

Rail Incident Investigation Report

Docket No: TR-180581

Report Date: 11/28/2018

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 6/30/2018

Time 12:41AM

USDOT Crossing No. 090036D

WUTC Crossing No. 3A226.41

Railroad Milepost 226.4

GPS Identifier: Lat: 46.1761500 Long: -119.0612800

Number of Tracks: 1

City: Near Kennewick

Road name, yard name, bridge identifier: Perkins Rd. 7572

County: Benton

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

Adequate Sight Distance: Yes No N/A Train Speed: 32

Describe: Tangent section of track with 1500' sight distance in both directions. The 1500' sight distance to the Northwest is partially obstructed by the crossing signal bungalow.

Train Type: Freight Passenger Locomotive only Cars only

Remote Control: Yes No N/A

Haz-Mat on Train: Yes No N/A

Type of Haz-Mat: _____

IV. Pedestrian, Driver, or Passenger Fatalities

Does this section apply? Yes No

Number of Fatalities 1

If a vehicle accident, number of passengers 0

Name: Madison Kendall

Driver: Passenger Pedestrian

Age: 20 Gender: Male Female

Pedestrian trying to get on/off train? Yes No

Suicide: Yes No Undetermined

Alcohol: Yes No Undetermined Information supplied by: _____

Drugs: Yes No Undetermined Information supplied by: _____

Names of additional fatalities:

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
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: _____
Pedestrian (not at a crossing) information: Accessing public area? Yes No
If yes, describe: _____
Deterrents at site, e.g. fence, signs, etc? Yes No
If yes, describe: _____
Previous collisions at or near site? Yes No
If yes, describe: _____

VII. Crossing History Does this section apply? Yes No

Prior accidents at this crossing? Yes No How many? 7
Dates of prior accidents: 3/16/2018 8/8/2011 2/7/2010 7/15/1995 2/11/1992 12/20/1981 12/7/1978
Description of prior accidents (e.g., fatalities, injuries, property damage) 1 Injury and 6 occurrences of property damage
Last inspection date? 10/4/2017
Defects? Yes No
If yes, describe: _____
Required to attach most current inventory? Yes No

VIII. Attachments

Railroad incident report? Yes No Local law enforcement report? Yes No
Coroner/medical examiner report? Yes No Pictures? Yes No
Death Certificate? Yes No
Other (describe): _____

IX. Comments

Event Summary:

A westbound freight train struck a vehicle that drove around the crossing gate arm at Perkins Road. Witness statements indicate that the crossing gate arms were in the down position and the driver attempted to drive around the crossing gate arm which resulted in the vehicle leaving the roadway and becoming high-centered on the railroad tracks at the crossing. Witnesses stated that the driver was struck after she was attempting to exit the car. A statement by the investigating officer indicated the lights, bell and gate arms were functioning at the time of the collision. The officer's statement also indicated that there was a strong odor of intoxicants coming from the driver of the vehicle.

Site Description:

This is a public railroad crossing equipped with active and passive warning devices which consist of advance warning signs, pavement markings, crossbucks, flashing lights, gates, and a bell. The tangent section of track has adequate sight distance to the southeast. When facing west at the stop line on Perkins Road a portion of the sight distance to the northwest is partially obstructed by the crossing signal bungalow.

Recommendations:

None



Google

The view of the sight distance to the northwest at the stop line The train was coming from this direction



The view of the sight distance
to the southeast at the stop
line



S ght distance to the northwest s 1500' or greater on a tangent section of track



Sight distance to the southeast is 1500' or greater on a tangent section of track



Accident site



From: [Service, Interruption Desk](#)
To: [OPR DL \(SI Desk Use ONLY\) North Region Incident](#); [OPR DL \(SI Desk Use ONLY\) Cargorelated](#); [OPR DL NOC GDT](#); [Gabriel, Jon](#); [Moyer, Jason](#); [Ruby Jr, Jan E](#); [Wessler, Richard W](#); [Noel, Tamara I](#); [Huston, Scott T](#); [Melonas, Gus S](#); [Wallace, Courtney](#)
Cc: [Halstead, Lori \(UTC\)](#)
Subject: 063018 CSCMRBC167-Vehicle Fallbridge Sub.doc
Date: Saturday, June 30, 2018 7:03:10 AM

063018 CSCMRBC167-Vehicle Fallbridge Sub

BNSF Fort Worth – Network Operations Center – INCIDENT REPORT

Date: 06-30-18		Time: 0241CT	MP: 226.4	D-Code: 186206
Time & Date Last Revised:		Divn: Northwest		
Subdivision: Fallbridge	State: WA	County: Benton		
Line Segment:	47			
Nearest Station:	Hover, WA			
Nearest Major Terminal (distance/direction):	Pasco, WA (3 miles/east)			
Weather Conditions (Temp, wind, precipitation):	65*, Partly Cloudy, Wind W 4 mph			

Injuries or Fatalities?	(01) Fatality to vehicle occupant	Employee?	
Name:		Craft:	

Symbol:	C SCMRBC1 67F	If Yard Job, is it Remote Control Operation?	
Lead Locos:	BNSF 9700, BNSF 8100, BNSF 6399	L-E-T-F:	125-0-17769-6929
DP Locos:	BNSF 6171	Direction:	Westbound
Conductor: NE MCLACHLAN	Engineer: JF HANES	Other:	
Prior Rest	Prior Rest	Prior Rest	Prior Rest
On Duty Time/Date:	0145CT / 06-30-18	Origin/Destination:	Pasco, WA / Vancouver, WA
Crew Interviewed by:	TTM Rodney Bailey		
Event Recorder/Camera:	RFE Michael Hoover		

Locomotives video equipped?									
Lead Locos	Y/N	Y/N	Y/N	Y/N	Y/N	Y/N	Y/N	Y/N	Y/N
BNSF 9700	Y	BNSF 8100	Y	BNSF 6399	Y				

Crossing Name:	Perkins RD 7572	DOT Number:	090036D
Equipped with:	Gates, Flashing Lights, Bells	Functioning?	
Vehicle Direction:	Vehicle Description:		
Law Enforcement Agency:	Benton County Sheriff's Department	Citations?	

Haz Material ?	No	Release (Y/N):		# Cars, Amount:	
Commodity:					

Derailed Locomotives / Cars:				
Init. Number:	Line:	Position (upright?):	Contents:	Disposition:

Heavy equipment ordered:				
No				
Equip. ETA:		Equipment Arrived:		Equipment Released:
Main Blocked?	Yes	Estimated Reopen:		Actual Reopen: 0838 CT

Estimated Damages and Costs:				
\$	0	Track	Track, Track Structures, and Roadbed Damages.	
\$	0	Signal		
\$	0	"Other"	Adjacent buildings, other private property, etc.	
\$	0	Car Damages	Car damage, incl. flat cars but excluding their trailers/containers and contents.	
\$	0	Locomotive Damages		
\$	0	FRA Reportable Subtotal	2017 FRA Reportable \$10,700	

\$		Contractor Expense	Rerailing & clearing expenses only. Do not include environmental cleanup, air monitoring, etc.
\$		Estimated Lading Recovery Costs	Source is usually Damage Prevention/LARS. This figure includes trucking charges and site remediation charges.
\$		Prelim. Lading Loss Estimates	Railcar/Trailer/Container Contents ONLY
		Trailer/Container Damages	Excludes contents. (Mktg-Equip Mtce Team - Evita Murdock)
\$	0	Not FRA Reportable Subtotal	
\$	0	Estimated Grand Total	(FRA Reportable Subtotal + Not FRA Reportable Subtotal)

Cause Code:	M505	Description:	Cause under investigation
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Brief Narrative of Incident:

CSCMRBC167F struck a vehicle at a crossing at MP 226.4. No injuries to train crew. Vehicle occupant(s) status currently unknown.

0241CT - DS reports that train struck a vehicle with one female occupant. No reports of injuries to the crew and EMT personnel are on site to treat unknown injuries to the vehicle occupant.

0343CT - Update from TTM Rodney Bailey - Train struck vehicle while female was attempting to egress the vehicle. Female occupant is a confirmed fatality. State and local law enforcement agencies are on scene conducting an investigation.

0707CT Update: Train is beginning to pull now once they have cleared the block we will be looking for an hour to test crossing.

0821CT Update: Crossing tested working as intended we are releasing time and removing box 1 now.

Post Accident Testing (FRA):	
Did this incident meet FRA Post Accident Testing criteria?	No
<p>Contact MEH Dept at: (817) 352-1648 during normal business hours. (817) 352-1613 after hours, weekends and holidays. If no answer, page email Chris Kowalkowski when the following applies: -Employee/Contractor Fatality. -Damage to railroad property exceeding \$1.5 million. -Human Factor Grade-Crossing Accident? If Yes, Name of Claims Agent.</p>	

-A release of hazardous material that results in an evacuation or a reportable injury.		
Does the NOC GDT agree with the above analysis?	Yes	
Craft being Post Accident Tested:		

Notifications:

Time:	Entity:	Person Notified:	Reminders:																																								
0241CT	Service Interruption:	DS 70 to RAL	Include who notified SID.																																								
0245CT	Resource Operations:	Tina																																									
0354CT	Page email: OPR DL Cargorelated	Email to Group	Notify of all derailments, collisions, shipment damages, any incident affecting main track velocity																																								
0300CT	Trainmaster:	Rodney Bailey	Get ETA, check Cell number.																																								
0312CT	RFE:	Michael Hoover	Get ETA, check Cell number.																																								
0256CT	Signal Desk:	Melvin	593-5998																																								
0252CT	MOW Desk:	Bob	593-6823 Option 1																																								
0253CT	Mechanical Desk:	Wayne	593-9128																																								
0255CT	NOC GDT:	Mike Lee																																									
This Report	Div. General Manager:	Jon Gabriel																																									
This Report	Div. GDT:	Jason Moyer																																									
This Report	Corridor Supt:	Jan Ruby																																									
This Report	Div. Sup Ops / Term Sup:	RB McCord																																									
0257CT	MDPR	Randy	352-1312																																								
0334CT	Passenger Service:	Desrick	Email report to Rich Wessler and Tamara Noel.																																								
This Report	Superintendent Safety and Operating Practices	Scott Huston	<table border="0"> <tr> <td>California</td> <td>Coleman,</td> </tr> <tr> <td>Chicago</td> <td>Herbert T</td> </tr> <tr> <td>Red River</td> <td>Wazny,</td> </tr> <tr> <td>Kansas</td> <td>William A</td> </tr> <tr> <td>Montana</td> <td>Cleveland,</td> </tr> <tr> <td>Heartland</td> <td>Scott M</td> </tr> <tr> <td>Northwest</td> <td>Valencia,</td> </tr> <tr> <td>Powder River</td> <td>Randy J</td> </tr> <tr> <td>Southwest</td> <td>Mizelle,</td> </tr> <tr> <td>Twin C ties</td> <td>N cholas O</td> </tr> <tr> <td></td> <td>Musgrove,</td> </tr> <tr> <td></td> <td>Chris E</td> </tr> <tr> <td></td> <td>Huston, Scott</td> </tr> <tr> <td></td> <td>T</td> </tr> <tr> <td></td> <td>Hein, Joshua</td> </tr> <tr> <td></td> <td>B</td> </tr> <tr> <td></td> <td>Remington,</td> </tr> <tr> <td></td> <td>John R</td> </tr> <tr> <td></td> <td>Lund, Michael</td> </tr> <tr> <td></td> <td>E</td> </tr> </table>	California	Coleman,	Chicago	Herbert T	Red River	Wazny,	Kansas	William A	Montana	Cleveland,	Heartland	Scott M	Northwest	Valencia,	Powder River	Randy J	Southwest	Mizelle,	Twin C ties	N cholas O		Musgrove,		Chris E		Huston, Scott		T		Hein, Joshua		B		Remington,		John R		Lund, Michael		E
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	<p>The following group list is for the following departments:</p> <p>Safety, Law, Rules, Transportation Support, Rules and field Support, Corporate Relations, Government Affairs, and Evidence Preservation</p> <p>Major event group page list (Not MIP) Also page Region VP.</p> <p>(It is located with the SID Locomotive</p>		<p>Page for the following events:</p> <p>Major derailments or train collisions which are expected to exceed 16 hours or \$1,000,000 in damages, 4-8 hour range after the 1st conference call.</p> <p>Derailments or collisions with evacuations, explosions, or involving crude oil trains.</p> <p>Major Hazardous Incidents</p> <p>Employee Fatalities, life threatening injuries, or amputations.</p> <p>Add "Preliminary Report" to the subject line.</p>																																								

	group lists)		
	Conference Calls:		If Conf Call is being established: Notify: NOC MECH/MOW Desk & ROC
	Hazardous Incidents: Contact East/West On-call Manager		Page for all Hazardous Incidents: Pat Brady, Piper, Justin, Reid, Clay D, Howard Horn, David C Clark, John D. Lovenburg, Allen Stegman, Laura Fiffick
	ChemTrec (USA) 800-424-9300 CanuTec (Canada) 888-226-8832 or 613-996-6666		Call Emergency Number listed on the Waybill whenever a HAZ MAT car is involved in a derailment or damaged; whether leaking or not. Run TSS: WBCOPY & HAZ & EXCR
0410CT	NRC: 800 - 424 - 8802 (Initial SID Analysis) Examples for notifying: Passenger Train/Route \$150,000 incident Employee/Contractor Fatality	Dustin - Report #1216873	Obtain their Report Number and name of person who took the report.
0309CT	State:	State of Washington Emergency Operations - Chris - Report #18-2348 Email Copy of Report to lori.halstead@utc.wa.gov	
	California - CUPA		
	Foreign Railroad:		
	Page "Go Team"		If appropriate notify Mark Schulze.
This Report	State Corporate Relations:	Melonas and Wallace	<u>Notify of all significant Incidents:</u> Ross Richard Lane: MT, WY Matt Jones: MT, ID Joe Faust: AL, AR, LA, MS, TN, TX Lena Kent: AZ, CA Amy McBeth: MB, MN, ND, SD, WI Joe Sloan: CO, OK, NM, UT, NV Gus Melonas/Courtney Wallace: BC, ID, OR, WA Andy Williams: KS, MO, NE, IL, KY, IA
	Energy Desk:		Notify the Energy Desk of crude oil train derailments: OPR DL Energy Desk managers 817-8670021

From: [State Emergency Operations Officer \(MIL\)](#)
To: [Hunn, Sam \(ECY\)](#); [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: Train vs Vehicle, Hedges, WA
Date: Saturday, June 30, 2018 1:20:05 AM

Please see the below information involving a railroad that has been reported the State Emergency Operations Center (EOC). Please reply to this email to confirm receipt of this message.

