



Rail Incident Investigation Report

Docket No: TR- Report Date:

Railroad Owning Track: Railroad Operating on Track:

FRA Investigation: Yes No Inspector:

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: Time:

USDOT Crossing No.: UTC Crossing No.:

Railroad Milepost: GPS Identifier: Lat: Lon:

Number of Tracks: City: County:

Road name, yard name, bridge:

III. Conditions Surrounding the Accident

Weather: Clear to cloudy Fog Rain Snow

Road Condition: Dry Wet Snow Ice

Visibility Due to Weather: Daylight Darkness Unknown

Train Type: Freight Passenger Locomotive only Cars only Train Speed:

Haz-Mat on Train: Yes No N/A Remote Control: Yes No N/A

Type of Haz-Mat:

IV. Pedestrian, Driver, or Passenger Fatalities

Does this section apply? Yes No

Number of Fatalities: of a vehicle accident, number of passengers:

Name:

Driver: Passenger Pedestrian Age: Gender: Male Female non-binary

Pedestrian trying to get on/off train? Yes No Suicide: Yes No Undetermined

Alcohol: Yes No Undetermined Information supplied by:

Drugs: Yes No Undetermined Information supplied by:

Names of additional fatalities:

Docket No: TR- 190631

V. Pedestrian, Driver, or Passenger Injuries Does this section apply? Yes No

Number of people injured: _____ If a vehicle accident, number of passengers: _____
Name: _____
Driver: _____ Passenger: _____ Pedestrian: _____ Age: _____ Gender: Male _____ Female _____ non-binary _____
Pedestrian trying to get on/off train? Yes _____ No _____
Drugs: Yes _____ No _____ Undetermined _____ Alcohol: Yes _____ No _____ Undetermined _____
Names of additional injured persons: _____

VI. Pedestrian Access (not at a Crossing) Does this section apply? Yes No

Obvious signs of consistent pedestrian trespass? Yes No
If yes, describe: _____
Pedestrian (not at a crossing) information: Accessing public area? Yes No
If yes, describe: _____
Deterrents at site, e.g. fence, signs, other? 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? _____
Dates of prior accidents: _____
Description of prior accidents (fatalities, injuries, property damage) _____
Last inspection date? _____
Defects? Yes _____ No _____ If yes, describe: _____

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 Copy of most current inventory? Yes No
Other (describe): _____

IX. Comments

Event Summary:

On the evening of July 24, 2019, at approximately 4:00 p.m., multiple witnesses observed Jorge Alberto Lyon Mendez lay down between the track of an on-coming Sounder train. He reportedly sat up multiple times and looked back at the train, but continued to lay down. The engineer of the train sounded the horn multiple time and and made an emergency application of the air brakes. Jorge Alberto Lyon Mendez remained between the tracks and the train, which was traveling at approximately 70 miles per hour when it fatally struck him.

Site Description:

The site is between crossings with two main tracks and one siding track.

Inspector Recommendations:

None

Docket No: TR-190631

Rail Safety Supervisor Comments/Sign Off:

Reviewed and approved 2/17/2021 - EE

Director of Transportation Safety Comments/Sign Off:

Reviewed and approved to close 2/17/2021 KH

TR-190631

Halstead, Lori (UTC)

From: Service, Interruption Desk <ServiceInterruptionDesk@BNSF.com>
Sent: Wednesday, July 24, 2019 7:46 PM
To: OPR DL (SI Desk Use ONLY) North Region Incident; OPR DL (SI Desk Use ONLY) Cargorelated; OPR DL NOC GDT; Melendez, Jacob P; Morehouse, Craig; Moyer, Jason; Clark, Daniel P; Orton, Wyatt C; Wessler, Richard W; Noel, Tamara T; Huston, Scott T; UTC DL WUTC Rail Reporting; Halstead, Lori (UTC); Melonas, Gus S; Wallace, Courtney 072419 A1511124A-Trespasser, Kent, WA
Subject:
Follow Up Flag: Follow up
Flag Status: Flagged

One trespasser fatality.

