



Rail Incident Investigation Report

Docket No: TR- <input type="text" value="200019"/>		Report Date: <input type="text" value="10/15/2020"/>	
Railroad Owning Track: <input type="text" value="BNSF Railway Co."/>		Railroad Operating on Track: <input type="text" value="BNSF Railway Co."/>	
FRA Investigation: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		Inspector: <input type="text" value="Cal Stocking"/>	
I. Type of Accident			
Public Crossing <input checked="" type="checkbox"/>		Private Crossing <input type="checkbox"/>	
Trestle <input type="checkbox"/>		Pedestrian at Crossing <input type="checkbox"/>	
Pedestrian Not at Crossing <input type="checkbox"/>		Other (explain) <input type="checkbox"/> <input type="text"/>	
II. Time and Location of Accident			
Date: <input type="text" value="12/27/19"/>		Time: <input type="text" value="17:05"/>	
USDOT Crossing No.: <input type="text" value="929012P"/>		UTC Crossing No.: <input type="text" value="2C15.68"/>	
Railroad Milepost: <input type="text" value="15.7"/>		GPS Identifier: Lat: <input type="text" value="48.4691800"/> Lon: <input type="text" value="-122.3474500"/>	
Number of Tracks: <input type="text" value="One"/>		City: <input type="text" value="Burlington"/> County: <input type="text" value="Skagit"/>	
Road name, yard name, bridge: <input type="text" value="Garrett Road"/>			
III. Conditions Surrounding the Accident			
Weather: Clear to cloudy <input checked="" type="checkbox"/> Fog <input type="checkbox"/> Rain <input type="checkbox"/> Snow <input type="checkbox"/>			
Road Condition: Dry <input checked="" type="checkbox"/> Wet <input type="checkbox"/> Snow <input type="checkbox"/> Ice <input type="checkbox"/>			
Visibility Due to Weather: Daylight <input checked="" type="checkbox"/> Darkness <input type="checkbox"/> Unknown <input type="checkbox"/>			
Train Type: Freight <input checked="" type="checkbox"/> Passenger <input type="checkbox"/> Locomotive only <input type="checkbox"/> Cars only <input type="checkbox"/>			Train Speed: <input type="text" value="20"/>
Haz-Mat on Train: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>			Remote Control: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
Type of Haz-Mat: <input type="text"/>			
<input type="text" value="Mixed hazmat including UN1075 Liquefied Petroleum Gas"/>			
IV. Pedestrian, Driver, or Passenger Fatalities Does this section apply? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>			
Number of Fatalities: <input type="text" value="One"/>		if a vehicle accident, number of passengers: <input type="text"/>	
Name: <input type="text" value="Christopher Brock"/>			
Driver: <input checked="" type="checkbox"/> Passenger <input type="checkbox"/> Pedestrian <input type="checkbox"/>		Age: <input type="text" value="36"/> Gender: Male <input checked="" type="checkbox"/> Female <input type="checkbox"/> non-binary <input type="checkbox"/>	
Pedestrian trying to get on/off train? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		Suicide: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Undetermined <input type="checkbox"/>	
Alcohol: Yes <input type="checkbox"/> No <input type="checkbox"/> Undetermined <input checked="" type="checkbox"/>		Information supplied by: <input type="text"/>	
Drugs: Yes <input type="checkbox"/> No <input type="checkbox"/> Undetermined <input checked="" type="checkbox"/>		Information supplied by: <input type="text"/>	
Names of additional fatalities: <input type="text"/>			

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

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

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

Obvious signs of consistent pedestrian trespass? Yes _____ No _____
If yes, describe: _____
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 December 27, 2019 at approximately 17:05, Christopher Brock was being pursued by police, deputy Joshua Murdock was able to ultimately get directly behind the vehicle westbound on State Route 20, underneath Interstate 5. Upon the light changing to green at Nevitt Road and State Route 20, he was able to initiate a traffic stop on the vehicle. Deputy Murdock activated his emergency lights and the vehicle got into the right turn lane for a right turn onto Garrett Road which he assumed would ultimately lead him to his house. At this time Deputy Murdock pulled in behind him as it appeared he was going to stop the vehicle. At the same time a train was passing through the intersection, the crossing arms were down, and the lights were functioning. The driver of the vehicle he was attempting to stop then drove back out into the westbound lane of travel heading westbound, took a wide turn at Garret Road and State Route 20, and then headed directly northbound onto Garrett Road through the train crossing arms. The vehicle accelerated and slammed into the side of the train, becoming stuck in the train at approximately the middle car. The train then began to drag the vehicle westbound. Deputy Murdock pulled back into traffic and got up to the intersection of Garrett Road and State Route 20, and realized there was nothing he could do at that point except to request assistance from Medical, Fire, Washington State Patrol, Burlington Police Department, and BNSF Railway Co. He attempted to catch up to the train and stop it, and was successful in doing so near the grain building at Avon Allen Road and State Route 20. The vehicle caught fire and resulted in a fatality.

Site Description:

Garrett Road, USDOT 929012P is in the city of Burlington in Skagit county. The crossing is equipped with lights and gates and were operating properly at the time of the incident.

Inspector Recommendations:

No recommendation

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Rail Safety Supervisor Comments/Sign Off:

Reviewed and approved 10/15/2020 - EE

Director of Transportation Safety Comments/Sign Off:

Reviewed and approved to close - 10/27/2020 - KH



UTC Rail Safety Program - Crossing Inventory Record

USDOT #	929012P	Last Inspection Date	12/12/2019	Oil by Rail yes
UTC #	2C15.68	Road Name	Garrett Road	
Type of Crossing	Public	Section.Township.Range		
County	Skagit	Latitude	48.46918	
City/Nearest City	Burlington	Longitude	-122.34745	
In City Limits	Yes	Type of Development		

ROADWAY		Road Surface Grades	0	Grade Direction	North
State Highway	No	Road Surface Grades	0	Grade Direction	South
Down a Street	No	AADT		AAAT Year	
Highway Milepost		% of Trucks Using Crossing			
Vehicle Speed	35	Number of School Bus Trips	7		
Road Surface	PAV	WSDOT Region			
Road Type	2W	Truck Pullout Lanes	No		
Number of Road Lanes	3	Intersecting Highway	0-75'	75-200'	200-500'
Road Width	36	Crossing Angle (degree)	0-29	30-59	60-90
On Emergency Services Route			NW	NE	SW
Sight Distance - Take measurement 6' back from stop line. If no stop line, measure at 25'.			1500	150	1500

PASSIVE PROTECTION		N	S	E	W
Advance Warning Signs	Count	1			
Road Markings	Count	2			
Reflective Crossbucks	Count	2	1		
Reflective Posts (req. 1/2020)	Count				
Median Barriers	Count				
Stop Lines	Count	2			
Stop Lines	Distance	20			
Emergency Notification Signs	Count				
Illuminaries (within 50 ft. of crossing)	Count	2			

Miscellaneous	Device Count	Direction
Advance Warning W10-2	2	South

ACTIVE PROTECTION		Direction	Device Count	Cantilever Length	Gate Length
Protective Device		North	1	30	34
Cantilever Mntd - gates & 12" lens LED		South	1	0	34
Mast Mntd - gates & 12" lens LED					

Four Quadrant Gates	No	# of Flashing Light Pairs	7
Power Off Indicator Light	Yes	Cantilever Lights Over All Traffic Lanes	No
# of Bells	2	Traffic Light interconnection/Preemption	

TRAIN SPEEDS Freight		Passenger	
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CHARACTERISTICS		Wayside Horn	No
Crossing Structure		Quiet Zone	No
Crossing Surface	Concrete	Bike Lane	No
Other Crossing Surface:		USDOT # Posted	Yes
# Main Tracks	1	Railroad Emergency # Posted	Yes #
# Sidings / # Yard Tracks		Crossing Length / Width	
# Industry / # Transit Tracks	0		7
Sidewalk	None	Sidewalk stops at crossing	Sidewalk

COMMENTS
There are two crude oil trains a day as of 7-2014

From: Service, Interruption Desk
To: OPR DL (SI Desk Use ONLY) Cargorelated; OPR DL (SI Desk Use ONLY) North Region Incident; Johnson, Luke N; Morehouse, Craig; Moyer, Jason; Clark, Daniel P; Huston, Scott T; Melonas, Gus S; Wallace, Courtney
Cc: WUTC Rail Reporting (UTC); Halstead, Lori (UTC)
Subject: 122719 RNWE811127 - Vehicle - Burlington, WA
Date: Saturday, December 28, 2019 1:56:24 AM

Driver of vehicle fatally injured.

