



# 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- 200321

**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: There is a pedestrian overpass to a public beach 500 feet south of the accident location.

Deterrents at site, e.g. fence, signs, other? Yes  No

If yes, describe: Police report states there are chain link fences, no trespassing signs, and danger signs.

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 April 4, 2020, at 3:02 a.m., the victim was struck and killed by a northbound BNSF freight train as he was lying on the west edge of the tracks. According to the death certificate, the victim was hearing impaired. According to the police report, the proximate cause of this collision appeared to be the victim's intentional act of entering into a prohibited location and then placing himself in the direct path of an approaching train.

**Site Description:**

According to the police report, this incident occurred on a BNSF main line. Access to the beach area was restricted to a single pedestrian bridge located on the western edge of Carkeek Park, just south of the playground area. Chain-link fencing was in place at the entrance and exit of the pedestrian bridge, as well as being used to completely enclose the walkway portion of the bridge that passed over the railroad tracks.

Public beach access to Puget Sound is approximately 500 feet south of the accident location.

**Inspector Recommendations:**

No recommendations

Docket No: TR-200321

**Rail Safety Supervisor Comments/Sign Off:**

Reviewed and approved 10/20/2020 - EE

**Director of Transportation Safety Comments/Sign Off:**

Reviewed and approved to close 11/23/2020 - KH





No Trespassing Sign





**Approximate Location**





**Sight Distance North**





**Sight Distance South**



**From:** Service, Interruption Desk  
**To:** OPR DL (SI Desk Use ONLY) Cargorelated; OPR DL (SI Desk Use ONLY) North Region Incident; Hawkins, Elgin S; Burin, Brett J; Morehouse Craig; Moyer Jason; Clark Daniel P; Kubo Ryan J; Young Desric; Wessler Richard W; Noel Tamara T; Huston Scott T; Melonas Gus S; Wallace Courtney  
**Cc:** WUTC Rail Reporting (UTC); Halstead Lori (UTC)  
**Subject:** 040420 CSXMRBG101F - Trespasser - Scenic Subdivision  
**Date:** Saturday, April 4, 2020 7:23:16 AM

**BNSF Fort Worth – Network Operations Center – INCIDENT REPORT**

|  |                                   |               |        |                |      |                |        |
|--|-----------------------------------|---------------|--------|----------------|------|----------------|--------|
| <b>Date:</b>   | 04-04-20                          | <b>Time:</b>  | 0502CT | <b>MP:</b>     | 10.4 | <b>D-Code:</b> | 204019 |
| <b>Time &amp; Date Last Revised:</b>                   |                                   |               |        |                |      |                |        |
| <b>Subdivision:</b>                                    | Scenic                            | <b>State:</b> | WA     | <b>County:</b> | King |                |        |
| <b>Line Segment:</b>                                   | 50                                |               |        |                |      |                |        |
| <b>Nearest Station:</b>                                | Seattle, WA                       |               |        |                |      |                |        |
| <b>Nearest Major Terminal (distance/direction):</b>    | Seattle, WA                       |               |        |                |      |                |        |
| <b>Weather Conditions (Temp, wind, precipitation):</b> | 38°, Winds E 0 MPH, Mostly Cloudy |               |        |                |      |                |        |

|                                |                                  |                  |  |
|--------------------------------|----------------------------------|------------------|--|
| <b>Injuries or Fatalities?</b> | (01) Trespasser fatally injured. | <b>Employee?</b> |  |
| <b>Name:</b>                   |                                  | <b>Craft:</b>    |  |

|                               |   |   |                          |
|-------------------------------|---|---|--------------------------|
| <b>Symbol:</b>                | C SXMRBG1 01F                           | <b>If Yard Job, is it Remote Control Operation?</b> |                          |
| <b>Lead Locos:</b>            | BNSF 7400 BNSF 8974 BNSF 9748 BNSF 8407 | <b>L-E-T-F:</b>                                     | 124-0-17630-6583         |
| <b>DP Locos:</b>              |   | <b>Direction:</b>                                   | Eastbound                |
| <b>Conductor:</b>             | J Radach                                | <b>Engineer:</b>                                    | J Kingsbury              |
| <b>Prior Rest</b>             |   | <b>Prior Rest</b>                                   |                          |
| <b>On Duty Time/Date:</b>     | 2359PT/03                               | <b>Origin/Destination:</b>                          | Auburn, WA / Everett, WA |
| <b>Crew Interviewed by:</b>   | DTM Elgin Hawkins                       |   |                          |
| <b>Event Recorder/Camera:</b> |   |   |                          |

| Locomotives video equipped? |     |           |     |           |     |           |     |     |     |
|-----------------------------|-----|-----------|-----|-----------|-----|-----------|-----|-----|-----|
| Lead Locos                  | Y/N | Y/N       | Y/N | Y/N       | Y/N | Y/N       | Y/N | Y/N | Y/N |
| BNSF 7400                   | Y   | BNSF 8974 | Y   | BNSF 9748 | Y   | BNSF 8407 | Y   |     |     |

|                                |                           |                             |  |
|--------------------------------|---------------------------|-----------------------------|--|
| <b>Crossing Name:</b>          | Not at a crossing         | <b>DOT:</b>                 |  |
| <b>Equipped with:</b>          |                           | <b>Functioning?</b>         |  |
| <b>Vehicle Direction:</b>      |                           | <b>Vehicle Description:</b> |  |
| <b>Law Enforcement Agency:</b> | Seattle Police Department | <b>Citations?</b>           |  |

|                       |    |                       |  |                        |  |
|-----------------------|----|-----------------------|--|------------------------|--|
| <b>Haz Material ?</b> | No | <b>Release (Y/N):</b> |  | <b># Cars, Amount:</b> |  |
| <b>Commodity:</b>     |    |                       |  |                        |  |

|                                     |              |                             |                  |                              |
|-------------------------------------|--------------|-----------------------------|------------------|------------------------------|
| <b>Derailed Locomotives / Cars:</b> |              |                             |                  |                              |
| <b>Init. Number:</b>                | <b>Line:</b> | <b>Position (upright?):</b> | <b>Contents:</b> | <b>Disposition:</b>          |
|                                     |              |                             |                  |                              |
| <b>Heavy equipment ordered:</b>     |              |                             |                  |                              |
| <b>Equip. ETA:</b>                  |              | <b>Equipment Arrived:</b>   |                  | <b>Equipment Released:</b>   |
| <b>Main Blocked?</b>                | Yes          | <b>Estimated Reopen:</b>    |                  | <b>Actual Reopen:</b> 0846CT |

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

|    |  |  |   |
|----|--|--|---|
| \$ |  | <b>Contractor Expense</b>              | Rerailing & clearing expenses only. Do not include environmental cleanup, air monitoring, etc.                |
| \$ |  | <b>Estimated Lading Recovery Costs</b> | Source is usually Damage Prevent on/LARS. This figure includes trucking charges and site remediation charges. |
| \$ |  | <b>Prelim. Lading Loss Estimates</b>   | Railcar/Trailer/Container Contents ONLY   |

