

## Report Number 2023-022231 - Traffic Crash - 1 Report

REPORT DATE / TIME Jan 26, 2023 13:50	PRECINCT / SECTOR / BEAT / RA / MCPP W / D / D2 / 3588 / SLU/CASCADE	CAD EVENT START DATE / TIME - CAD EVENT END DATE / TIME Jan 23, 2023 20:07 - Jan 24, 2023 14:03
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REPORT WRITER  
HAILEY WICKEN #8687

ASSISTING PERSONNEL / TYPE(S)  
HAILEY WICKEN #8687 (Primary Officer)

REPORT TAKEN LOCATION  
DEXTER AVE N & THOMAS ST, SEATTLE, WA 98109

### NARRATIVE

See Officer's Narrative.

#### REPORTING PARTY 1

REPORTING PARTY- (ORGANIZATION)  
R-1 SPD  
ORGANIZATION TYPE  
Government

### TRAFFIC CRASH

TRAFFIC CRASH LOCATION  
DEXTER AVE N & THOMAS ST, SEATTLE, WA 98109

#### SUBJECT 1

SUBJECT- NAME (LAST, FIRST MIDDLE) SB-1 Dave, Kevin A		DOB / ESTIMATED AGE RANGE 4(b) -10
SEX Male	RACE / ETHNICITY Unknown / Unknown	PHONE NUMBER (206) 684-8917 (primary, Mobile Phone)

HOME ADDRESS  
810 VIRGINIA ST, SEATTLE, WA 98101

#### SUBJECT 2

SUBJECT-2 NAME (LAST, FIRST MIDDLE) SB-2 1(f), 1(d) (deceased)		DOB / ESTIMATED AGE RANGE 1(f), 1(d)
SEX Female	RACE / ETHNICITY Unknown / Unknown	

HOME ADDRESS  
1(f), 1(d)

#### SUBJECT 3

SUBJECT-3 NAME (LAST, FIRST MIDDLE) SB-3 1(d)		DOB / ESTIMATED AGE RANGE 1989 1(d)
SEX Male	RACE / ETHNICITY Unknown / Unknown	PHONE NUMBER (206) 1(d) (primary, Mobile Phone)

HOME ADDRESS  
1(d) 14TH AVE SEATTLE, WA 98122

#### SUBJECT 4

SUBJECT-4 NAME (LAST, FIRST MIDDLE) SB-4 1(d)		DOB / ESTIMATED AGE RANGE 1995 1(d)
SEX Male	RACE / ETHNICITY Unknown / Unknown	PHONE NUMBER (757) 1(d) (primary, Mobile Phone)

REPORTING OFFICER SIGNATURE / DATE PATRICK LACEY #9682 Jan 26, 2023 14:00 (e-signature) PRINT NAME PATRICK LACEY #9682	SUPERVISOR SIGNATURE / DATE TRACY BEAGLE #9683 Jan 26, 2023 14:01 (e-signature) PRINT NAME TRACY BEAGLE #9683
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HOME ADDRESS

1(d) MINOR AVE E 1(d) SEATTLE, WA 98102

SUBJECT 5

SUBJECT-5 NAME (LAST, FIRST MIDDLE)

SB-5 1(d)

DOB / ESTIMATED AGE RANGE

1987 1(d)

SEX: Unknown  
RACE / ETHNICITY: Unknown / Unknown

PHONE NUMBER: (402) 1(d) (primary, Mobile Phone)

HOME ADDRESS

1(d) S 214TH ST, ELKHORN, NE 68022

VEHICLE INVOLVED: FORD EXPLORER 2020

ITEM CATEGORY	MAKE	MODEL	YEAR OF MANUFACTURE
Suv (sport Utility Vehicle)	Ford	Explorer	2020

DESCRIPTION: None required

LICENSE PLATE / REGISTRATION #	VIN #
71703D	1FM5K8AW9LGD02122

BODY STYLE	PRIMARY COLOR	REGISTRATION STATE
Sport Utility Vehicle	Unknown	Washington

OWNER: CITY OF SEATTLE FLEET MANAGEMENT

DRIVER: Kevin A Dave

STATUS	STATUS DATE	TOTAL (\$) VALUE	IMPOUND REQUESTED?
Impounded Vehicle	Jan 23, 2023	UNKNOWN	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

IMPOUNDED / TOWED	QUANTITY	VEHICLE SEARCH CONSENT	IN POLICE CUSTODY
Yes	1	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	No

RECOVERING OFFICER / ID # / PERSON: ZACHARY BACKMAN #8619

RECOVERED LOCATION: DEXTER AVE N & THOMAS ST, SEATTLE, WA 98109

STATUS	STATUS DATE	TOTAL (\$) VALUE	IMPOUND REQUESTED?
Involved Vehicle	Jan 23, 2023	UNKNOWN	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

IMPOUNDED / TOWED	QUANTITY	VEHICLE SEARCH CONSENT	IN POLICE CUSTODY
Yes	1	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	No

RECOVERING OFFICER / ID # / PERSON: ZACHARY BACKMAN #8619

RECOVERED LOCATION: DEXTER AVE N & THOMAS ST, SEATTLE, WA 98109

VEHICLE / PROPERTY & ITEMS SUMMARY

DESCRIPTION / MAKE / MODEL / COLOR	STATUS / DATE / REASON FOR CUSTODY	VIN # / SERIAL #	QTY.	TOTAL (\$) VALUE
None required / Ford / Explorer / Unknown	Involved Vehicle / Jan 23, 2023	1FM5K8AW9LGD02122	1	UNKNOWN
None required / Ford / Explorer / Unknown	Impounded Vehicle / Jan 23, 2023	1FM5K8AW9LGD02122	1	UNKNOWN