BNSF Fort Worth – Network Operations Center – INCIDENT REPORT

Date:	072419	Time:	1806CT	MP:	14.2X	D-Code:	197188
Time & Date Last Revised:							
Subdivision:	Seattle	State:	Washington	Divn:	Northwest	County:	King
Line Segment:	51						
Nearest Station:	Orillia, WA						
Nearest Major Terminal (distance/direction):	14 miles South of Seattle, WA						
Weather Conditions (Temp, wind, precipitation):	80*, wind North at 1mph, partly cloudy						

Injuries or Fatalities?	1 trespasser fatality	Employee?	
Name:		Craft:	

Symbol:	A 1511 1 24A	If Yard Job, is it Remote Control Operation?	
Lead Locos:	SDRX 911, SDRX 325	L-E-T-F:	6-0-378-528'
DP Locos:		Direction:	South
Conductor:	CL Hopson	Engineer:	JL McAlister
Prior Rest		Prior Rest	
On Duty Time/Date:	2035CT/072419	Origin/Destination:	Seattle, WA / Lakewood, WA
Crew Interviewed by:	Commuter rail official		
Event Recorder/Camera:	Commuter rail official		

Locomotives video equipped?										
Lead Locos	Y/N		Y/N		Y/N		Y/N		Y/N	Y/N
SDRX 911	Y	SDRX 325	Y							

Crossing Name:	Not at a crossing	DOT:	
Equipped with:		Functioning?	
Vehicle Direction:		Vehicle Description:	
Law Enforcement Agency:	Kent P.D.	Citations?	

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

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

Heavy equipment ordered:					
NA					
Equip. ETA:		Equipment Arrived:		Equipment Released:	
Main Blocked?	MT1: MT2: MT3:	Estimated Reopen:		Actual Reopen:	MT1: 1929CT MT2: 2059CT MT3: 2059CT

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

\$	0	Contractor Expense	Rerailing & clearing expenses only. Do not include environmental cleanup, air monitoring, etc.
\$	0	Estimated Lading Recovery Costs	Source is usually Damage Prevention/LARS. This figure includes trucking charges and site remediation charges.
\$	0	Prelim. Lading Loss Estimates	Railcar/Trailer/Container Contents ONLY
	0	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:	Under active investigation
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Brief Narrative of Incident:

At approximately 1800CT on the Seattle Subdivision, A 1511 1 24A reported striking a trespasser on main track 3 at MP 14.18X (S 212TH Street) between Orillia and James Street in Kent, WA which is approximately 19 miles northeast of Tacoma, WA. Currently we do not have a route around until main track 1 and 2 are released by local authorities. No injuries reported to crew or passengers. Local authorities report that the trespasser was fatally injured.

1929CT update: Good to operate trains on M1. First train operate at restricted speed over 212th street crossing. Main 2 and 3 will remain closed until investigation is complete.

Post Accident Testing (FRA):

Did this incident meet FRA Post Accident Testing criteria?	No	
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 and Julie Murphy when the following applies: -Employee/Contractor Fatality. -Damage to railroad property exceeding \$1.5 million. -Collision with injury or \$150,000 damage -Passenger train accident with reportable injury -Human Factor Grade-Crossing Accident? If Yes, Name of Claims Agent. -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:	NA	

Notifications:

Time:	Entity:	Person Notified:	Reminders:
1806CT	Service Interruption:	DDM from DS 75	Include who notified SID.
1807CT	Resource Operations:	Martina Allen	
1906CT	OPR DL Cargorelated	Escalation msg	Copy of this report

1824CT	DTM/Terminal Manager:	Jacob Melendez	Get ETA, check Cell number.																				
	RFE:		Get ETA, check Cell number.																				
	Signal Desk:		817-593-5998																				
	MOW Desk:		817-593-6823 Option 1																				
	Mechanical Desk:		817-593-9128																				
1816CT	NOC GDT:	Tyrone Fitzgerald																					
1821CT	Div. General Manager:	Craig Morehouse																					
1821CT	Div. GDT:	Jason Moyer																					
1821CT	Corridor Supt:	Daniel Clark																					
1856CT	Div. Sup Ops / Term Sup:	Wyatt Orton																					
1816CT	MDPR	Email	817-352-1312																				
1811CT	Passenger Service:	Brian Thomas - is a passenger route. Copy to Wessler and Noel	Email report to Rich Wessler and Tamara Noel.																				
1821CT	Superintendent Safety and Operating Practices	Scott Huston	<table border="0"> <tr> <td>California</td> <td>Coleman, Herbert T</td> </tr> <tr> <td>Chicago</td> <td>Wazny, William A</td> </tr> <tr> <td>Red River</td> <td>Cleveland, Scott M</td> </tr> <tr> <td>Kansas</td> <td>Valencia, Randy J</td> </tr> <tr> <td>Montana</td> <td>Boggs, Landon S.</td> </tr> <tr> <td>Heartland</td> <td>Musgrove, Chris E</td> </tr> <tr> <td>Northwest</td> <td>Huston, Scott T</td> </tr> <tr> <td>Powder River</td> <td>Hein, Joshua B</td> </tr> <tr> <td>Southwest</td> <td>Strot, Benjamin K.</td> </tr> <tr> <td>Twin Cities</td> <td>Lund, Michael E</td> </tr> </table>	California	Coleman, Herbert T	Chicago	Wazny, William A	Red River	Cleveland, Scott M	Kansas	Valencia, Randy J	Montana	Boggs, Landon S.	Heartland	Musgrove, Chris E	Northwest	Huston, Scott T	Powder River	Hein, Joshua B	Southwest	Strot, Benjamin K.	Twin Cities	Lund, Michael E
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	The following group list is for the following departments: Safety, Law, Rules, Workforce Management, Rules and field Support, Corporate Relations, Government Affairs, and Evidence Preservation Major event group page list (Not MIP) Also page Region VP. (It is located with the SID Locomotive group lists)		Page for the following events: 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. Derailments or collisions with evacuations, explosions, or involving crude oil trains. Major Hazardous Incidents Employee Fatalities, life threatening injuries, or amputations. Add "Preliminary Report" to the subject line.																				
	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																				
	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																				
1842CT	NRC: 800 - 424 - 8802 (Initial SID Analysis) Examples for notifying: Passenger Train/Route \$150,000 incident Employee/Contractor Fatality	Rpt #1253083	Obtain their Report Number and name of person who took the report.																				
1836CT	State:	WA Emergency Operations - Rpt #19-2588. Copy of this report to: WUTCRailReporting@utc.wa.gov and Lori.Halstead@utc.wa.gov																					
	California - CUPA																						
	Foreign Railroad:																						
	Page "Go Team"		If appropriate notify Mark Schulze.																				