Thank you,

Time Called in to the State EOC: 06/30/18 @ 0108

Reporting Party Name, Position and Contact Number: Rob Larson @ 1-817-352-2832

Name of Railroad(s) involved: BNSF

Date/Time of Event: 06/30/18 @ 0108

Milepost and/or Address of Event: MP 226.43, Hedges, WA

Type of Rail Car Involved:

Number of Injuries/Fatalities: None at this time.

Type and Amount of HAZMAT Spilled: None at this time.

Circumstances of the Incident: Train vs Vehicle.

Name and Phone of Local Contact: Rob Larson / BNSF@ 1-817-352-2832

Railroad Incident Number:

State EOC Incident Number: 18-2348

Christopher Jager
State Emergency Operations Officer
Washington State Emergency Management Division
Building 20, MS: TA-20
Camp Murray, WA 98430-5122
1-800-258-5990

DEPARTMENT OF TRANSPORTATION
FEDERAL RAILROAD ADMINISTRATION (FRA)

HIGHWAY-RAIL GRADE CROSSING
ACCIDENT/INCIDENT REPORT

OMB No. 2130-0500

1. Name of Reporting Railroad BNSF Railway Company		1a. Alphabetic Code BNSF		1b. Railroad Accident/Incident No. NW-0618-202	
2. Name of Other Railroad or Other Entity Filing for Equipment Involved in Train Accident/Incident N/A		2a. Alphabetic Code N/A		2b. Railroad Accident/Incident No. N/A	
3. Name of Railroad or Other Entity Responsible for Track Maintenance (single entry) BNSF Railway Company		3a. Alphabetic Code BNSF		3b. Railroad Accident/Incident No. NW-0618-214	
4. U.S. DOT-AAR Grade Crossing Identification Number 090036D		5. Date of Accident/Incident month day year 0 6 3 0 1 8		6. Time of Accident/Incident 12:15 <input checked="" type="checkbox"/> AM <input type="checkbox"/> PM	
7. Nearest Railroad Station Finley		8. Subdivision FALLBRIDGE		9. County Benton	
10. State Abbr WA		Code			
11. City (if in a city) Kennewick			12. Highway Name or Number PERKINS RD. 7572		
			Public <input checked="" type="checkbox"/> Private <input type="checkbox"/>		
Highway User Involved			Railroad Equipment Involved		
13. Type A. Auto B. Truck C. Truck-trailer D. Pick-up truck E. Van F. Bus G. School Bus H. Motorcycle J. Other motor vehicle K. Pedestrian M. Other (specify)		Code A		17. Equipment 1. Train (units pulling) 2. Train (units pushing) 3. Train (standing) 4. Car(s) (moving) 5. Car(s) (standing) 6. Light loco(s) (moving) 7. Light loco(s) (standing) 8. Other (specify)	
14. Vehicle Speed (est mph at impact) 0		15. Direction (geographical) 1. North 2. South 3. East 4. West 4		18. Position of Car Unit in Train 1	
16. Position 1. Stalled on crossing 2. Stopped on crossing 3. Moving over crossing 4. Trapped on crossing by traffic 5. Blocked on crossing by gates		Code 2		19. Circumstance 1. Rail equipment struck highway user 2. Rail equipment struck by highway user	
20a. Was the highway user and/or rail equipment involved in the impact transporting hazardous materials? 1. Highway user 2. Rail equipment 3. Both 4. Neither		Code 4		20b. Was there a hazardous materials release by 1. Highway user 2. Rail equipment 3. Both 4. Neither	
Code 4					
20c. State here the name and quantity of the hazardous material released, if any.					
21. Temperature (specify if minus) 65		22. Visibility (single entry) 1. Dawn 2. Day 3. Dusk 4. Dark 4		23. Weather (single entry) 1. Clear 2. Cloudy 3. Rain 4. Fog 5. Sleet 6. Snow 2	
24. Type of Equipment Consist (single entry) 1. Freight train 2. Passenger train 3. Computer train 4. Work train 5. Single car 6. Spac. M/W Equip. 7. Yard/switching 8. Light loco(s) 9. Maint./inspect. car A. Spec. M/W Equip. B. Passenger train C. Computer train D. EMU E. DMU		Code 1		25. Track Type Used by Rail Equipment Involved 1. Main 2. Yard 3. Siding 4. Industry 1	
26. Track Number or Name Single Main Track		27. FRA Track Class (1-9,X) 4		28. Number of Locomotive units 4	
29. Number of cars 125		30. Consist Speed (recorded speed if available) R-Recorded E-Estimated 023		31. Time Table Direction 1. North 2. South 3. East 4. West 4	
32. Type of Crossing Warning 1. Gates 2. Cantilever FLS 3. Standard FLS 4. Wig wags 5. Hwy traffic signals 6. Audible 7. Crossbucks 8. Stop signs 9. Watchman 10. Flagged by crew 11. Other (specify) 12. None		Code 1		33. Signaled Crossing Warning (See reverse side for instructions and codes) 1	
34. Roadway Conditions A. Dry B. Wet C. Snow/slush D. Ice E. Sand, Mud, Dirt, Oil, Gravel F. Water (standing, moving)		Code A			
35. Location of Warning 1. Both sides 2. Side of vehicle approach 3. Opposite side of vehicle approach		Code 1		36. Crossing Warning Interconnected with Highway Signals 1. Yes 2. No 3. Unknown 2	
37. Crossing Illuminated by Street Lights or Special Lights 1. Yes 2. No 3. Unknown 2		38. Highway User's Age 20		39. Highway User's Gender 1. Male 2. Female 2	
40. Highway User Went Behind or In Front of Train and Struck or was Struck by Second Train 1. Yes 2. No 3. Unknown 2		41. Highway User 1. Went around the gate 2. Stopped and then proceeded 3. Did not stop 4. Stopped on crossing 5. Other (specify) 6. Went around/thru temporary barricade (if yes, see instructions) 7. Went thru the gate 8. Suicide/attempted suicide 1		Code 1	
42. Driver Passed Standing Highway Vehicles 1. Yes 2. No 3. Unknown 2		43. View of Track Obscured by (primary obstruction) 1. Permanent structure 2. Stopping Railroad equipment 3. Passing train 4. Topography 5. Vegetation 6. Highway vehicles 7. Other (specify) 8. Not obstructed 8		Code 8	
44. Driver was 1. Killed 2. Injured 3. Uninjured 1		45. Was Driver In the Vehicle 1. Yes 2. No 2		Code 2	
46. Highway-Rail Crossing Users 1		47. Highway Vehicle Property Damage (est. dollar damage) 2,000		48. Total Number of Vehicle Occupants (including driver) 0	
49. Railroad Employees 0		50. Total Number of People on Train (include passengers and train crew) 2		51. Is a Rail Equipment/Accident/Incident Report Being Filed? 1. Yes 2. No 2	
52. Passengers on train. 0					
53a. Special Study Block Video Taken? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Video Used? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		53b. Special Study Block			
54. Narrative Description (Be specific, and continue on separate sheet if necessary) C-SCMRBC1-67 struck an auto that went around the gates and stopped. Occupant was fatally injured. No crewmembers were drug/alcohol tested.					
55. Typed Name and Title Ronald J Hennessey Director, System Safety and Support			56. Signature <i>Ronald J Hennessey</i>		57. Date 07/31/18

NOTE: This report is part of the reporting railroad's accident report pursuant to the accident reports statute and, as such shall not be admitted as evidence or used for any purpose in any suit or action for damages growing out of any matter mentioned in said report... 49 U.S.C. 20903. See 49 C.F.R. 225.7 (b)

From: [State Emergency Operations Officer \(MIL\)](#)
To: [Hunn, Sam \(ECY\); mgr@bces.wa.gov; Davis, Deanna; b.calvert@bces.wa.gov; 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: State EOC Incident Number: 18-2348, NRC#1216873
Date: Saturday, June 30, 2018 2:32:21 AM

Please see below NRC regarding the previously reported Train vs Vehicle Incident near Finley, WA.

State EOC Incident Number: 18-2348

Please reply to this email to confirm receipt of this message.

Christopher Jager
State Emergency Operations Officer
Washington State Emergency Management Division
Building 20, MS: TA-20
Camp Murray, WA 98430-5122
1-800-258-5990

-----Original Message-----

From: HQS-PF-flidr-NRC@uscg.mil [<mailto:HQS-PF-flidr-NRC@uscg.mil>]
Sent: Saturday, June 30, 2018 2:25 AM
To: DUTYOFFICER@EMD.WA.GOV; State Emergency Operations Officer (MIL) <Dutyofficer@mil.wa.gov>; State Emergency Operations Officer (MIL) <Dutyofficer@mil.wa.gov>
Subject: NRC#1216873

NATIONAL RESPONSE CENTER 1-800-424-8802

GOVERNMENT USE ONLYGOVERNMENT USE ONLY***

Information released to a third party shall comply with any applicable federal and/or state Freedom of Information and Privacy Laws

Incident Report # 1216873

INCIDENT DESCRIPTION

*Report taken by NRC at 05:19 on 30-JUN-18
Incident Type: RAILROAD NON-RELEASE
Incident Cause: TRESPASSER
Affected Area:
Incident occurred on 30-JUN-18 at 00:41 local incident time.
Affected Medium: RAIL REPORT (N/A)

REPORTING PARTY

Name: ROB LARSON
Organization: BNSF RAILWAY
Address: 2200 LOU MENK DRIVE
FORT WORTH, TX 76131

PRIMARY Phone: (817)3522832
Type of Organization: PRIVATE ENTERPRISE

SUSPECTED RESPONSIBLE PARTY

Name: UNKNOWN

Type of Organization: UNKNOWN

INCIDENT LOCATION

MP: 226.43 County: BENTON
SUB: FALLBRIDGE
City: FINLEY State: WA

RELEASED MATERIAL(S)

DESCRIPTION OF INCIDENT

CALLER REPORTS THAT A TRAIN STRUCK AN OCCUPIED VEHICLE AT A CROSSING. THIS RESULTED IN FATAL INJURIES TO THE SOLE OCCUPANT OF THE VEHICLE.

SENSITIVE INFORMATION

INCIDENT DETAILS

Grade Crossing: YES
Location Subdivision: FALLBRIDGE
Railroad Milepost: 226.43
Type of Vehicle Involved: PASSENGER CAR
Crossing Device Type: GATES/LIGHTS/BELLS
Device Operational: UNKNOWN
DOT Crossing Number: 090036D
Date and Time Service was/will be Restored:
Brake Failure: UNKNOWN
Federal Post-Accident 219.201 Sub Part C Testing Required: NO
Passenger Train Route: YES
Passenger Train Delay Expected: NO
Passenger Train Delay Handling:
---RAILROAD INFORMATION---
Railroad Involved: BNSF RAILWAY
Train Number: CSCMRBC167F
Train Type: FREIGHT Train Direction: W
Train Speed: Track Speed:
Locomotives: 4 Cars: 125 Derailed: 0
Suspected DOT Regulation Non Compliance: UNKNOWN
DERAILED CARS:
Pos. Car number Type Cargo

IMPACT

Fire Involved: NO Fire Extinguished: UNKNOWN

INJURIES: NO Sent to Hospital: Empl/Crew: Passenger:
FATALITIES: YES Empl/Crew: Passenger: Occupant: 1
EVACUATIONS: NO Who Evacuated: Radius/Area:

Damages: NO

Hours Direction of
Closure Type Description of Closure Closed Closure

Air: NO

Road: NO

Major

Artery:NO

Waterway:NO

Track: YES SINGLE MAIN 2 ALL

Passengers Transferred: NO

Environmental Impact: UNKNOWN

Media Interest: UNKNOWN Community Impact due to Material:

REMEDIAL ACTIONS

PD/FD/EMS ON-SCENE, INVESTIGATION UNDERWAY

Release Secured: UNKNOWN

Release Rate:

Estimated Release Duration:

WEATHER

Weather: PARTLY CLOUDY, 65°F Wind speed: 4 MPH Wind directi

ADDITIONAL AGENCIES NOTIFIED

Federal:

State/Local: WA/EO

State/Local On Scene: PD/FD/EMS

State Agency Number:

NOTIFICATIONS BY NRC

CENTERS FOR DISEASE CONTROL (GRASP)

30-JUN-18 05:24 (770)4887100

CGIS D13 FIELD OFFICE (CGIS D13 COMMAND CENTER)

30-JUN-18 05:24 (206)2207141

DHS DEFENSE THREAT REDUCTION AGENCY (CHEMICAL AND BIOLOGICAL TECHNOLOGI

30-JUN-18 05:24 (703)7673477

NATIONAL COORDINATING CTR FOR COMMS (NCC COMM-ISAC)

30-JUN-18 05:24 (703)2355626

DOT CRISIS MANAGEMENT CENTER (MAIN OFFICE)

30-JUN-18 05:24 (202)3661863

FEDERAL RAILROAD ADMIN. (BRENDAN GERARDO)

30-JUN-18 05:24 (202)4930426

FEDERAL RAILROAD ADMIN. (MAIN OFFICE (AUTO))

30-JUN-18 05:24 (202)4930636

U.S. EPA X SEATTLE (CID OREGON)

30-JUN-18 05:24 (206)5531263

FEMA REGION 10 (MAIN OFFICE)

30-JUN-18 05:24 (425)4874704

NATIONAL INFRASTRUCTURE COORD CTR (MAIN OFFICE)

30-JUN-18 05:24 (202)2829201

NOAA RPTS FOR WA (MAIN OFFICE)

30-JUN-18 05:24 (206)5264911

NTSB RAIL (MAIN OFFICE)

30-JUN-18 05:24 (202)3146293

OREGON DEQ (EMERGENCY RESPONSE PROGRAM)

30-JUN-18 05:24 (503)2296391

OREGON TITAN FUSION CENTER (FUSION COMMAND CENTER)

30-JUN-18 05:24 (877)6204702
WA STATE EMERGENCY MANAGEMENT (MAIN OFFICE)
30-JUN-18 05:24 (800)2585990
TSA SURFACE TRANSPORTATION SECURITY (TWIC ENFORCEMENT)
30-JUN-18 05:24 (206)3875236
WASHINGTON STATE FUSION CENTER (FUSION COMMAND CENTER)
30-JUN-18 05:24 (877)8439522
WASHINGTON STATE NATIONAL GUARD (COMMAND CENTER)
30-JUN-18 05:24 (253)5128159
WA UTILITIES & TRANSPORTATION COMM (PIPELINE SAFETY)
30-JUN-18 05:24 (360)6641182