PERSON ADDENDUM

FIRST NAME	LAST NAME	MIDDLE NAME	DOB / ESTIMATED AGE RANGE
1(d)	1(d)	1(d)	1987 1(d)

REPORTING OFFICER SIGNATURE / DATE: PATRICK LACEY #9682 Jan 26, 2023 14:00 (e-signature)  
PRINT NAME: PATRICK LACEY #9682

SUPERVISOR SIGNATURE / DATE: TRACY BEAGLE #9683 Jan 26, 2023 14:01 (e-signature)  
PRINT NAME: TRACY BEAGLE #9683

RACE / ETHNICITY Unknown / Unknown	SEX Unknown	DECEASED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
HOME ADDRESS- 1(d) S 214TH ST, ELKHORN, NE 68022	ENTERED DATE Jan 26, 2023	
PHONE NUMBER (402) 1(d) (primary, Mobile Phone)		

**PERSON ADDENDUM**

FIRST NAME 1(f), 1(d)	LAST NAME 1(f), 1(d)	DOB / ESTIMATED AGE RANGE 1(f), 1(d)	
RACE / ETHNICITY Unknown / Unknown	SEX Female	DECEASED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	DATE OF DEATH Jan 23, 2023 20:07
HOME ADDRESS- 1(f), 1(d)	ENTERED DATE Jan 26, 2023		
DL ID # 1(g)	DL STATE Washington		

**PERSON ADDENDUM**

FIRST NAME 1(d)	LAST NAME 1(d)	MIDDLE NAME 1(g)	DOB / ESTIMATED AGE RANGE 1995 1(d)
RACE / ETHNICITY Unknown / Unknown	SEX Male	DECEASED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
HOME ADDRESS- 1(d) MINOR AVE E, 1(g) SEATTLE, WA 98102	ENTERED DATE Jan 26, 2023		
PHONE NUMBER (757) 1(d) (primary, Mobile Phone)			

**PERSON ADDENDUM**

FIRST NAME 1(d)	LAST NAME 1(d)	DOB / ESTIMATED AGE RANGE 1989 1(d)	
RACE / ETHNICITY Unknown / Unknown	SEX Male	DECEASED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
HOME ADDRESS- 1(d) 14TH AVE, 1(g) SEATTLE, WA 98122	ENTERED DATE Jan 26, 2023		
PHONE NUMBER (206) 1(d) (primary, Mobile Phone)			

**PERSON ADDENDUM**

FIRST NAME Kevin	LAST NAME Dave	MIDDLE NAME A	DOB / ESTIMATED AGE RANGE 4(b) -10
RACE / ETHNICITY Unknown / Unknown	SEX Male	DECEASED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
HOME ADDRESS- 810 VIRGINIA ST, SEATTLE, WA 98101	ENTERED DATE Jan 26, 2023		
PHONE NUMBER (206) 684-8917 (primary, Mobile Phone)	DL ID # 1(g)	DL STATE Washington	

**ATTACHMENTS ADDENDUM**

FILE NAME	UPLOAD DATE/TIME	UPLOADED BY
2023-022231 Tow Impound and Inventory Record.pdf	Jan 27, 2023 05:46	E. GIRON #5611

REPORTING OFFICER SIGNATURE / DATE PATRICK LACEY #9682 Jan 26, 2023 14:00 (e-signature) PRINT NAME PATRICK LACEY #9682	SUPERVISOR SIGNATURE / DATE TRACY BEAGLE #9683 Jan 26, 2023 14:01 (e-signature) PRINT NAME TRACY BEAGLE #9683
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2023-022231PTCR.pdf

Jan 27, 2023 05:43

E. GIRON #5611

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 PATRICK LACEY	DATE 01/26/2023	PLACE Seattle, WA
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REPORTING OFFICER SIGNATURE / DATE  
 PATRICK LACEY #9682 Jan 26, 2023 14:00 (e-signature)  
 PRINT NAME  
 PATRICK LACEY #9682

SUPERVISOR SIGNATURE / DATE  
 TRACY BEAGLE #9683 Jan 26, 2023 14:01 (e-signature)  
 PRINT NAME  
 TRACY BEAGLE #9683

## Report Number 2023-022231 - Custodial Property Summary Report

### VEHICLE / PROPERTY & ITEMS SUMMARY

DESCRIPTION / MAKE / MODEL / COLOR	STATUS / DATE / REASON FOR CUSTODY	VIN # / SERIAL #	QTY.	TOTAL (\$) VALUE
SESC Ear Bud without cup / White (WHI)	Evidence / Jan 23, 2023 / Evidence		1	UNKNOWN
SESC Earbud with cup / White (WHI)	Evidence / Jan 23, 2023 / Evidence		1	UNKNOWN
SSSC ear bud cup / White (WHI)	Evidence / Jan 23, 2023 / Evidence		1	UNKNOWN
SSSC Ruler / Other (OTH)	Evidence / Jan 23, 2023 / Evidence		2	UNKNOWN
SBSC victims belongings / Tan (TAN)	Evidence / Jan 23, 2023 / Evidence		1	UNKNOWN
SBSC parts of vehicle head light / Other (OTH)	Evidence / Jan 23, 2023 / Evidence		1	UNKNOWN
SSSC victims clothing / Black (BLK)	Evidence / Jan 23, 2023 / Evidence		1	UNKNOWN

### PROPERTY & ITEMS ADDENDUM

#### 2023 022231 2 OTHER ITEM SESC EAR BUD WITHOUT CUP

ITEM CATEGORY

Radio, TVs, VCRs, DVD Players

DESCRIPTION

SESC Ear Bud without cup

COLOR

White (WHI)

