



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:		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		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-

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):

Docket No: TR-

IX. Comments

Event Summary:

Site Description:

Inspector Recommendations:

Docket No: TR-

Rail Safety Supervisor Comments/Sign Off:

Director of Transportation Safety Comments/Sign Off:

TR-220210



From: [State Emergency Operations Officer \(ML\)](#)
To: [Eldon Offutt](#); [Jacob Mungin](#); [Hunter, Kathy \(UTC\)](#); [Kenneth W. Holgard](#); [Kevin Pannell](#); [Michael Pirato](#); [Powell, John \(FRA\)](#); [Randall Boyington](#); [Stacey Thompson \(Fed Railroad Association Reg 8\)](#); [Stacey Weller](#); [Steven Travers](#); [WUTC Rail Reporting \(UTC\)](#)
Subject: BNSF Train vs Trespasser Report 21-3511
Date: Thursday, September 2, 2021 7:58:04 PM

Name of the Railroad(s) involved: BNSF

Reporting Party Name, Position and Contact Number: Cisco, BNSF Service Interruptions, 817-593-6823, Ext 1

Time and Date Called in to the WA State EOC: 2 Sep 2021, 1945 Pacific

Time and Date BNSF was notified of the Event: 2 Sep 2021, 1931 Pacific

Mile post and/or Address of Event: Stampede Sub, MP 34.3

Circumstances of the Incident: Trespasser walked onto the track and laid down in front of an oncoming freight train

Number of Injuries and/or Fatalities: Unknown at this time.

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: None

Name and Phone Local POC: None at this time

Railroad Incident Number: None

State EOC Incident Number: 21-3511

State Emergency Operations Officer/ERD

Alert & Warning Center

Emergency Management Division

Office: (800) 258-5990

From: ServiceInterruptionDesk@BNSF.com
To: [UTC DL WUTC Rail Reporting](#)
Cc: ServiceInterruptionDesk@BNSF.com
Subject: Notification of SID Ticket: 14678
Date: Friday, September 3, 2021 12:25:51 PM

External Email

Ticket #: 14678
Create D/T: 9/2/2021 9:31:36 PM
Resource:
Division: Northwest
Subdivision: Stampede
MilePost: 34.3
Line Segment: 49
City: Easton
County: Kittitas
State: WA
D Code: 219017
Train Symbol: U TACCSN7 01A

Trouble Code: Trespasser
Trouble Desc: 2131CT - U TACCSN7 01A reported striking a trespasser on single main track at MP 34.3 on the Stampede Subdivision, between Easton and Bullfrog. This incident did not occur at a road crossing. There are no injuries to the train crew and the status of the trespasser is pending.

Lead locomotive (BNSF 6547) is camera equipped.

Division officer enroute, ETA 2300CT.

Update #1
County Sheriff's Office confirmed trespasser sustained fatal injuries.

Closeout
0231CT - All personnel in the clear. Relief crew on board and ready to depart.

Train Soup: 2-91-3985-5541'
Train Direction: East
Lead Locos: BNSF 6547, BNSF 7023
DP Locos: BNSF 4550
Conductor Name: O Chavarria
Engineer Name: BS Sanders
Other Name:
On Duty Time and Date: 9/2/2021 1:01:00 PM
Crew Origin/Destination: AUBPAS

Name of Law Enforcement Agency on scene: Kittitas County, WA Sheriff's Office
FRA Post Accident Testing Required: No
Crossing DOT: Not at a crossing
Crossing Equipped With:

Haz Material: No
Haz Material Commodity:
Amount Released:
Impact to Waterway:

Evacuations:

Weather: 64*, Wind 4 MPH, Mostly Cloudy

State Report number: 21-3511

NRC Report Number: Does not meet reportable criteria

Derailed Equipment:

Estimated Costs & Damages

Track: 0.00 USD

Signal: 0.00 USD

Other: 0.00 USD

Car Damages: 0.00 USD

Locomotive Damages: 0.00 USD

Contractor Expense: 0.00 USD

Estimated Lading Recovery Costs: 0.00 USD

Prelim. Lading Loss Estimates: 0.00 USD

Trailer/Container Damages: 0.00 USD

FRA Reportable Subtotal: 0.00 USD

Not FRA Reportable Subtotal: 0.00 USD

Estimated Grand Total: 0.00 USD

NOTIFIED event(s):