ADDITIONAL INFORMATION

*** END INCIDENT REPORT #1216873 ***
Report any problems by calling 1-800-424-8802
PLEASE VISIT OUR WEB SITE AT <http://www.nrc.uscg.mil>



STATE OF WASHINGTON
POLICE TRAFFIC
COLLISION REPORT



1591971

REPORT NO. **E815953**

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INTERSTATE <input type="checkbox"/>	CITY STREET <input type="checkbox"/>	FIRE RESULTED <input type="checkbox"/>
STATE ROUTE <input type="checkbox"/>	OTHER <input checked="" type="checkbox"/>	STOLEN VEHICLE <input type="checkbox"/>
COUNTY PD <input type="checkbox"/>	PRIVATE WAY <input type="checkbox"/>	HIT & RUN INVOLVED <input type="checkbox"/>

CASE # 18-09895

LOCAL AGENCY CODING

TOTAL # OF UNITS 2 OBJECT STRUCK

TRIBAL RESERVATION

DATE OF COLLISION M M D D Y Y Y Y TIME (2400) COUNTY # MILES CITY #
6 - 30 - 2018 0037 03 5 00 N E IN S W OF 0610

ON (PRIMARY TRAFFIC WAY) INTERSECTION NON-INTERSECTION
E PERKINS ROAD BLOCK NO. MILE POST

DISTANCE 50 00 MILES N E OF (REFERENCE OR CROSS STREET) SR 397
FEET S W

UNIT 01 MOTOR VEHICLE PEDAL-CYCLE DAMAGE THRESHOLD MET YES NO PHONE

LAST NAME KENDALL FIRST NAME MADISON MIDDLE INITIAL T

STREET NEW ADDRESS (4b)

CITY (4b) ST (4b) ZIP (4b)

CDL RESTRICTIONS ENDORSEMENTS

DRIVER'S LICENSE # (4b) STATE WA SEX F D.O.B. (4b)

ON DUTY STATUS AIRBAG 6 RESTR. 1 EJECT 3 HELMET USE INJURY CLASS 2 NATURE OF INJURIES BROKEN NECK

LICENSE PLATE # BDU4673 STATE WA VIN# WWWAK73C17P041512

TRAILER PLATE # STATE TRAILER PLATE # STATE

VEH. YEAR 2007 MAKE VOLK MODEL PASSAT STYLE VEHICLE TOWED YES NO TOWED BY 1ST CHOICE GOVT. VEHICLE YES NO

REGISTERED OWNER INFO. OWNED BY DRIVER

LIABILITY INSURANCE IN EFFECT INSURANCE CO & POLICY # VEHICLE LEGALLY STANDING YES NO CITATION # CHARGE



UNIT 02 MOTOR VEHICLE PEDAL-CYCLE PEDESTRIAN PROPERTY OWNER DAMAGE THRESHOLD MET YES NO PHONE

LAST NAME RAILROAD FIRST NAME BNSF MIDDLE INITIAL

STREET NEW ADDRESS 4920 N RAILROAD AVE

CITY PASCO ST WA ZIP 99301

CDL RESTRICTIONS ENDORSEMENTS

DRIVER'S LICENSE # STATE SEX D.O.B.

ON DUTY STATUS AIRBAG RESTR. EJECT HELMET USE INJURY CLASS NATURE OF INJURIES

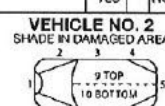
LICENSE PLATE # STATE VIN#

TRAILER PLATE # STATE TRAILER PLATE # STATE

VEH. YEAR MAKE MODEL STYLE VEHICLE TOWED YES NO TOWED BY GOVT. VEHICLE YES NO

REGISTERED OWNER INFO.

LIABILITY INSURANCE IN EFFECT INSURANCE CO & POLICY # VEHICLE LEGALLY STANDING YES NO CITATION # CHARGE



OFFICER'S NAME (PRINT) TUNGESVIK, B. BADGE OR ID # BS48 AGENCY Benton County SO

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FROM 10 2 6 33

FROM 10 34

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STATE OF WASHINGTON
POLICE TRAFFIC
COLLISION REPORT



1591972

REPORT NO. **E815953**

CASE # 18-09895

ADDITIONAL PERSONS INVOLVED (PASSENGERS AND/OR WITNESSES ONLY)

NAME (LAST, FIRST, MIDDLE INITIAL) MENDOZA, PATTY

ADDRESS & PHONE # (4b) SEX F D.O.B. MMDDYYYY (4b)

PASSENGER WITNESS UNIT # SEAT POS. AIRBAG RESTR. EJECT HELMET USE INJURY CLASS NATURE OF INJURIES

NAME (LAST, FIRST, MIDDLE INITIAL) MONTOYA, MARIBEL

ADDRESS & PHONE # (4b) SEX F D.O.B. MMDDYYYY (4b)

PASSENGER WITNESS UNIT # SEAT POS. AIRBAG RESTR. EJECT HELMET USE INJURY CLASS NATURE OF INJURIES

NAME (LAST, FIRST, MIDDLE INITIAL)

ADDRESS & PHONE # SEX D.O.B. MMDDYYYY

PASSENGER WITNESS UNIT # SEAT POS. AIRBAG RESTR. EJECT HELMET USE INJURY CLASS NATURE OF INJURIES

DIAGRAM

Please see subsequent diagram page

INDICATE NORTH BY ARROW



NARRATIVE

Please see subsequent narrative page(s)

I CERTIFY (DECLARE) UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT THE FOREGOING IS TRUE AND CORRECT. (RCW 9A.72.085)

B. TUNGESVIK 7/9/2018
INVESTIGATING OFFICER'S SIGNATURE UNIT OR DIST. DET DATED PLACE SIGNED

APPROVED BY Thompson, J. BS26 DATE

BADGE OR ID # BS48 ORI # WA0030000 TIME POLICE DISPATCHED 12:37 AM TIME POLICE ARRIVED 12:38 AM

Other Descriptions

COLLISION LEVEL DESCRIPTIONS:

[SURFACE CONDITION DESCRIPTION] - STEEL RAIL TRACKS

UNIT LEVEL DESCRIPTIONS:

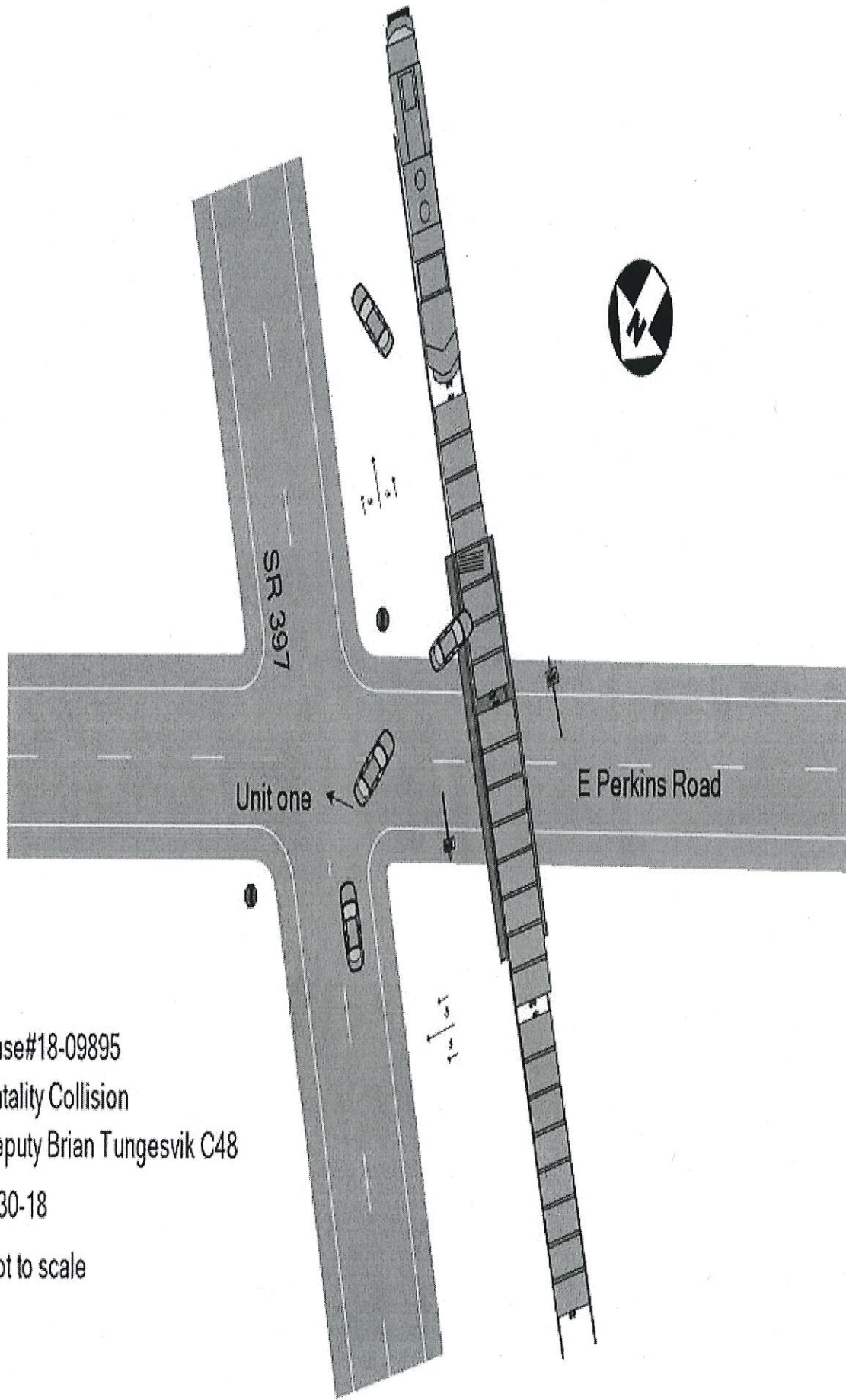
[ROADWAY SURFACE DESCRIPTION] - TRAIN TRACKS (Unit 1)

[VEHICLE ACTION DESCRIPTION] - HIGH CENTERED ON RAILROAD TRACKS (Unit 1)

Narrative

On 6-30-18 at about 00:37 am, Unit one driven by Madison Kendall was traveling southeast on SR 397 in Benton County, WA. Madison turn west on E Perkins Road and was stopped behind a down, lit crossing gate with a southbound train approaching. Madison went around the gate to the left and left the roadway. In an attempt to get back on the road, Madison tried to accelerate and became high centered on the railroad tracks. Both witnesses stated that Madison was getting out of the vehicle just prior to impact. The train collided with Unit one, Unit one collided with Madison pushing her back inside the vehicle. Unit one came to rest 98 feet south east of the railroad crossing in the ditch. Madison had a broken neck and left leg. Once Madison was moved out of the vehicle by the coroner, I could smell the odor of intoxicants coming from her person. There was a opened 30 pack of Coors beer in the backseat and a shot glass near her right hand by the center console. The coroner removed Madison and took her to their office in Kennewick. A blood draw will be done during examination. Results pending. 1st Choice towing arrived and towed the vehicle. See BCSO case # 18-09895 for further details. End.

Deputy Brian Tungesvik C48
Benton County Sheriff's Office



Case#18-09895
Fatality Collision
Deputy Brian Tungesvik C48
6-30-18
Not to scale

Incident/Investigation Report

Agency: BCSO

Case Number: 18-09895

Date: 09/27/2018 15:41:20

Incident Information

Date/Time Reported 06/30/2018 00:37	Date/Time Occ from 06/30/2018 00:37	Date/Time Found 06/30/2018 00:37	Officer (C48) TUNGESVIK, BRIAN L
Incident Location E PERKINS RD / E SR 397, BENTON COUNTY, WA	Case Status: INACTIVE		Supervising Officer (C18) THOMPSON, JOHN H

4179

Charges

1	Charge Type	Description ACCIDENT / FATALITY	Statute ACC FATAL	UCR 999	<input type="checkbox"/> Att <input checked="" type="checkbox"/> Com	
Alcohol, Drugs or Computers Used <input type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers		Location Type HIGHWAY / STREET / ROAD	Premises Entered	Forced Entry <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Weapons 1. 2. 3.	
Entry		Exit	Criminal Activity			
Bias Motivation		Bias Target	Bias Circumstances		Hate Group	
2	Charge Type State	Description IMPOUND	Statute 46.55.113(4)	UCR 999	<input type="checkbox"/> Att <input checked="" type="checkbox"/> Com	
Alcohol, Drugs or Computers Used <input type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers		Location Type HIGHWAY / STREET / ROAD	Premises Entered	Forced Entry <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Weapons 1. 2. 3.	
Entry		Exit	Criminal Activity			
Bias Motivation		Bias Target	Bias Circumstances		Hate Group	

Victims

Seq. # 1	Type INDIVIDUAL	Injuries Fatal	Residency Status Resident	Ethnicity Non-Hispanic
Name (Last, First, M) KENDALL, MADISON TAYLOR M			Race W	Sex F
			DOB (4b)	Age 20
Address (4b)				Home Phone
Employer Name/Address				Business Phone
Victim of Crimes 1,2				Cell Phone

Incident/Investigation Report

Agency: BCSO

Case Number: 18-09895

Date: 09/27/2018 15:41:20

Witnesses

Seq. #	Name (Last, First, M)	Race	Sex	DOB	Age
1	SMITH, ESSEL LEE	W	M	(4b)	70
Address				Home Phone	
(4b)				(4b)	
Employer Name/Address				Business Phone	
Witness Type				Cell Phone	
Witness Notes					

Seq. #	Name (Last, First, M)	Race	Sex	DOB	Age
2	MONTOYA, MARIBEL	W	F	(4b)	40
Address				Home Phone	
(4b)				(4b)	
Employer Name/Address				Business Phone	
PASCO				(4b)	
Witness Type				Cell Phone	
Witness Notes					

Seq. #	Name (Last, First, M)	Race	Sex	DOB	Age
3	MENDOZA, PATTY MARIAH	W	F	(4b)	22
Address				Home Phone	
(4b)				(4b)	
Employer Name/Address				Business Phone	
Witness Type				Cell Phone	
Witness Notes					

Other Persons Involved

Name Code	Seq. #	Name (Last, First, M)	DOB	Race	Sex
Involved Other	1	MCLACHLAN, NICK EDWIN	(4b)	W	M
Address			Home Phone		
(4b)			(4b)		
Employer Name/Address			Business Phone		
			Cell Phone		

Incident/Investigation Report

Agency: BCSO

Case Number: 18-09895

Date: 09/27/2018 15:41:20

Other Persons Involved

Name Code Involved Other	Seq. # 2	Name (Last, First, M) HANES, JUSTIN FRANKLIN	DOB (4b)	Race W	Sex M
Address (4b)			Home Phone (4b)		
Employer Name/Address			Business Phone		
			Cell Phone		

Property

Seq. # 1	Description BTSPB - APPLE IPHONE W/PLASTIC CASE	Serial Number	Make/Model APPLE / IPHONE
Owner		License / State	Color BLACK
Status EVIDENCE	Status Officer (C85) WOODY, TANNER A	Quantity 1.00	Units of Measure
Value \$1.00			
Gun Type	Caliber	Finish	Grip
			Gun Stock
Condition	Gun Test <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Test Type	Sight Test <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
			Sight Type
Property Notes			

Vehicles

Seq. # 1	Year 2007	Color SILVER	Style SEDAN, 4 DOOR	Make VOLKSWAGEN	Model PASSAT
VIN WVWAK73C17P041512	License Plate Type PASSENGER	License / State BDU4673 / WA	License Year 2018	Owner KENDALL, MADISON TAYLOR M	
Status	Status Date	Value \$0.00			
Vehicle Notes					

Related Name Relationships

MENDOZA, PATTY MARIAH	is	CHILD	to	MONTROYA, MARIBEL
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Incident/Investigation Report

Agency: BCSO

Case Number: 18-09895

Date: 09/27/2018 15:41:20

Notes/Narratives

NARRATIVE

Deputy Elias Perez/C65
Date: 07/01/2018
Case Number: #18-09895
Incident: Fatality/Collision

Person Involved:
Madison Kendall (victim)

Associated Vehicle:
WA-BDU4673

On 06/30/2018 at approximately 0037 hours I was dispatched to Perkins road and SR 397, Benton County, Washington for an unknown injury accident.