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

|   |  |                     |  |
|---|--|---------------------|--|
| <b>Cause Code:</b>  |  | <b>Description:</b> |  |
| <b>Brief Narrative of Incident:</b>   |  |                     |  |
| At approximately 0500CT on the Scenic Subdivision at MP 10.40 on Main 1 the C-SXMRBG1-01F reported striking a trespasser. This did not occur at a road crossing. We currently do not have a route around. |  |                     |  |
| There are no injuries to the crew. Trespasser's status is unknown.  |  |                     |  |
| 0531CT Update - Seattle Police Department confirmed the trespasser was fatally injured.   |  |                     |  |
| 0846CT - Tracks released.   |  |                     |  |

| <b>Post Accident Testing (FRA):</b>   |     |  |
|---|-----|--|
| <b>Did this incident meet FRA Post Accident Testing criteria?</b>   | No  |  |
| <b>Contact MEH Dept at:</b><br>(817) 352-1648 during normal business hours.<br>(817) 352-1613 after hours, weekends and holidays. If no answer, page email Kimberly Farris and Julie Murphy when the following applies:<br>-Employee/Contractor Fatality.<br>-Damage to railroad property exceeding \$1.5 million.<br>-Collision with injury or \$150,000 damage<br>-Passenger train accident with reportable injury<br>-Human Factor Grade-Crossing Accident?<br>If Yes, Name of Claims Agent.<br>-A release of hazardous material that results in an evacuation or a reportable injury. |     |  |
| <b>Does the NOC GDT agree with the above analysis?</b>  | Yes |  |
| <b>Craft being Post Accident Tested:</b>  | NA  |  |

| <b>Notifications:</b> |  |  |  |            |                    |         |                  |           |                    |        |                   |         |                  |           |                   |           |                 |              |                |           |                    |             |                 |
|-----------------------|--|--|--|------------|--------------------|---------|------------------|-----------|--------------------|--------|-------------------|---------|------------------|-----------|-------------------|-----------|-----------------|--------------|----------------|-----------|--------------------|-------------|-----------------|
| <b>Time:</b>          | <b>Entity:</b>   | <b>Person Notified:</b>  | <b>Reminders:</b>  |            |                    |         |                  |           |                    |        |                   |         |                  |           |                   |           |                 |              |                |           |                    |             |                 |
| 0502CT                | <b>Service Interruption:</b>   | DS 74 notified DDM   | <b>Include who notified SID.</b>   |            |                    |         |                  |           |                    |        |                   |         |                  |           |                   |           |                 |              |                |           |                    |             |                 |
| 0505CT                | <b>Resource Operations:</b>  | Martina Allen  |  |            |                    |         |                  |           |                    |        |                   |         |                  |           |                   |           |                 |              |                |           |                    |             |                 |
|                       | <b>OPR DL Cargorelated</b>   | Copy of this report  | <b>Copy of this report</b>   |            |                    |         |                  |           |                    |        |                   |         |                  |           |                   |           |                 |              |                |           |                    |             |                 |
|                       | <b>DTM/Terminal Manager:</b>   | Elgin Hawkins - ETA 0630CT   | <b>Get ETA, check Cell number.</b>   |            |                    |         |                  |           |                    |        |                   |         |                  |           |                   |           |                 |              |                |           |                    |             |                 |
|                       | <b>RFE:</b>  | Brett Burin - ETA 0730CT   | <b>Get ETA, check Cell number.</b>   |            |                    |         |                  |           |                    |        |                   |         |                  |           |                   |           |                 |              |                |           |                    |             |                 |
| 0515CT                | <b>Signal Desk:</b>  | Email  | <b>817-593-5998</b>  |            |                    |         |                  |           |                    |        |                   |         |                  |           |                   |           |                 |              |                |           |                    |             |                 |
|                       | <b>MOW Desk:</b>   | Not required   | <b>817-593-6823 Option 1</b>   |            |                    |         |                  |           |                    |        |                   |         |                  |           |                   |           |                 |              |                |           |                    |             |                 |
|                       | <b>Mechanical Desk:</b>  | Not required   | <b>817-593-9128</b>  |            |                    |         |                  |           |                    |        |                   |         |                  |           |                   |           |                 |              |                |           |                    |             |                 |
| 0515CT                | <b>NOC GDT:</b>  | Tyrone Fitzgerald  |  |            |                    |         |                  |           |                    |        |                   |         |                  |           |                   |           |                 |              |                |           |                    |             |                 |
|                       | <b>Div. General Manager:</b>   | Craig Morehouse - copy of this report  |  |            |                    |         |                  |           |                    |        |                   |         |                  |           |                   |           |                 |              |                |           |                    |             |                 |
|                       | <b>Div. GDT:</b>   | Jason Moyer - copy of this report  |  |            |                    |         |                  |           |                    |        |                   |         |                  |           |                   |           |                 |              |                |           |                    |             |                 |
|                       | <b>Corridor Supt:</b>  | Daniel Clark - copy of this report   |  |            |                    |         |                  |           |                    |        |                   |         |                  |           |                   |           |                 |              |                |           |                    |             |                 |
|                       | <b>Div. Sup Ops / Term Sup:</b>  | Ryan Kubo - copy of this report  |  |            |                    |         |                  |           |                    |        |                   |         |                  |           |                   |           |                 |              |                |           |                    |             |                 |
| 0515CT                | <b>MDPR</b>  | Email  | <b>817-352-1312</b>  |            |                    |         |                  |           |                    |        |                   |         |                  |           |                   |           |                 |              |                |           |                    |             |                 |
| 0505CT                | <b>Passenger Service:</b>  | Desric Young - is a passenger train route.<br><br>Email Rich Wessler and Tamara Noel | <b>Email report to Rich Wessler and Tamara Noel.</b>   |            |                    |         |                  |           |                    |        |                   |         |                  |           |                   |           |                 |              |                |           |                    |             |                 |
|                       | <b>Superintendent Safety and Operating Practices</b>   | Scott Huston - Copy of this report   | <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 |
| 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  |  |  |            |                    |         |                  |           |                    |        |                   |         |                  |           |                   |           |                 |              |                |           |                    |             |                 |
|                       | <b>The following group list is for the following departments:<br/><br/>Safety, Law, Rules, Workforce Management, Rules and</b> |  | <b>Page for the following events:<br/>Major derailments or train collisions which are expected to exceed 16 hours or \$1,000,000 in damages, 4-8 hour range after the 1<sup>st</sup> conference call.</b>  |            |                    |         |                  |           |                    |        |                   |         |                  |           |                   |           |                 |              |                |           |                    |             |                 |



|        |   |   |   |
|--------|---|---|---|
|        | <p>field Support, Corporate Relations, Government Affairs, and Evidence Preservation</p> <p>Major event group page list (Not MIP)<br/>Also page Region VP.</p> <p>(It is located with the SID Locomotive group lists)</p> |   | <p>Derailments or collisions with evacuations, explosions, or involving crude oil trains.</p> <p>Major Hazardous Incidents</p> <p>Employee Fatalities, life threatening injuries, or amputations.</p> <p>Add "Preliminary Report" to the subject line.</p>  |
|        | Conference Calls:   |   | If Conf Call is being established:<br>Notify: NOC MECH/MOW Desk & ROC   |
|        | Hazardous Incidents:<br>Contact East/West On-call Manager   |   | Page for all Hazardous Incidents:<br>Pat Brady, Piper, Justin, Reid, Clay D, Howard Horn, David C Clark, John D. Lovenburg, Allen Stegman   |
|        | ChemTrec (USA)<br>800-424-9300  |   | Call Emergency Number listed on the Waybill whenever a HAZ MAT car is involved in a derailment or damaged; whether leaking or not.  |
|        | CanuTec (Canada)<br>888-226-8832 or<br>613-996-6666   |   | Run TSS: WBCOPY & HAZ & EXCR  |
| 0546CT | <p>NRC:<br/>800 - 424 - 8802<br/>(Initial SID Analysis)<br/>Examples for notifying:<br/>Passenger Train/Route<br/>\$150,000 incident<br/>Employee/Contractor<br/>Fatality</p>   | McKenna - Report #<br>1274792                             | Obtain their Report Number and name of person who took the report.  |
| 0512CT | State:  | Washington Emergency Operations - Bill - Report # 20-1074 |   |
|        | California - CUPA   |   |   |
|        | Foreign Railroad:   |   |   |
|        | Page "Go Team"  |   | If appropriate notify Mark Schulze.   |
|        | State Corporate Relations:  | Gus Melonas and Courtney Wallace - ccopy of this report   | <p>Copy of this report:</p> <p><b>Maia LaSalle:</b> MT, WY<br/><b>Jeanelle Davis:</b> AL, AR, LA, MS, TN, TX<br/><b>Lena Kent:</b> AZ, CA, TX, LA, MS, AR, AL, TN<br/><b>Amy McBeth:</b> MB, MN, ND, SD, WI<br/><b>Joe Sloan:</b> CO, OK, NM, UT, NV<br/><b>Gus Melonas/Courtney Wallace:</b> BC, ID, OR, WA<br/><b>Andy Williams:</b> KS, MO, NE, IL, KY, IA</p> |
|        | Energy Desk:  |   | Notify the Energy Desk of crude oil train derailments:<br>OPR DL Energy Desk managers<br>817-867-0021   |
|        |   |   |   |
|        |   |   |   |
|        |   |   |   |
|        |   |   |   |