1906CT	State Corporate Relations:	Melonas and Wallace	Copy of this report: Maia LaSalle: MT, WY Jeanelle Davis: AL, AR, LA, MS, TN, TX Lena Kent: AZ, CA, TX, LA, MS, AR, AL, TN 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 817-867-0021

From: [State Emergency Operations Officer \(MIL\)](#)
To: [SFD_FMO_Reception](#); [EOC \(ecc.kc@kingcounty.gov\)](mailto:ecc.kc@kingcounty.gov); [Hunter, Kathy \(UTC\)](#); [Kenneth W. Holgard](#); [Mark Daniels \(FRA\)](#); [Michael Pirato](#); [Stacey Thompson \(Fed Railroad Association Reg 8\)](#); [Stacey Weller](#); [Steven Travers](#); [UTC DL WUTC Rail Reporting](#)
Subject: Train Incident 19-2588
Date: Wednesday, July 24, 2019 4:37:52 PM

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,

Name of the Railroad(s) involved: Sounder Commuter Train – A1511124A Train Symbol

Reporting Party Name, Position and Contact Number: David Miletta/BNSF Railway Service
Interruption Manager/817 352 2832

Time and Date Called in to the State EOC: 1632 07/24/19

Time and Date of the Event: 1606 07/24/19

Mile post and/or Address of Event: MP 14.2x, Seattle Subdivision

Circumstances of the Incident: Train struck trespasser

Number of Injuries and/or Fatalities: 1 fatality

Type of Rail Cars Involved (tank, hopper, box, flat, etc.): commuter train car

Type and Amount of HAZMAT spilled: None

Any Additional Details That Will Assist in Identifying the Necessary Response:

Name and Phone Local POC: Jacob Melendez, Train Master BNSF, 253 329 7075

Railroad Incident Number:

State EOC Incident Number: 19-2588

William "Bill" Main
State Emergency Operations Officer
Washington State Emergency Management Division
Washington Military Department
Building 20, MS: TA-20

Camp Murray, WA 98430-5122
1-800-258-5990

Jim Kadrmas
State Emergency Operations Officer
Washington Emergency Management Division
1-800-258-5990
dutyofficer@mil.wa.gov

From: [State Emergency Operations Officer \(ML\)](#)
To: [SFD_FMO_Reception](#); [EOC \(ecc.kc@kingcounty.gov\)](mailto:ecc.kc@kingcounty.gov); [Hunter, Kathy \(UTC\)](#); [Kenneth W. Holgard](#); [Mark Daniels \(FRA\)](#); [Michael Pirato](#); [Stacey Thompson \(Fed Railroad Association Reg 8\)](#); [Stacey Weller](#); [Steven Travers](#); [UTC DL WUTC Rail Reporting](#)
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State EOC Incident Number: 19-2588

William "Bill" Main
State Emergency Operations Officer
Washington State Emergency Management Division
Washington Military Department
Building 20, MS: TA-20

Camp Murray, WA 98430-5122
1-800-258-5990

Jim Kadrmas
State Emergency Operations Officer
Washington Emergency Management Division
1-800-258-5990
dutyofficer@mil.wa.gov

From: [State Emergency Operations Officer \(MIL\)](#)
To: kentoem@kentwa.gov; [EOC \(ecc.kc@kingcounty.gov\)](mailto:ecc.kc@kingcounty.gov); [Hunter, Kathy \(UTC\)](#); [Kenneth W. Holgard](#); [Mark Daniels \(FRA\)](#); [Michael Pirato](#); [Stacey Thompson \(Fed Railroad Association Reg 8\)](#); [Stacey Weller](#); [Steven Travers](#); [UTC DL WUTC Rail Reporting](#)
Subject: FW: NRC#1253083
Date: Wednesday, July 24, 2019 4:47:00 PM

Forwarded for your action/information as required. Please reply with confirmation of receipt.