BNSF Fort Worth – Network Operations Center – INCIDENT REPORT

Date: 12-27-19			Time: 1907CT			MP: 15.17Z			D-Code: 19M704		
Time & Date Last Revised:			Divn: Northwest								
Subdivision: Anacortes Spur			State: WA			County: Skagit					
Line Segment:			409								
Nearest Station:			Burlington, WA								
Nearest Major Terminal (distance/direction):			Everett, WA								
Weather Conditions (Temp, wind, precipitation):			41°, Wind from the NE 4 MPH, Overcast								

Injuries or Fatalities?		(01) Confirmed Fatality		Employee?		No	
Name:				Craft:			

Symbol:		R-NWE8111-27		If Yard Job, is it Remote Control Operation?			
Lead Locomos:		BNSF 2094 - BNSF 2276 - BNSF 2516		L-E-T-F:		26-00-3204-1746	
DP Locomos:				Direction:		Eastbound	
Conductor: M A Smith		Engineer: D M Beech		Other:			
Prior Rest		Prior Rest		Prior Rest		Prior Rest	
On Duty Time/Date:		0930CT/27		Origin/Destination:		Everett, WA / Everett, WA	
Crew Interviewed by:		DTM Brandon Long					
Event Recorder/Camera:		Work request submitted to Everett Mechanical					

Locomotives video equipped?									
Lead Locomos	Y/N		Y/N		Y/N		Y/N		Y/N
BNSF 2094	Y	BNSF 2276	Y	BNSF 2516	Y				

Crossing Name:		Pulver Rd.		DOT:		092252D	
Equipped with:		Gates and Flashers		Functioning?		Yes	
Vehicle Direction:				Vehicle Description:		Passenger Vehicle	
Law Enforcement Agency:		Skagit County (WA) Sheriff's Office		Citations?			

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

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

Heavy equipment ordered:				
Equip. ETA:		Equipment Arrived:		Equipment Released:
Main Blocked?	Yes	Estimated Reopen:		Actual Reopen: 0039CT

Estimated Damages and Costs:			
\$	0	Track	Track, Track Structures, and Roadbed Damages.
\$	0	Signal	
\$	0	"Other"	Adjacent buildings, other private property, etc.
\$	Pending	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		Railcar/Trailer/Container Contents

		Prelim. Lading Loss Estimates	ONLY
	0	Trailer/Container Damages	Excludes contents. (Mktg-Equip Mtce Team – Ev ta Murdock)
\$	0	Not FRA Reportable Subtotal	
\$	0	Estimated Grand Total _____ (FRA Reportable Subtotal + Not FRA Reportable Subtotal)	

Cause Code:		Description:	
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Brief Narrative of Incident:

1905CT – ROCC reported train R-NWE8111-27 was struck by a vehicle on single main track at MP 15.17Z (Burlington) on the Anacortes Spur. Lead locomotive (BNSF 2094) is camera equipped. This incident occurred at a crossing equipped with gates and flashers. There are no reported injuries to the crew. The driver of the vehicle was fatally injured.

All disciplines have been notified with ETA's pending.

Closeout

0039CT/28 – Local authorities report the driver of the vehicle was fatally injured. B/O car (PROX 93682) has been set out to track 2575. All personnel are clear of the track.

Post Accident Testing (FRA):

Did this incident meet FRA Post Accident Testing criteria?	No	
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Contact MEH Dept at: (817) 352-1648 during normal business hours. (817) 352-1613 after hours, weekends and holidays. If no answer, page email Kimberly Farris 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.		
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Does the NOC GDT agree with the above analysis?	Yes	
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Craft being Post Accident Tested:	N/A	
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Notifications:

Time:	Entity:	Person Notified:	Reminders:																				
1909CT	Service Interruption:	EDH - ROCC	Include who notified SID.																				
1909CT	Resource Operations:	PCS Sandra Collins																					
	OPR DL Cargo related	Rpt. to distribution list.	Copy of this report																				
	DTM/Terminal Manager:	Brandon Long - notified by others	Get ETA, check Cell number.																				
	RFE:		Get ETA, check Cell number.																				
1914CT	Signal Desk:	Melvin Jackson	817-593-5998																				
1913CT	MOW Desk:	Stephen Cartrette	817-593-6823 Option 1																				
1912CT	Mechanical Desk:	Wayne Brumfield	817-593-9128																				
1934CT	NOC GDT:	Luke Johnson																					
1934CT	Div. General Manager:	Craig Morehouse																					
1934CT	Div. GDT:	Jason Moyer																					
1934CT	Corridor Supt:	Daniel Clark																					
	Div. Sup Ops / Term Sup:																						
	MDPR		817-352-1312																				
	Passenger Service:		Email report to Rich Wessler and Tamara Noel.																				
1934CT	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		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																				

	<p>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 group lists)</p>		<p>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>
	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
	<p>ChemTrec (USA) 800-424-9300</p> <p>CanuTec (Canada) 888-226-8832 or 613-996-6666</p>		<p>Call Emergency Number listed on the Waybill whenever a HAZ MAT car is involved in a derailment or damaged; whether leaking or not.</p> <p>Run TSS: WBCOPY & HAZ & EXCR</p>
2023CT	<p>NRC: 800 - 424 - 8802 (Initial SID Analysis) Examples for notifying: Passenger Train/Route \$150,000 incident Employee/Contractor Fatality</p>	Rpt. #1267440	Obtain their Report Number and name of person who took the report.
1939CT	State:	WA Emergency Operations - Rpt. #19-4585 copy of report to: utcrailreporting@utc.wa.gov and Lori.Halstead@utc.wa.gov	
	California - CUPA		
	Foreign Railroad:		
	Page "Go Team"		
This rpt	State Corporate Relations:	Gus Melonas Courtney Wallace	<p>If appropriate notify Mark Schulze.</p> <p>Copy of this report:</p> <p>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</p>
	Energy Desk:		<p>Notify the Energy Desk of crude oil train derailments: OPR DL Energy Desk managers 817-867-0021</p>

From: [State Emergency Operations Officer \(ML\)](#)
To: [Reed, Rob \(ECY\)](#); [DEM](#); [Hunter, Kathy \(UTC\)](#); [Kenneth W. Holgard](#); [Mark Daniels \(FRA\)](#); [Michael Pirato](#); [Stacey Thompson \(Fed Railroad Association Reg 8\)](#); [Stacey Weller](#); [Steven Travers](#); [WUTC Rail Reporting \(UTC\)](#)
Subject: Train Vs Vehicle- Burlington
Date: Friday, December 27, 2019 5:59:07 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: Call Number 1 -BNRR Train
Call Number 2- BNSF Trian

Reporting Party Name, Position and Contact Number: Call Number 1- Debbie/ Skagit County Dispatch / 360-428-3211
Call Number 2 -Ed Harper BNSF-/ 817-352-2833

Time and Date Called in to the State EOC: Call Number 1-1730/12-27-2019
Call Number 2- 1740/ 12-27-2019

Time and Date of the Event: 1700/ 12-27-2019

Mile post and/or Address of Event: Call Number 1 - State Route 20 and Garett Road... outside of Burlington WA
Call Number 2- DOT 092252D Pulzer Road Burlington.