**From:** [State Emergency Operations Officer \(MIL\)](#)  
**To:** [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 Incident #20-1074  
**Date:** Saturday, April 4, 2020 3:16:50 AM

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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: BNSF

Reporting Party Name, Position and Contact Number: Debra Watson, Service Interruption Manager, 817 352 2832

Time and Date Called in to the State EOC: 0313, 04/04/2020

Time and Date of the Event: 0302, 04/04/2020

Mile post and/or Address of Event: MP 10.4, Scenic Sub in Seattle

Circumstances of the Incident: Train versus Trespasser

Number of Injuries and/or Fatalities: Unknown

Type of Rail Cars Involved (tank, hopper, box, flat, etc.): Freight Train

Type and Amount of HAZMAT spilled: None

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

Name and Phone Local POC: Same as above

Railroad Incident Number:

State EOC Incident Number: #20-1074

William "Bill" Main  
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](mailto:dutyofficer@mil.wa.gov)







# Seattle Police Department Case Investigation Report

Case Investigation Report: 2020-113370

TCIS# 2020-022

**The following SPD personnel were involved in this investigation:**

| <b>Officers</b> | <b>Name</b> | <b>Ser#</b> | <b>Call Sign</b> | <b>Precinct/Unit</b> |
|-----------------|-------------|-------------|------------------|----------------------|
|                 | S. Wood     | 8604        | 1N1              | North                |
|                 | J. O'Dell   | 8354        | 1N1              | North                |
| - Primary       | D. Norton   | 6917        | 1L21             | North                |
| - DUI/DRE       | E. Michl    | 4494        | T73              | Traffic              |
|                 | L. Jackson  | 5491        | 1L12             | North                |
|                 | J. Gingrey  | 6948        | 1U2              | North                |
|                 | J. Hoppers  | 6863        | 1U2              | North                |

| <b>Sergeants</b> | <b>Name</b> | <b>Ser#</b> | <b>Call Sign</b> | <b>Precinct/Unit</b> |
|------------------|-------------|-------------|------------------|----------------------|
| -Patrol/Scene    | K. Strong   | 5851        | 1U               | North                |
| -TCIS            | R. Long     | 6123        | 801              | TCIS                 |

| <b>Detectives</b> | <b>Name</b>   | <b>Ser#</b> | <b>Call Sign</b> | <b>Precinct/Unit</b> |
|-------------------|---------------|-------------|------------------|----------------------|
| -Secondary        | V. Hupf       | 7646        | 805              | TCIS                 |
| -Primary          | V. Feuerstein | 7565        | 806              | TCIS                 |

**North Precinct:** 10049 College Way N., Seattle WA 98133; (206) 684-0850



# Seattle Police Department Case Investigation Report

Case Investigation Report: 2020-113370

TCIS# 2020-022

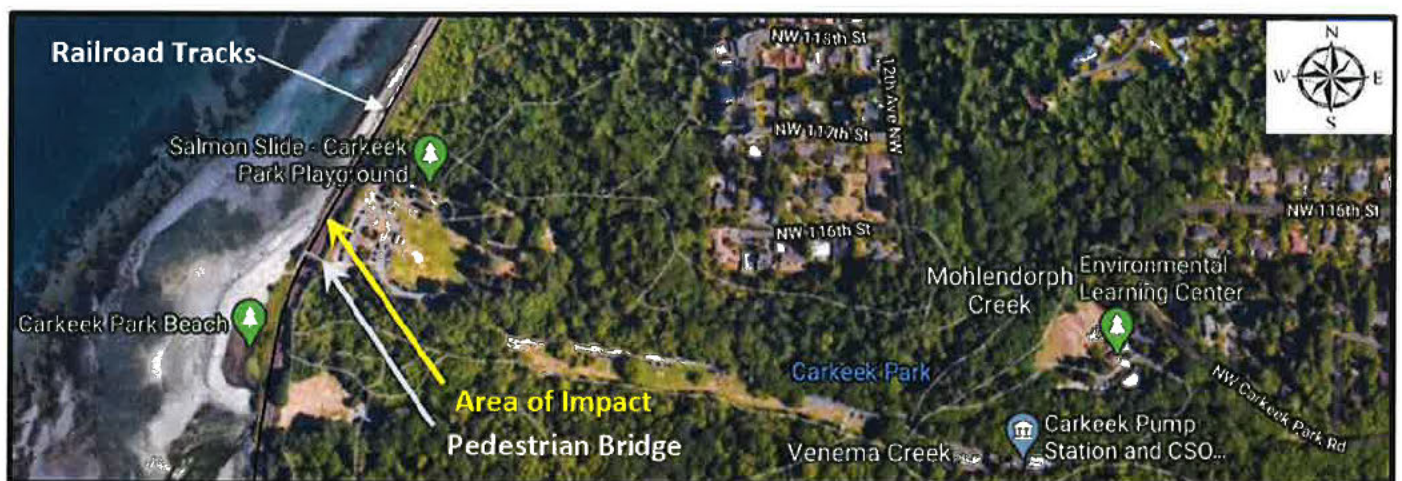
## SCENE INVESTIGATION REPORT:

### SECTION A: SCENE CONDITIONS:

On Saturday, April 4<sup>th</sup>, 2020, at approximately 3:25 a.m., I received a phone call from the Seattle Police Department (SPD) Chief Dispatcher advising me of a Traffic Collision Investigation Squad (TCIS) callout, approved by TCIS Sergeant (Sgt.) R. Long. Sgt. Strong requested a TCIS response to a section of railroad tracks at Carkeek Park, to investigate a fatality collision involving a pedestrian and a freight train. Sgt. Long, TCIS Det. V. Hupf, and I, comprised the TCIS response team.

I met with Sgt. Strong and Ofc. Norton and they provided me with the following synopsis of events.

At approximately 3:00 a.m., a northbound Burlington Northern Santa Fe (BNSF) train was traveling through the Carkeek Park area of Seattle when it struck a pedestrian. BNSF personnel reported that the pedestrian was last seen sitting on the outside track, facing the water, with his left side facing the oncoming train. Seattle Fire Department (SFD) personnel responded to the incident location and pronounced the pedestrian dead at the scene. Officers were unable to locate any witnesses to the incident. The closest access to the incident location was through Carkeek Park, which had closed at 10 p.m. An unknown male was located in the park; however, that male refused any police assistance and video recorded his ongoing harassment of any individual that happened to walk too close to him.







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Case Investigation Report: 2020-113370

TCIS# 2020-022

The engineer of the train was identified as Jared KINGSBURY. I interviewed KINGSBURY and I did not observe any signs of intoxication. I was advised by Sgt. Strong that DUI/DRE Ofc. Michl responded to the scene prior to my arrival and concluded that KINGSBURY was not under the influence of alcohol and/or drugs.

I walked the impact area and made a series of observations related to scene security, the involved vehicle, the incident location and associated evidence.