Thank you.

Jerald "Jaye" Compton
State Emergency Operations Officer
Washington Emergency Management Division
Building 20, MS: TA-20
Camp Murray, WA 98430-5122
800-258-5990
dutyofficer@mil.wa.gov

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

From: HQS-PF-flidr-NRC@uscg.mil <HQS-PF-flidr-NRC@uscg.mil>
Sent: Wednesday, July 24, 2019 4:45 PM
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#1253083

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 # 1253083

INCIDENT DESCRIPTION

*Report taken by NRC at 19:38 on 24-JUL-19
Incident Type: RAILROAD NON-RELEASE
Incident Cause: TRESPASSER
Affected Area:
Incident occurred on 24-JUL-19 at 16:06 local incident time.
Affected Medium: NON-RELEASE (N/A)

REPORTING PARTY

Name: DAVID MILETTA
Organization: BNSF RAILWAY
Address: 2200 LOU MENK DRIVE
FORT WORTH, TX 76131
Email Address:

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

SUSPECTED RESPONSIBLE PARTY

Name: UNKNOWN
Organization:
Address:

Type of Organization: UNKNOWN

INCIDENT LOCATION

County: KING
City: KENT State: WA
MP 14.2X

RELEASED MATERIAL(S)

DESCRIPTION OF INCIDENT

CALLER REPORTING THAT A TRESPASSER WAS STRUCK AND KILLED BY A PASSENGER TRAIN.

SENSITIVE INFORMATION

INCIDENT DETAILS

Grade Crossing: NO
Location Subdivision: SEATTLE
Railroad Milepost: 14.2X
Type of Vehicle Involved:
Crossing Device Type:
Device Operational: YES
DOT Crossing Number:
Date and Time Service was/will be Restored:
Brake Failure: NO
Federal Post-Accident 219.201 Sub Part C Testing Required: NO
Passenger Train Route: YES
Passenger Train Delay Expected: YES
Passenger Train Delay Handling: STAY ON TRAIN

---RAILROAD INFORMATION---

Railroad Involved:
Train Number: A1511124A
Train Type: PASSENGER Train Direction: S
Train Speed: Track Speed: 79
Locomotives: 2 Cars: 6 Derailed: 0
Suspected DOT Regulation Non Compliance: UNKNOWN

DERAILED CARS:

Pos.	Car number	Type	Cargo
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IMPACT

Fire Involved: NO Fire Extinguished: UNKNOWN

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

Damages: NO

Closure Type	Description of Closure	Hours Closed	Direction of Closure
--------------	------------------------	--------------	----------------------

Air: NO

Major

Road: NO

Artery:NO

Waterway:NO

Track: YES MAIN

.5 ALL

Passengers Transferred: NO

Environmental Impact: UNKNOWN

Media Interest: UNKNOWN Community Impact due to Material:

REMEDIAL ACTIONS

INVESTIGATION UNDERWAY

Release Secured: UNKNOWN

Release Rate:

Estimated Release Duration:

WEATHER

ADDITIONAL AGENCIES NOTIFIED

Federal:

State/Local: WAOEM

State/Local On Scene:

State Agency Number: 19-2588

NOTIFICATIONS BY NRC

CENTERS FOR DISEASE CONTROL (GRASP)

24-JUL-19 19:44 (770)4887100

CGIS D13 FIELD OFFICE (CGIS D13 COMMAND CENTER)

24-JUL-19 19:44 (206)2207141

DEPT OF HEALTH AND HUMAN SERVICES (SECRETARY'S OPERATION CENTER (SOC))

24-JUL-19 19:44

CUSTOMS AND BORDER PROTECTION (INTEL BRANCH/BLAINE SECTOR)

24-JUL-19 19:44 (360)4107222

DHS DEFENSE THREAT REDUCTION AGENCY (CHEMICAL AND BIOLOGICAL TECHNOLOGI

24-JUL-19 19:44 (703)7673477

NATIONAL COORDINATING CTR FOR COMMS (NCC COMM-ISAC)

24-JUL-19 19:44 (703)2355626

DHS CYBER & INFRASTRUCTURE SECURITY (OFC OF INFRASTRUCTURE PROTECTION R

24-JUL-19 19:44 (202)8215301

OFFICE OF INFRASTRUCTURE PROTECTION (WA STATE PROTECTIVE SECURITY ADVIS

24-JUL-19 19:44 (202)8053379

DOT CRISIS MANAGEMENT CENTER (MAIN OFFICE)