Circumstances of the Incident: Train Vs Vehicle

Number of Injuries and/or Fatalities: Call Number 1- 1
Call Number 2 – Unknown

Type of Rail Cars Involved (tank, hopper, box, flat, etc.): Call Number 1- K20 Hazmat/ Odorless liquid butane
Call Number 2- Freight Train/ Train simple
RNWE811127

Type and Amount of HAZMAT spilled: No spill at this time

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

Name and Phone Local POC: currently. Call Number 1- Debbie/ Skagit County Dispatch / 360-428-3211

Call Number 2- Ed Harper BNSF-/ 817-352-2833

Railroad Incident Number: Call Number 1 - reference number for Skagit County- c19125293
Call Number 2- N/A

State EOC Incident Number: 19-4585

Samantha Williams

State Emergency Operations Officer
Washington Emergency Management Division
Building 20: MS: TA-20
Camp Murray, WA 98430-5122
dutyofficer@mil.wa.gov

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

1. Name of Reporting Railroad BNSF Railway Company [BNSF]				1a. Alphabetic Code BNSF		1b. Railroad Accident/Incident No. NW 1219203	
2. Name of Other Railroad or Other Entity Filing for Equipment Involved in Train Accident/Incident				2a. Alphabetic Code		2b. Railroad Accident/Incident No.	
3. Name of Railroad or Other Entity Responsible for Track Maintenance (single entry) BNSF Railway Company [BNSF]				3a. Alphabetic Code BNSF		3b. Railroad Accident/Incident No. NW 1219203	
4. U.S. DOT Grade Crossing ID No. 929012P				5. Date of Accident/Incident month day year 1 2 2 7 2019		6. Time of Accident/Incident 5:09 AM <input type="checkbox"/> PM <input checked="" type="checkbox"/>	
7. Nearest Railroad Station BURLINGTON		8. Subdivision BELLINGHAM		9. County SKAGIT		10. State Abbr. WA Code 53	
11. City (if in a city) BURLINGTON			12. Highway Name or No. GARRETT RD			Public <input checked="" type="checkbox"/> Private <input type="checkbox"/>	
Highway User Involved				Rail 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 L. 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) Code 1			
14. Vehicle Speed (est. mph at impact) 50		15. Direction (geographical) 1. North 2. South 3. East 4. West Code 1		18. Position of Car Unit in Train 14			
16. Position 1. Stalled or stuck on crossing 2. Stopped on Crossing 3. Moving over crossing 4. Trapped on crossing by traffic 5. Blocked on crossing by gates Code 3				19. Circumstance 1. Rail equipment struck highway user 2. Rail equipment struck by highway user Code 2			
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) 40 °F		22. Visibility (single entry) 1. Dawn 2. Day 3. Dusk 4. Dark Code 3		23. Weather (single entry) 1. Clear 2. Cloudy 3. Rain 4. Fog 5. Sleet 6. Snow Code 3			
24. Type of Equipment (single entry) 1. Freight Train 2. Passenger Train-Pulling 3. Commuter Train-Pulling 4. Work Train 5. Single Car 6. Cut of cars 7. Yard/Switching 8. Light loco(s) 9. Maint./inspect. car 10. Spec. MoW Equip. 11. Passenger Train-Pushing 12. Commuter Train-Pushing D. EMU E. DMU Code 1				25. Track Type Used by Rail Equipment Involved 1. Main 2. Yard 3. Siding 4. Industry Code 1		26. Track Number or Name SINGLE MAIN TRACK	
27. FRA Track Class (1-9,X) 2		28. Number of Locomotive Units 3		29. Number of Cars 26		30. Consist Speed (Recorded speed if available) R. Recorded 20 mph E. Estimated Code E	
31. Time Table Direction 1. North 2. South 3. East 4. West Code 2				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(s) 01 02 03 05 06 07			
33. Signaled Crossing Warning (See reverse side for instructions and codes) Code 1				34. Roadway Conditions A. Dry B. Wet C. Snow/Slush D. Ice E. Sand, Mud, Dirt, Oil, Gravel F. Water (Standing, Moving) Code B			
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 Code 1			37. Crossing Illuminated by Street Lights or Special Lights 1. Yes 2. No 3. Unknown Code 1	
38. Highway User's Age 1. Male 2. Female Code 1		39. Highway User's Gender Code 1		40. Highway User Went Behind or in Front of Train and Struck or was Struck by Second Train 1. Yes 2. No 3. Unknown Code 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 Code 7	
42. Driver Passed Standing Highway Vehicle 1. Yes 2. No 3. Unknown Code 2				43. View of Track Obscured by (primary obstruction) 1. Permanent Structure 2. Standing railroad equipment 3. Passing Train 4. Topography 5. Vegetation 6. Highway Vehicles 7. Other (specify) 8. Not Obstructed Code 8			
Casualties to:		Killed		Injured		44. Driver was 1. Killed 2. Injured 3. Uninjured Code 1	
46. Highway-Rail Crossing Users 1 0		47. Highway Vehicle Property Damage (est. dollar damage) \$0		45. Was Driver in the Vehicle? 1. Yes 2. No Code 1			
49. Railroad Employees 0 0		50. Total Number of People on Train (include passengers and train crew) 2		48. Total Number of Vehicle Occupants (including driver) 1			
52. Passengers on Train 0 0		51. Is a Rail Equipment Accident / Incident Report Being Filed 1. Yes 2. No Code 2					
53a. Special Study Block Video Taken? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Video Used? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				53b. Special Study Block			
54. Narrative Description (Be specific, and continue on separate sheet if necessary) USER'S AGE UNKNOWN ROCC REPORTED TRAIN R-NWE8111-27 WAS STRUCK BY A VEHICLE ON SINGLE MAIN TRACK AT MP 15.7 (BURLINGTON) ON THE ANACORTES SPUR FATALITY							
55. Typed Name and Title				56. Signature		57. Date	

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: [Reed, Rob \(ECY\)](#); [ECY.RE NWRO ERTS](#); [DEM](#); [Hunter, Kathy \(UTC\)](#); [Kenneth W. Holgard](#); [Mark Daniels \(FRA\)](#); [Michael Pirato](#); [Stacey Thompson \(Fed Railroad Association Reg 8\)](#); [Stacey Weller](#); [Steven Travers](#); [WUTC Rail Reporting \(UTC\)](#)
Subject: Train vs vehicle - Skagit County - NRC#1267440
Date: Friday, December 27, 2019 6:35:09 PM

All,

This is the NRC that accompanies the earlier report.

Please confirm receipt.

Scott Caldwell
State Emergency Operations Officer
Washington Emergency Management Division
Building 20: MS: TA-20
Camp Murray, WA 98430-5122
dutyofficer@mil.wa.gov

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

From: HQS-PF-flidr-NRC@uscg.mil <HQS-PF-flidr-NRC@uscg.mil>
Sent: Friday, December 27, 2019 6:36 PM
To: DUTYOFFICER@EMD.WA.GOV; State Emergency Operations Officer (MIL) <Dutyofficer@mil.wa.gov>; State Emergency Operations Officer (MIL) <Dutyofficer@mil.wa.gov>; Clark, Anthony B (MIL) <Anthony.Clark@mil.wa.gov>
Subject: NRC#1267440

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 # 1267440

INCIDENT DESCRIPTION

*Report taken by NRC at 21:28 on 27-DEC-19

Incident Type: RAILROAD NON-RELEASE

Incident Cause: TRESPASSER

Affected Area:

Incident occurred on 27-DEC-19 at 17:07 local incident time.

Affected Medium: RAIL REPORT (N/A) / TRESPASSER

REPORTING PARTY

Name: ED HARPER
Organization: BNSF RAILWAY
Address: 2650 LOU MENK DRIVE
FORT WORTH, TX 76131
Email Address:

PRIMARY Phone: (817)3522833

Type of Organization: PRIVATE ENTERPRISE

SUSPECTED RESPONSIBLE PARTY

Name: UNKNOWN

Organization:

Address:

Type of Organization: UNKNOWN

INCIDENT LOCATION

MILEPOST 15.17Z County: SKAGIT

SUB ANA CORTES

City: BURLINGTON State: WA

RELEASED MATERIAL(S)

DESCRIPTION OF INCIDENT

CALLER REPORTED A FREIGHT TRAIN FATALLY STRUCK A VEHICLE TRESPASSER AT A GRADE CROSSING ON A RAIL TRACK RESULTING IN A SINGLE FATALITY.

SENSITIVE INFORMATION

INCIDENT DETAILS

Grade Crossing: YES

Location Subdivision: ANA CORTES

Railroad Milepost: 15.17Z

Type of Vehicle Involved: PASSENGER CAR

Crossing Device Type: GATES/FLASHERS

Device Operational: YES

DOT Crossing Number: 092252D

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: NO

Passenger Train Delay Expected: NO

Passenger Train Delay Handling:

---RAILROAD INFORMATION---

Railroad Involved: BNSF RAILWAY

Train Number: RNWE811127

Train Type: FREIGHT Train Direction: E

Train Speed: Track Speed:

Locomotives: 3 Cars: 26 Derailed:

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: 1

EVACUATIONS: NO Who Evacuated: Radius/Area:

Damages: NO

Closure Type	Description of Closure	Hours Closed	Direction of Closure
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Air: NO

Road: YES PULZER ROAD Major 1.5 ALL Artery:NO

Waterway:NO

Track: YES SINGLE LINE TRACK 1.5 ALL

Passengers Transferred: NO

Environmental Impact: UNKNOWN

Media Interest: UNKNOWN Community Impact due to Material:

REMEDIAL ACTIONS

THE TRACK IS STILL CLOSED PENDING INVESTIGATION.