- When I arrived, weather conditions were partially cloudy with no precipitation, at a temperature of approximately 37 degrees Fahrenheit. The first 911 call was placed at 3:01 a.m., during nighttime hours, with sunrise being reported at 6:41 a.m.<sup>1</sup>
- Both the north and southbound tracks were closed to all railway traffic. Chain-link fencing and natural features (i.e., a large body of water on one side and steep embankments on the other) restricted access to the railroad tracks. Uniformed SPD patrol officers with SPD patrol vehicles were positioned at the entrance to the pedestrian bridge in Carkeek Park. Crime scene tape was strung in the parking lot and at the pedestrian bridge.
- The decedent's body was approximately 500 ft. north of the pedestrian crossing bridge, lying on the embankment between the water (Puget Sound) and the northbound tracks. A black backpack full of clothing and hygiene products was lying against the left northbound rail, approximately 25 ft. south of the decedent. The backpack had documents inside it that were addressed to a Jacob WYSS. There were no forms of identification on the decedent. The decedent's identity was later verified as Jacob K. WYSS, 12/06/1977.
- The involved freight train was still at the scene and was reported as being in its original location once it came to a complete stop from emergency braking. The front of the train was approximately 1,600 ft. north of the decedent's body.
- King County Medical Examiner's office, and BNSF personnel were on the scene and conducted separate investigations. King County Medicolegal Death Investigator C. Tengelin and B. Peterson responded to the scene (KCME #20-0831)

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<sup>1</sup> [www.underground.com](http://www.underground.com); [www.esrl.noaa.gov/gmd/grad/solcalc](http://www.esrl.noaa.gov/gmd/grad/solcalc)



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## Description of the BNSF railroad tracks (In the area of the incident)

This incident occurred on a BNSF Main Line. The railroad tracks consisted of a single set of north and southbound tracks. The tracks traversed through Carkeek Park by passing between the Carkeek Park Beach area and the Carkeek Park Playground area. Access to the beach area was restricted to a single pedestrian bridge located on the western edge of Carkeek Park, just south of the playground area. Chain-link fencing was in place at the entrance and exit of the pedestrian bridge, as well as being used to completely enclose the walkway portion of the bridge that passed over the railroad tracks. There were steep somewhat impassable embankments along the majority of the outside edges of the tracks (a steep uphill grade on the park side and a steep downhill grade on the water side). No Trespassing signs, Danger signs, and Warning signs were in place along the chain-link fence at the pedestrian walkway. I was able obtain access to the tracks by traversing through thick vegetation at the base of the pedestrian walkway (beach side of the walkway). The speed limit (for freight trains) in the area of the incident was 50 mph.

## Carkeek Park

Carkeek park was the closest access point to this incident location. The park was patrolled and maintained by the City of Seattle with posted hours of operation from 6 a.m. to 10 p.m., daily. A large metallic gate was in use at the only vehicular entrance/exit to the park.

## SECTION B: PEDESTRIAN DATA:

### Pedestrian:

|   |                    |                                   |
|---|--------------------|-----------------------------------|
| <b>Name:</b> WYSS, Jacob K.                               | W/M                | <b>DOB:</b> 12/06/1977            |
| <b>Height:</b> 6'00"                                      | <b>Weight:</b> 195 | <b>Eyes:</b> Bro <b>Hair:</b> Bro |
| <b>Address:</b> 77 S. Washington St.<br>Seattle, WA 98103 |                    | <b>Phone:</b> Disconnected        |

Jacob WYSS sustained fatal injuries as a result of this incident and was pronounced dead at the scene by SFD personnel. WYSS had local history (RMS) to include an officer caution, a mental caution and a suicidal hazard. I was unable to locate any next-of-kin information.



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## SECTION C: OPERATOR AND TRAIN DATA:

### Vehicle 1 (Train):

**Description:** BNSF Freight Train (Coal)  
Lead Locomotive, GE C44-9W Locomotive, #7400

**Owner:** Burlington Northern Santa Fe  
2454 Occidental Ave. S.  
Seattle, WA 98115



### Inspection

The cab of the lead locomotive appeared to be in good repair and was free of any clutter, excess personnel, or debris. The Engineer was seated on the right with the conductor seated on the left. The train consisted of four locomotives (three at the lead and one at the rear) and had 129 (coal) cars. The train weighed approximately 18,342 tons and was approximately 7,143 ft. long. The exterior of the lead locomotive appeared to be in good repair and did not have any signs of recent damage. There was a thick film of grime covering the locomotives outward surfaces. I noticed a circular imprint in the grime at the lower left corner of the pilot.<sup>2</sup> The impression had a hair-like texture around its upward sections and a cloth-like texture on its lower sections. The imprint appeared attributable to the interaction between the pilot and involved pedestrian.

<sup>2</sup> Pilot is the device mounted at the front of the locomotive to deflect obstacles; also called a cowcatcher.





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## **Train Engineer (Burlington Northern Santa Fe - BNSF):**

*Name:* KINGSBURY, Jared

W/M

*DOB:* 03/27/1979

## **Train Conductor (BNSF):**

*Name:* RADACH, Jason

W/M

*DOB:* 03/31/1986

Jared KINGSBURY and Jason RADACH were still on scene when I arrived. They indicated that they were traveling northbound on the left set of tracks at about 35 mph., when they noticed an adult male sitting on the left outer rail directly in front of the train. They stated that the male was wearing all dark clothing and that they didn't actually notice him until after he had turned his head to look at them. They stated that they immediately sounded the locomotives horn and active the trains emergency brakes.

## **SECTION D: SCENE PHOTOGRAPHY:**

I photographed the scene and the involved Locomotive using an SPD owned Canon EOS 60D SLR digital camera. All of the unmodified images were uploaded to the SPD Digital Evidence Management System (DEMS).

## **SECTION E: DISCUSSION AND ANALYSIS:**

### **Video footage**

The lead locomotive had a forward mounted video camera that recorded the event. I was advised that due to internal policy and federal regulation, they would be unable to provide me with a copy. They did however schedule a time for me to view the video footage. The footage showed the train traveling northbound at night with its forward-facing light activated. The train did not appear to be traveling at excessive speeds. Shortly after the train passed under the Carkeek Park pedestrian bridge, it struck a pedestrian that appeared to be lying against the left outer rail. The pedestrian's clothing blended into the background, making him difficult for me to notice on the video footage. It appeared to me that the pedestrian was laying mostly perpendicular to the tracks, in a supine position, with his head orientated towards the oncoming train. When I viewed the video, I was first able to notice the pedestrian when he raised his head (impact occurred shortly thereafter). The pedestrian raised his head, turned to look at the approaching train, and did not appear to make any additional movements prior to impact. The front of the train obscured any view of the actual impact. The rest of the video appeared to be of the train attempted to slow to a stop.



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## **SECTION F: CONCLUSION:**

The following conclusions are based on my investigation and analysis of this incident.

- On Saturday, April 4<sup>th</sup>, 2020, pedestrian Jacob WYSS had entered into a restricted area by trespassing on the Burlington Northern Santa Fe (BNSF) railroad tracks near Carkeek Park in Seattle, WA. For undetermined reasons, Jacob WYSS then laid along the northbound tracks while wearing all dark clothing and remained there until he encountered a northbound train.
- On Saturday, April 4<sup>th</sup>, 2020, at approximately 3:00 a.m., a northbound (BNSF) train was traveling through the Carkeek Park area of Seattle on the BNSF Main Line when the locomotive conductor, Jason RADACH, spotted a pedestrian sitting on the tracks. RADACH informed the engineer, Jared KINGSBURY, who immediately put the train into an emergency stop and sounded the train's audible warning signals.
- Jacob WYSS sustained fatal injuries as a result of this collision and was pronounced dead at the scene by SFD personnel.
- I viewed video footage from a forward-facing camera located on the lead locomotive. While viewing the video footage, I noticed that Jacob WYSS blended into the background and only became readily identifiable when he had raised his head. Jacob WYSS stared at the oncoming train and did not appear to make any additional movements in response to the eminent impact.
- In review of the available evidence, engineer Jared KINGSBURY appeared to be operating the BNSF train in a reasonable and safe manner. Furthermore, KINGSBURY's perception and response to the threat posed by the WYSS lying in the rail right-of-way appeared to be reasonable and timely.
- The proximate cause of this collision appeared to be Jacob WYSS' intentional act of entering into a prohibited location and then placing himself in the direct path of an approaching train.