24-JUL-19 19:44 (202)3661863

FEDERAL RAILROAD ADMIN. (BRENDAN GERARDO)

24-JUL-19 19:44 (202)4656922

FEDERAL RAILROAD ADMIN. (MAIN OFFICE (AUTO))

24-JUL-19 19:44 (202)4930636

FEMA REGION 10 (MAIN OFFICE)

24-JUL-19 19:44 (425)4874704

NATIONAL HWY TRANS SAFETY ADMIN (MAIN OFFICE)

24-JUL-19 19:44 (202)4412924

NATIONAL INFRASTRUCTURE COORD CTR (MAIN OFFICE)

24-JUL-19 19:44 (202)2829201

NOAA RPTS FOR WA (MAIN OFFICE)

24-JUL-19 19:44 (206)5264911

NTSB RAIL (MAIN OFFICE)

24-JUL-19 19:44 (202)3146293

OREGON TITAN FUSION CENTER (FUSION COMMAND CENTER)

24-JUL-19 19:44 (877)6204702

OCCUPATIONAL SAFETY & HEALTH ADMIN (MAIN OFFICE)

24-JUL-19 19:44 (801)9180995

PIPELINE & HAZMAT SAFETY ADMIN (HAZARDOUS MATERIAL ACCIDENT INVESTIGATI

24-JUL-19 19:44 (202)3664031

PORT OF SEATTLE (COMMAND CENTER)

24-JUL-19 19:44 (206)7873117

SEATTLE POLICE DEPARTMENT (CRIMINAL INTELLIGENCE SECTION)

24-JUL-19 19:44 (206)6848770

CITY OF SEATTLE, PUBLIC UTILITIES (SPILL RESPONSE TEAM)

24-JUL-19 19:44 (206)6847988

WA STATE EMERGENCY MANAGEMENT (MAIN OFFICE)

24-JUL-19 19:44 (800)2585990

TSA SURFACE TRANSPORTATION SECURITY (TWIC ENFORCEMENT)

24-JUL-19 19:44 (206)3875236

VOLPE CENTER (TRANSPORTATION HUMAN FACTORS)

24-JUL-19 19:44 (617)4942000

WASHINGTON STATE FUSION CENTER (FUSION COMMAND CENTER)

24-JUL-19 19:44 (877)8439522

KING COUNTY EMERGENCY MGMT (MAIN OFFICE)

24-JUL-19 19:44 (206)2054071

WASHINGTON STATE NATIONAL GUARD (COMMAND CENTER)

24-JUL-19 19:44 (253)5128159

WA UTILITIES & TRANSPORTATION COMM (PIPELINE SAFETY)

24-JUL-19 19:44 (360)6641182

ADDITIONAL INFORMATION

*** END INCIDENT REPORT #1253083 ***

Report any problems by calling 1-800-424-8802

PLEASE VISIT OUR WEB SITE AT <http://www.nrc.uscg.mil>

19-10523

Supplement No
ORIG

KENT POLICE DEPARTMENT CASE REPORT



220 4th Avenue South
Kent, WA 98032-5895
Phone: (253) 856-5800
Fax: (253) 856-6800

Reported Date
07/24/2019
Crime/Incident
ACCIDENT (N)
Member#/Dept D#
CLAY, KE

Phone

Fax

Administrative Information

Agency KENT POLICE DEPARTMENT CASE REPORT				Case No 19-10523		Supplement No ORIG		Reported Date 07/24/2019		Reported Time 16:03			
CAD Call No KP190055128			Status CLOSED / LEADS EXHAUSTED			Crime/Incident ACCIDENT (NON AUTO)							
Location S 212 ST/77 AV S									City KENT				
Rep Dist 058		NTZ KP	Beat 5	From Date 07/24/2019		From Time 16:03	To Date 07/24/2019		To Time 19:30				
Member#/Dept ID# 178063/CLAY, KE						Assignment TRAFFIC		Entered By 178063		RMS Transfer Successful			
Prop Trans Stat Successful			Approving Officer 176431			Approval Date 07/25/2019		Approval Time 09:49:37					
# Offenses 1	Offense SUICIDE (N)				Description SUICIDE				Complaint Type	AC	Use	Bias	Loc
#Pr	MOE	Act	Weapon/Force		BRS	No	Cargo Theft?	Dom Viol?					
# Offenses 2	Offense INDUSTRIAL ACCIDENT (N)				Description INDUSTRIAL ACCIDENT				Complaint Type	AC	Use	Bias	Loc
#Pr	MOE	Act	Weapon/Force		BRS	No	Cargo Theft?	Dom Viol?					