Release Secured: UNKNOWN

Release Rate:

Estimated Release Duration:

WEATHER

Weather: UNKNOWN, °F

ADDITIONAL AGENCIES NOTIFIED

Federal:

State/Local: WA EMERGENCY OPERATIONS

State/Local On Scene:

State Agency Number: 19-4585

NOTIFICATIONS BY NRC

CENTERS FOR DISEASE CONTROL (GRASP)

27-DEC-19 21:35 (770)4887100

CGIS D13 FIELD OFFICE (CGIS D13 COMMAND CENTER)

27-DEC-19 21:35 (206)2207141

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

27-DEC-19 21:35

AZ OFFIC OF INTEL AND ANALYSIS (FIELD INTELLIGENCE AND INTEGRATION DIVI

27-DEC-19 21:35 (480)3752552

CUSTOMS AND BORDER PROTECTION (INTEL BRANCH/BLAINE SECTOR)

27-DEC-19 21:35 (360)4107222

DHS DEFENSE THREAT REDUCTION AGENCY (CHEMICAL AND BIOLOGICAL TECHNOLOGI

27-DEC-19 21:35 (703)7673477

NATIONAL COORDINATING CTR FOR COMMS (NCC COMM-ISAC)

27-DEC-19 21:35 (703)2355626

DHS CYBER & INFRASTRUCTURE SECURITY (OFC OF INFRASTRUCTURE PROTECTION R

27-DEC-19 21:35 (202)8215301

OFFICE OF INFRASTRUCTURE PROTECTION (WA STATE PROTECTIVE SECURITY ADVIS

27-DEC-19 21:35 (202)8053379

DOT CRISIS MANAGEMENT CENTER (MAIN OFFICE)

27-DEC-19 21:35 (202)3661863

FEDERAL RAILROAD ADMIN. (MAIN OFFICE (AUTO))

27-DEC-19 21:35 (202)4930636

FEMA REGION 10 (MAIN OFFICE)

27-DEC-19 21:35 (425)4874704

LUMMI INDIAN BUSINESS COUNCIL (NATURAL RESOURCES DEPARTMENT)

27-DEC-19 21:35 (360)3127119

NATIONAL HWY TRANS SAFETY ADMIN (MAIN OFFICE)

27-DEC-19 21:35 (202)4412924
NATIONAL INFRASTRUCTURE COORD CTR (MAIN OFFICE)
27-DEC-19 21:35 (202)2829201
NOAA RPTS FOR WA (MAIN OFFICE)
27-DEC-19 21:35 (206)5264911
NTSB RAIL (MAIN OFFICE)
27-DEC-19 21:35 (202)3146293
OREGON TITAN FUSION CENTER (FUSION COMMAND CENTER)
27-DEC-19 21:35 (877)6204702
OCCUPATIONAL SAFETY & HEALTH ADMIN (MAIN OFFICE)
27-DEC-19 21:35 (801)9180995
WA STATE EMERGENCY MANAGEMENT (MAIN OFFICE)
27-DEC-19 21:35 (800)2585990
TSA OFFICE OF SECURITY OPERATIONS (SURFACE OPS/PSAT - OREGON OFFICE)
27-DEC-19 21:35 (614)7328440
TSA SURFACE TRANSPORTATION SECURITY (TWIC ENFORCEMENT)
27-DEC-19 21:35 (206)3875236
USCG DISTRICT 13 (DISTRICT THIRTEEN (DRAT - DRMM))
27-DEC-19 21:35 (206)2207221
VOLPE CENTER (TRANSPORTATION HUMAN FACTORS)
27-DEC-19 21:35 (617)4942000
WASHINGTON STATE FUSION CENTER (FUSION COMMAND CENTER)
27-DEC-19 21:35 (877)8439522
WASHINGTON STATE NATIONAL GUARD (COMMAND CENTER)
27-DEC-19 21:35 (253)5128159
WA UTILITIES & TRANSPORTATION COMM (RAILROAD SAFETY)
27-DEC-19 21:35 (360)6641160

ADDITIONAL INFORMATION

*** END INCIDENT REPORT #1267440 ***
Report any problems by calling 1-800-424-8802
PLEASE VISIT OUR WEB SITE AT <http://nrc.uscg.mil>



STATE OF WASHINGTON
POLICE TRAFFIC
COLLISION REPORT



1591971

REPORT NO. **E998894**

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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 type="checkbox"/>	STOLEN VEHICLE <input type="checkbox"/>
COUNTY RD <input checked="" type="checkbox"/>	PRIVATE WAY <input type="checkbox"/>	HIT & RUN INVOLVED <input type="checkbox"/>

CASE #	19-027756	
LOCAL AGENCY CODING		
TOTAL # OF UNITS	2	OBJECT STRUCK

DATE OF COLLISION	M M D D Y Y Y Y	TIME (2400)	COUNTY #	MILES	CITY #
	12 - 27 - 2019	1700	29		0140
ON (PRIMARY TRAFFIC WAY) INTERSECTION <input checked="" type="checkbox"/> NON-INTERSECTION <input type="checkbox"/>					

GARRETT ROAD	BLOCK NO.	100
DISTANCE	MILES	OF (REFERENCE OR CROSS STREET)
		SR 20

UNIT 01	MOTOR VEHICLE <input checked="" type="checkbox"/>	PEDAL-CYCLE <input type="checkbox"/>	DAMAGE THRESHOLD MET YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	PHONE
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LAST NAME	BROCK	FIRST NAME	CHRISTOPHER	MIDDLE INITIAL	M
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STREET NEW ADDRESS	747 WESTPOINT CT
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CITY	BURLINGTON	ST	WA	ZIP	98233
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CDL	RESTRICTIONS	ENDORSEMENTS
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DRIVER'S LICENSE #	(4b)	STATE	WA	SEX	M	D.O.B. MMDDYYYY	9 - 28 - 1983
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ON DUTY <input type="checkbox"/>	STATUS	AIRBAG	9	RESTR.	9	EJECT	9	HELMET USE	INJURY CLASS	2	NATURE OF INJURIES	DEAD AT SCENE
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LICENSE PLATE #	BPA7662	STATE	WA	VIN#	5NPD74LF5KH435770
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TRAILER PLATE #	STATE	TRAILER PLATE #	STATE
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VEH. YEAR	2019	MAKE	HYUN	MODEL	ELANTRA	STYLE	4T	VEHICLE TOWED YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	TOWED BY	CARLS TOWING	GOVT. VEHICLE YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
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REGISTERED OWNER INFO.	OWNED BY DRIVER	VEHICLE NO. 1 SHADE IN DAMAGED AREA
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LIABILITY INSURANCE IN EFFECT	INSURANCE CO & POLICY #	VEHICLE LEGALLY STANDING YES <input type="checkbox"/> NO <input type="checkbox"/>	CITATION #	CHARGE
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UNIT 02	MOTOR VEHICLE <input type="checkbox"/>	PEDAL-CYCLE <input type="checkbox"/>	PEDESTRIAN <input type="checkbox"/>	PROPERTY OWNER <input checked="" type="checkbox"/>	DAMAGE THRESHOLD MET YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	PHONE
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LAST NAME	NORTHERN SANA FE	FIRST NAME	BURLINGTON	MIDDLE INITIAL	M
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STREET NEW ADDRESS	605 PUJALLUP AVE #803
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CITY	TACOMA	ST	WA	ZIP	98421
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CDL	RESTRICTIONS	ENDORSEMENTS
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DRIVER'S LICENSE #	STATE	SEX	D.O.B. MMDDYYYY
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ON DUTY <input type="checkbox"/>	STATUS	AIRBAG	RESTR.	EJECT	HELMET USE	INJURY CLASS	NATURE OF INJURIES
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LICENSE PLATE #	STATE	VIN#
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TRAILER PLATE #	STATE	TRAILER PLATE #	STATE
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VEH. YEAR	MAKE	MODEL	STYLE	VEHICLE TOWED YES <input type="checkbox"/> NO <input type="checkbox"/>	TOWED BY	GOVT. VEHICLE YES <input type="checkbox"/> NO <input type="checkbox"/>
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REGISTERED OWNER INFO.	VEHICLE NO. 2 SHADE IN DAMAGED AREA
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LIABILITY INSURANCE IN EFFECT	INSURANCE CO & POLICY #	VEHICLE LEGALLY STANDING YES <input type="checkbox"/> NO <input type="checkbox"/>	CITATION #	CHARGE
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OFFICER'S NAME (PRINT)	PASTERNAK, ANTHONY	BADGE OR ID #	979	AGENCY	WASHINGTON STATE PATROL
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1591972