STATUS	STATUS DATE	TOTAL (\$) VALUE	QUANTITY
Evidence	Jan 23, 2023	UNKNOWN	1

IN POLICE CUSTODY	REASON FOR POLICE CUSTODY
Yes	Evidence

RECOVERING OFFICER / ID # / PERSON

ANDREW KRAL #8613

STORAGE LOCATION / PERSON / DESTINATION / INTAKE PERSON

West Precinct > Evidence Locker

RECOVERED LOCATION

THOMAS ST & DEXTER AV N, SEATTLE, WA 98109

#### 2023 022231 3 OTHER ITEM SESC EARBUD WITH CUP

ITEM CATEGORY

Radio, TVs, VCRs, DVD Players

DESCRIPTION

SESC Earbud with cup

COLOR

White (WHI)

STATUS	STATUS DATE	TOTAL (\$) VALUE	QUANTITY
Evidence	Jan 23, 2023	UNKNOWN	1

IN POLICE CUSTODY	REASON FOR POLICE CUSTODY
Yes	Evidence

RECOVERING OFFICER / ID # / PERSON

ANDREW KRAL #8613

STORAGE LOCATION / PERSON / DESTINATION / INTAKE PERSON

West Precinct > Evidence Locker

RECOVERED LOCATION

THOMAS ST & DEXTER AV N, SEATTLE, WA 98109

2023 022231 4 OTHER ITEM SSSC EAR BUD CUP

ITEM CATEGORY

Radio, TVs, VCRs, DVD Players

DESCRIPTION

SSSC ear bud cup

COLOR

White (WHI)

STATUS	STATUS DATE	TOTAL (\$) VALUE	QUANTITY
Evidence	Jan 23, 2023	UNKNOWN	1

IN POLICE CUSTODY	REASON FOR POLICE CUSTODY
Yes	Evidence

RECOVERING OFFICER / ID # / PERSON

ANDREW KRAL #8613

STORAGE LOCATION / PERSON / DESTINATION / INTAKE PERSON

West Precinct > Evidence Locker

RECOVERED LOCATION

THOMAS ST & DEXTER AV N, SEATTLE, WA 98109

2023 022231 5 OTHER ITEM SSSC RULER

ITEM CATEGORY

Artistic Supplies/ Accessories

DESCRIPTION

SSSC Ruler

COLOR

Other (OTH)

STATUS	STATUS DATE	TOTAL (\$) VALUE	QUANTITY
Evidence	Jan 23, 2023	UNKNOWN	2

IN POLICE CUSTODY	REASON FOR POLICE CUSTODY
Yes	Evidence

RECOVERING OFFICER / ID # / PERSON

ANDREW KRAL #8613

STORAGE LOCATION / PERSON / DESTINATION / INTAKE PERSON

West Precinct > Evidence Locker

RECOVERED LOCATION

THOMAS ST & DEXTER AV N, SEATTLE, WA 98109

2023 022231 6 OTHER ITEM SBSC VICTIMS BELONGINGS

ITEM CATEGORY

Purses/ Handbags/ Backpack

DESCRIPTION

SBSC victims belongings

COLOR

Tan (TAN)

STATUS	STATUS DATE	TOTAL (\$) VALUE	QUANTITY
Evidence	Jan 23, 2023	UNKNOWN	1

IN POLICE CUSTODY	REASON FOR POLICE CUSTODY
Yes	Evidence

RECOVERING OFFICER / ID # / PERSON

ANDREW KRAL #8613

STORAGE LOCATION / PERSON / DESTINATION / INTAKE PERSON

West Precinct > Evidence Locker

RECOVERED LOCATION

THOMAS ST & DEXTER AV N, SEATTLE, WA 98109

2023 022231 7 OTHER ITEM SBSC PARTS OF VEHICLE HEAD LIGHT

ITEM CATEGORY

Vehicle Parts/ Accessories

DESCRIPTION

SBSC parts of vehicle head light

COLOR

Other (OTH)

STATUS	STATUS DATE	TOTAL (\$) VALUE	QUANTITY
Evidence	Jan 23, 2023	UNKNOWN	1

IN POLICE CUSTODY	REASON FOR POLICE CUSTODY
Yes	Evidence

RECOVERING OFFICER / ID # / PERSON

ANDREW KRAL #8613

STORAGE LOCATION / PERSON / DESTINATION / INTAKE PERSON

West Precinct > Evidence Locker

RECOVERED LOCATION

THOMAS ST & DEXTER AV N, SEATTLE, WA 98109

2023 022231 8 OTHER ITEM SSSC VICTIMS CLOTHING

ITEM CATEGORY

Clothes

DESCRIPTION

SSSC victims clothing

COLOR

Black (BLK)

STATUS	STATUS DATE	TOTAL (\$) VALUE	QUANTITY
Evidence	Jan 23, 2023	UNKNOWN	1

IN POLICE CUSTODY	REASON FOR POLICE CUSTODY
Yes	Evidence

RECOVERING OFFICER / ID # / PERSON

ANDREW KRAL #8613

STORAGE LOCATION / PERSON / DESTINATION / INTAKE PERSON

West Precinct > Evidence Locker

RECOVERED LOCATION

THOMAS ST & DEXTER AV N, SEATTLE, WA 98109

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
MELISSA EDMUNDSON	02/07/2023	Seattle, WA

**Report Number 2023-022231 - Supplement - 4 Report**

REPORT DATE / TIME Feb 2, 2023 14:26	CAD EVENT START DATE / TIME - CAD EVENT END DATE / TIME Feb 2, 2023 14:00	REPORT WRITER BRETT SCHOENBERG #7429
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## REPORT DESCRIPTION