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**DISCLAIMER:** This analysis and report are based on the information and documentation listed. I reserve the right to supplement or amend these findings and/or opinions should viable new evidence become available.

Detective Vincent Feuerstein #7565, B631T  
Seattle Police Department, Traffic Collision Investigation Squad  
610 Fifth Avenue, P.O. Box 34986, Seattle WA 98124-4986  
206-684-8934, Fax: 206-684-8589, [SPD7565@seattle.gov](mailto:SPD7565@seattle.gov)

## **INVESTIGATION:**

1. 04/04/20; 0325hrs. I received a phone call from the Seattle Police Department (SPD) Chief Dispatcher advising me of a Traffic Collision Investigation Squad (TCIS) callout, approved by TCIS Sergeant (Sgt.) R. Long. Sgt. Strong requested a TCIS response to a section of railroad tracks at Carkeek Park, to investigate a fatality collision involving a pedestrian and a freight train. Sgt. Long, TCIS Det. V. Hupf, and I, comprised the TCIS response team.
2. 04/04/20; 0400hrs. I arrived on scene and conducted my scene investigation as the primary detective. I met with Sgt. Strong and Ofc. Norton and they provided me with the following synopsis of events.

At approximately 3:00 a.m., a northbound Burlington Northern Santa Fe (BNSF) train was traveling through the Carkeek Park area of Seattle when it struck a pedestrian. BNSF personnel report that the pedestrian was last seen sitting on the outside track, facing the water, with his left side facing the oncoming train. Seattle Fire Department (SFD) personnel responded to the incident location and pronounced the pedestrian dead at the scene. Officers were unable to locate any witnesses to the collision.

An unknown adult male was located in the park; however, that male refused any assistance and video recorded his ongoing harassment of any individual that happened to walk too close to him. He accused everyone of violating his rights and told everyone that he was going to have them fired and/or sue them. I did not hear the male make any requests for identification. Patrol officers positioned for scene security monitored the male's actions.

King County Medical Examiner's office, and BNSF personnel were on the scene and conducted separate investigations. King County Medicolegal Death Investigator C.





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Tengelin and B. Peterson responded to the scene (KCME #20-0831). There was no identification on the body. I stood by as the ME searched his backpack. There were documents address to a Jacob WYSS and there were items of intravenous drug use (syringe) in the backpack. The rail lines were re-opened at approximately 0600hrs.

3. 04/06/20; 1200hrs. I sent an email request to the Seattle Fire Department asking for the medical/run reports (**F200032610**) for the incident. I received a copy of the requested information later that day. The name on the report was listed as Unknown and condition simply stated that the adult male was involved in a collision with a train.
4. 04/06/20; 1210hrs. I sent an email request to the SPD Communications Section asking for the audio recording of the SPD 911 / South police radio traffic.
5. 04/06/20; 1215hrs. I sent a request to the SPD Video Unit asking for the in-car video from all officers logged to this call.
6. 04/06/20; 1230hrs. I emailed a request to the King County Medical Examiner's office asking for a copy of WYSS' autopsy and toxicology report [admin.meo@kingcounty.gov](mailto:admin.meo@kingcounty.gov).
7. 04/06/20; 1330hrs. I called King County Medical Examiner's office. I verified identity of the DOA and requested next-of-kin information. M.E. staff advised that they were unable to locate any next-of-kin information for WYSS. I provided all SPD RMS info.
8. 04/06/20; 1345hrs. I called the only number listed in RMS history for WYSS. An automated message advised that (206) 679-2010 was no longer valid and had been disconnected.
9. 04/06/20; 1352hrs. I called Bret BURIN with BNSF at (206) 918-4771. He advised that he no longer has access to video footage from the trains and stated that he would talk to "Scott" and have him call me. Moments later, BURIN called me back advising that Greg BEAM with "Claims" would be the point of contact (425) 330-1852.
10. 04/06/20; 1400hrs. I called Greg BEAM and verified that he had the ability to facilitate my request. BEAM advised that he had not yet had the chance to view the video and would contact me once he has had that opportunity. BEAM advised that they are not allowed to



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provide a copy of the video; however, he was able to meet with me in order to view it. We scheduled a meeting.

- 11.04/06/20; 1800hrs. I received a phone call from BEAM. He advised that he was able to retrieve video footage from the front of the involved train. BEAM advised that he would be unable to provide a copy of the video; however, he was willing to meet with me to show me the video. I scheduled a date to view the video (04/14/20 @ 0900hrs.).
- 12.04/14/20; 0900hrs. I met with Greg BEAM with BNSF at 2454 Occidental Ave. S. BEAM queued up the video footage from the lead locomotive, from a forward mounted video camera. I did not notice a time stamp; however, the conditions appeared consistent with what I viewed on the night of the incident. The footage showed the train traveling northbound at night with its forward-facing light activated. The train did not appear to be traveling at excessive speeds. The train progressed northbound on a wide sweeping counterclockwise curve and shortly after it passed under the Carkeek Park pedestrian bridge, it struck a pedestrian that appeared to be lying against the outer edge of the left outer rail. The pedestrian was difficult to see and appeared to be laying supine, mostly perpendicular to the tracks with his head orientated towards the oncoming train. Even after I viewed the video footage several times and knew what to look for, I was still unable to notice a pedestrian until after he raised his head. When the pedestrian raised his head, he appeared to look directly at the approaching train, and did not appear to make any other movements prior to impact. The video continued, showing the train's attempted to slow to a stop. The video did not appear to have audio; however, I could hear an electronic humming sound that mimicked a train's warning signal near the moment when the pedestrian raised his head.
- 13.04/14/20; 1000hrs. I uploaded the digital photos that I took of the collision scene into the SPD DEMS server.
- 14.04/14/20; 1300hrs. I received and reviewed the 911 recordings for this event. I placed an electronic copy into DEMS. I did not identify any additional witnesses. BNSF Dispatcher staff relayed the report to 911.



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15.05/12/20; 0600hrs. I reviewed the DVD's provided by the SPD Video Unit. The following is a synopsis of those DVD's.

| <b>Label / Officer#</b> | <b>Role</b>  |
|-------------------------|--|
| 5999                    | Responded to pedestrian bridge area, scene security. |
| 5851                    | Scene Sgt.   |
| 4494                    | Traffic Unit, DUI/DRE Ofc.                           |
| 6917                    | Responded to pedestrian bridge area, scene security. |
| 8354/8406               | Responded to pedestrian bridge area, scene security. |

16.06/11/20; 1300hrs. I submitted the case file to Det. Hupf for peer review.