REPORT NO. **E998894**

CASE # 19-027756

ADDITIONAL PERSONS INVOLVED (PASSENGERS AND/OR WITNESSES ONLY)

NAME (LAST, FIRST, MIDDLE INITIAL)											
ADDRESS & PHONE #										SEX	D.O.B. MMDDYYYY
PASSENGER <input type="checkbox"/>	WITNESS <input type="checkbox"/>	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 <input type="checkbox"/>	WITNESS <input type="checkbox"/>	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 <input type="checkbox"/>	WITNESS <input type="checkbox"/>	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)

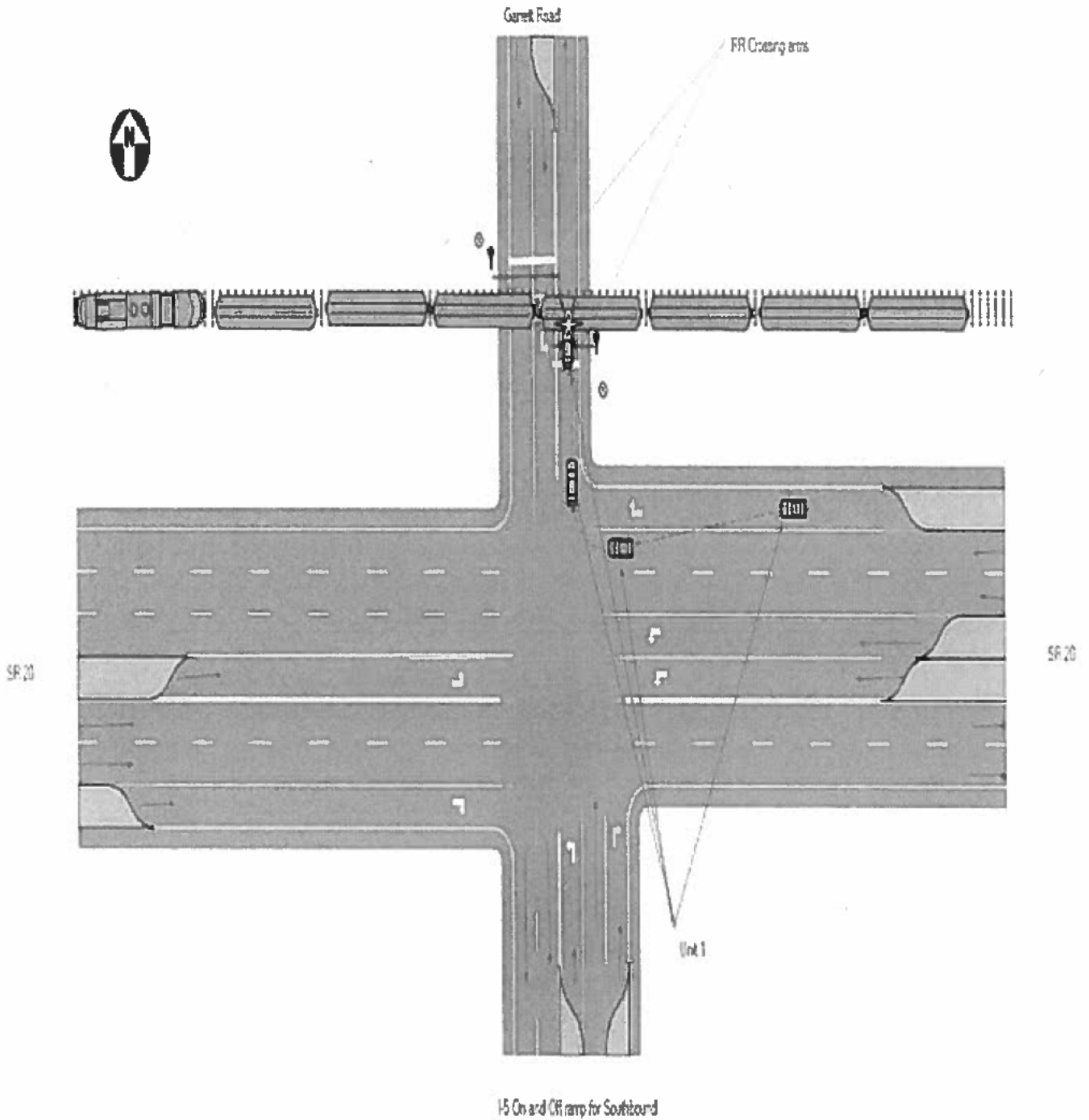
I CERTIFY (DECLARE) UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT THE FOREGOING IS TRUE AND CORRECT. (RCW 9A.72.085)

ANTHONY PASTERNAK		12/31/2019	
INVESTIGATING OFFICER'S SIGNATURE	UNIT OR DIST. DET	DATED	PLACE SIGNED
APPROVED BY	Betts, Sgt. Scott 216		DATE
BADGE OR ID #	979	ORI #	WAWSP0711
TIME POLICE DISPATCHED	5:08 PM	TIME POLICE ARRIVED	5:30 PM

Narrative

Unit one was traveling WB on State Route 20 at Garrett Road. A Skagit County Deputy attempted to stop the driver of unit one. The driver made a wide turn around several other vehicles and drove through the RR crossing arms impacting the train cars.

State Route 20 at Garrett Road





SKAGIT COUNTY SHERIFF

Incident Report

Incident #: 19-18441

Incident: TRAIN VS VEHICLE

Area: SCSO AREA- BURLINGTON

Location: GARRETT RD / SR 20

When Reported: 17:05:57 12/27/19

Occurred Between: 17:04:11 12/27/19

And: 17:04:11 12/27/19

COMPLAINANTS:

1) **Name:** SKAGIT COUNTY SHERIFFS OFFICE,

DOB: **/**/**

Race/Sex: /

Address: 600 S 3RD ST; SCSO; #100

MOUNT VERNON, WA 98273

Home Phone: (360)416-1911

Work Phone: (360)416-1914 PRIV

Employer:

DECEASED:

1) **Name:** BROCK, CHRISTOPHER MICHAEL

DOB: 09/28/83

Race/Sex: W/M

Address: ;DECEASED

Home Phone: (360)540-6337

Work Phone: () -

Employer: KROGER/FRED MEYER

WITNESSES:

1) **Name:** WILSON, TIMOTHY M

DOB: 07/27/72

Race/Sex: W/M

Address: 165 W RIO VISTA AVE; WOODYS CAR WASH

BURLINGTON, WA 98233

Home Phone: (425)766-4339

Work Phone: () -

Employer:

PROPERTY INFORMATION:

1) **Status:** EVIDENCE 1-14

Item Type: CD

Item/Brand: PHOTO

Model:

Serial Number:

Color: /

Quantity:

Total Value: \$

Description:

2) **Status:** EVIDENCE 1-15

Item Type: CD

Item/Brand: PHOTO	Model:
Serial Number:	Color: /
Quantity:	Total Value: \$
Description:	
3) Status: EVIDENCE 1-65	Item Type: CD
Item/Brand: PHOTO	Model:
Serial Number:	Color: /
Quantity:	Total Value: \$
Description:	

VEHICLE INFORMATION:

1) Status: VEHICLE #1	License: BPA7662	State: WA
VIN: 5NPD74LF5KH435770	Expires: 06/21/20	Year: 2019
Make: HYUN	Model: ELANT	Type: PCAR
	RA	
Color: BLK/	Doors: 0	Value: \$
Description:		

NARRATIVE:

Name: MORGAN B
 CORRECT NATURE: TRAIN/VEHICLE ACCIDENT

SUPPLEMENTAL NARRATIVE:

Name: MURDOCK J
Date: 05:04:26 12/30/19
 DEP J MURDOCK/GMCD, Transcribed December 30, 2019

On 12/27/19, at approximately 1658 hours, I was on patrol in the area of Interstate 5 and George Hopper Road, within the Burlington area of Skagit County. While on patrol in the area I spotted a darker colored, possibly black 2019 Hyundai Elantra, bearing Washington license plate #BPA7662, which appeared to be driving erratically. I followed the vehicle for approximately one mile and observed the driver's side tire cross over the yellow I5 shoulder line approximately four times. I then watched as the vehicle's passenger side tire also crossed over the white dividing line between the lanes of Interstate 5 upwards of five times. This happened several times back and forth for the entire time I was following the vehicle.