Property Release Form

## SUPPLEMENT TYPE

Detective Follow-Up

**NARRATIVE**

Property Release form

**ATTACHMENTS ADDENDUM**

FILE NAME	UPLOAD DATE/TIME	UPLOADED BY
Prop Release Form_fillable_052819.pdf	Feb 2, 2023 14:35	B. SCHOENBERG #7429

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
BRETT SCHOENBERG	02/02/2023	Seattle, WA

REPORTING OFFICER SIGNATURE / DATE BRETT SCHOENBERG #7429 Feb 2, 2023 14:37 (e-signature) PRINT NAME BRETT SCHOENBERG #7429	SUPERVISOR SIGNATURE / DATE ASHLEY PRICE #5783 Feb 7, 2023 16:50 (e-signature) PRINT NAME ASHLEY PRICE #5783
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**Report Number 2023-022231 - Supplement - 2 Report**

REPORT DATE / TIME Jan 24, 2023 00:04	CAD EVENT START DATE / TIME - CAD EVENT END DATE / TIME Jan 23, 2023 20:07	REPORT WRITER ANDREW KRAL #8613
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## REPORT DESCRIPTION

Kral statement

## SUPPLEMENT TYPE

Statement

**NARRATIVE**

My BWV and ICV were active during this event.

This report is intended as a summary of events. I have paraphrased conversations and have not included an exact sequencing of events. For any exact quotes or exact sequencing of events I would refer the reader to my body worn camera, as it was recording at the time of this incident.

On 01/23/2023 at 2026 hours while working uniformed patrol as 3M22 I was dispatched to a call of a collision at Dexter Av N and Thomas St.

I arrived on scene and was asked if I could get a spare key for a patrol vehicle that needed to be moved. I drove back to the precinct and retrieved the spare key. I then drove back to the scene and provided the key to A/SGT Mattson.

I then was asked to hold scene security at the north end. I stayed on scene security until I was asked to assist picking up evidence. I picked up evidence and placed the items in the back of a patrol vehicle. I then assisted in taking down caution tape.

Once the tape was down I went back to the precinct and processed the evidence. I placed the evidence into bags and boxes as needed. I then entered the evidence into mark43 and then placed the evidence into the evidence room.

**INVOLVED LOCATIONS**

## LOCATION

THOMAS ST &amp; DEXTER AV N, SEATTLE, WA 98109

**VEHICLE / PROPERTY & ITEMS SUMMARY**

DESCRIPTION / MAKE / MODEL / COLOR	STATUS / DATE / REASON FOR CUSTODY	VIN # / SERIAL #	QTY.	TOTAL (\$) VALUE
Ear Bud without cup / White (WHI)	Evidence / Jan 23, 2023 / Evidence		1	UNKNOWN
Earbud with cup / White (WHI)	Evidence / Jan 23, 2023 / Evidence		1	UNKNOWN
ear bud cup / White (WHI)	Evidence / Jan 23, 2023 / Evidence		1	UNKNOWN
Ruler / Other (OTH)	Evidence / Jan 23, 2023 / Evidence		2	UNKNOWN
victims belongings / Tan (TAN)	Evidence / Jan 23, 2023 / Evidence		1	UNKNOWN
parts of vehicle head light / Other (OTH)	Evidence / Jan 23, 2023 / Evidence		1	UNKNOWN
victims clothing / Black (BLK)	Evidence / Jan 23, 2023 / Evidence		1	UNKNOWN

**PROPERTY & ITEMS ADDENDUM**

2023 022231 2 OTHER ITEM EAR BUD WITHOUT CUP

## ITEM CATEGORY

Radio, TVs, VCRs, DVD Players

## REPORTING OFFICER SIGNATURE / DATE

ANDREW KRAL #8613 Jan 24, 2023 00:21 (e-signature)

## PRINT NAME

ANDREW KRAL #8613

## SUPERVISOR SIGNATURE / DATE

GARICK MATTSON #8305 Jan 24, 2023 03:43 (e-signature)

## PRINT NAME

GARICK MATTSON #8305

DESCRIPTION

Ear Bud without cup

COLOR

White (WHI)

STATUS	STATUS DATE	TOTAL (\$) VALUE	QUANTITY
Evidence	Jan 23, 2023	UNKNOWN	1

IN POLICE CUSTODY	REASON FOR POLICE CUSTODY
Yes	Evidence

RECOVERING OFFICER / ID # / PERSON

ANDREW KRAL #8613

STORAGE LOCATION / PERSON / DESTINATION / INTAKE PERSON

West Precinct > Evidence Locker

RECOVERED LOCATION

THOMAS ST & DEXTER AV N, SEATTLE, WA 98109

2023 022231 3 OTHER ITEM EARBUD WITH CUP

ITEM CATEGORY

Radio, TVs, VCRs, DVD Players

DESCRIPTION

Earbud with cup

COLOR

White (WHI)

STATUS	STATUS DATE	TOTAL (\$) VALUE	QUANTITY
Evidence	Jan 23, 2023	UNKNOWN	1

IN POLICE CUSTODY	REASON FOR POLICE CUSTODY
Yes	Evidence

RECOVERING OFFICER / ID # / PERSON

ANDREW KRAL #8613

STORAGE LOCATION / PERSON / DESTINATION / INTAKE PERSON

West Precinct > Evidence Locker

RECOVERED LOCATION

THOMAS ST & DEXTER AV N, SEATTLE, WA 98109

2023 022231 4 OTHER ITEM EAR BUD CUP

ITEM CATEGORY

Radio, TVs, VCRs, DVD Players

DESCRIPTION

ear bud cup

COLOR

White (WHI)