17.06/17/20; 0900. Case closed. Civil



**Report Number 2020-113370 - Incident / Offense Report Report**

|  |  |   |
|--|--|---|
| REPORT DATE / TIME<br><b>Apr 4, 2020 06:03</b> | PRECINCT / SECTOR / BEAT / RA<br><b>N / N / N1 / 10954</b> | CAD EVENT START DATE / TIME - CAD EVENT END DATE / TIME<br><b>Apr 4, 2020 03:01</b> |
|--|--|---|

## REPORT WRITER

**DEREK NORTON #6917**

## ASSISTING PERSONNEL / TYPE(S)

**ERIC MICHL #4494 (Backing Officer), JUSTIN O DELL #8354 (Backing Officer), KIPP STRONG #5851 (Screening Supervisor), LAWRENCE JACKSON #5491 (Backing Officer), SAVANNAH WOOD #8406 (Backing Officer), TRUNG NGUYEN #5999 (Backing Officer)**

## REPORT TAKEN LOCATION

**CARKEEK PK, 851 NW CARKEEK PARK RD, SEATTLE, WA 98177**

## EMS / FIRE / OTHER AGENCIES ON SCENE

 YES  NO

## UNIT

**BNSF Police**

## EVENT STATISTICS

- |   |   |
|---|---|
| <input type="checkbox"/> Event Contains Bias Elements | <input type="checkbox"/> Homelessness               |
| <input type="checkbox"/> AED Used                     | <input type="checkbox"/> Shots Fired                |
| <input type="checkbox"/> Naloxone Administered        | <input type="checkbox"/> Hate Graffiti              |
| <input checked="" type="checkbox"/> ICV Exists        | <input type="checkbox"/> Cybercrime                 |
| <input type="checkbox"/> DEMS                         | <input checked="" type="checkbox"/> Body Worn Video |
| <input type="checkbox"/> Event is DV Related          |   |

**NARRATIVE**

On the listed date and time I responded to the BNSF train tracks with access from Carkeek park for a pedestrian that had been hit by a BNSF train while sitting on the train tracks. SFD responded and pronounced the subject dead. SPD TCIS responded to the scene and conducted the investigation. The KCME office responded to the scene and took custody of the decedent. Lt. Nguyen responded to the scene and screened the incident. BNSF Police responded to the scene as well.

**REPORTING PARTY 1**

## REPORTING PARTY- (ORGANIZATION)

**R-1 BNSF**

## ORGANIZATION TYPE

**Business**

## ORGANIZATION INDUSTRY

**Logistics/procurement**

## PHYSICAL ADDRESS

**1000 2 AV, SEATTLE, WA 98104**

## PHONE NUMBER

**(800) 795-2673 (business)**

## NAME IDENTIFIER

**Legacy Versaterm BIN: 29032729****INCIDENT INFO**

## INCIDENT TYPE

**Death-Other****OFFENSE LOCATION**

## LOCATION NAME / STREET ADDRESS/LOCATION NAME / APT, UNIT, STE / DESCRIPTION

**CARKEEK PK, 851 NW CARKEEK PARK RD, BNSF Train tracks north of pedestrian overpass**

|   |  |                                    |                           |
|---|--|------------------------------------|---------------------------|
| CITY<br><b>SEATTLE</b>                    | STATE<br><b>WA</b>   | ZIP<br><b>98177</b>                | COUNTRY CODE<br><b>US</b> |
| LOCATION CATEGORY<br><b>Other/Unknown</b> | PRECINCT / SECTOR / BEAT / RA<br><b>N / N / N1 / 10954</b> | PUBLIC / PRIVATE<br><b>Private</b> |                           |

## REPORTING OFFICER SIGNATURE / DATE

**DEREK NORTON #6917 Apr 4, 2020 07:54 (e-signature)**

## PRINT NAME

**DEREK NORTON #6917**

## SUPERVISOR SIGNATURE / DATE

**KIPP STRONG #5851 Apr 4, 2020 08:12 (e-signature)**

## PRINT NAME

**KIPP STRONG #5851**

This report was generated in Mark43 and the e-signature was affixed using the undersigned officer's unique login and password. I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct to the best of my knowledge and belief.

ELECTRONICALLY SIGNED

DATE

PLACE

DEREK NORTON

04/04/2020

Seattle, WA

REPORTING OFFICER SIGNATURE / DATE

DEREK NORTON #6917 Apr 4, 2020 07:54 (e-signature)

PRINT NAME

DEREK NORTON #6917

SUPERVISOR SIGNATURE / DATE

KIPP STRONG #5851 Apr 4, 2020 08:12 (e-signature)

PRINT NAME

KIPP STRONG #5851

**Report Number 2020-113370 - Supplement - 2 Report**

|   |  |                                   |
|---|--|-----------------------------------|
| REPORT DATE / TIME<br>Apr 4, 2020 04:35 | CAD EVENT START DATE / TIME - CAD EVENT END DATE / TIME<br>Apr 4, 2020 03:01 - 05:00 | REPORT WRITER<br>ERIC MICHL #4494 |
|---|--|-----------------------------------|

SUPPLEMENT TYPE

Statement

**NARRATIVE**

I am Seattle Police Officer Eric Michl #4494 of the Driving Under the Influence Squad. I have over 35 years of experience and training detecting, investigating, and arresting people for driving under the influence of alcohol and / or drugs. I am also trained and qualified by the Washington State Patrol and International Association of Chiefs of Police as a Drug Recognition Expert.

On Saturday morning April 4, 2020 at about 0301 hours Seattle Police 911 received a report that a train collided with a person on the railroad tracks in Carkeek City Park. I responded along with the Seattle Fire Department and was the first to arrive. When I reached the park the gate was already open. Normally it is closed. The weather at the time was clear, cool, calm and dry.

I made my way down to the waterfront and upon arrival found a freight train stopped facing northbound. Three conductors were on foot working their way toward me while I stood on the pedestrian overpass. I first met with RADACH, Jason who was one of the three conductors riding in the cab of the locomotive.

Radach said the person struck by the train was deceased. In my experience this is usually the typical outcome when a train hits a person so I had no reason to disbelieve Radach. I waited for the fire department to arrive. When I first arrived I saw a red Subaru Forester license #BIU4170- WA parked in a stall in the western most lot. It was unoccupied with some condensation on its windows. The grille felt warm.

Soon Engine Company #35 was on scene and I walked down the tracks to the deceased who had yet to be identified. The firefighters confirmed the person struck was in fact dead.

The deceased was located laying in the rockery on the water side of track right of way. Under the car and next to the western most rail was a back-pack. I spoke with and identified two more conductors who were riding in the cab. They were HARRIS, Mark and KINGSBURY, Jared. All three conductors reported the train speed was about 35 MPH when it came around the corner, they encountered the deceased seated on the western most rail. The train simply could not stop in time. The engineer ENGLUND, Sean was in the locomotive cab about 100 yards north of the pedestrian overpass.

I hiked north along the right of way and met with Englund inside the cab of the lead locomotive. Englund explained the collision the same as the conductors did. He thought the deceased was moving before the train struck him however.

In response to my questions I learned from Englund had not consumed any alcohol in about one week, uses no drugs or medications and is in good health. I noticed Englund's speech was normal and coherent, balance was steady, skin tone and eyes normal. I noticed no odors of alcohol or Marijuana on his breath or person and no other signs of drug ingestion. Englund's state of mind was normal and appropriate for what he had just experienced. I concluded he was not impaired by alcohol and / or drugs.

I reported my conclusion to the remaining patrol officers at the scene and cleared.