Dispatch relayed information that the incident was a vehicle versus a train. Dispatch also provided details that the vehicle was projected 30-40 feet from the point of impact and a male was seeing trying to exit the vehicle.

Upon arrival I was directed by witnesses towards the vehicle in question. The train was stopped and I contacted the defendant vehicle. The vehicle was a silver VW Passat and it came to rest at a diagonal angle on the northside of the railroad tracks. It was on a downward grade but I could see there was a leg hanging out of the driver's side and the occupant appeared to be a female in her 20's-30's.

I called out to the female. There was no response. I attempted to see into the passenger's side door and still was unable to reach the female because she was tucked underneath the steering wheel.

I then re-approached the driver's side door and took hold of the back of the females shirt/top and attempted to shake her for a response. Still I was seeing no signs breathing or responsiveness. I pulled the female closer to me, close enough to place my index and middle finger on her left carotid artery. I did not feel a pulse but she was warm to the touch.

I then checked with my index and middle finger for a pulse on her left wrist. Still there were no signs of life.

I relayed information to dispatch to have medics expedite because the female was warm to the touch without a pulse.

Shortly after, medics arrived on-scene and confirmed my observation. The female was deceased. The Kennewick Police Department assisted and canvased the area for any potential passengers that would have been ejected. Nobody was located.

There was also a dog in the passenger side of the vehicle. The dog was secure and eventually taken to animal control for safe keeping.

I then stayed on-scene and re-contacted witnesses.

- 1.) SMITH, ESSEL LEE (did not provide a statement)
- 2.) MENDOZA, PATTY M (4b)
- 3.) MONTOYA, MARIBEL (4b)

I collected written witness statements from Patty and Maribel. Both told me that the vehicle came southbound on SR 397 and turned westbound on Perkins road.

Incident/Investigation Report

Agency: BCSO

Case Number: 18-09895

Date: 09/27/2018 15:41:20

Notes/Narratives

I was then advised that the vehicle went around the railroad crossings. According to Patty and Maribel, the railroad crossings were lit, down and fully functional.

Both women told me that the victim vehicle drove around the railroad crossing arms and got stuck/high centered in the middle of the train tracks. I was then told that the driver of the vehicle tried to get out of the vehicle at the last second but she was hit by the train.

Essel told me that he saw the railroad crossing arms down for "a while" while he drove westbound on Perkins towards SR 397. Essel said he "didn't know" exactly what he saw, but he recalled a large ball of dirt/dust prior to calling 911.

C60 arrived on-scene shortly after and conducted his investigation. C60 told me that Madison had a broken neck and a broken leg.

Additional observations: I saw several beer cans and a case of beer in the back seat of the vehicle. There was also an empty shot glass in the passenger seat next to where the female came to rest. And while C60 was conducting his investigation I could smell a strong odor of intoxicants protruding from her person.

I saw that there was name tag with a picture of a female, possibly a work identification card. It listed a name of Madison Kendall which was the RO of the defendant vehicle.

I stayed on-scene with the Washington State Patrol and they assisted with a portion(s) of the investigation. Once the scene was secure and 1st Choice towing had the vehicle I cleared the call for service.

Following, I attempted to make a next of kin notification with C60 at 2102 9th Place in Kennewick. Contact was made with a female at the location who knew Madison but she was not next of kin.

End of report.

Perez/C65

** LOI search completed at 06/30/18 00:37:30

VEH VS TRAIN

** Case number BCSO1809895 has been assigned for BCSO:BCSO

M WAS TRYING TO GET OUT OF THE VEH`

VEH WENT 30 - 40 FT AFTER IT WAS HIT

UNK WHERE HIS BODY IS

VEH IN THE DITCH

TRAIN IS STOPPED

WSP ADV

DEPUTY ON SCENE, RP WILL TALK TO HIM

C65 -- BDU4673

C65 -- VEH IS OCCUPIED

REQ MEDICS EXPIDITE

** Case number BC11800687 has been assigned for BC1:BC1

** Case number KFD1804742 has been assigned for KFD:KFD

** Recommended unit E1112 for requirement EN1 (1.8 mi)

Incident/Investigation Report

Agency: BCSO

Case Number: 18-09895

Date: 09/27/2018 15:41:20

Notes/Narratives

** Recommended unit R1146 for requirement R1146 (8.2 mi)
** Recommended unit M1821 for requirement MD (7.8 mi)
C65 -- STILL WARM TO THE TOUCH, NO PULSE
C65 -- POSS F PT, UNKN AGE
C65 -- ACCESS OFF OF 397 ONLY
C65 -- REQ KPD ASSIST WITH TRAFFIC
** Event Type changed from MED2 to MED4 at: 06/30/18 00:42:31
** >>>> by: LISA L. BROWNING on terminal: cad9
** Event Priority changed from 2 to 1 at: 06/30/18 00:42:32
** >>>> by: LISA L. BROWNING on terminal: cad9
** Recommended unit CL111 for requirement CL (8.2 mi)
** Recommended unit DO111 for requirement DO (8.2 mi)
** Recommended unit E1111 for requirement EN1 (4.3 mi)
120 ACK TONES
C65 -- REQ KPD NORTH OF PERKINS ON 397 TO HAVE TRAFFIC DIVERT
C65 -- REQ KPD CANVAS THE AREA FOR POSS ADDTL OCCUPANT WHO WOULD HAVE BEEN EJECTED
K56 ENR SHORTLY
C65 -- THE PT IN THE DRIVERS SEAT IS THE SAME AS THE ONE THAT ATTM TO GET OUT
C46 ADVISED FOR KENNEWNICK UNIT TO RESPOND FROM THE PERKINS OTHER SIDE OF THE TRAIN TO LOOK FOR POSS
OTHER PEOPLE
K17 - K56 ADVISED
C46 -- TRAIN IS STOPPED AND WILL BE BLOCKING THE AREA FOR A FEW
C65 -- ASD0408
VEHIC>>BDU4673
** VEH search completed at 06/30/18 00:46:09
VEHIC>>ASD0408
** VEH search completed at 06/30/18 00:46:19
** Case number KPD1824289 has been assigned for KPD:KPD
397 COMMAND
BNSF CONFIRMED ALL TRAINS STOPPED
21R6
M1821 CONFIRMED CODE 60
ROSE, RON BNSF POLICE REQ PHONE CALL 360 904 7989
SUSP 1>>MONTAYA, MARIBEL 19780819
** PER search completed at 06/30/18 01:05:33
SUSP 2>>MENDOZA, PATTY M 19960117
** PER search completed at 06/30/18 01:05:42
COMMAND DISSOLVED SCENE TURNED OVER TO SO
SUSP 3>>SMITH, ESSEL LEE 19480116
** PER search completed at 06/30/18 01:18:58
C46 - CALL ANC FOR PUPPY
C26 - REQ C60
C60 PAGED
C46 - REQ EMERGENCY ANIMAL CONTROL CALL
KARIN W/ ANC NOTIFIED - CALLING C46
SUSP 4>>KENDALL, MADISON (4b)
** PER search completed at 06/30/18 02:28:03
1ST CHOICE ETA: 25-30//DRIVER RICHARD//TRUCK 5387-03

Incident/Investigation Report

Agency: BCSO

Case Number: 18-09895

Date: 09/27/2018 15:41:20

Notes/Narratives

Madison was driving SB on SR 397. She turned WB on Perkins and attempted to drive around the down/lit RR xarms. According to witnesses, Madisons vehicle high-centered on the RR tracks. Witnesses also advised that Madison attempted to get out of the vehicle prior to being struck by the train. County 60 collected Madison, nothing further, clear

Puppy that was in the vehicle at the time of the crash and uninjured, was dropped of at animal control.

C65 -- TOW HAS THE VEH, CLEAR

=====
CONTINUATION

Incident/Investigation Report

Agency: BCSO

Case Number: 18-09895

Date: 09/27/2018 15:41:21

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
06/30/2018 08:39:42	SUPPLEMENTAL REPORT	(C53) MCDERMOTT, MIKE
Contact Name	Case Status: INACTIVE	Supervising Officer

4179

Supplement Notes

Incident: Follow Up

Date: 06-30-18

Case: #18-09895

On 06-30-18 at approximately 0600 hours, I was requested to conduct follow up reference this incident. Corporal J. Thompson advised me of a fatality collision that had occurred on Perkins Rd. near SR 397 in Benton County, State of Washington between a passenger vehicle versus BNSF train. During the initial incident, it was difficult to obtain scene photographs. Corporal Thompson requested me to respond to obtain scene photographs and also photographs of the victim vehicle. This request was via e-mail. Corporal Korten advised me to assist the investigation and respond to take photographs.

I responded to the incident location with Deputy Woody and R. Trevino and took scene photographs while Deputies assisted with traffic control and scene preservation. At the scene, I located several items of debris from the victim vehicle and marked each item and photographed them. I also took scene photographs to reflect the general area and railroads equipment and signals (see photographs).

I then responded to First Choice Towing, located at 400 E. Kennewick Ave. and located the victim vehicle, license #BDU4673 secured in the tow yard. An employee for First Choice arrived and allowed me into the facility to document the vehicle. I took photographs of the vehicle 360 degrees to obtain the whole vehicle, I also took photographs of each tire and the depths of the tires for this report. I observed that the tires on the vehicle were in good condition except the front driver side that appeared to be warn and had little to no tread depth.

I took photographs of the damage to the vehicle caused by the train that collided with the vehicle on the passenger side. I observed that the vehicle had side curtain airbags that had deployed during the incident on the passenger side.

Inside the vehicle, I located dominion paperwork on the driver seat that confirmed the name of Madison Kendall who is confirmed the driver.

In the rear seat of the vehicle, I observed several items of clothing and also a large amount of alcoholic beverages opened and un-opened (Coors beer and Bud Light).

I took photographs of the entire inside and outside of this vehicle (see photographs).

While documenting the damage, an alarm sounded from within the vehicle. A check of the passenger side revealed a cell phone that may belong to the deceased. The phone is described as a black apple I-Phone. Deputy Woody removed the phone from the vehicle and placed it into evidence for safekeeping.

This report is for documentation of the follow up request.

Deputy M. McDermott C53

#18-09895

Incident/Investigation Report

Agency: BCSO

Case Number: 18-09895

Date: 09/27/2018 15:41:21

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
07/09/2018 12:53:21	PHOTOS	(C48) TUNGESVIK, BRIAN L
Contact Name	Case Status: INACTIVE	Supervising Officer

4179

Supplement Notes

PHOTOS ATTACHED TO THE ALL PATROL DRIVE

Incident/Investigation Report

Agency: BCSO

Case Number: 18-09895

Date: 09/27/2018 15:41:21

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
08/01/2018 09:05:35	FOLLOW UP	(C48) TUNGESVIK, BRIAN L
Contact Name	Case Status: INACTIVE	Supervising Officer

4179

Supplement Notes

FATALITY COLLISION TECH REPORT ATTACHED TO THIS SUPPLEMENT

Incident/Investigation Report

Agency: BCSO

Case Number: 18-09895

Date: 09/27/2018 15:41:21

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
06/30/2018 08:48:49	FOLLOW UP	(C85) WOODY, TANNER A
Contact Name	Case Status: INACTIVE	Supervising Officer

4179

Supplement Notes

1809895

Deputy Woody C85

On June 30, 2018 at approximately 0600 hours Corporal Korten requested Deputy McDermott and I go to the scene of the collision at SR 397 and Perkins Road in the County of Benton, WA to take pictures of the scene. Corporal Korten also requested we take photos of the vehicle involved in the collision.

Deputy McDermott, Deputy Trevino and I arrived on scene and he began taking images. While Deputy McDermott was taking pictures, I was using the spray paint marking all debris in the area.

We then responded to 1st Choice Towing to take images of the vehicle. While Deputy McDermott was taking pictures of the vehicle a cell phone described as a black Apple iPhone was ringing. The phone was in the passenger seat of the vehicle. I seized the phone which was placed into evidence at the Benton County Sheriff's Office.

"I certify and declare under the penalty of perjury the following is true and correct to the best of my knowledge."

Deputy Woody C85

Incident/Investigation Report

Agency: BCSO

Case Number: 18-09895

Date: 09/27/2018 15:41:21

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
07/01/2018 13:39:09	INFORMATIONAL REPORT	(C85) WOODY, TANNER A
Contact Name	Case Status: INACTIVE	Supervising Officer

4179

Supplement Notes

1809895
Deputy Woody C85

On July 1, 2018 at approximately 1325 hours I was dispatched to follow up call reference case number 1809895.

Evan H Wong DOB (4b) called via telephone at (4b). Wong advised he was in communication with Kendall the evening the collision occurred.