When the vehicle would cross over a line too far to swerve back the driver would just assume the new lane but still have a hard time staying in the lines. The driver of the vehicle did this several times and had a hard time generally maintaining his lane. The driver erratically changed lanes approximately 3 times and never used his signal. I continued to follow the vehicle and try to get behind the vehicle to make a stop on it; however, I was unable to do so effectively due to traffic and positioning. I followed the vehicle off of the freeway.

Upon getting off of the freeway at State Route 20, the vehicle again crossed the

center dividing line of the Interstate 5 off-ramp without using a signal and maintained that lane for a brief period of time. The vehicle then stopped for a stoplight and I was able to review the registration that I had run on my MDC. The registration showed the vehicle returned to ALYSSIA and CHRISTOPHER BROCK of 747 Westpoint Court, in Burlington. Knowing where Westpoint Court was in Burlington, I assumed that was where the driver was going, based on the observation of the vehicle being in the left turn lane.

I was able to ultimately get directly behind the vehicle WB on State Route 20, underneath Interstate 5. Upon the light changing to green at Nevitt Road and State Route 20, I was able to initiate a traffic stop on the vehicle. I activated my emergency lights and the vehicle got into the right turn lane for a right turn onto Garrett Road which I assume would ultimately lead him to his house. At this time I pulled in behind him as it appeared he was going to stop. At the same time a train was passing through that intersection, the crossing arms were down, and the lights were functioning. The driver of the vehicle I was attempting to stop then drove back out into the WB lane of travel heading WB, took a wide turn at Garret Rd and HWY 20, and then headed directly northbound onto Garrett Road through the train crossing arms. The vehicle accelerated and slammed into the side of the train, becoming stuck in the train at approximately the middle car. The train then began to drag the vehicle westbound. I pulled back into traffic and got up to the intersection of Garrett Road and State Route 20, and realized there was nothing I could do at that point except for request assistance from MED/Fire, Washington State Patrol, a supervisor, the Burlington Police Department, and Burlington Northern. I attempted to catch up to the train and stop it, and was successful in doing so near the grain building at Avon Allen Road and State Route 20. With me at that time was an off-duty firefighter, identified as TIMOTHY WILSON. He advised he was willing to help, if needed.

Upon getting to the area of the vehicle where the train had stopped, I observed that the vehicle became fully engulfed in flames. I attempted to read out the cargo container number on the train tanker, but I was unable to do so. I was able to take a couple photos of the vehicle while fire crews were getting set up. I later logged them into evidence. Fire was able to extinguish the flames and I drove to the intersection of Avon Allen Road and State Route 20, where I met with Skagit County Sheriff's Office SERGEANT MORGAN. At that time I advised him of what had happened, and SERGEANT MORGAN was making the appropriate calls. I stood by until I was needed somewhere at this point.

I later spoke with Skagit County Sheriff's Office SERGEANT SIGMAN, who escorted me back to the Skagit County Sheriff's Office. Once at the Skagit County Sheriff's Office I was photographed in uniform, 360 degrees and my patrol vehicle was also photographed 360 degrees, as well as having a video of my video taken with the emergency lights activated.

12/29/19 1613 DEPUTY JOSHUA MURDOCK

gmcd

SUPPLEMENTAL NARRATIVE:

Name: MORGAN B

Date: 04:50:09 12/30/19

SGT B MORGAN/GMCD, Transcribed December 30, 2019

On 12/27/19, at approximately 1659 hours, DEPUTY MURDOCK called out a traffic stop on a Hyundai Elantra, Washington license #BPA7662, on State Route 20 at Garrett Road, in Burlington city limits, in Skagit County. A few seconds later I overheard DEPUTY MURDOCK state that the vehicle had struck the train and was being pulled westbound. DEPUTY MURDOCK requested that Dispatch alert Burlington Northern Railroad to advise them to stop the train. At approximately 1702 hours DEPUTY MURDOCK advised that the train was still rolling. A couple of minutes later he reported that the car was on fire. I was responding from Anacortes.

I understood that the car was on fire and stuck underneath a petroleum tanker car. While I was responding, we coordinated shutting down State Route 20 east and west of the train, which ended up stopping just east of Avon Allen Road, approximately 1.5 miles west of Garrett Road. As I arrived in the area, I observed that a Burlington Police Officer already had traffic shut down westbound SR-20 at Avon Allen Road. I observed flames and smoke coming from the fire on the tracks a few hundred yards to the east. Fire Department personnel were on scene and able to extinguish the fire quickly.

DEPUTY MURDOCK met me and described what happened. DEPUTY MURDOCK advised me that he had observed the Hyundai Elantra on Interstate 5 northbound. They exited and made a left hand turn onto westbound State Route 20. DEPUTY MURDOCK suspected the driver may be intoxicated. DEPUTY MURDOCK told me he activated his emergency lights and attempted to stop the vehicle in the area of the right hand turn lane for Garrett Road. As DEPUTY MURDOCK initiated his lights, the driver pulled around other vehicles, which were stopped for the moving train, and made a right hand turn onto northbound Garrett Road. Immediately after the vehicle struck the train. DEPUTY MURDOCK was visibly distraught. SERGEANT SIGMAN arrived shortly thereafter and stayed with DEPUTY MURDOCK. I notified UNDERSHERIFF CLARK in accordance with the callout list.

We requested that the Washington State Patrol respond to investigate. I moved over to the westbound lanes of State Route 20. Washington State Patrol had just arrived on the scene. There were several fire and aid personnel present. I was directed to human remains, which were outside of the burned out car. Those remains were some distance east from the car, which was still stuck under the tanker car. There was a human head and torso approximately one hundred yards east of the car. Those remains were directly under the tanker axles and difficult to examine closely at that time. The body was severely disfigured and was obviously deceased. A short distance east from those remains I observed what appeared to be a leg bone fragment. Near there I observed a lower leg and foot that had been amputated at about the knee. I observed additional tissue and blood spatter further east. Other spots of blood, human tissue, and clothing were observed back to the location of the last tanker car. I took some photographs, which will be entered into Evidence under #1-14. Fire personnel had walked from Garrett Rd 1.5 miles to the train. They reported finding nothing until reaching the last (back) train car.

Vehicle license #BPA7662 is a 2019 Hyundai Elantra, registered to CHRISTOPHER MICHAEL BROCK and ALYSSIA FAITH BROCK at 747 Westpoint Court, in Burlington. That address is near the intersection with State Route 20 and Garrett Road. The human remains were from a male subject. The head and torso were face down and under the train car axles. A positive identification could not be made at that time.

The Washington State Patrol Sergeant on the scene was CLIFF ROBERTS.
(WSP Case #19-027756) SERGEANT ROBERTS brought out a Washington State Patrol

Detective, as well as numerous Troopers to assist with the investigation. They brought out technical Equipment and were able to document the scene in detail.

Burlington Northern Santa Fe Police Officer DAN SARTAIN also responded. He forwarded me information on this particular train, which consisted of a locomotive, followed by a box car, and approximately 24 liquefied petroleum tanker cars. I am unaware if they had product onboard, as they were westbound towards the refineries. Information that OFFICER SARTAIN provided indicated this train weighed 3204 tons. That information also included names of the three personnel onboard the train. I will attach this information to the case file.

After being alerted to stop, the crew onboard the locomotive observed the fire, which was approximately eleven cars back from the locomotive. At that point they disconnected the locomotive from the tanker cars and moved to a safer location westbound. As is standard procedure the involved train crew was relieved.