**INVOLVED PERSONS**

|   |  |  |
|---|--|--|
| INVOLVED PERSON- NAME (LAST, FIRST MIDDLE)<br>P-1 ENGLUND, Sean Michael |  | DOB / ESTIMATED AGE RANGE<br>1977-08-10          |
| SEX<br>Male   | RACE / ETHNICITY<br>White / Not Hispanic Or Latino | PHONE NUMBER<br>(425) 275-2781 (primary, Mobile) |
| HOME ADDRESS<br>3007 RUCKER AVE, 191, EVERETT, WA 98201                 |  |  |
| INVOLVEMENT TYPE<br>Other - Locomotive Engineer                         |  |  |
| INVOLVED PERSON-2 NAME (LAST, FIRST MIDDLE)<br>P-2 HARRIS, Mark Roland  |  | DOB / ESTIMATED AGE RANGE<br>1969-04-06          |

|  |   |
|--|---|
| REPORTING OFFICER SIGNATURE / DATE<br>ERIC MICHL #4494 Apr 4, 2020 05:31 (e-signature)<br>PRINT NAME<br>ERIC MICHL #4494 | SUPERVISOR SIGNATURE / DATE<br>KIPP STRONG #5851 Apr 4, 2020 07:47 (e-signature)<br>PRINT NAME<br>KIPP STRONG #5851 |
|--|---|



|                    |   |   |
|--------------------|---|---|
| SEX<br><b>Male</b> | RACE / ETHNICITY<br><b>White / Not Hispanic Or Latino</b> | PHONE NUMBER<br><b>(541) 613-6860 (primary, Mobile)</b> |
|--------------------|---|---|

## HOME ADDRESS

**1020 156 ST. E, TACOMA, WA 98445**

## INVOLVEMENT TYPE

**witness**

|   |  |
|---|--|
| INVOLVED PERSON-3 NAME (LAST, FIRST MIDDLE)<br><b>P-3 KINGSBURY, Jared Robert</b> | DOB / ESTIMATED AGE RANGE<br><b>1979-03-27</b> |
|---|--|

|                    |                                  |   |
|--------------------|----------------------------------|---|
| SEX<br><b>Male</b> | RACE / ETHNICITY<br><b>White</b> | PHONE NUMBER<br><b>(503) 333-8263 (primary, Mobile)</b> |
|--------------------|----------------------------------|---|

## HOME ADDRESS

**29001 220 PL SE, BLACK DIAMOND, WA 98010**

## INVOLVEMENT TYPE

**witness**

|   |  |
|---|--|
| INVOLVED PERSON-4 NAME (LAST, FIRST MIDDLE)<br><b>P-4 RADACH, Jason H</b> | DOB / ESTIMATED AGE RANGE<br><b>1986-03-31</b> |
|---|--|

|                    |   |   |
|--------------------|---|---|
| SEX<br><b>Male</b> | RACE / ETHNICITY<br><b>White / Not Hispanic Or Latino</b> | PHONE NUMBER<br><b>(253) 365-7710 (primary, Mobile)</b> |
|--------------------|---|---|

## HOME ADDRESS

**23503 79 AVE E, GRAHAM, WA 98338**

## INVOLVEMENT TYPE

**witness****INVOLVED ORGANIZATIONS**

## INVOLVED ORGANIZATION- NAME

**O-1 BNSF Railroad**

|                                      |  |
|--------------------------------------|--|
| ORGANIZATION TYPE<br><b>Business</b> | ORGANIZATION INDUSTRY<br><b>Railroad Manufacture</b> |
|--------------------------------------|--|

|  |   |
|--|---|
| MAILING ADDRESS<br><b>44 S HANFORD ST, SEATTLE, WA 98134</b> | BEEN AT LOCATION SINCE<br><b>Mar 26, 2020</b> |
|--|---|

## PHONE NUMBER

**(206) 625-6006 (Work)**

## INVOLVEMENT TYPE

**witness****INVOLVED LOCATIONS**

## LOCATION

**CARKEEK PK, 950 NW CARKEEK PARK RD, SEATTLE, WA 98177****VEHICLE INVOLVED: SUBARU: SUBARU FORESTER: FORESTER 2018**

|   |                               |                                    |                                    |
|---|-------------------------------|------------------------------------|------------------------------------|
| ITEM CATEGORY<br><b>Suv (sport Utility Vehicle)</b> | MAKE<br><b>Subaru: Subaru</b> | MODEL<br><b>Forester: Forester</b> | YEAR OF MANUFACTURE<br><b>2018</b> |
|---|-------------------------------|------------------------------------|------------------------------------|

|                                       |  |
|---------------------------------------|--|
| DESCRIPTION<br><b>Parked at scene</b> | BIOHAZARD<br><input type="checkbox"/> YES <input checked="" type="checkbox"/> NO |
|---------------------------------------|--|

|  |                                   |
|--|-----------------------------------|
| LICENSE PLATE / REGISTRATION #<br><b>BIU4170</b> | VIN #<br><b>JF2SJABC5JH442747</b> |
|--|-----------------------------------|

|  |                                   |                                  |
|--|-----------------------------------|----------------------------------|
| BODY STYLE<br><b>Sport Utility Vehicle</b> | PRIMARY COLOR<br><b>Red (RED)</b> | REGISTRATION YEAR<br><b>2021</b> |
|--|-----------------------------------|----------------------------------|

|   |   |
|---|---|
| OWNER'S NAME -<br><b>Michelle Ljubich MARKARIAN</b> | PROOF OF OWNERSHIP<br><b>Registration</b> |
|---|---|

|  |   |
|--|---|
| OWNER'S NAME - 2<br><b>Philip Andrew LJUBICICH</b> | PROOF OF OWNERSHIP<br><b>Registration</b> |
|--|---|

|   |   |
|---|---|
| REPORTING OFFICER SIGNATURE / DATE<br><b>ERIC MICHL #4494 Apr 4, 2020 05:31 (e-signature)</b> | SUPERVISOR SIGNATURE / DATE<br><b>KIPP STRONG #5851 Apr 4, 2020 07:47 (e-signature)</b> |
| PRINT NAME<br><b>ERIC MICHL #4494</b>   | PRINT NAME<br><b>KIPP STRONG #5851</b>  |

|                  |                   |                  |          |
|------------------|-------------------|------------------|----------|
| STATUS           | STATUS DATE       | TOTAL (\$) VALUE | QUANTITY |
| Involved Vehicle | Apr 4, 2020 03:01 | UNKNOWN          | 1        |

**VEHICLE / PROPERTY & ITEMS SUMMARY**

| DESCRIPTION / MAKE / MODEL / COLOR                                | STATUS / DATE / REASON FOR CUSTODY | VIN # / SERIAL #  | QTY. | TOTAL (\$) VALUE |
|---|------------------------------------|-------------------|------|------------------|
| Parked at scene / Subaru: Subaru / Forester: Forester / Red (RED) | Involved Vehicle / Apr 4, 2020     | JF2SJABC5JH442747 | 1    | UNKNOWN          |

This report was generated in Mark43 and the e-signature was affixed using the undersigned officer's unique login and password. I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct to the best of my knowledge and belief.

|                       |            |             |
|-----------------------|------------|-------------|
| ELECTRONICALLY SIGNED | DATE       | PLACE       |
| ERIC MICHL            | 04/04/2020 | Seattle, WA |

|  |   |
|--|---|
| REPORTING OFFICER SIGNATURE / DATE               | SUPERVISOR SIGNATURE / DATE                       |
| ERIC MICHL #4494 Apr 4, 2020 05:31 (e-signature) | KIPP STRONG #5851 Apr 4, 2020 07:47 (e-signature) |
| PRINT NAME                                       | PRINT NAME  |
| ERIC MICHL #4494                                 | KIPP STRONG #5851                                 |

**Report Number 2020-113370 - Supplement - 3 Report**

|                    |   |                          |
|--------------------|---|--------------------------|
| REPORT DATE / TIME | CAD EVENT START DATE / TIME - CAD EVENT END DATE / TIME | REPORT WRITER            |
| Jun 29, 2020 13:11 | Jun 29, 2020 00:00 - 00:00                              | VINCENT FEUERSTEIN #7565 |

SUPPLEMENT TYPE

Detective Follow-Up

**NARRATIVE****\*\*\*\*See Attachment for full CIR\*\*\*\*****Case Investigation Report: #2020-113370 TCIS#2020-022****Type of Crime Collision-Train vs. Pedestrian****Date of Incident 4/4/2020****Date of Last Entry 6/11/2020****Submitted by:****Detective Vincent Feuerstein #7565, Traffic Collision Investigation Squad, Unit B631T. 206-684-8934, SPD7565@seattle.gov****UCR-****CMS- Civil (3)****LODI-****ATTACHMENTS ADDENDUM**

| FILE NAME                | UPLOAD DATE/TIME   | UPLOADED BY         |
|--------------------------|--------------------|---------------------|
| 2020-113370 TCIS CIR.pdf | Jun 29, 2020 13:17 | V. FEUERSTEIN #7565 |