Person Summary

Invl DEC	Invl No 1	Type I	Name LYON MENDEZ, JORGE ALBERTO							MNI 979512
Race P	Sex M	DOB 05/04/1964								
Invl VMB	Invl No 1	Type B	Name SOUND TRANSIT							MNI 463367
Race	Sex	DOB								
Invl WIT	Invl No 1	Type I	Name MCALISTER, JOSEPH LINDEN							MNI 979514
Race W	Sex M	DOB 12/11/1966								
Invl WIT	Invl No 2	Type I	Name ALLEN, SHAHRAIM C							MNI 979516
Race B	Sex M	DOB 10/21/1975								

Property Summary

Involvement VER
Description Article: Other (none of the above, includes Money) PHOTOS VERIPIC/photos of scene-train

Report Officer
178063/CLAY, KE

Printed At
08/25/2020 16:32

Page 1 of 3

KENT POLICE DEPARTMENT CASE REPORT**DECEASED 1: LYON MENDEZ, JORGE ALBERTO**

Involvement	Invl No	Type								
DECEASED	1	Individual/Person								
Name		LYON MENDEZ, JORGE ALBERTO					MNI	979512		
Race	NATIVE HAWAIIAN OR OTHER PACIFIC ISLANDER				Sex	DOB	Age	Juvenile?	Height	
					Male	05/04/1964	55	No	5'04"	
Weight	Hair Color	Eye Color	PRN							
200#	BLACK	BROWN	1672785							
Type	Address									
Home	19273 MILITARY RD S									
City	State	Z P Code	Date							
SEATAC	WASHINGTON	98188-5054	07/24/2019							
Type	ID No	OLS								
OPERATOR LICENSE	4b	WASHINGTON								

VICTIM BUSINESS/GOVT/RELIG/FINANCIAL 1: SOUND TRANSIT

Involvement	Invl No	Type							
VICTIM BUSINESS/GOVT/RELIG/FINANCIAL	1	Business (VMB)							
Name		MNI	PRN						
SOUND TRANSIT		463367	1672786						

WITNESS 1: MCALISTER, JOSEPH LINDEN

Involvement	Invl No	Type							
WITNESS	1	Individual/Person							
Name		MNI	Race	Sex					
MCALISTER, JOSEPH LINDEN		979514	WHITE	Male					
DOB	Age	Juvenile?	Height	Weight	Hair Color	Eye Color	PRN		
12/11/1966	52	No	5'07"	200#	BROWN	BROWN	1672787		
Type	Address								
Home	18805 68 ST E								
City	State	Z P Code	Date						
BONNEY LAKE	WASHINGTON	98391-6822	07/24/2019						
Type	ID No	OLS							
OPERATOR LICENSE	4b	WASHINGTON							

WITNESS 2: ALLEN, SHAHRAIM C

Involvement	Invl No	Type							
WITNESS	2	Individual/Person							
Name		MNI							
ALLEN, SHAHRAIM C		979516							
Race	Sex	DOB	Age	Juvenile?	Height	Weight	Hair Color	Eye Color	
BLACK OR AFRICAN AMERICAN	Male	10/21/1975	43	No	6'00"	280#	BLACK	BROWN	
PRN	1672788								
Type	Address								
Home	517 S 45 ST								
City	State	Z P Code	Date						
TACOMA	WASHINGTON	98418-6622	07/24/2019						
Type	ID No	OLS							
OPERATOR LICENSE	4b	WASHINGTON							

Property

Prop #	Involvement	Invl Date	In Custody?	Security					
1	VERIPIC	07/24/2019	No	No					
Description		VERIPIC/photos of scene-train			Typ				
					A				
Cat	Other (none of the above, includes Money)			Article	IBRS Type	Entered Date			
				Photographs	Other	07/25/2019			
Entered Time	RMS Transfer	Control							
06:35	Successful	97312	0728191511						

Narrative

On 7/24/2019 I was working as a member of the KPD traffic unit. I was just beginning a distracted driving emphasis when dispatch aired a train vs. pedestrian accident. I immediately went in route.

I arrived at the Burlington Northern/Santa Fe (BNSF) railroad tracks at S 212th St approximately 2 minutes later. It was immediately obvious to me the pedestrian was deceased. It appeared the deceased had been struck just

Report Officer	Printed At	Page 2 of 3
178063/CLAY, KE	08/25/2020 16:32	

KENT POLICE DEPARTMENT CASE REPORT**Narrative**

south of S 212th St. The force of the train striking the deceased caused catastrophic injury to the deceased, breaking the body into many large pieces, and many more small pieces. The pieces stretched for approximately a quarter of a mile. The train had stopped almost a half of a mile south of the point of impact.