9/2/2021 9:54:40 PNOTIFIED - Passenger Service --> Held, Claire Y - not a passenger route

9/2/2021 9:47:56 PNOTIFIED - State --> 2145CT - Earl w/ Dept of Ecology #21-3511

9/2/2021 9:34:22 PNOTIFIED - MDPD --> via Remedy

9/2/2021 9:34:18 PNOTIFIED - Signal Desk --> via Remedy

9/2/2021 9:34:12 PNOTIFIED - MOW Desk --> via Remedy

9/2/2021 9:34:06 PNOTIFIED - Mechanical Desk --> via Remedy

9/2/2021 9:33:56 PNOTIFIED - NOC GDT --> Pierce, Steven B

9/2/2021 9:33:51 PNOTIFIED - ROC --> Coomer, Matthew D



You are Visitor# 2541977

[Home](#)
[What's New](#)
[Crossing](#)
[Forms/Publications](#)
[Downloads](#)
[Data](#)
[Documents](#)
[Policies](#)

[Support](#)

Content-type: text/html

FROM FORM FRA F 6180.55A

CASUALTY RECORD			
RAILROAD:	BNSF Rwy Co. [BNSF]	INCIDENT NUMBER:	NW0921104
DATE:	09 /02 /2021	TIME:	7:31PM
STATE:	Washington	COUNTY:	KITTITAS
TYPE PERSON:	Trespassers	AGE:	
INJURY:	Fatality		

EMPLOYEES TESTED FOR ALCOHOL USE:	NONE REPORTED
NUMBER OF POSITIVE TESTS:	
EMPLOYEES TESTED FOR DRUG USE:	NONE REPORTED
NUMBER OF POSITIVE TESTS:	
EMPLOYEE TERMINATION/PERMANENT TRANSFER:	UNK/NA
EXPOSURE TO HAZARDOUS MATERIAL:	NO
FRA FORM 6180-54 FILED:	NO
FRA FORM 6180-57 FILED:	NO

CIRCUMSTANCES	
PHYSICAL ACT:	Laying
EVENT:	Struck by on-track equipment
RESULT:	Ballast, stones, etc.
CAUSE:	Human factor
LOCATION	
SITE:	Main/branch
ON TRK EQP:	Did not involve ontrack/other equipment
WHERE:	Between tracks
NARRATIVE	TRAIN REPORTING STRIKING AND FATALLY INJURING A TRESPASSER LAYING ON THE TRACKS. AGE UNKNOWN

U.S. DEPARTMENT OF TRANSPORTATION

1200 New Jersey Avenue, SE, Washington, DC
20590
855-368-4200



Want to know
more?

SUBSCRIBE NOW

About DOT

[Meet the Secretary](#)
[Leadership](#)
[Mission](#)
[Regulations](#)
[Newsroom](#)
[Transit Benefit Policy](#)
[Medium Blog](#)
[Careers](#)
[Social Media](#)
[Contact Us](#)

Operating Administrations

[FAA](#)
[MARAD](#)
[FHWA](#)
[NHTSA](#)
[FMCSA](#)
[OIG](#)
[FRA](#)
[OIG](#)
[FTA](#)
[PHMSA](#)
[GLS](#)

Research and Technology

[Office of the Assistant Secretary
Technology](#)
[Bureau of Transportation Statist
Volpe Center](#)
[Ask-A-Librarian](#)

[Policies, Rights, and Legal](#)



Kittitas County Sheriffs Office

Detail Incident Report

Incident: S21-10879

Reference Number:

Number:

Incident: ACCIDENT-INJURY

Area:

Observed: Suicide

Location: HUNDLEY RD MP .5; I90 & RR
TRACKS

When Reported: 19:30:20 09/02/21

Occurred Between: 19:29:56 09/02/21

And: 19:29:56 09/02/21

COMPLAINANTS:

Name: BNSF RAILWAY COMPANY

DOB: **/**/****

Race/Sex: /

Address: 4515 KANSAS AVE
KANSAS CITY, KS 66106

Home Phone: () -

Work Phone: () -

DECEASED:

Name: RUPERT, CHAD D.

DOB: 02/03/1971

Race/Sex: W/M

Address: 800 PIONEER TRAIL RD
CLE ELUM, WA 98940

Home Phone: (509)607-6580

Work Phone: (509)649-3582

MENTIONED IN REPORT:

Name: SANDERS, BRIAN S.