It took several hours for the Washington State Patrol to complete their investigation. WSP summoned a wrecker to extract the Hyundai Elantra from underneath the tanker car. Afterwards a Burlington Northern Santa Fe expert inspected the car and determined it to be structurally sound. There was some deformation to the tank. The expert told me that was only the outer shell of the tanker car. The inner shell, which carries the product, was believed to be unaffected.

At approximately 2200 hours Burlington Northern Santa Fe was cleared to re couple the locomotive to the tanker cars with a replacement crew. They pulled the tanker cars further westbound to allow us access to the human remains.

Skagit County Deputy Coroner JAMES was on the scene, along with a male assistant. JAMES collected the smaller human remains prior to the train being moved. After the train was moved, he had clear access to the head and torso. Those remains were face down. As Deputy Coroner JAMES turned the remains over, I observed that the face appeared to match the mug shot for CHRISTOPHER MICHAEL BROCK. He also had some work identification in his pocket, identifying him as CHRISTOPHER BROCK. The remains were loaded into the Coroner van. Washington State Patrol SERGEANT ROBERTS advised that they would be making the next of kin notification.

12/28/19 0008 SERGEANT BRIAN MORGAN

gmcd

SUPPLEMENTAL NARRATIVE:

Name: SIGMAN K

Date: 05:28:42 12/30/19

SGT K SIGMAN/GMCD, Transcribed December 30, 2019

On 12/27/19, at about 1700 hours, I overheard DEPUTY MURDOCK making a traffic stop on a vehicle near State Route 20 and Garrett Road. He advised several seconds later that the vehicle had fled and turned around the corner onto Garrett Road, and then run into a train. He stated the train was pulling the vehicle westbound along the railroad tracks.

DEPUTY MURDOCK asked for aid and fire to respond, and requested that State Patrol respond, asked that Dispatch contact the railroad to have them get the train to stop, and he sped along the tracks to the front of the train in order to signal the driver and get the driver to stop, which he eventually did. SERGEANT MORGAN responded and took over the management of the scene. DEPUTY HOLMES also responded and assisted with traffic control, and a Burlington Officer responded to assist with traffic control as well. I responded in order to stand by with DEPUTY MURDOCK and assist him through the investigative process.

I arrived on the scene at about 1716 hours and went to the intersection of State Route 20 and Avon Allen Road, where eastbound traffic had been stopped. Westbound traffic had been stopped at Pulver Road and State Route 20. DEPUTY HOLMES was down at Pulver Road and State Route 20, and a Burlington Officer was at Avon Allen Road and State Route 20. I contacted DEPUTY MURDOCK at that location and SERGEANT MORGAN was also present at that time.

I initially made contact with DEPUTY MURDOCK. He was not wearing his vest and appeared to be visibly shaken to me at this time. His eyes were watery and he was looking back towards the scene of the accident, and speaking with SERGEANT MORGAN. I asked DEPUTY MURDOCK if he was okay, and he said that he was fine. He was not involved in any of the accident at all.

The Burlington Officer approached me and advised me that he was having a hard time getting traffic to stop at this location because he did not have a cone for his light. I provided him with my flashlight and cone so that he could better direct traffic. I also asked Dispatch to contact the Department of Transportation to have someone come out and assist with maintaining the road closure so that the Burlington Officer could secure when he needed to leave. Since he was having a hard time directing traffic, I lit several flares and put them all across State Route 20 to keep the road closed and to create a visual barrier so that the traffic would not try to go through.

DEPUTY MURDOCK advised me that he was behind the vehicle that was involved in the train verses vehicle motor vehicle accident. He said that the vehicle had failed to signal numerous times and that he was swerving in his lane and had gone across the center divider. DEPUTY MURDOCK believed the driver to be possibly DUI, and he decided to initiate a traffic stop on State Route 20 at Garrett Road. The driver of the vehicle began to pull the vehicle to the right side of the road, where there was a turn lane. There were many cars that were stopped in the turn lane due to the presence of a train going by along State Route 20 and crossing Garrett Road. As the driver got towards the right lane, he apparently decided that he did not want to stop there, so he went around traffic by swerving back into the westbound lanes, accelerating and turning in front of all of the waiting traffic in the turn lane. The vehicle crashed through the railroad arms that were down, and ran right into the train. The train started pulling the vehicle westbound along the train tracks. DEPUTY MURDOCK advised that he received information from a person who was parked on Garrett Road, facing southbound, as if they were going to access the freeway. They were on the south side of the train, and observed the incident. They provided their name and their phone number. The person's name was TIMOTHY WILSON, and his phone number was #425-766-4339. DEPUTY MURDOCK advised that after the initial shock of what had occurred, he started speeding along the railroad with his lights going and tried to signal to the train engineer to stop the train. The train engineer stopped the train and DEPUTY MURDOCK and TIMOTHY WILSON ran towards the scene of the vehicle collision. The vehicle was clearly

stuck underneath of the train car and it suddenly burst into flames and started burning up the edge of the car and the rail car. DEPUTY MURDOCK at that time decided that it was unwise to approach because of a previous Haz-Mat training, and he was too close in case the rail car exploded. He did not know what was in the rail car or what kind of environmental hazards could be caused because of the fire. DEPUTY MURDOCK and TIMOTHY WILSON backed off and awaited the arrival of other units.

I stood by at the scene with DEPUTY MURDOCK until the Washington State Patrol arrived. I requested permission to have DEPUTY MURDOCK and his patrol vehicle go to the Sheriff's Office, where he could warm up and process what had occurred. SERGEANT MORGAN checked with the Washington State Patrol, who advised that I could escort DEPUTY MURDOCK and his patrol vehicle to the Skagit County Sheriff's Office. I also requested that the CISM Team be contacted. DEPUTY MURDOCK made a phone call to the CISM Director and a CISM Team was dispatched to the Sheriff's Office to meet with him.

I followed DEPUTY MURDOCK to the Sheriff's Office, where he parked his patrol vehicle and entered into the Sheriff's Office. We stood by while the Washington State Patrol conducted their investigation. At some point I contacted SERGEANT MORGAN again and I asked him if the Detective on the scene would give us an estimated time of arrival for Detectives to the Sheriff's Office, since DEPUTY MURDOCK and I were both on overtime. They advised that they only had one Detective on the scene and stated that if I could take photographs of DEPUTY MURDOCK and of his patrol vehicle that we could allow him to secure for the evening.

The CISM Team did arrive at the Skagit County Sheriff's Office and DEPUTY MURDOCK spoke with them for quite some time. After that was completed, I took photographs of DEPUTY MURDOCK in his patrol uniform, as he was dressed in that evening. I went outside and took photographs of DEPUTY MURDOCK'S patrol vehicle, with all of the lights turned off, and then with all of the lights turned on. I also took a video of that. I downloaded a copy of those pictures and the video onto a CD and entered that CD into Evidence. I also made another CD to provide to the Washington State Patrol. As of the time of this report they have not contacted me or received those copies, so I left them with DETECTIVE SERGEANT SHEAHAN-LEE in case they contact her while I am off, so she can provide the photographs and the video to Washington State Patrol Detectives.

DEPUTY MURDOCK elected to drive himself back to his own residence and he left the Skagit County Sheriff's Office. A short time later I cleared and that ended my involvement in this case.

No further action taken by me.

12/28/19 1438 SERGEANT KEVIN SIGMAN

gmcd

SUPPLEMENTAL NARRATIVE:

Name: HOLMES B

Date: 07:42:14 01/06/20

DEP B HOLMES/JMA, Transcribed January 06, 2020

On 12/27/2019 at approximately 1705 hours, I heard DEPUTY MURDOCK advised he had

attempted to stop a vehicle and the vehicle had been struck by a train as it turned off of SR 20. He then stated the vehicle was being dragged under the train westbound from the city limits of Burlington. I responded to the area and prior to my arrival heard the train was stopped and several emergency response units were out with the vehicle.

I responded to the intersection of SR 20 and Pulver Road, where I immediately shut down all traffic westbound for SR 20. I stood by at that intersection for the next hour directing traffic and keeping SR 20 closed. I diverted all traffic onto north and south Pulver Road to bypass the area. After approximately one hour of directing traffic, I was relieved on scene by DOT. I took no other action in this case.