STATUS	STATUS DATE	TOTAL (\$) VALUE	QUANTITY
Evidence	Jan 23, 2023	UNKNOWN	1

IN POLICE CUSTODY	REASON FOR POLICE CUSTODY
Yes	Evidence

RECOVERING OFFICER / ID # / PERSON

ANDREW KRAL #8613

STORAGE LOCATION / PERSON / DESTINATION / INTAKE PERSON

West Precinct > Evidence Locker

RECOVERED LOCATION

THOMAS ST & DEXTER AV N, SEATTLE, WA 98109

2023 022231 5 OTHER ITEM RULER

ITEM CATEGORY

Artistic Supplies/ Accessories

REPORTING OFFICER SIGNATURE / DATE	SUPERVISOR SIGNATURE / DATE
ANDREW KRAL #8613 Jan 24, 2023 00:21 (e-signature)	GARICK MATTSON #8305 Jan 24, 2023 03:43 (e-signature)
PRINT NAME	PRINT NAME
ANDREW KRAL #8613	GARICK MATTSON #8305

DESCRIPTION

**Ruler**

COLOR

**Other (OTH)**

STATUS	STATUS DATE	TOTAL (\$) VALUE	QUANTITY
<b>Evidence</b>	<b>Jan 23, 2023</b>	<b>UNKNOWN</b>	<b>2</b>

IN POLICE CUSTODY	REASON FOR POLICE CUSTODY
<b>Yes</b>	<b>Evidence</b>

RECOVERING OFFICER / ID # / PERSON

**ANDREW KRAL #8613**

STORAGE LOCATION / PERSON / DESTINATION / INTAKE PERSON

**West Precinct > Evidence Locker**

RECOVERED LOCATION

**THOMAS ST & DEXTER AV N, SEATTLE, WA 98109**

**2023 022231 6 OTHER ITEM VICTIMS BELONGINGS**

ITEM CATEGORY

**Purses/ Handbags/ Backpack**

DESCRIPTION

**victims belongings**

COLOR

**Tan (TAN)**

STATUS	STATUS DATE	TOTAL (\$) VALUE	QUANTITY
<b>Evidence</b>	<b>Jan 23, 2023</b>	<b>UNKNOWN</b>	<b>1</b>

IN POLICE CUSTODY	REASON FOR POLICE CUSTODY
<b>Yes</b>	<b>Evidence</b>

RECOVERING OFFICER / ID # / PERSON

**ANDREW KRAL #8613**

STORAGE LOCATION / PERSON / DESTINATION / INTAKE PERSON

**West Precinct > Evidence Locker**

RECOVERED LOCATION

**THOMAS ST & DEXTER AV N, SEATTLE, WA 98109**

**2023 022231 7 OTHER ITEM PARTS OF VEHICLE HEAD LIGHT**

ITEM CATEGORY

**Vehicle Parts/ Accessories**

DESCRIPTION

**parts of vehicle head light**

COLOR

**Other (OTH)**

STATUS	STATUS DATE	TOTAL (\$) VALUE	QUANTITY
<b>Evidence</b>	<b>Jan 23, 2023</b>	<b>UNKNOWN</b>	<b>1</b>

IN POLICE CUSTODY	REASON FOR POLICE CUSTODY
<b>Yes</b>	<b>Evidence</b>

RECOVERING OFFICER / ID # / PERSON

**ANDREW KRAL #8613**

STORAGE LOCATION / PERSON / DESTINATION / INTAKE PERSON

**West Precinct > Evidence Locker**

RECOVERED LOCATION

**THOMAS ST & DEXTER AV N, SEATTLE, WA 98109**

**2023 022231 8 OTHER ITEM VICTIMS CLOTHING**

ITEM CATEGORY

**Clothes**

REPORTING OFFICER SIGNATURE / DATE	SUPERVISOR SIGNATURE / DATE
<b>ANDREW KRAL #8613 Jan 24, 2023 00:21 (e-signature)</b>	<b>GARICK MATTSON #8305 Jan 24, 2023 03:43 (e-signature)</b>
<b>ANDREW KRAL #8613</b>	<b>GARICK MATTSON #8305</b>

DESCRIPTION

victims clothing

COLOR

Black (BLK)

STATUS	STATUS DATE	TOTAL (\$) VALUE	QUANTITY
Evidence	Jan 23, 2023	UNKNOWN	1

IN POLICE CUSTODY	REASON FOR POLICE CUSTODY
Yes	Evidence

RECOVERING OFFICER / ID # / PERSON

ANDREW KRAL #8613

STORAGE LOCATION / PERSON / DESTINATION / INTAKE PERSON

West Precinct > Evidence Locker

RECOVERED LOCATION

THOMAS ST & DEXTER AV N, SEATTLE, WA 98109

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
ANDREW KRAL	01/24/2023	Seattle, WA

REPORTING OFFICER SIGNATURE / DATE	SUPERVISOR SIGNATURE / DATE
ANDREW KRAL #8613 Jan 24, 2023 00:21 (e-signature)	GARICK MATTSON #8305 Jan 24, 2023 03:43 (e-signature)
PRINT NAME ANDREW KRAL #8613	PRINT NAME GARICK MATTSON #8305

**Report Number 2023-022231 - Supplement - 3 Report**

REPORT DATE / TIME Jan 24, 2023 00:08	CAD EVENT START DATE / TIME - CAD EVENT END DATE / TIME Jan 23, 2023 20:07	REPORT WRITER DANIEL AUDERER #7499
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## REPORT DESCRIPTION

Statement - DRE Screening

## SUPPLEMENT TYPE

Statement

**NARRATIVE**

Driver / Dave, Kevin

I have been a Seattle Police Officer since 2008. I was trained at the Washington State Criminal Justice Training Center. Portions of that training dealt with the detection and investigation of impaired drivers. I am certified by the Washington State Patrol and the International Association of Chiefs of Police as a Drug Recognition Expert. I have taken part in thousands of impaired driving investigations. I am a Standard Field Sobriety Test instructor. I am a BAC Datamaster and Draeger Instructor. I am currently assigned to the SPD DUI Squad. I come into contact with high or drunk people on a nightly basis and have grown very familiar with how drugs and alcohol affect a persons behavior. I have patrolled the streets of Seattle my entire career. During my watch I see thousands of cars traveling along the streets of the city. I have been driving on the streets of Seattle for over 20 years.