DOB: 11/17/1970

Race/Sex: W/M

Address: 13310 161ST STREET CT E
PUYALLUP, WA 98374

Home Phone: (253)307-0387

Work Phone: () -

Name: CHAVARRIA, OSVALDO L.

DOB: 10/20/1981

Race/Sex: L/M

Address: 9422 14TH AVE E
TACOMA, WA 98445

Home Phone: (253)301-7012

Work Phone: () -

EVIDENCE INFORMATION:

- | | | |
|----|---------------------------------------|-------------------------------|
| 1) | Status: Active | Item Type: Shotgun |
| | Item/Brand: MAVERICK | Model: 12 GA |
| | Serial Number: MV44268E | Color: BLK/ |
| | Quantity: 1 | ID Number: 1 |
| | Description: SHOTGUN (DAMAGED) | Item Number: S00015470 |
| 2) | Status: Active | Item Type: Ammunition |
| | Item/Brand: | Model: SHOTGUN SHELLS |
| | Serial Number: | Color: RED/ |
| | Quantity: 6 | ID Number: 2 |
| | Description: SHOTGUN SHELLS | Item Number: S00015471 |
-

NARRATIVE:

Name: BURSON, NICKOLA

Kittitas County Sheriff's Office Uniform Incident Report

CASE #: S21-10879

NARRATIVE:

On 09-02-2021 at approximately 1930 hours I was on uniform patrol in a marked car for the Kittitas County Sheriff's Office when I was dispatched to a train versus pedestrian collision. BNSF advised that a subject laid down on the tracks in front of the train and was struck by the train. The best that BNSF could advise was that it was in the area of Talmadge Rd. on the tracks.

While en route EMS located the subject who was deceased on the tracks east of I-90 exit 74. Upon arrival I observed where the subject had been struck by the train. There were pieces of body strewn on both sides of the tracks and on the tracks themselves for several train car lengths. On the north side of the tracks, there was a 12 gauge shotgun which was broken in half. There was no return on the shotgun when checked via KITTCOM.

The coroner and funeral home were requested to respond to the scene. BNSF Law Enforcement had also been dispatched to the scene.

I made contact with the conductors while Deputy Berg photographed the scene. The conductors were identified as Brain Sanders and Osvaldo Chavarria. I asked them what happened and they advised that they observed the male walk out of the woods holding the shotgun. The male then proceeded to lay down on the tracks and place his head on the rail. The train did not have enough time to stop and struck the male. Sanders advised that they hit the emergency brakes as they are supposed to do after impact. Sanders and Chavarria provided recorded statements into my patrol car camera system.

I was able to locate the male's wallet in his pants on the tracks. He was identified as Chad Rupert via his WA DL. There were no current involvements with Rupert listed in Spillman.

I detailed to Rupert's address at 800 Pioneer Trail Rd. to see if anyone else was home. I was unable to locate anyone at that residence. I did not see anything that appeared out of place when looking through the front window.

A request was put in to Snoqualmie P.D. to attempt next of kin notification to

Rupert's mother.

CONCLUSION:

Rupert walked out of the woods, laid down on the tracks, and was struck by the train which killed him.

ADDITIONAL DEPUTY REPORTS:

Deputy Berg

IN CAR VIDEO: (x)YES () NO VEHICLE NUMBER: 1603 VIDEO ID: 152129

Distribution:

Upper District Court

Lower District Court

Detectives

Prosecutor

Case file

Other: BNSF LOREN BARGER & DEPUTY CORONER SCHROEDER

I 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 I am entering my authorized user ID and Password to Authenticate it.

Signed at Cle Elum, Washington this Thu Sep 02 23:27:56 PDT 2021.

Deputy Name: N. Burson

Badge #: 42

SUPPLEMENTAL NARRATIVE:

Name: FOSTER, NATE

Date: 21:04:42 09/03/21

KITTITAS COUNTY SHERIFF'S OFFICE
SUPPLEMENTAL REPORT

CASE #: S21-10879

CRIME: Suicide

SUSPECT: Rupert, Chad D.

NARRATIVE:

On 09/02/2021 while on uniformed patrol for the Kittitas County Sheriff's Office and operating a fully marked patrol vehicle I was dispatched to assist with a Train Vs Pedestrian accident in the area of Exit 74. Deputy Berg and Deputy Burson were already on scene along with the Coroner and a BNSF Police Officer. We were able to identify the victim based off of a WADL located in the victims pants pocket.