Kendall was en route to see Wong at approximately 1215 hours, Wong was at his friend's house on Oak St. Wong did not know his friend's address, however he stated his friend is Colton Randal and lives on Oak St.

I attempted to locate Colton in Ileads, however I was unable to.

Wong stated he did not know if Kendall had been drinking or what she was doing prior to heading to his location.

"I certify and declare under the penalty of perjury the following is true and correct to the best of my knowledge."

Deputy Woody C85



STATE OF WASHINGTON
POLICE TRAFFIC
COLLISION REPORT



1591971

REPORT NO. **E815953**

1 0 1 27
2 1 7
3
1 28
2
3

1 8
2 1
3 4

INTERSTATE <input type="checkbox"/>	CITY STREET <input type="checkbox"/>	FIRE RESULTED <input type="checkbox"/>
STATE ROUTE <input type="checkbox"/>	OTHER <input checked="" type="checkbox"/>	STOLEN VEHICLE <input type="checkbox"/>
COUNTY RD <input type="checkbox"/>	PRIVATE WAY <input type="checkbox"/>	HIT & RUN INVOLVED <input type="checkbox"/>

CASE #	18-09895
LOCAL AGENCY CODING	
TOTAL # OF UNITS	02
OBJECT STRUCK	

DATE OF COLLISION	06 - 30 - 2018	TIME (2400)	0037	COUNTY #	03	MILES	05.00	N S <input checked="" type="checkbox"/>	E W <input checked="" type="checkbox"/>	IN OF <input checked="" type="checkbox"/>	CITY #	0610
-------------------	-----------------------	-------------	-------------	----------	-----------	-------	--------------	---	---	---	--------	-------------

4
5 0

ON (PRIMARY TRAFFIC WAY) INTERSECTION NON-INTERSECTION

E PERKINS ROAD BLOCK NO. MILE POST

1 9 29

DISTANCE **50.00** MILES N E OF (REFERENCE OR CROSS STREET) **SR 397**

FEET S W

6 1

UNIT 01 MOTOR VEHICLE PEDAL-CYCLE DAMAGE THRESHOLD MET YES NO PHONE

LAST NAME	KENDALL	FIRST NAME	MADISON	MIDDLE INITIAL	T
-----------	----------------	------------	----------------	----------------	----------

30

STREET NEW ADDRESS **(4b)**

CITY **(4b)** ST **(4b)** ZIP **(4b)**

1 2 31

CDL RESTRICTIONS ENDORSEMENTS

9 6

DRIVER'S LICENSE # **(4b)** STATE **WA** SEX **F** D.O.B. **(4b)**

1 0 0

ON DUTY STATUS AIRBAG **6** RESTR. **1** EJECT **3** HELMET USE INJURY CLASS **2** NATURE OF INJURIES **BROKEN NECK**

32

LICENSE PLATE # **BDU4673** STATE **WA** VIN# **WVWAK73C17P041512**

2

TRAILER PLATE # STATE TRAILER PLATE # STATE

3

VEH. YEAR **2007** MAKE **VOLK** MODEL **PASSAT** STYLE VEHICLE TOWED YES NO TOWED BY **1ST CHOICE** GOVT. VEHICLE YES NO

2 6 33

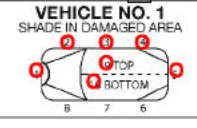
4

REGISTERED OWNER INFO. **OWNED BY DRIVER**

LIABILITY INSURANCE IN EFFECT INSURANCE CO & POLICY #

VEHICLE LEGALLY STANDING YES NO CITATION # CHARGE

34



6

UNIT 02 MOTOR VEHICLE PEDAL-CYCLE PEDESTRIAN PROPERTY OWNER DAMAGE THRESHOLD MET YES NO PHONE **D: 5095452062**

35

7

LAST NAME	RAILROAD	FIRST NAME	BNSF	MIDDLE INITIAL	
-----------	-----------------	------------	-------------	----------------	--

36

8

STREET NEW ADDRESS **4920 N RAILROAD AVE**

9 7 37

9

CITY **PASCO** ST **WA** ZIP **99301**

38

0

CDL RESTRICTIONS ENDORSEMENTS

39

1

DRIVER'S LICENSE # STATE SEX **U** D.O.B. **(4b)**

40

2

ON DUTY STATUS AIRBAG RESTR. EJECT HELMET USE INJURY CLASS NATURE OF INJURIES

3

LICENSE PLATE # STATE VIN#

4

TRAILER PLATE # STATE TRAILER PLATE # STATE

41

5

VEH. YEAR MAKE MODEL STYLE VEHICLE TOWED YES NO TOWED BY GOVT. VEHICLE YES NO

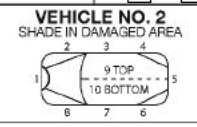
42

6

REGISTERED OWNER INFO.

LIABILITY INSURANCE IN EFFECT INSURANCE CO & POLICY #

VEHICLE LEGALLY STANDING YES NO CITATION # CHARGE



OFFICER'S NAME (PRINT) **B. TUNGESVIK** BADGE OR ID # **BS48** AGENCY **WA0030000**



ADDITIONAL PERSONS INVOLVED (PASSENGERS AND/OR WITNESSES ONLY)

NAME (LAST, FIRST, MIDDLE INITIAL) **MENDOZA PATTY**

ADDRESS & PHONE # **(4b)** SEX **F** D.O.B. **(4b)**

PASSENGER WITNESS UNIT # SEAT POS. AIRBAG RESTR. EJECT HELMET USE INJURY CLASS NATURE OF INJURIES

NAME (LAST, FIRST, MIDDLE INITIAL) **MONTOYA MARIBEL**

ADDRESS & PHONE # **(4b)** SEX **F** D.O.B. **(4b)**

PASSENGER WITNESS UNIT # SEAT POS. AIRBAG RESTR. EJECT HELMET USE INJURY CLASS NATURE OF INJURIES

NAME (LAST, FIRST, MIDDLE INITIAL)

ADDRESS & PHONE # SEX D.O.B.

PASSENGER WITNESS UNIT # SEAT POS. AIRBAG RESTR. EJECT HELMET USE INJURY CLASS NATURE OF INJURIES

NARRATIVE

On 6-30-18 at about 00:37 am, Unit one driven by Madison Kendall was traveling southeast on SR 397 in Benton County, WA. Madison turn west on E Perkins Road and was stopped behind a down, lit crossing gate with a southbound train approaching. Madison went around the gate to the left and left the roadway. In an attempt to get back on the road, Madison tried to accelerate and became high centered on the railroad tracks. Both witnesses stated that Madison was getting out of the vehicle just prior to impact. The train collided with Unit one, Unit one collided with Madison pushing her back inside the vehicle. Unit one came to rest 98 feet south east of the railroad crossing in the ditch. Madison had a broken neck and left leg. Once Madison was moved out of the vehicle by the coroner, I could smell the odor of intoxicants coming from her person. There was a opened 30 pack of Coors beer in the backseat and a shot glass near her right hand by the center console. The coroner removed Madison and took her to their office in Kennewick. A blood draw will be done during examination. Results pending. 1st Choice towing arrived and towed the vehicle. See BCSO case # 18-09895 for further details. End.

Deputy Brian Tungesvik C48
Benton County Sheriff's Office

**** AUTO-POPULATED SECTION ****

THE FOLLOWING ARE DESCRIPTIONS ENTERED FOR ITEMS SELECTED AS "OTHER":

Surface Condition: STEEL RAIL TRACKS

Motor Vehicle Unit 1

Action Code: HIGH CENTERED ON RAILROAD TRACKS

Roadway Surface: TRAIN TRACKS

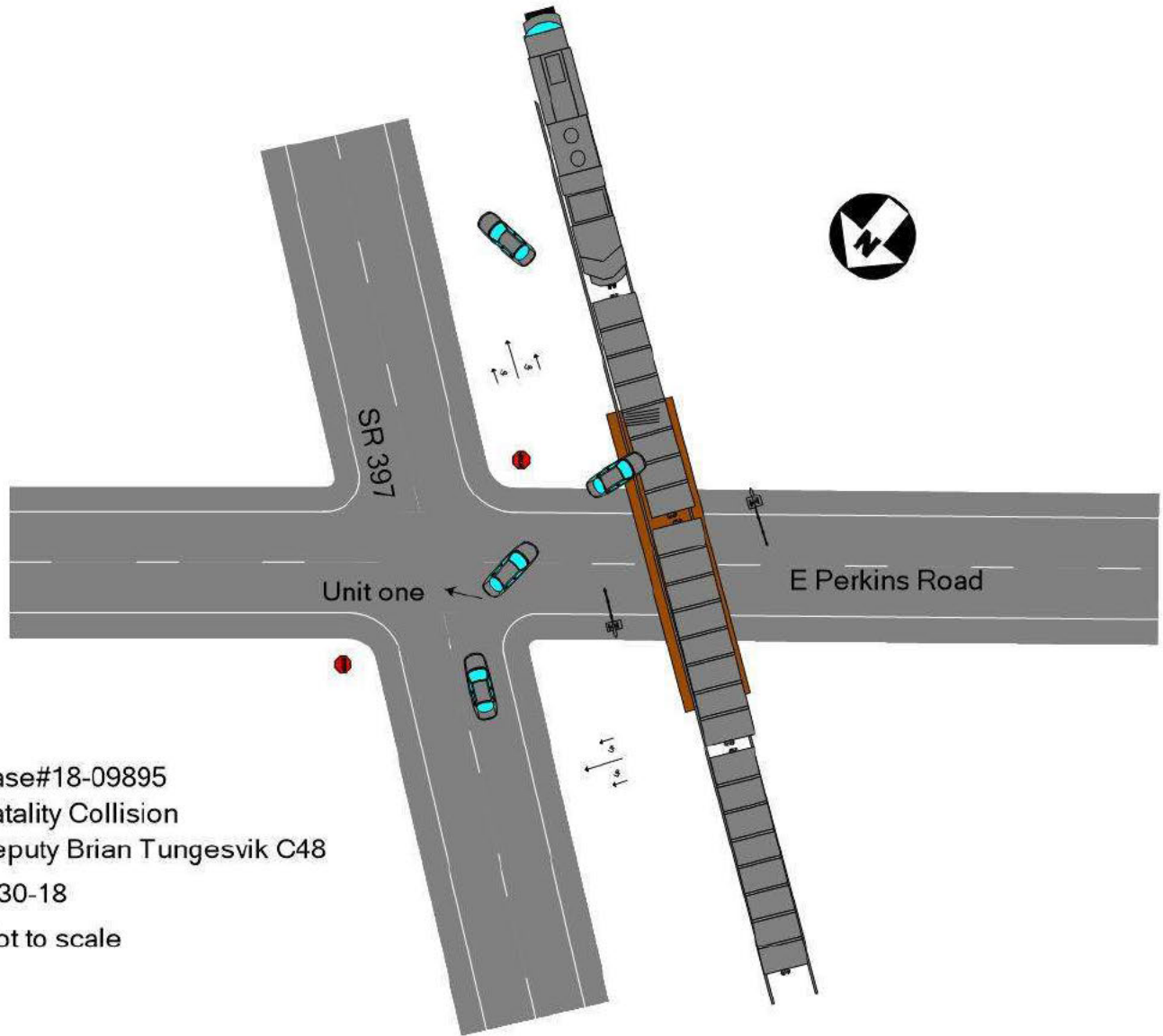
**** END OF AUTO-POPULATED SECTION ****

I CERTIFY (DECLARE) UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT THE FOREGOING IS TRUE AND CORRECT. (RCW 9A.72.085)

B. TUNGESVIK INVESTIGATING OFFICER'S SIGNATURE **07-07-18 12:05 PM** DATED **PLACE SIGNED**

APPROVED BY **J. THOMPSON BS26** DATE **7/9/2018 11:53:49 AM**

BADGE OR ID # **BS48** ORI # **WA0030000** TIME POLICE DISPATCHED **12:37 AM** TIME POLICE ARRIVED **12:38 AM**



Case#18-09895
Fatality Collision
Deputy Brian Tungesvik C48
6-30-18
Not to scale

TOW / IMPOUND AND INVENTORY RECORD

- NON-IMPOUND/TOW
AAA or OTHER ROADSIDE ASSISTANCE
EVIDENCE
SEIZED UNDER RCW 69.50.505
IMPOUND ONLY
DUI/PC IMPOUND WITH 12 HOUR HOLD
DWLS IMPOUND WITH DAY HOLD
INFORMATIONAL COPY GIVEN TO SUSPENDED DRIVER
REGISTERED OWNER MAY REDEEM

CHECK INDICATES DRIVER IS DWLS/R AND IS NOT THE REGISTERED OWNER. REGISTERED OWNER/LEGAL OWNER OR AGENT OF THE OWNER MAY REDEEM AT THE END OF THE IMPOUND HOLD.

CHECK INDICATES THE DRIVER IS DWLS AND IS THE REGISTERED OWNER. THEY WILL NEED A SEPARATE RELEASE FORM FROM THE COURT OR THE AGENCY ORDERING THE IMPOUND.

VEHICLE INFORMATION

VIN UNREADABLE
LICENSE BDU4673 STATE WASHINGTON YEAR 2007 MAKE VOLKSWAGEN MODEL PASSAT
MILEAGE UNREADABLE Digital STYLE 4 PASS LOW SPEED VEH COLOR SILVER/ALUMINUM

Table with 3 columns: DRIVER, REGISTERED OWNER, LEGAL OWNER. Includes fields for NAME, STREET ADDRESS, CITY, STATE, ZIP CODE, PHONE, and DOB.

AUTHORIZATION AND RECEIPT

ON 6/30/2018 AT 03:22 PURSUANT TO RCW 46.55.085, 46.55.113 OR 9A.88.140, OFFICER E. Perez BS65
AUTHORIZED 1ST CHOICE TOWING AND REC 5387-03 DRIVEN BY RICHARD TO REMOVE
THIS VEHICLE FROM SR 397/PERKINS THE ITEMS IN THE DESCRIBED VEHICLE WERE
PERSONALLY INVENTORIED BY OFFICER E. Perez BS65

Table with 4 columns: EQUIPMENT, DAMAGE, EVIDENCE (DRIVER'S SIDE), EVIDENCE (PASSENGER'S SIDE). Includes checkboxes for keys, damage locations, and evidence types.

INVENTORY

NARRATIVE OR DIAGRAM

Uknown # of keys, vehicle was running before struck by train.