01/05/2020 2241 DEPUTY BRAD HOLMES
jma

SUPPLEMENTAL NARRATIVE:

Name: BREDSTRAND J

Date: 10:10:06 01/07/20

DISCLOSURE

1/7/2020 E-MAILED VIA FS WSP SLETTEN, NELSON, PASTERNAK RPLWDIR4/CASE
FILE/PHOTOS - J BREDSTRAND

3/10/2020 E-MAILED SKAGIT BREAKING CHRIS NELSON 19-18441/20-02512 - J
BREDSTRAND

Printed: 13:18:58 08/13/20

R NWE8111 27I: (BNSF 2094)

Scheduled Road Switcher

LastRpt: BURLINGTON at 14:25 PT

Station: Burlington, WA Track: AL

Subdivsn: Bellingham Northbound

Schedule: A00:00 (Ahead) NO CABOOSE

Trn-Data: 26 loads	3,204 tons
0 empties	1,746 feet

Conductr: MA SMITH 19:30P 12/27

Engineer: DM BEECH 19:30P 12/27

Brakeman: EP BUTLER 19:30P 12/27

Locomotives: 3 units hp hpt

<i>unit numb</i>	<i>hpwr</i>	<i>dir</i>	<i>cd</i>	<i>unit type</i>
BNSF 2094	0000	-	0	GP38-2
BNSF 2276	0000	-	0	GP38-2
BNSF 2516	0000	-	0	GP38-2

PROX93682



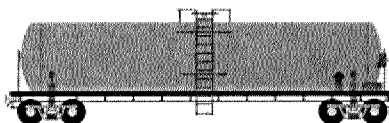
Equipment Details

HAZARDOUS

Car Information

PROX 93682

LOADED



TANK CAR
112J340W

Contents

Quantity
120713 Liter-1 Tank

UN1075

Proper Shipping Name
LIQUEFIED
PETROLEUM GASES



Skagit County Sheriff's Office MASTER PROPERTY SHEET

(Use Right/Left Arrows to move between fields, not the tab)

Case #	19-18441	Unit #	U-14	Date	12/28/2019	Time	00:30
Item #	1-14	Item Categ	CD	Brand/Desc	PHOTOS		
Model		Serial #		Color	Choose an item.		
Qty		Measure	Choose an item.		Total Value		
IBR Status	Choose an item.			Local Status	EV - EVIDENCE		
Stolen Case #		Recovered Case #		Stolen/Recovered Property #			
Owner	SCSO			Name #		DOB	
Address							
Notes							

Item #		Item Categ	Choose an item.	Brand/Desc			
Model		Serial #		Color	Choose an item.		
Qty		Measure	Choose an item.		Total Value		
IBR Status	Choose an item.			Local Status	Choose an item.		
Stolen Case #		Recovered Case #		Stolen/Recovered Property #			
Owner				Name #		DOB	
Address							
Notes							

Item #		Item Categ	Choose an item.	Brand/Desc			
Model		Serial #		Color	Choose an item.		
Qty		Measure	Choose an item.		Total Value		
IBR Status	Choose an item.			Local Status	Choose an item.		
Stolen Case #		Recovered Case #		Stolen/Recovered Property #			
Owner				Name #		DOB	
Address							
Notes							

Item #		Item Categ	Choose an item.	Brand/Desc			
Model		Serial #		Color	Choose an item.		
Qty		Measure	Choose an item.		Total Value		
IBR Status	Choose an item.			Local Status	Choose an item.		
Stolen Case #		Recovered Case #		Stolen/Recovered Property #			
Owner				Name #		DOB	
Address							
Notes							

Item #		Item Categ	Choose an item.	Brand/Desc			
Model		Serial #		Color	Choose an item.		
Qty		Measure	Choose an item.		Total Value		
IBR Status	Choose an item.			Local Status	Choose an item.		
Stolen Case #		Recovered Case #		Stolen/Recovered Property #			
Owner				Name #		DOB	
Address							
Notes							

Item #		Item Categ	Choose an item.	Brand/Desc			
Model		Serial #		Color	Choose an item.		
Qty		Measure	Choose an item.		Total Value		
IBR Status	Choose an item.			Local Status	Choose an item.		
Stolen Case #		Recovered Case #		Stolen/Recovered Property #			
Owner				Name #		DOB	
Address							
Notes							

Skagit County Sheriff's Office MASTER PROPERTY SHEET

(Use Right/Left Arrows to move between fields, not the tab)

Case #	19-18441	Unit #	U15	Date	12/28/19	Time	1330
Item #	1-15	Item Categ	CD	Brand/Desc			
Model			Serial #			Color	
Qty	1	Measure				Total Value	
IBR Status	NON - NONE			Local Status	EV - EVIDENCE		
Stolen Case #			Recovery Case #			Stolen/Rec Property #	
Owner	SCSO			Name #		DOB	
Address							
Notes	Photos of U65 and Vehicle						

Item #		Item Categ		Brand/Desc			
Model			Serial #			Color	
Qty		Measure				Total Value	
IBR Status				Local Status			
Stolen Case #			Recovery Case #			Stolen/Rec Property #	
Owner				Name #		DOB	
Address							
Notes							

Item #		Item Categ		Brand/Desc			
Model			Serial #			Color	
Qty		Measure				Total Value	
IBR Status				Local Status			
Stolen Case #			Recovery Case #			Stolen/Rec Property #	
Owner				Name #		DOB	
Address							
Notes							

Item #		Item Categ		Brand/Desc			
Model			Serial #			Color	
Qty		Measure				Total Value	
IBR Status				Local Status			
Stolen Case #			Recovery Case #			Stolen/Rec Property #	
Owner				Name #		DOB	
Address							
Notes							

Item #		Item Categ		Brand/Desc			
Model			Serial #			Color	
Qty		Measure				Total Value	
IBR Status				Local Status			
Stolen Case #			Recovery Case #			Stolen/Rec Property #	
Owner				Name #		DOB	
Address							
Notes							

Item #		Item Categ		Brand/Desc			
Model			Serial #			Color	
Qty		Measure				Total Value	
IBR Status				Local Status			
Stolen Case #			Recovery Case #			Stolen/Rec Property #	
Owner				Name #		DOB	
Address							
Notes							

Skagit County Sheriff's Office MASTER PROPERTY SHEET

(Use Right/Left Arrows to move between fields, not the tab)

Case #	19-18441	Unit #	U65	Date	1/2/2020	Time	17:52
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Item #	1-65	Item Categ	CD	Brand/Desc			
Model			Serial #			Color	Choose an item.
Qty	1	Measure	DU - Dosage Units/Items			Total Value	
IBR Status	Choose an item.			Local Status	EV - EVIDENCE		
Stolen Case #			Recovered Case #			Stolen/Recovered Property #	
Owner					Name #		DOB
Address							
Notes							

Item #		Item Categ	Choose an item.	Brand/Desc			
Model			Serial #			Color	Choose an item.
Qty		Measure	Choose an item.			Total Value	
IBR Status	Choose an item.			Local Status	Choose an item.		
Stolen Case #			Recovered Case #			Stolen/Recovered Property #	
Owner					Name #		DOB
Address							
Notes							

Item #		Item Categ	Choose an item.	Brand/Desc			
Model			Serial #			Color	Choose an item.
Qty		Measure	Choose an item.			Total Value	
IBR Status	Choose an item.			Local Status	Choose an item.		
Stolen Case #			Recovered Case #			Stolen/Recovered Property #	
Owner					Name #		DOB
Address							
Notes							

Item #		Item Categ	Choose an item.	Brand/Desc			
Model			Serial #			Color	Choose an item.
Qty		Measure	Choose an item.			Total Value	
IBR Status	Choose an item.			Local Status	Choose an item.		
Stolen Case #			Recovered Case #			Stolen/Recovered Property #	
Owner					Name #		DOB
Address							
Notes							

Item #		Item Categ	Choose an item.	Brand/Desc			
Model			Serial #			Color	Choose an item.
Qty		Measure	Choose an item.			Total Value	
IBR Status	Choose an item.			Local Status	Choose an item.		
Stolen Case #			Recovered Case #			Stolen/Recovered Property #	
Owner					Name #		DOB
Address							
Notes							

Item #		Item Categ	Choose an item.	Brand/Desc			
Model			Serial #			Color	Choose an item.
Qty		Measure	Choose an item.			Total Value	
IBR Status	Choose an item.			Local Status	Choose an item.		
Stolen Case #			Recovered Case #			Stolen/Recovered Property #	
Owner					Name #		DOB
Address							
Notes							