We were able to find a possible address for his mother in Snoqualmie WA so I worked with Snoqualamaie PD and asked for an agency assist to make a notification. I made contact with officer Carey of Snoqualmie PD and he was able to make contact with Rupert's mother and advise her of her son's death.

Then on 09/03/2021 I received an email from the on scene BNSF Officer Loren Barger who sent still photos from the train. These still photos were taken just before the accident and you can clearly see a male walking from the south to towards the train tracks. In the second photo you can see the same male lying on the tracks holding a shotgun that was recovered at the scene. The description of the male matches that of Rupert. The photos have been added to the case file.

This ended my involvement in this investigation.

IN CAR VIDEO: () YES (NCF) NO VEHICLE NUMBER: _____ VIDEO ID: _____

Distribution:

- Upper District Court
- Lower District Court
- Detectives
- Prosecutor
- [NCF] Case File

[] Other: _____ Coroner's Office _____

I 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 I am entering my authorized user ID and Password to authenticate it.

Signed at Ellensburg, Washington this 3rd day of September 2021.

Deputy Name: Nate C. Foster

Badge #: 16

SUPPLEMENTAL NARRATIVE:

Name: BERG, CHARLES

Date: 01:48:25 09/05/21

KITTITAS COUNTY SHERIFF'S OFFICE
SUPPLEMENTAL REPORT

CASE #: S21-10879

CRIME: Suicide

SUSPECT: Rupert, Chad D.

NARRATIVE:

On August 3, 2021 at about 1930 hours, I was dispatched to a Train Vs Pedestrian accident south of I-90's Exit 74. BNSF advised a subject had walked out of the woods and laid down on the tracks in front of the train.

As I was responding, Cle Elum PD Sgt. Albo advised he had located the subject. He requested deputies make access to the scene from the RR service road south of I-90 exit 74. Kittitas Co. Fire and EMS were also on scene and advised the subject was deceased.

On my arrival I contacted Sgt. Albo how showed me where he believed the subject had been lying on the tracks. I could see brain matter, blood, and bone chunks on both rails of the train tracks. The train had been traveling east at the time of the collision. The debris field of body parts corresponded with Sgt. Albo's assessment. This spot is believed to be where the subject was lying before being impacted. Nothing of evidential value was located west of this spot. It was evident to me this was the location of impact. The impacted location was .6 miles east of Nelson Siding Rd.

From the impact zone east, I found human remains scattered throughout both sides of the railroad tracks, with most of the remains remaining within the rails of the tracks. The majority of the deceased body was located approximal 150 yards east of the impact zone. A broken 12 Ga. Shotgun with 5 shells and 1 spent round was also located in the debris field.

With the assistance of BNSF officers and Kittitas Co. Coroner office, Deputy Burson, Sgt. Foster and I process the scene. The deceased was identify and his next of kin was notified. As the investigation progressed it became evident this was a suicide. There was no evidence that the shotgun contributed to the death.

I processed the scene by photographing the remains and debris found at the

scene. See photos for details.

I collected the shotgun and shell casings for safekeeping. The shotgun itself had been damaged beyond repairs. I would later enter the shotgun and shells into evidence as safekeeping. I requested it be held for 60 before being scheduled for destruction. See evidence report for details.

This ended my involvement in this investigation.

Distribution:

Upper District Court

Lower District Court

Detectives

Prosecutor

Case File

Other: _____

I 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 I am entering my authorized user ID and Password to authenticate it.

Signed at Ellensburg Washington this 9/5/2021.

Deputy Name: Chuck S Berg #25

Badge #: 25

Approval: _____

Distribution:

- | | | | |
|----------------------------|--------------------------|---------------------|--------------------------------|
| City Attorney: | <input type="checkbox"/> | City Prosecutor: | <input type="checkbox"/> |
| Child Protective Services: | <input type="checkbox"/> | Courts: | <input type="checkbox"/> _____ |
| Detectives: | <input type="checkbox"/> | Juvenile Probation: | <input type="checkbox"/> |
| Juvenile Prosecutor: | <input type="checkbox"/> | Mental Health: | <input type="checkbox"/> |
| Misdemeanant Probation: | <input type="checkbox"/> | Prosecutor: | <input type="checkbox"/> |
| 7 Day Board: | <input type="checkbox"/> | Student Affairs: | <input type="checkbox"/> |
| WSP: | <input type="checkbox"/> | Other: | _____ |