On 1/23/22 at approximately 2115 I was dispatched from home to assist TCIS in a vehicle vs pedestrian collision at the intersection of Dexter/Thomas. I was told the involved driver was an on-duty SPD Officer. I spoke to Detective Schoenberg over the phone. Detective Schoenberg relayed to me that despite Dave showing no signs of impairment that he would like him evaluated.

I arrived at the West Precinct. I spoke briefly with Sgt Stuart. Sgt Stuart relayed to me that Dave was enroute to a reported Overdose when he was involved in a collision with a pedestrian near the intersection of Dexter Av / Thomas St. Sgt Stuart went on to say that the victim suffered injuries and was being treated at HMC. Sgt Stuart went on to say that it was undetermined whether the pedestrian had been in a crosswalk or had been crossing mid-block.

I contacted Dave in the West Precinct roll call room (2236). Dave agreed to take part in physical tests. Upon contact I noted Dave s eyes were clear. His facial color was normal. Dave s movements were fluid and natural. Dave was well groomed. I smelled no unusual or suspicious odors. I took Dave s pulse rate. Dave s pulse rate was 66bpm. Normal pulse rate is 60-90bpm. I checked Dave s mouth. Dave s tongue was not discolored and his taste buds were not raised. Dave claimed to take no prescription medication. I conducted HGN. Dave showed no clues. Lack of Convergence was not present. During the test I noted no sway. I asked Dave to tilt his head back and shut his eyes. I noted no eyelid fluttering. Dave performed the Romberg Balance Test. During the test I noted no sway or eyelid fluttering. Dave estimated 30 seconds in a timed 30 seconds. When asked how he had estimated the time Dave told me he just counted in his head.

It was very obvious to me that Dave was not impaired and safe to operate a motor vehicle.

At the time of this statement I did not know the pedestrians age or the nature of injuries.

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 DANIEL AUDERER	DATE 01/24/2023	PLACE Seattle, WA
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REPORTING OFFICER SIGNATURE / DATE DANIEL AUDERER #7499 Jan 24, 2023 00:31 (e-signature) PRINT NAME DANIEL AUDERER #7499	SUPERVISOR SIGNATURE / DATE ASHLEY PRICE #5783 Jan 24, 2023 09:10 (e-signature) PRINT NAME ASHLEY PRICE #5783
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**Report Number 2023-022231 - Supplement - 5 Report**

REPORT DATE / TIME May 11, 2023 10:17	CAD EVENT START DATE / TIME - CAD EVENT END DATE / TIME Jan 23, 2023 20:07 - Jan 24, 2023 14:03	REPORT WRITER BRETT SCHOENBERG #7429
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REPORT DESCRIPTION

CIR

SUPPLEMENT TYPE

Detective Follow-Up

**NARRATIVE****Case Investigation Report: #2023-022231 TCIS #23-003****Type of Crime: Pedestrian Fatality****Date of Incident: 1/23/2023****Date of Last Entry: 5/11/2023****Submitted by: Detective Brett Schoenberg #7429, Traffic Collision Investigation Squad, Unit B512T. 206-684-8934, SPD7429@seattle.gov****UCR-****CMS- Referred to KCPA-Adult (W)****LODI- 05/11/2023****ENTITIES:****Driver of Vehicle 1:****Name:** DAVE, Kevin A **W/M DOB:** [REDACTED] /10/4(b)**Height:** 5'08" **Weight:** 190 lbs **Eyes:** Bro**WA DOL:** 1(g) [REDACTED] **Expires:** 06/10/2027**Status:** Surrendered – Out of State**AZ DOL:** 1(g) [REDACTED] **Issued:** 10/09/2022**Status:** Valid **Expires:** 11/18/2029**Work Address:** 810 Virginia St Seattle, WA 98101 **Phone:** (206) 684-8917**On-Duty Law Enforcement Officer and Emergency Medical Technician (EMT) certified.****SPD serial number #8750****KCPAO Review for applicable charges.****Vehicle 1:**

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**Description:** 2020 Blue Ford Police Interceptor Utility (PIU) #035367

**WA Plate:** 71703D **VIN:** 1FM5K8AW9LGD02122 **Exp:** No Expiration

**Registered Owner:** City of Seattle Fleets

**Address:** 700 5 Ave, Seattle, WA, 98104

**Legal owner:** Same as above

**Insurance:** City of Seattle Fleets Self Insured

**Unit 2: Pedestrian (Deceased):**

**Name:** 1(f), 1(d) **U/F DOB:** 1(f), 1(d)

**Height:** 5'05" **Weight:** 174 **Hair:** Dark Brown

**WA DOL:** 1(g) **Expires:** 00/00/0000

**Status:** Not Licensed - Eligible

**Address:** 1(f), 1(d)

**Witnesses:**

**DO NOT DISCLOSE**

**Name:** 1(d)

**Address:** 1(d) 14 Ave # Seattle, WA 98122 **Phone:** (206) 1(d)

**DO NOT DISCLOSE**

**Name:** 1(d)

**Address:** 1(d) Minor Ave E # Seattle, WA 98102 **Phone:** (757) 1(d)

**DO NOT DISCLOSE**

**Name:** 1(d)

**Address:** 1(d) S 214 St Elkhorn, NE 68022 **Phone:** (402) 1(d)

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**SCENE INVESTIGATION REPORT:**