I walked southbound along track #3 (farthest east) to the train. I contacted the assigned engineer (WIT) Shahraim C. Allen who was walking toward me. He stated he was in the back of the train while the relief engineer (WIT) Joseph L. Mcalister was in the engine. Allen stated he saw the body parts come out from under the train as it was slowing southbound. The train was a "Sounder" train belonging to Sound Transit, which carries commuters from Seattle to Lakewood. It had a full load of passengers at the time of the incident. The train was #1511A which had originally departed Seattle.

I walked to the engine and spoke with Mcalister. He stated he was operating the train southbound at approximately 70 miles per hour when he observed something on the tracks in front of the train. He said he was probably 1200' from the object, which he initially thought was a dog. As the train grew closer to the object, Mcalister realized it was a person. Mcalister stated the person was laying in between the tracks, head to the north-feet to the south. He stated the person would sit up, look back at the train, then lay down again.

Mcalister stated he activated the emergency brakes approximately 500' from the person. He believes the train was probably still traveling at approximately 70 mph when it struck the deceased.

Ofc. Brennan and I walked the entire train, inspecting every visible portion of the undercarriage for biological material. I found it did appear the deceased had been laying down, as there was no sign of an impact on the front of the train, rather it appeared the first set of wheels (trucks) of the engine impacted the deceased. We found small particles of biological material in multiple places under the engine and cars.

Ofc. Bateman attempted to use his AFIS scanner to obtain an identification on the deceased. He determined the prints were either not good enough or the deceased had no prints on file.

I again walked the scene attempting to account for most of the deceased. I found what appeared to be a pair of mens shorts. It appeared there may be something in the pocket, so I donned a pair of gloves and examined the shorts. I found a black wallet with a WA DL in it belonging to (DEC) Jorge Alberto Lyon-Mendez. It appeared the deceased possibly matched the physicals of the DL, but it was impossible to know for sure. I found no scars/marks/tattoos on the larger pieces. Ofc. Bateman had KPD records run a criminal history report for Lyon-Mendez, no criminal history was found.

The King County Medical Examiner's Office sent Forensic Medicolegal Death Investigator Alison Myrabo to the scene. When she arrived I briefed her on what I knew. She provided me KCMEO case #19-1566. We then spent the next 2 hours recovering parts of the deceased.

Kent Fire Department personnel arrived and used their apparatus to conduct a "wash down" of the immediate area.

BNSF Police Officer M. Stapleton was on scene, providing their case #1952003011.

This investigation was conducted for documenting purposes only.

This incident occurred in the City of Kent, Washington.

By affixing my electronic signature below in the form of my type written name, I certify under penalty of perjury under the laws of the State of Washington that this report is true and correct.

K. Clay #178063

Dated July 25, 2019, in the City of Kent, Washington.

KENT POLICE DEPARTMENT CASE REPORT

220 4th Avenue South
Kent, WA 98032-5895
Phone: (253) 856-5800
Fax: (253) 856-6800

Reported Date
07/24/2019
Crime/Incident
DEATH (N)
Member#/Dept D#
BATEMAN, KP

Phone

Fax

Administrative Information

Agency KENT POLICE DEPARTMENT CASE REPORT		Case No 19-10523	Supplement No 0001	Reported Date 07/24/2019	Reported Time 19:16
Crime/Incident DEATH		Member#/Dept ID# 46295/BATEMAN, KP			Assignment TRAFFIC
Entered By 46295	Assignment TRAFFIC	RMS Transfer Successful	Prop Trans Stat Successful	Approving Officer 176431	Approval Date 07/25/2019
Approval Time 09:49:50					

Narrative

This incident occurred in the City of Kent, Washington.

On 07/24/2019 at approximately 1600 hrs I responded to a train vs pedestrian incident at S. 212th St and the BNSF rail crossing. By the time I had arrived Officer Clay had already advised that the pedestrian that was hit by the train was deceased. As I walked up to the tracks I could see that force of the high speed southbound commuter train's impact on the victim's body caused it to break apart into a few large, and numerous small pieces. Based on the debris field left by the body, it appeared that the probable point of impact was just south of the S. 212th crossing, on the eastern most track. From that point there were pieces of the victim's body strewn around the tracks for about a quarter mile south.

I initially began taking photos from the ground, but due to the sure size of the scene, I decided to use my issued DJI Mavic Pro drone to take aerial photos from the point of impact to where the train had stopped on the tracks. The photos were later downloaded to our Department's secure evidence server (VERIPIC). A copy of the photos were also provided to the Medical Examiner that responded.