- I PROVIDED A COPY OF THIS TOW / IMPOUND REPORT TO THE TOWING FIRM'S OPERATOR WHO TOOK POSSESSION OF THE VEHICLE.
I PROVIDED A COPY OF THIS TOW / IMPOUND REPORT AND INFORMATION FOR DRIVERS TO REDEEM IMPOUNDED VEHICLE TO THE DRIVER OF THIS VEHICLE.
THE VEHICLE WAS ABANDONED - A COPY OF THE TOW / IMPOUND REPORT WAS LEFT WITH THE VEHICLE.

I CERTIFY (DECLARE) UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT THE FOREMENTIONED IS TRUE AND CORRECT (RCW 9A.72.085), AND I AM ENTERING MY AUTHORIZED USER ID AND PASSWORD TO AUTHENTICATE IT.

OFFICER'S ELECTRONIC SIGNATURE E. Perez BENTON, WA BENTON COUNTY, WA
BADGE NO. BS65 AGENCY Benton County SO

TO REDEEM AN IMPOUNDED VEHICLE W/12 HOUR HOLD

Because you were arrested under RCW 46.61.502 or 46.61.504 and are the Registered Owner of the vehicle, the vehicle you were driving was impounded with a 12-hour hold. You may redeem the impounded vehicle 12 hours after the vehicle arrives at the towing company's storage facility. HOWEVER, the vehicle may be redeemed from the tow company's storage facility prior to the completion of this 12-hour hold by a secondary Registered Owner or the Legal Owner, who was not the driver of the vehicle at the time of arrest.

INFORMATION FOR SUSPENDED / REVOKED DRIVERS TO REDEEM AN IMPOUNDED VEHICLE

Because your driver's license is suspended, this vehicle you were driving was impounded for _____ days on _____. The requirements of RCW 46.55.120(1)(b) shall be satisfied prior to redeeming the vehicle at the end of the impound period. These requirements include:

- a. Within five (5) days of the impound date and at the request of the tow truck operator, a person who desires to redeem the vehicle at the end of the impound period shall post a security deposit of not more than one-half the applicable storage rate for each day of the proposed impound period to ensure payment of the removal, towing, and storage. If the security deposit is not posted within five (5) days of the impound date, the vehicle will immediately be processed and sold at auction as an abandoned vehicle pursuant to RCW 46.55.130(1). If the abandoned vehicle auction is held, the vehicle shall be sold to the highest bidder who is not the registered owner. The registered owner is ineligible to purchase this vehicle at the abandoned vehicle auction.
- b. The security deposit may be paid and must be accepted anytime up to twenty-four (24) hours prior to the beginning of the abandoned vehicle auction.
- c. Any security deposit paid shall be credited against the final bill for removal, towing, and storage of the vehicle.
- d. The tow truck operator may accept other sufficient security in lieu of the security deposit.

Driver of the vehicle but not the registered owner

The vehicle may be redeemed only by the registered owner, legal owner, a person authorized in writing by the registered owner, vehicle insurance company, or by someone who has purchased the vehicle with proof of purchase [RCW 46.55.120(1)(a)]. They may go to the towing company at the end of the impound period. (The day of impound counts as the first day.) The remainder of the towing and storage fees must be paid to redeem the vehicle.

Driver is the registered owner

If you are driving with a suspended driver's license and are also the registered owner of the vehicle, all outstanding penalties, fines, or forfeitures owed by you to the courts must be satisfied. Because clearing up outstanding penalties, etc., takes time, you must start early, long before your 30, 60, or 90-day hold is completed. In addition to court obligations, the remaining towing and storage fees must also be paid to redeem the vehicle. Take with you to the tow company any paperwork provided by the courts showing payment of outstanding penalties, fines, or forfeitures owed to the courts.

Hardships

RCW 46.55.120(1)(a)(i) and (ii) provide for release of the vehicle in the event of economic or personal hardship to the spouse of the operator, or in the event the owner of the vehicle was not the driver, did not know that the driver's license was suspended, and has not received a prior release under this subsection. Contact the impounding law enforcement agency for additional information.

See Additional Requirements provided by the impounding agency (attached)



REPORT OF INVESTIGATION

Assisting Officer's Narrative

Case # BCSO assist
Citation #

Officer's Name: Aaron L. Trombley Badge No.: 308

Video file name (if applicable): _____

Video viewed by officer for this report: YES NO

On June 30, 2018 I was on patrol in Benton County Washington in my WSP issued patrol vehicle and in full uniform. I was advised by WSP communications of a car versus train collision that occurred on Perkins Road and State Route 397. I was advised the vehicle was 30-40 feet off of the roadway and a Benton County Deputy was arriving on scene. I signed en route from George Washington Way and Comstock in Richland Washington. I arrived on scene approximately 10-15 minutes after the collision was dispatched. I observed several fire personnel on scene along with several troopers and deputies.

I observed the train was blocking the intersection and the lead engine came to rest several hundred feet to the south after the intersection. I observed the rail crossing arms down and activated with red lights and a clear audible tone. The rail crossing arms appeared to be in proper working order on both sides of the crossing. I observed a gray Volkswagen Passat at rest 30-40 feet south east of the railroad crossing and fire personnel were around the vehicle. Upon arrival, I assisted search the scene for any additional occupants from the vehicle. I spoke with the train conductor who stated that prior to the impact he observed the female driver attempting to exit her vehicle on the driver's side and they struck the vehicle while she was partially outside of the vehicle.

I searched on both sides of the train for additional occupants and did not observe anyone stuck under the train. I walked to the front of the lead engine and back to the scene to ensure there were not any additional people from the vehicle. As I re-approached the scene I observed the Passat came to rest next to a steep embankment to the south east of the crossing and facing southeast. I was advised that the driver of the vehicle was confirmed deceased by the medics. I observed obvious crush damage to the passenger side of the Passat from the impact with the lead engine. I observed the front passenger side impact airbags deployed in the Passat. The driver was seated in the driver's seat with her left leg outside of the vehicle. I observed the rear of the vehicle contained a case of Coors Beer and multiple containers of several different brands of beer thrown about the rear seat and there was clothing throughout the back of the vehicle. There was miscellaneous belongings on the front passenger's seat and floorboard indicating no other occupants were in the vehicle.

The collision occurred on Perkins Road just west of State Route 397 and the Benton County Sheriff Deputies advised they would be calling out their traffic unit and handle the collision. The Benton County Deputy on scene requested I assist and begin to take photographs while their collision technical specialist responded to the scene from his residence. I began to walk the scene from north to south and take photographs with my WSP issued Nikon camera. As I walked onto the asphalt crossing, I observed a scrape mark leaving the paved roadway and onto the rocks leading to the tracks. The marks were consistent with the frame of the passenger vehicle leaving the roadway and coming in contact leaving the scrape. I observed the tracks to the south of the asphalt crossing had scrape marks on the top of the east rail but not on the west rail.

On the tracks to the south of the crossing I observed fluid marks several feet south of the crossing and vehicle debris. Based on the scrape mark leaving the paved roadway, the marks on the track and the fluid path south of the roadway, I believed the vehicle left the roadway and became stuck on the tracks prior to the collision. I continued to photograph to the south of the pavement and the area was covered in rocks and dirt before a steeper embankment to the west



REPORT OF INVESTIGATION

Assisting Officer's Narrative

Case #
BCSO assist
Citation #

Officer's Name: Aaron L. Trombley Badge No.: 308

of the tracks. I observed two tire imprints in the rocks leading from the tracks south of the pavement to where the vehicle came to rest.

I photographed the scene from north to south and back to the north. I then photographed from the intersection of State Route 397 and Perkins road to the west and then back to the east. Later I took photographs of the opposite side of the tracks from east to west and back to the east. On the west side of the tracks I observed plastic pieces of the front end of the vehicle, but the majority of the parts were on the east side of the tracks. I observed the front right headlamp assembly under the train 2-3 train cars south of the vehicle at rest and the front right plastic headlamp frame 3-4 train cars south of the vehicle at rest.

I began to photograph the Passat starting from the rear and working counter-clockwise around the vehicle. I observed the vehicle registration to be Washington BDU4673. I observed the rear right quarter panel sustained almost no damage. The passenger side contact damage started at the rear passenger door with the center of the engine impacting the front, "A pillar," of the vehicle. I was able to determine this due to a large square gouge in the frame of the vehicle that matched a metal spike on the front coupling assembly on the lead engine. The top frame rail on the passenger side of the vehicle began to buckle due to the force of the impact. There were dents along the entire passenger frame rail from the vehicle's frame bending post impact.

There was severe contact damage with intrusion to the front right quarter panel of the vehicle. I observed the bumper area of the front of the vehicle sustained contact damage underneath the bumper. The front windshield was broken starting from the passenger side. The hood of the vehicle was canted with the front passenger side higher than the driver's side. The front left quarter panel of the vehicle sustained damage from the front tire being broken away from the vehicle and pushed out to the left. The rest of the driver's side was largely undamaged other than induced damage to the top frame rail. I observed the driver's door to be open with the vehicle keys inside the door pocket. Inside of the vehicle I observed the dashboard began to buckle upwards in the center of the vehicle, exposing the inside of the dash.

I observed the female deceased in the driver's seat with her left leg outside of the vehicle and she was slumped to the left side of the vehicle. I observed the female did not have a seatbelt on and it was hanging vertically to her left. The seatbelt was not locked by damage. I observed a glass shot glass next to the female's right hand inside of the vehicle near the center console. I observed blood above the female's left eye and on her right hand. I observed the female's left leg outside of the vehicle and the lower leg was disfigured and consistent with a fracture. There was not any additional obvious damage visible on the female.

I returned to the lead engine to obtain photographs of the damage. I observed the train had three engines to the front. I observed the lead engine had four lights activated to the front with very good visibility. I walked into the cab of the train and obtained photographs from both the engineer and conductor's points of view. There was good visibility and I could clearly see the next crossing ahead with the engine's lights activated. I was advised there would be video of the collision from the engine. Both the engineer and conductor agreed the female became high centered south of the crossing and she attempted to exit the vehicle prior to impact. The engineer stated he put the train into, "Emergency," prior to striking the vehicle.

The front of the engine had a coupling assembly and a metal guard around the bottom of the engine. The metal is approximately 1/4 - 1/2" thick and designed to clear debris from the tracks rather than going under the train. I observed the bottom of the metal coupling assembly has a



REPORT OF INVESTIGATION Assisting Officer's Narrative


Case #
BCSO assist
Citation #

Officer's Name: Aaron L. Trombley Badge No.: 308

metal spike sticking out and it matched the damage to the front, "A pillar," area of the vehicle. I observed the bottom of the metal guard around the engine was bent back. I observed scrapes across the coupling assembly, metal guard and contact damage to the metal stairs on the west side of the engine. There was glass debris strewn throughout the front of the engine and down the east side of the engine.

I contacted Benton County Deputy Tunesvik when he arrived on scene and he began to paint the scene. I obtained additional photographs of the scene after he was done painting. Trooper Parham #529, Trooper Macaluso #1046 and Sgt. Kaiser #299 completed a WSP vehicle analysis form for the Passat before clearing the scene. Trooper Bivins #1042 and his Trooper Cadet Dylan Thomas completed a WSP field diagram form before clearing the scene. I assisted the coroner remove the female from the vehicle. After then female was removed from the vehicle I detected the obvious odor of alcohol from her person.

I remained on scene and assisted Deputy Tunesvik with additional photographs of the scene. Deputy Tunesvik is the primary investigating officer for this incident. I observed the tow arrive on scene and move the vehicle back onto the roadway. Deputy Tunesvik advised his investigation was complete. I completed a report for this incident and provided my photographs to Deputy Tunesvik and this ended my involvement in this case.

<i>I certify (or declare) under penalty of perjury under the laws of the State of Washington that this report is true and correct (RCW 9A.72.085):</i>				
Officer's Signature 	Officer's Printed Name Aaron L. Trombley		Badge # 308	Date Signed 07-01-2018
Place Signed Benton County	Reviewed by (Signature)*	Reviewed by (Printed Name)*	Badge #	Date Signed

*Report is valid without review.

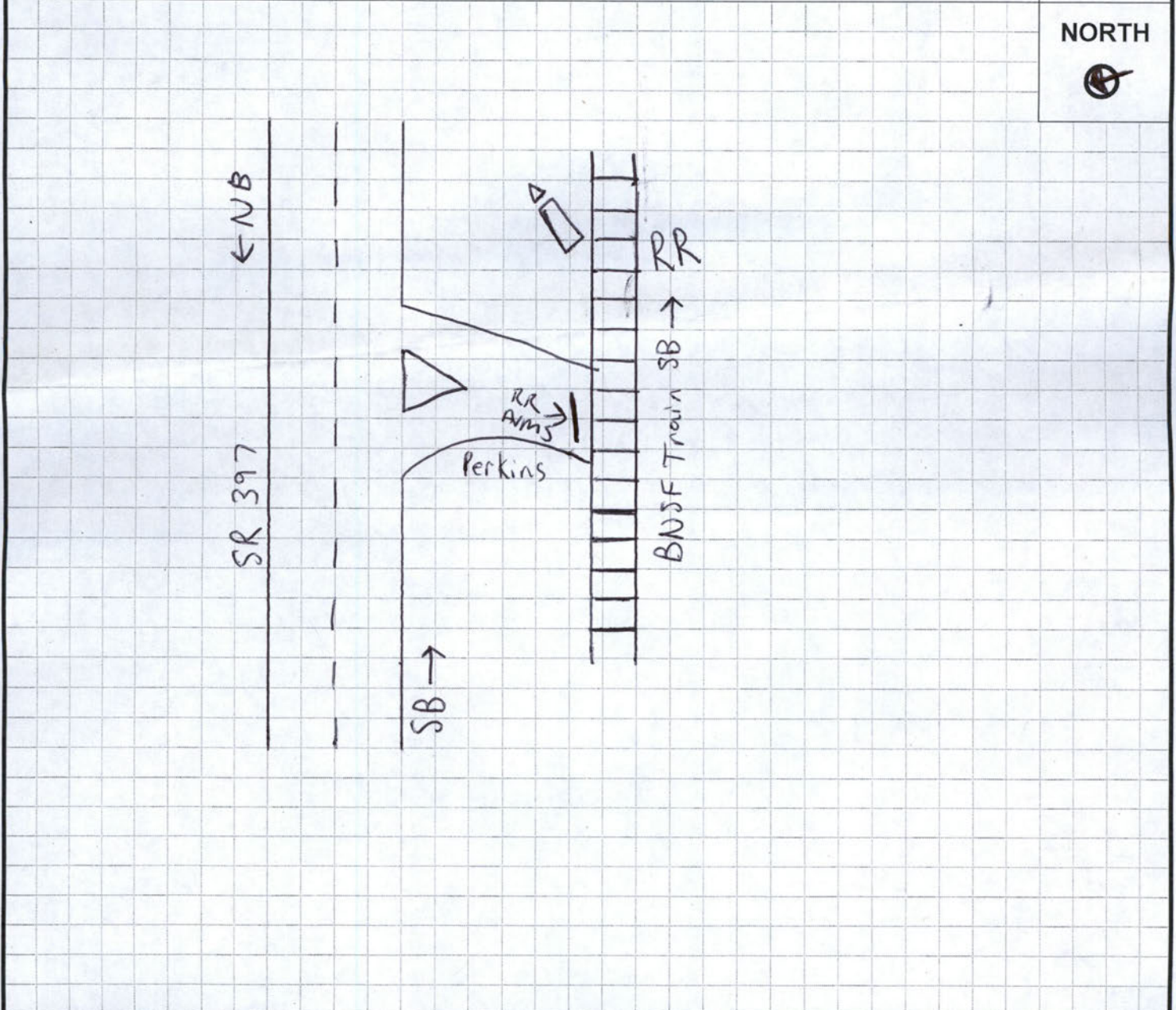
WASHINGTON STATE PATROL

COLLISION INVESTIGATION FIELD DIAGRAM

Case #
18-09895

LOCATION SR 397/Perkins			COUNTY Benton
# OF LANES EACH DIRECTION 1	GRADE OF ROADWAY Level	SUPERELEVATION -	STRIPING Double yellow
LIGHTING Street lights	VISIBILITY Clear	COEFFICIENT OF FRICTION f= f= f=	HOW OBTAINED -
TYPE ROAD SURFACE Pavement Blacktop			
WEATHER Clear			TEMP 66 F