On Monday, January 23, 2023, at approximately 2012 hours, Seattle Police Department (SPD) Traffic Collision Investigation Squad (TCIS) Acting Sergeant BULAWA #6908 received a phone call from the SPD Communications Section Supervising Dispatcher, advising of a serious-injury collision that had occurred near the intersection of Dexter Ave N and Thomas St. This was within the city limits of Seattle. Acting Sgt. BULAWA called SPD Patrol Sgt. DALY #7440, an on-scene supervisor, and was provided details about this collision. Based on the details he was provided; Acting Sgt. BULAWA determined this collision required a TCIS response for an on-scene investigation. Acting Sgt. BULAWA, TCIS Detective PARKER #6780, TCIS Detective REESE #7533, and I comprised the TCIS response team. We all responded to the collision scene, and I arrived at approximately 2052 hours.

**SECTION A: SCENE CONDITIONS:**

Initial Briefing: Upon arrival, I met with Sgt. DALAN #7558 and was briefed on the incident. I was informed that a SPD patrol vehicle was northbound on Dexter Ave N in the northbound lane of travel with its emergency equipment activated. The patrol vehicle struck a pedestrian who was believed to have been crossing Dexter Ave N from the east to the west just north of Thomas St. It was believed that the pedestrian was outside of the crosswalk based on initial witness reports to the responding officers. The pedestrian was transported to Harborview Medical Center (HMC) and was in critical condition. The officer who had been driving was taken to the SPD's West Precinct and the patrol vehicle was left on scene in its final rest position after the collision. The officer involved in the collision was responding to a precedence 1 call.

Environmental Conditions: At the time of my scene investigation, the sky was partially overcast. The air temperature was about 42° Fahrenheit, and the roadway surface was dry. There had been no recent precipitation. The sun had risen at about 0747 hours and set at about 1657 hours[1]. This collision occurred at approximately 2007 hours, during nighttime hours.

Area Description: This collision occurred in the area of the South Lake Union neighborhood within the Seattle city limits. The approximate geographic latitude/longitude coordinates of the collision scene were Latitude 47.62099, Longitude -122.34231[2].

Scene Security: At the time of my scene investigation, Dexter Ave N was temporarily closed for the investigation between John St and Harrison St to vehicles. Pedestrians were allowed on the west sidewalk through the area but prohibited on the east sidewalk between Thomas St and Harrison St. Thomas St was closed to vehicles on the east and the west of Dexter Ave N.

Involved Vehicle/Pedestrian: Unit 1 was identified as a dark blue 2020 Ford Police Interceptor Utility (PIU) with Washington State license plates of 71703D affixed to the front and back of the vehicle.

Unit 2 was a pedestrian who was identified as Jaahnavi **1(f), 1(d)** a 23-year-old female.

**Roadway Evidence:**

1. There was a debris field of various items primarily in the northbound lane of Dexter Ave N just north of the northern marked crosswalk at Thomas St. The debris field consisted of dark blue paint flakes and clear plastic pieces (attributed to the passenger side headlight assembly on the Ford). There were pens, markers and other personal effects within the debris field.

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1. There was a small blue paint flake in the roadway approximately 6.6 ft north of the northern crosswalk for Thomas St in the northbound lane of Dexter Ave N.
  
1. There was a rubber insert for an Apple Airpod Pro that was found about 28.3 feet north of the northern crosswalk. It was about 1.5 feet east of the northbound lane of Dexter Ave N.
  
1. An Apple Airpod Pro was found about 57.5 feet to the north of the northern crosswalk and about 4 feet to the east of the northbound lane of Dexter Ave N. The Airpod had a rubber ear insert on the end of it.
  
1. A second Apple Airpod Pro was found approximately 97.4 feet to the north of the northern crosswalk and 50.9 feet to the west of the eastern limit of the northbound lane of Dexter Ave N.
  
1. The Ford PIU was left in the roadway where it had come to rest approximately 136 feet north of the northern crosswalk (north edge of crosswalk to front push bar).

Roadway Characteristics: Dexter Ave N was a minor arterial street for northbound and southbound traffic. The speed limit on Dexter Ave N was 25 MPH. It consisted of one lane for vehicles in each direction with solid white fog lines painted on the roadway in the standard configuration (though the fog line was covered by construction barricades). There was a two-way center left turn lane in the middle that was marked with solid and dashed yellow lines painted on the roadway in the standard configuration leading up to and after Thomas St. There were yellow plastic pylons attached to c-curbing that were affixed to the roadway. These were placed south of the southern crosswalk with Thomas St and extended northbound past the north crosswalk. The pylons prevented vehicular traffic from crossing Thomas St but allowed pedestrians to cross. There were pedestrian crossing signs placed in the center two-way left turn lane where Thomas St and Dexter Ave N intersected. The roadway surface consisted of asphalt in good repair. Northbound motorists on Dexter Ave N approaching Thomas St experienced an approximate 2-3 percent downhill grade.

On the eastern side of Dexter Ave N north of Thomas St there was a bike lane and a portion of the roadway that contained prohibited street parking. This no parking zone was indicated by diagonal white solid lines painted on the roadway and signs. The west side of Dexter Ave N was configured similarly with a bike lane and a zone of prohibited parking.

Between Thomas St and John St, Dexter Ave N had construction barricades that created the eastern limit of the northbound lane. There was metal chain link fencing that extended out to the edge of the roadway. The fencing had portions that contained a black partially see-through mesh affixed to the fence. This necessitated the usage of the construction barricades to push the sidewalk into the northbound bike lane. This guarded space was then shared by bicycles and pedestrians. These barricades were approximately 2.5 feet tall and extended along the length of the construction site and up to the southern crosswalk where Thomas St intersected Dexter Ave N. There were no alterations to the northbound lane of travel for vehicles.