It should be noted that the victim was identified by his WA CDL that Officer Clay had found in a wallet that was among the debris. I attempted to use my mobile AFIS scanner to confirm his identity, but no match was found by AFIS. I also had Kent Records run his criminal history, and nothing was found. This would explain why no print matches were found.

Once the Medical Examiner was done recovering the body, and Kent Fire had washed down the tracks closest to the S. 212th St crossing, I cleared the scene. This concluded my assistance with this case.

End Supplemental

By affixing my electronic signature below in the form of my type written name, I certify under penalty of perjury under the laws of the State of Washington that this report is true and correct.

Officer K. Bateman / 46295

Dated July 24, 2019, in the City of Kent, Washington.

KENT POLICE DEPARTMENT CASE REPORT

220 4th Avenue South
Kent, WA 98032-5895
Phone: (253) 856-5800
Fax: (253) 856-6800

Reported Date
07/25/2019
Crime/Incident
ACCIDENT (N)
Member#/Dept D#
BRENNAN, R

Phone

Fax

Administrative Information

Agency KENT POLICE DEPARTMENT CASE REPORT	Case No 19-10523	Supplement No 0002	Reported Date 07/25/2019	Reported Time 09:20
Crime/Incident ACCIDENT (NON AUTO)	Member#/Dept ID# 158426/BRENNAN, R			Assignment TRAFFIC
Entered By 158426	Assignment TRAFFIC	RMS Transfer Supplement Transfer Complete	Prop Trans Stat Successful	
Approving Officer 176431	Approval Date 07/26/2019	Approval Time 06:25:23		

WITNESS 1: ROEGELE, PAT E

Involvement WITNESS	Invl No 1	Type Individual/Person		
Name ROEGELE, PAT E			MNI 979527	Sex Female
DOB 07/23/1947	Age 72	Juvenile? No	RMS Transfer Successful	PRN 1672789
Type Home	Address PO BOX 134			
City FERNDALE	State WASHINGTON	Z P Code 98248	Date 07/25/2019	
Phone Type CELL	Phone No (360) 303-7619	Date 07/25/2019		

WITNESS 2: WILLIAMS, BAYLEE L

Involvement WITNESS	Invl No 2	Type Individual/Person		
Name WILLIAMS, BAYLEE L			MNI 979529	Sex Male
DOB 11/06/1992	Age 26	Juvenile? No	RMS Transfer Successful	PRN 1672790
Type Home	Address 29225 MILITARY RD S #E04			
City FEDERAL WAY	State WASHINGTON	Z P Code 98003	Date 07/25/2019	
Phone Type CELL	Phone No (360) 353-1616	Date 07/25/2019		

Narrative

On 7/24/19, about 1603 hours, I was dispatched to the BNSF railroad tracks at 77 Ave S and S 212 ST in the City of Kent, County of King, State of Washington in reference to a train vs pedestrian collision.

Upon arrival, I observed that a SB Sounder train was stopped on the eastern most track south of the intersection. The pedestrian was obviously deceased as his body had been obliterated and was strewn down the track SB from the intersection. Officer Clay and I walked the debris field to the where the train was at. I then checked under each train car to make sure there were no body parts stuck under them, which there weren't. While I was doing this, Dispatch advised that two witness had called 911 to report they saw the impact and were still onscene. I advised to get contact info and advise the witnesses I would be called them.

After finishing up at the train, I called WIT Pat Roegele. She stated that she was riding in the back seat of an EB car that had been stopped at the crossing. The car was driven by her husband and her grandchild was in the front seat. She stated that she saw the pedestrian laying on the tracks and several times he sat up, looked back, and laid back down. When the train reached him, Roegele stated that the pedestrian was "sucked up" into it. I asked her if she, her husband, or grandson would like a chaplain to call or meet them and she said no as they were doing ok.

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KENT POLICE DEPARTMENT CASE REPORT**Narrative**

I then called WIT Baylee Williams. He stated that he was stopped at the crossing facing WB. He said the pedestrian had been walking EB, walked onto the tracks, and laid down. Williams said he yelled at the pedestrian to get up. He too stated that the pedestrian sat up and looked back several times before the train hit him. Williams said he became physically ill after witnessing the incident and was having a hard time processing it. I told him I would have a chaplain call him, which Chaplain Fors did.

After speaking with the witnesses I assisted other officers and the ME with cleaning up the scene.

At the time of the this incident I was wearing my body camera which was uploaded per policy.

This ends my involvement in this case.

(IF APPLICABLE) Case Status Update : On (DATE)____N/A_____, I contacted the VICTIM/RP and informed them of the current status of this case.

By affixing my electronic signature below in the form of my type written name, I certify under penalty of perjury under the laws of the State of Washington that this report is true and correct.

R. Brennan__

Dated this 25 day of July , 2019 , in the City of Kent, Washington.