e documentary proof
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	*To change any part of the name of a child using this form, signatures from both parents listed on the certificate are required. If one parent is deceased, submit a death certificate with request.												
		nnot l	be used to	add :	a father to a b	irth c	ertificate	(use paterr	nity	acknowledgmen	t form l	DOH 422-0	32)
Dea 1.	th Certificates Only the informant, the funera information. Proof is required or registered domestic partne informant is requesting the ch	to mal r, pare	ke change	s if red	uested by a fa	mily n	nember no	t listed as the	he i	nformant on the c	ertificate	e (family me	embers are spouse
2.	The medical information (cause		leath) may	be ch	anged only by	the co	ertifying ph	ysician or tl	he c	coroner/medical ex	kaminer.		
Mar	riage/Dissolution (Divorce) C	ertific	ates										
1. 1	Personal facts (minor spelling of change the date or place of	change	s in name	, date olution	or place of birt , the officiant (h or re marria	esidence) age) or cle	may be cha rk of court (nge diss	ed by the person was community of the co	rith one oplete ar	nd submit t	ocumentary proof he affidavit 22-034 January 2015
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Teresa Everson, MD, MPH, Health Officer Yakima Health District

CERTIFIED