NORTH
⊙



SIGNATURE 	PRINT NAME JARLYD T. BIVINS	BADGE # 1042	DATE 06-30-18
---------------	---------------------------------------	------------------------	-------------------------

□□

BENTON COUNTY SHERIFF'S OFFICE
STATEMENT FORM

NAME Manibel Montoya DOB (4b)

ADDRESS (4b)

I was driving down towards Kennewick. I saw a car trying to go around the train tracks, and then I heard the train honking. My daughter screamed really loud and the train hit the car and pushed it off the road into the ditch. We ~~turned~~ turned around and seen if we could help then cops came.

THE FOLLOWING STATEMENT IS GIVEN TO THE BENTON COUNTY SHERIFF'S OFFICE, WITHOUT ANY THREATS OR PROMISES AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

SIGNED Manibel Montoya

DATE 07/30/18

PAGE OF

BENTON COUNTY SHERIFF'S OFFICE
STATEMENT FORM

NAME Patty Mendoza

DOB (4b)

ADDRESS (4b)

We were driving towards Kennewick and we seen a silver car stuck on the train tracks. The rail road rails were down and she was trying to come ~~around~~ around the rail but she got stuck on the rail road the train was honking and then the lady tried to get out her car once she realized the train was still going. the train then hit her as she had the door open and was trying to get out of the car. We stopped and tried to help and the car was thrown in the ditch. We couldn't see her body or anything.

THE FOLLOWING STATEMENT IS GIVEN TO THE BENTON COUNTY SHERIFF'S OFFICE, WITHOUT ANY THREATS OR PROMISES AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

SIGNED *Patty Mendoza*

DATE 06/30/18

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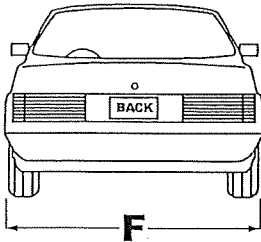
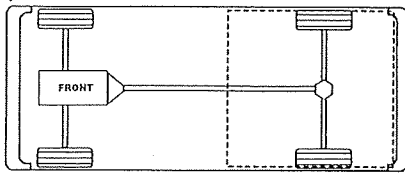
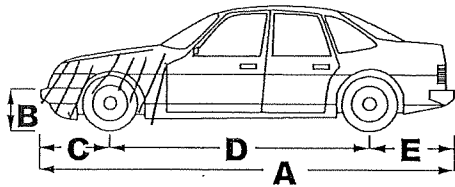
CASE# 18-09895



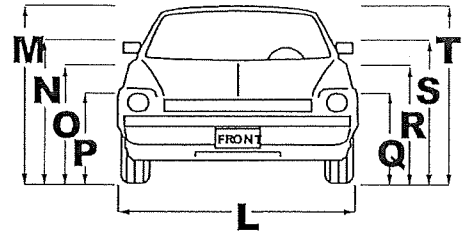
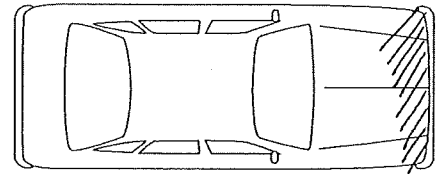
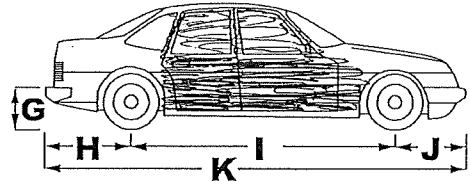
WASHINGTON STATE PATROL COLLISION INVESTIGATION AUTOMOBILE ANALYSIS

Case #
18-017581

VEHICLE NUMBER 1						
COLOR Silver	YEAR 2007	MAKE Volkswagen	MODEL Passat	STYLE Sedan		
LICENSE NO. BDU4673	STATE WA	VEHICLE TAKEN TO		INVESTIGATIVE HOLD <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		
WEIGHT	NAME OF SCALE	CARGO WEIGHT	TYPE OF CARGO			
SWITCH POSITION <input checked="" type="checkbox"/> ON <input type="checkbox"/> OFF		LEFT FRONT HEADLIGHT HI / LO DAMAGED		LEFT REAR TAIL / BRAKE LIGHTS OK		
LAMP REMOVED BY		RIGHT FRONT HEADLIGHT HI / LO DAMAGED		RIGHT REAR TAIL / BRAKE LIGHTS OK		
STEERING <input checked="" type="checkbox"/> GOOD <input type="checkbox"/> LOCKED BY DAMAGE		COMMENTS		TIRES: Locked by damage, not free to rotate <input checked="" type="checkbox"/> LF <input checked="" type="checkbox"/> RF <input type="checkbox"/> LR <input type="checkbox"/> RR		
INDICATE DAMAGE ▬ = INDUCED ▬ = CONTACT		TIRE MAKE	TREAD DEPTH	AIR	SIZE	STUDS
		LF Radial LL821	4/32	40 PSI	215/55R16	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
		LR Mastercraft MC440	4/32	22 PSI	215/55R16	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
INDICATE DIRECTION OF FORCE BY ARROW →		RR Mastercraft MC440	6/32	25 PSI	215/55R16	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
		RF Radial LL827	4/32	26 PSI	215/55R16	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO



A Length Overall L	5'6"
B Top of Bumper Front	1'9"
C Front to Front Axle L	4'1"
D Wheelbase L	7'11"
E Rear Axle to Rear L	3'5"
F Track Width Rear	5'1"
G Top of Bumper Rear	2'3"
H Rear Axle to Rear R	3'4"
I Wheelbase R	8'7"
J Front to Front Axle R	3'0"
K Length Overall R	14'10"
L Track Width Front	5'7"
M Roof Height R	5'0"
N Mirror Height R	3'3"
O Fender Height R	3'2"
P Headlight Height R	2'3"
Q Headlight Height L	2'8"
R Fender Height L	3'0"
S Mirror Height L	3'7"
T Roof Height L	4'4"



SIGNATURE 	PRINT NAME Corey Macaluso	BADGE # 1046	DATE 6-30-2018
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Technical Collision Report

Case#18-09895

Fatality Collision

Deputy Brian Tungesvik C48

7-3-18

INVESTIGATIVE PROCESS

On 6-30-18 at about 1:15 am, I received a phone call at home from Cpl. Thompson advising of a vehicle versus train fatality collision at SR 397 and Perkins Road in Benton County, WA. I responded from my residence and arrived at 01:41 am.

Upon arrival, I observed what appeared to be a coal train blocking the crossing at Perkins Road. I could see numerous fire personal and Burlington Northern Santa Fe (BNSF) train crews nearby. I could see a silver passenger car facing southeast about 100 feet south of the crossing in the ditch. I located Cpl. Thompson at the scene.

Cpl. Thompson advised me that the driver of the silver passenger car was traveling south on SR 397 and turned west onto Perkins Road. The southbound train had activated the crossing arms and they were down prior to the car turning onto Perkins Road. According to witness statements, the passenger car attempted to go around the crossing arms on the left side and went off the roadway. The vehicle then tried to get back onto the roadway but got high centered on the railroad tracks. According to witnesses, the female driver attempted to get out of the vehicle as the train was approaching. The train struck her car and the car struck her projecting the vehicle southeast away from the tracks. The train came to a stop near the private crossing just south of the Perkins crossing.

I then contacted Washington State Patrol (WSP) trooper Aaron Trombley who was taking photographs. Trombley advised that he had already photographed most of the scene so I asked if he would continue. Trombley agreed and continued to photograph the rest of the scene. I started at the Perkins crossing and found an oil and fluid spray on the railroad ties between the set of rails. This was located about one foot south of the crossing where the concrete slopes downward away from where the vehicles cross over the tracks. I believe this to be the point of impact (POI). I could see a scrape across the asphalt in line with the path the passenger car would have traveled off SR 397. This scrape was consistent with the frame of a vehicle leaving the roadway. I also observed a scrape on the top of the east rail but not the west rail of the tracks. This scrape was in the same line as the scrape on the asphalt. I painted the marks in yellow spray paint as well as marking the POI.

I walked south down the railroad tracks and could see vehicle parts and debris under the train stretching hundreds of feet. I then followed the vehicles path after it was struck by the train. The vehicle had a WA License BDU4673, a 2007 silver Volkswagen Passat. The tire marks in the sandy, rocky soil did not appear to be skid marks but rather a free rolling tire. WSP Trooper Macaluso used his Kustom Signals LIDAR and measured 98 feet from the POI to the rear of the vehicle at point of rest. I noticed that the "A" pillar of the vehicle had a round intrusion mark. On the rear passenger door, I could see vertical crease mark with the paint cracked that moved up the door in a rounded pattern. These marks are consistent with the cattle guard and coupler knuckle on the front of a locomotive.

Inside the vehicle, I could see a female in her 20's slumped behind the wheel of the car. I could see the seatbelt hanging vertical to her left. It was not locked by damage. Her head was slumped over to her left and there was blood above her left eye. Her left leg was outside of the vehicle and appear broken by the way it was bent awkwardly to the left. I could see a shot glass near the center console of the car. In the back seat was an opened 30 pack of Coors beer. Also in the back seat I could see clothing, trash and other personal items like she was moving or possibly living out of her car. I located a bank statement inside an envelope with the name Madison Kendall at (4b) [REDACTED]. This is also the registered owner's name of the vehicle. Trooper Trombley was able to pull up a driver's license photo of Madison and confirmed it was the same person.

I then walked up to the front of the train. I observed the coupler knuckle on the front of the locomotive had multiple scrapes and scratches on it, as well as silver paint transfer. I could see the cattle guard on both sides of the locomotive and it matched the imprint on the rear passenger door of the Passat. I could see that the impact damaged the steps on the left side of the locomotive that leads into the cab. Trooper Trombley briefly spoke with the train conductor, Nick McLachlan and engineer, Justin Haines. Both stated that they observed the silver passenger car try to go around the train crossing arms on got high centered on rail. They both observed the driver attempt to get out of the vehicle prior to impact. Justin stated he put the train into "Emergency" stop as soon as he realized the car was stuck on the tracks. I spoke with a BNSF track crewman who told me that they would be pulling the video from the front of the train and that I could contact BNSF Police next week to view it. I will get ahold of BNSF Police to set up an appointment.

I then assisted the coroner with removing Madison from the vehicle. I held her legs as others slid her from the driver's seat to the ground. As soon as she was moved I could smell a strong odor of intoxicants coming from her person. I assisted with carrying Madison from the vehicle to the roadway where we loaded her into the coroner's van. Coroner Bill Leach briefly looked her over and suspected her neck was broken which was the likely cause of death but would take her back to the coroner's office for further evaluation. Deputy Perez advised that he would wait for the tow to arrive. I contacted Cpl. Thompson and asked if there was anything else he needed and he replied, "no". At that time, I cleared the scene.

AMBIENCE

Weatherunderground.com reported the temperature at the time of the collision as 63 degrees Fahrenheit. The wind was out of the west, southwest at 6 mph. The sky was partly cloudy and dark. There were overhead intersection lights illuminated at the time of the crash.

WITNESS STATEMENTS

Witness One-

Patty Mendoza

(4b)

(4b)

Phone-(4b)

DOB (4b)

Patty Mendoza was traveling with Maribel Montoya north on SR 397 near Perkins Road. Patty said she saw the train crossing arms down and a train honking its horn approaching the crossing. Patty said she saw a silver car trying to go around the crossing. The car got stuck and Patty said a female tried to get out of the car. Patty said the train struck the car pushing it off the tracks. Patty and Maribel stopped to help but couldn't locate the female. Patty said a deputy arrived just a few minutes later. Patty provided a written statement.

Witness Two-

Maribel Montoya

(4b)

(4b)

Phone (4b)

DOB (4b)

Maribel Montoya stated she was driving north on SR 397 towards Kennewick when she witnessed a car trying to go around the train crossing at SR 397 and Perkins Road. She stated she could hear the train honking and then heard her daughter scream loudly when the train struck the car. Written statement provided.

Witness Three-

Essel L Smith

(4b)

(4b)

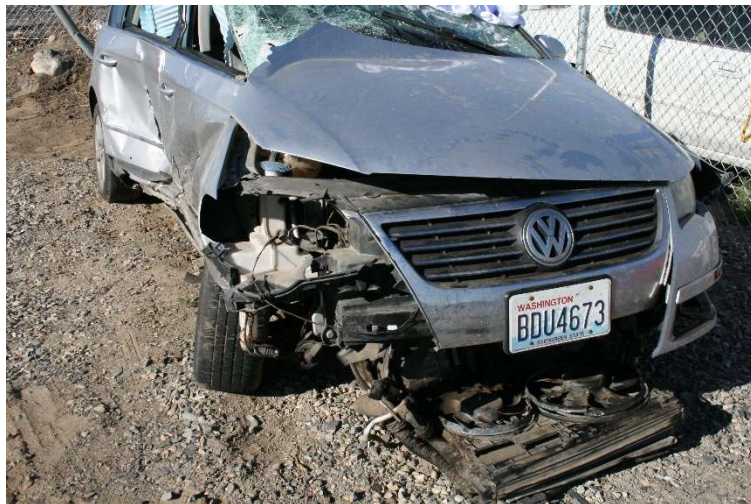
Phone (4b)

DOB (4b)

Essel Smith was traveling west on Perkins Road, west of the train crossing. Essel said he saw a large cloud of dust when the train went through the crossing. Essel recalled the train crossing arms being down awhile after he went through the crossing. Essel said he called 911 to report it. Essel elected not to provide a written statement.