This report was generated in Mark43 and the e-signature was affixed using the undersigned officer's unique login and password. I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct to the best of my knowledge and belief.

| ELECTRONICALLY SIGNED | DATE       | PLACE       |
|-----------------------|------------|-------------|
| VINCENT FEUERSTEIN    | 06/29/2020 | Seattle, WA |

| REPORTING OFFICER SIGNATURE / DATE                        | SUPERVISOR SIGNATURE / DATE                      |
|---|--|
| VINCENT FEUERSTEIN #7565 Jun 29, 2020 13:17 (e-signature) | RYAN LONG #6123 Jun 30, 2020 09:25 (e-signature) |
| PRINT NAME  | PRINT NAME                                       |
| VINCENT FEUERSTEIN #7565                                  | RYAN LONG #6123                                  |



STATE OF WASHINGTON  
DEPARTMENT OF HEALTH

CERTIFICATE OF DEATH



DATE ISSUED: 09/14/2020  
FEE NUMBER: 113866362

CERTIFICATE NUMBER: 2020-016529

FIRST AND MIDDLE NAME(S): JACOB KEITH  
LAST NAME(S): WYSS

COUNTY OF DEATH: KING  
DATE OF DEATH: APRIL 04, 2020  
HOUR OF DEATH: 03:01 AM  
SEX: MALE AGE: 42 YEARS  
SOCIAL SECURITY NUMBER: 4b

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

BIRTH DATE: DECEMBER 06, 1977  
BIRTHPLACE: RICHLAND, WA

MARITAL STATUS: SINGLE, NEVER MARRIED  
SURVIVING SPOUSE: NOT APPLICABLE

OCCUPATION: N/A - DISABLED/DEAF  
INDUSTRY: N/A  
EDUCATION: HIGH SCHOOL GRADUATE OR GED COMPLETED  
US ARMED FORCES: NO

INFORMANT: JOHN RAYMOND WYSS  
RELATIONSHIP: FATHER  
ADDRESS: 747-22 CHANDLER RD, CHEHALIS, WA 98532

CAUSE OF DEATH:  
A: MULTIPLE BLUNT FORCE INJURIES  
INTERVAL: SECONDS  
B:  
INTERVAL:  
C:  
INTERVAL:  
D:  
INTERVAL:

OTHER CONDITIONS CONTRIBUTING TO DEATH:

DATE OF INJURY: APRIL 04, 2020  
HOUR OF INJURY: 03:00 AM  
INJURY AT WORK: UNKNOWN  
PLACE OF INJURY: PARK

LOCATION OF INJURY: 950 NW CARKEEK PARK ROAD

CITY, STATE, ZIP: SEATTLE, WASHINGTON 98177  
COUNTY: KING

DESCRIBE HOW INJURY OCCURRED: PEDESTRIAN STRUCK BY TRAIN IN  
UNCERTAIN CIRCUMSTANCES

IF TRANSPORTATION INJURY, SPECIFY: NOT APPLICABLE

PLACE OF DEATH: OTHER PLACE  
FACILITY OR ADDRESS: 950 NW CARKEEK PARK ROAD  
CITY, STATE, ZIP: SEATTLE, WASHINGTON 98177

RESIDENCE STREET: NO PERMANENT ADDRESS N/A  
CITY, STATE, ZIP: N/A, WA 99999-9999  
INSIDE CITY LIMITS: UNKNOWN COUNTY: KING  
TRIBAL RESERVATION: NOT APPLICABLE

FATHER: JOHN RAYMOND WYSS  
MOTHER: LAURA JO CHALCRAFT

METHOD OF DISPOSITION: CREMATION  
PLACE OF DISPOSITION: MORTUARY CREMATION SERVICES

CITY, STATE: KENT, WASHINGTON  
DISPOSITION DATE: APRIL 14, 2020

FUNERAL FACILITY: EMMICK FAMILY FUNERAL SERVICES

ADDRESS: 3243 CALIFORNIA AVE SW  
CITY, STATE, ZIP: SEATTLE, WASHINGTON 98116  
FUNERAL DIRECTOR: MICHAEL K. EMMICK

MANNER OF DEATH: UNDETERMINED  
AUTOPSY: NO  
WERE AUTOPSY FINDINGS AVAILABLE TO COMPLETE  
CAUSE OF DEATH: NOT APPLICABLE  
DID TOBACCO USE CONTRIBUTE TO DEATH: NO  
PREGNANCY STATUS IF FEMALE: NO RESPONSE

CERTIFIER NAME: BRIAN S. MAZRIM, MD  
TITLE: CORONER/ME  
CERTIFIER ADDRESS: 325 9TH AVENUE #359792 MEDICAL EXAMINER  
CITY, STATE, ZIP: SEATTLE, WA 98104  
DATE SIGNED: APRIL 06, 2020

CASE REFERRED TO ME/CORONER: YES  
FILE NUMBER: 20-0831  
ATTENDING PHYSICIAN: NOT APPLICABLE

LOCAL DEPUTY REGISTRAR: DIANE BOGAN  
DATE RECEIVED: APRIL 13, 2020



# Affidavit for Correction

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

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

## STATE OFFICE USE ONLY

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

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

| The record currently shows: | The true fact is: |
|-----------------------------|-------------------|
| 8.                          | 9.                |
| 10.                         | 11.               |
| 12.                         | 13.               |

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

|                 |       |   |       |
|-----------------|-------|---|-------|
| 14a. Signature: |       | 14b. Signature of 2 <sup>nd</sup> parent (if required): |       |
| Printed name:   | Date: | Printed name:   | Date: |

**INSTRUCTIONS – go to [www.doh.wa.gov](http://www.doh.wa.gov) for more information**

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

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

**You cannot use a Driver's license, Social Security card, or hospital decorative birth certificate as proof documentation.**

**Birth Certificates**

1. Only a parent(s), legal guardian (if the child is under 18), or the named individual (if 18 or older) may change the birth certificate.
  2. The proof(s) must match the asserted fact(s). For example, if the affidavit says the name should be Mary Ann Doe, the proof must show the name to be Mary Ann Doe.
  3. Proof documentation must be five or more years old or established within five years of birth.
  4. This affidavit cannot be used to add a parent to a birth certificate (use Acknowledgment of Parentage form DOH 422-159).
- Child under 18**
- If legal guardian(s), include certified court order proving guardianship.
  - Up to age one or up to one year following the filing of an Acknowledgement of Parentage form, last name can be changed once to either parents' name on certificate (can be any combination of the first, middle or last names); thereafter, a court order is required to change the last name.
  - No proof is required to change the first or middle name.\*
  - To correct parent's information, one proof documentation is required.
  - To correct the sex of the child, one proof documentation from a medical provider is required.
- Adult (18 years or older)**
- Only the adult can change his or her birth certificate.
  - If the first or middle name is missing, three pieces of proof documentation are required.
  - If the first, middle and/or last name is misspelled, or month and/or day of birth is incorrect, two pieces of proof documentation are required.
  - To correct parent's birth date, place of birth, or name, one proof documentation is required.
- \*To change any part of the name of a child using this form, signatures from both parents listed on the certificate are required. If one parent is deceased, submit a death certificate with request.

**Death Certificates**

1. Only the informant may change the non-medical information without proof documentation. The funeral director, executors/administrators, or a family member may change the non-medical information with proof documentation. Family members are spouse or registered domestic partner, parent, sibling, or adult child or stepchild. Marital status requires a certified court order if someone other than the informant is requesting the change.
2. The medical information (cause of death) may be changed only by the certifying physician or the coroner/medical examiner.

**Marriage/Dissolution (Divorce) Certificates**

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



Certificate not valid unless the Seal of the State of Washington changes color when heat applied.



0 4 5 2 9 4 8 9