VEHICLE ONE-

2007 Volkswagen Passat- WA BDU 4673



Driver-

Madison Kendall

(4b)

(4b)

(4b)

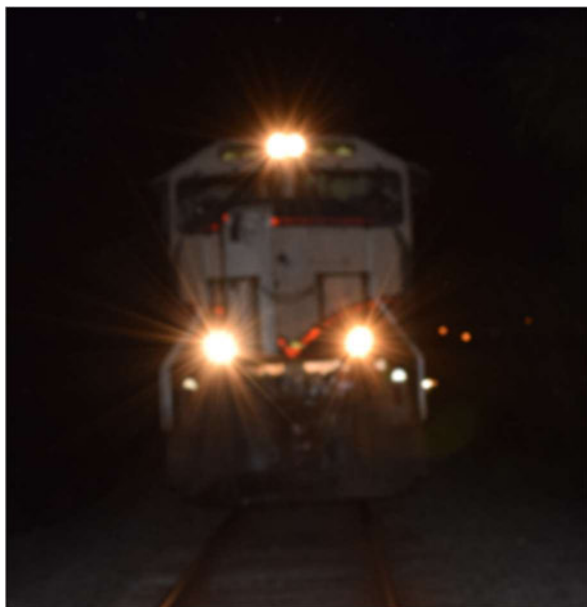
Occupants- No Passengers

OCCUPANT KINEMATICS

Driver, Madison Kendall was attempting to exit the vehicle as the train approached. As she exited the vehicle, Madison pivoted on her left foot and was facing the rear of her vehicle. When the train struck the vehicle, it pushed the vehicle counter clockwise into Madison. Madison, who was standing up next to her vehicle was pushed back into the driver's seat as the vehicle exited the tracks. Madison's head was just above the roof line of the vehicle. The impact broke Madison's neck and left leg.

VEHICLE TWO

BNSF Locomotive



Operator One:

Nick E McLachlan

(4b)

(4b)

(4b)

Phone: (4b)

Operator Two:

Justin F Haines

(4b)

(4b)

DOB: (4b)

Phone: (4b)

OCCUPANT KINEMATICS

The impact of the collision was minimal inside the locomotive. Both operators were not affected by the collision.

VEHICLE(S) ANALYSIS Vehicle One:

Trooper Macaluso completed a vehicle analysis form on Vehicle One and it is attached in the case file. Vehicle One sustained intrusion impact at the passenger side "A" pillar back to the rear passenger door. The side curtain airbags were deployed. The impact rotated the vehicle counterclockwise and the force pushed the vehicle 98 feet southeast off the tracks before coming to rest.

No analysis form was done on the locomotive. The locomotive sustained scratching and paint transfer from vehicle one to the front coupler knuckle. Moving to the left side of the train, the locomotive had scratching and dents to the "cattleguard" and ladder assembly. The train was otherwise undamaged.

I contacted Chad Johnson with BNSF who allowed me to view the camera footage from the train. Chad advised that the lead locomotive camera was not working at the time of the collision. The second locomotive was facing backward, and that camera was working. I viewed the footage from that camera. The footage was very dark and grainy. I could see a red light come on which Chad told me indicates when the train operator put the train into emergency status. I could see when the train passed through the Perkins Street crossing. I saw a brief light-colored spec which I believe to be the vehicle being struck off the tracks. The video did not capture the actual collision, so I did not request via search warrant a copy of the video.

Chad also provided me with some specific information about the train. The impact speed was 32 mph. The train traveled 1049 feet from the time it was put into emergency to a stop. The train had a total of 4 locomotives (3 front, 1 rear) and was pulling 125 cars. The total weight of the train was 17,769 tons. The train was leaving Pasco and headed to the Vancouver, WA area.

ROADWAY DESCRIPTION



Figure 1- North is Up



Figure 2-North is down



Figure 3-North is right

East Perkins Road is a paved, east to west road with one lane in each direction marked with double yellow stripe down the center at the train crossing. Heading south on SR397, the turn west onto E Perkins is an acute angle intersection. Heading west there is a slight incline onto the crossing platform and then a sharper decline moving west. The pavement is travel worn but in good condition.

EVIDENCE

The coroner's office will collect a blood sample for toxicology as part of their investigation.

SPEED CALCULATIONS

Not completed

COLLISION DYNAMICS AND CONCLUSION

Madison Kendall was traveling south on SR 397 and turned west onto Perkins Road. Madison stopped for the railroad crossing that was active with the crossing gates down and flashing. Madison attempted to go around the crossing gates and got stuck on the tracks facing west. A BNSF coal train was traveling west coming out of Pasco. The train operator saw that Madison was unable to get off the tracks and put the train into Emergency status. The train was not able to stop and struck Madison's vehicle. Madison had exited the vehicle and was attempting to get away. The train struck Madison's vehicle and then the vehicle struck her. The force of the collision broke Madison's neck and left leg, folding her back inside the vehicle. The vehicle came to rest in the ditch south east of the tracks. The train came to a stop just

past the next private crossing down the tracks. Madison was likely under the influence of alcohol which could have impaired her judgement when crossing the tracks. A toxicology report is pending.

SR 397 and Perkins Road is an acute angled intersection traveling south on SR 397. I believe Madison felt she had more room to go around the crossing gates like you would at a 90-degree intersection. The vehicle's front left tire left the paved surface of the road and Madison was not able to regain the traction she needed to get through the crossing. Based on the damage to the vehicle and the train speed at impact, I feel that Madison may have survived the collision if she remained in the vehicle with her seatbelt on.

Deputy Brian Tungesvik C48

Benton County Sheriff's Office

STATE OF WASHINGTON
DEPARTMENT OF HEALTH

CERTIFICATE OF DEATH



DATE ISSUED: 10/10/2018
FEE NUMBER: 83670881

CERTIFICATE NUMBER: 2018-029040

FIRST AND MIDDLE NAME(S): T MADISON TAYLOR-MAURIE
LAST NAME(S): KENDALL

COUNTY OF DEATH: BENTON
DATE OF DEATH: (4b)
HOUR OF DEATH: 12:35 AM PRESUMED
SEX: FEMALE AGE: 20 YEARS
SOCIAL SECURITY NUMBER: (4b)

HISPANIC ORIGIN: NO, NOT SPANISH/HISPANIC/LATINO
RACE: WHITE

BIRTH DATE: (4b)
BIRTHPLACE: PHOENIX, AZ

MARITAL STATUS: SINGLE, NEVER MARRIED
SPOUSE: NOT APPLICABLE

OCCUPATION: CUSTOMER RELATIONS
INDUSTRY: INTERNET RETAIL
EDUCATION: SOME COLLEGE CREDIT, BUT NO DEGREE
US ARMED FORCES: NO

INFORMANT: TANA MAE GROTEAU
RELATIONSHIP: GRANDMOTHER
ADDRESS: (4b)

CAUSE OF DEATH:
A: ACUTE SPINAL CORD INJURY
INTERVAL: IMMEDIATE
B: BLUNT FORCE TRAUMA
INTERVAL: IMMEDIATE

C:
INTERVAL:
D:
INTERVAL:

OTHER CONDITIONS CONTRIBUTING TO DEATH:

DATE OF INJURY: JUNE 30, 2018
HOUR OF INJURY: 12:35 AM PRESUMED
INJURY AT WORK: NO
PLACE OF INJURY: RAILWAY CROSSING AT ROADWAY

LOCATION OF INJURY: PERKINS ROAD AT SR397

CITY, STATE, ZIP: KENNEWICK, WASHINGTON 99337
COUNTY: BENTON

DESCRIBE HOW INJURY OCCURRED: VEHICLE STRUCK BY TRAIN WHILE
CROSSING TRAIN TRACKS AT MARKED CROSSING

IF TRANSPORTATION INJURY, SPECIFY: NOT APPLICABLE

PLACE OF DEATH: OTHER PLACE
FACILITY OR ADDRESS: PERKINS ROAD AT SR397
CITY, STATE, ZIP: KENNEWICK, WASHINGTON 99337

RESIDENCE STREET: (4b)
CITY, STATE, ZIP: (4b)
INSIDE CITY LIMITS: UNKNOWN COUNTY: BENTON
TRIBAL RESERVATION: NOT APPLICABLE
LENGTH OF TIME AT RESIDENCE: 4 MONTHS

FATHER/PARENT: DENNIS JOSEPH KENDALL JR
MOTHER/PARENT: T NOELLE TERESE GROTEAU

METHOD OF DISPOSITION: CREMATION
PLACE OF DISPOSITION: DESERT LAWN CREMATORY

CITY, STATE: KENNEWICK, WASHINGTON
DISPOSITION DATE: JULY 03, 2018

FUNERAL FACILITY: MUELLER'S TRI-CITIES FUNERAL HOME

ADDRESS: 1401 SOUTH UNION STREET
CITY, STATE, ZIP: KENNEWICK, WASHINGTON 99338
FUNERAL DIRECTOR: BREVIN A. CLIFFORD

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: WILLIAM C. LEACH
TITLE: CORONER/ME
CERTIFIER ADDRESS: 7110 WEST OKANOGAN PLACE, BUILDING A
CITY, STATE, ZIP: KENNEWICK, WA 993362359
DATE SIGNED: JULY 03, 2018

CASE REFERRED TO ME/CORONER: NO
FILE NUMBER: C18-248
ATTENDING PHYSICIAN: NOT APPLICABLE

LOCAL DEPUTY REGISTRAR: SUSANA MARTINEZ
DATE RECEIVED: JULY 03, 2018



Affidavit for Correction

Mail to: Center for Health Statistics
P.O. Box 47814
Olympia, WA 98504-7814
360-236-4300

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

STATE OFFICE USE ONLY

State File Number	Fee Number	Initials	Date	Affidavit Number
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Required	Required information must match current information on record				
	Record Type: <input type="checkbox"/> Birth <input type="checkbox"/> Death <input type="checkbox"/> Marriage <input type="checkbox"/> Dissolution (Divorce)				
	1. Name on Record: First Middle Last			2. Date of Event: MM/DD/YYYY	3. Place of Event: City or County
	4. Father/Parent Full Legal Name (Spouse A for Marriage or Dissolution) First Middle Last/Maiden		5. Mother/Parent Full Birth Name (Spouse B for Marriage or Dissolution) First Middle Last/Maiden		
	6. Name of Person Requesting Correction: Relationship to Person on Record: <input type="checkbox"/> Self <input type="checkbox"/> Guardian <input type="checkbox"/> Informant <input type="checkbox"/> Hospital <input type="checkbox"/> Parent(s) <input type="checkbox"/> Funeral Director <input type="checkbox"/> Other (specify)				
	7. Return Mailing Address: P.O. Box or Street Address City State Zip				
	Telephone Number: ()		Email Address:		

Use the section below for requesting any changes on the record. The record is incorrect or incomplete as follows:

The record now shows:	The true fact is:
8.	9.
10.	11.
12.	13.
14.	15.

I declare under penalty of perjury under the laws of the State of Washington that the forgoing is true and correct

16a. Signature:	16b. Signature of 2 nd parent (if required):
Printed name: _____ Date: _____	Printed name: _____ Date: _____

INSTRUCTIONS – go to www.doh.wa.gov for more information

Driver's license, Social Security card or hospital decorative birth certificate cannot be used as proof

Required documentary proof must be submitted with the affidavit and include full name and birth date. Examples of documentary proof include:

- Birth/Marriage/Divorce record
- Military record (DD-214)
- School transcripts
- Social Security Numident Report
- Certificate of Naturalization
- Hospital/medical record
- Passport
- Green/Permanent Resident card (I-551)

Birth Certificates

- Only a parent(s), legal guardian (if the child is under 18), or the named individual (if 18 or older) may change the birth certificate.
- The proof(s) must match the asserted fact(s). For example, if the affidavit says the name should be Mary Ann Doe, the proof must show the name to be Mary Ann Doe.
- Documentary proof must be five or more years old or established within five years of birth.

Child under 18

- If legal guardian(s), include certified court order proving guardianship
- Up to age one, last name can be changed once to either parents' name on certificate (can be any combination of the first, middle or last names)*
- After age one, a court order is required to change the last name
- No proof is required to change the first or middle name*
- To correct parent's information, one documentary proof is required.
- To correct the sex of the child, one documentary proof from a medical provider is required

Adult (18 years or older)

- Only the adult can change his or her birth certificate
- If the first or middle name is missing, three pieces of documentary proof are required
- If the first, middle and/or last name is misspelled, or date of birth is incorrect, two pieces of documentary proof are required
- To correct parent's birth date, place of birth, or name, one documentary proof is required

*To change any part of the name of a child, signatures from both parents listed on the certificate are required. If one parent is deceased, submit a death certificate with request.

This affidavit cannot be used to add a father to a birth certificate (use paternity acknowledgment form DOH 422-032)

Death Certificates

- Only the informant, the funeral director, or executors/administrators (if evidence confirming such position is presented) may change the non-medical information. Proof is required to make changes if requested by a family member not listed as the informant on the certificate (family members are spouse or registered domestic partner, parent, sibling or adult child or stepchild). The informant may change marital status with proof. Marital status requires a certified copy of a court order if someone other than the informant is requesting the change.
- The medical information (cause of death) may be changed only by the certifying physician or the coroner/medical examiner.

Marriage/Dissolution (Divorce) Certificates

- Personal facts (minor spelling changes in name, date or place of birth or residence) may be changed by the person with one piece of documentary proof.
- To change the date or place of marriage or dissolution, the officiant (marriage) or clerk of court (dissolution) must complete and submit the affidavit.

DOH 422-034 October 2015



This is a true and exact certification of the record officially registered and on file with the Washington State Department of Health, issued under the authority of Chapter 70.58 RCW, and at the direction of Christie Spice, State Registrar.

Christie Spice



0 2 6 4 4 1 8 8