There were two marked crosswalks at the intersection of Thomas St. One was on the south side and the other was on the north side of Thomas St. These were identified by solid white lines painted on the roadway in the standard configuration. There were also signs in the middle of the roadway noting the presence of a crosswalk.

There were no traffic control devices for northbound or southbound vehicles. Pedestrians crossing Dexter Ave N had no traffic control devices at this intersection.

**SECTION B: SCENE DOCUMENTATION:**

I photographed the scene and the involved vehicle using a Canon EOS 90D SLR digital camera with a built-in flash. All the unmodified digital images were uploaded to the case file and eventually into the Seattle Police evidence system known as Evidence.com.

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Det. PARKER and Det. REESE used the unit's Faro laser scanners to collect and document collision scene data from different locations along Dexter Ave N. The raw scans were uploaded to Evidence.com. A Scene2Go was created and uploaded into Evidence.com.

**SECTION C: FORD PIU / DRIVER INFORMATION:**

**Vehicle 1:**

**Description:** 2020 Blue Ford Police Interceptor Utility (PIU) #035367

**WA Plate:** 71703D **VIN:** 1FM5K8AW9LGD02122 **Exp:** No Expiration

**Registered Owner:** City of Seattle Fleets

**Address:** 700 5 Ave, Seattle, WA, 98104

**Legal owner:** Same as above

**Driver 1:**

**Name:** DAVE, Kevin A **W/M DOB:** [REDACTED] /10/4(b)

**Height:** 5'08" **Weight:** 190 lbs **Eyes:** Bro

**WA DOL:** 1(g) [REDACTED] **Expires:** 06/10/2027

**Status:** Surrendered – Out of State

**AZ DOL:** 1(g) [REDACTED] **Issued:** 10/09/2022

**Status:** Valid **Expires:** 11/18/2029

**Work Address:** 810 Virginia St Seattle, WA 98101 **Phone:** (206) 684-8917

**On-Duty Law Enforcement Officer and Emergency Medical Technician (EMT) certified.**

**SPD serial number #8750.**

External Inspection: The involved vehicle was a 2020 Ford Police Interceptor Utility that was owned, equipped and maintained by the City of Seattle. This was a shared West Precinct vehicle where multiple officers were able to drive the vehicle when it was available and not assigned to one individual. The PIU was based on the Ford Explorer platform and was similar in appearance to a Ford Explorer. The vehicle was dark blue and was equipped with standard externally visible white Seattle Police decals. It was equipped with emergency lights consisting of overhead light emitting diode (LED) red, white and blue lights, red and blue LED lights affixed to the push bars, red and blue LED lights in the external side view mirror caps, and red, white and blue lights installed in the headlight assemblies. All these lights had a synchronized strobing effect when activated. An audible siren was also equipped to the Ford. The siren was emitted from a forward-facing speaker system affixed to the front push bar. The Ford was assigned an individual unique number of "035367" for City of Seattle identification purposes. This number was posted on the exterior of the vehicle in several locations.

The Ford was stopped in the northbound lane of Dexter Ave N where it came to a controlled stop. The engine was still running and had its overhead lights still activated. The In-Car Video (ICV) system's forward-facing camera had a red intermittent flashing LED light indicating that it was still recording. The driver's side headlight was still illuminating and appeared to be operating normally. The passenger side headlight was not illuminating and appeared to have collision related damage.

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The Ford had damage to the front push bar. The push bar on the vehicle was manufactured by Setina and appeared to be their PB 450L model which consisted of two vertical bars supported by two horizontal center support bars. The push bar was supplemented on the outsides by a Setina P89 fender guard which were two horizontal bars that extended out from the push bar and around to the front wheel opening on both the passenger and driver sides of the vehicle. The push bar and fender guard created the leading edge of the vehicle. The horizontal portions were mounted essentially in-line with the height of the bumper. The two vertical portions of the push bar were mounted inboard of each headlight assembly. The push bar's vertical portions and portions of the horizontal bars were equipped with rubber protectors.

The rubber protector on the passenger side vertical push bar was pushed upward but was still on the push guard. The bolts in the top bracket for the push bar were damaged and/or missing on the passenger side mount. The bumper cover on the passenger side had damage consistent with the horizontal guard being pushed back and making contact with it.

The hood had damage primarily on the passenger side. Damage to the hood consisted of contact and induced damage. The front edge of the hood contained contact damage while the rest appeared to be induced damage. There was distinct gouging on the front hood that appeared to be contact damage. This was later attributed to 1(f), 1(d) left elbow contacting this point. The gouge ran directionally from front to back. There was a feather like material consistent with jacket stuffing that was embedded in the gouge. There was a reddish /pink rubber like material within the gouge that was believed to have been transferred from the outer material of the jacket that 1(f), 1(d) was wearing due to the friction between it and the hood.

The windshield was cracked by the hood being pushed backward and contacting it in the lower portion on the passenger side. There was a second section of cracking in the windshield, but it is unknown what caused this.

The front passenger side door and passenger side front fender had damage to it. The front fender was pushed backward which interfered with the opening of the door. The damage to the door was likely caused after the collision when Ofc. DAVE opened the door to retrieve equipment from the front passenger seat.

The manufacturer's recommended tire size for front and rear were 255/60R18. The Ford had 255/60R18 Goodyear Eagle Enforcer tires on all four wheels. All four tires appeared to be properly inflated with legal tread depth.

Interior Inspection: I noted that the slide switch for the overhead lights was all the way to the right in the fully activated position. I also noted that the head light switch was in the "On" position.

Airbag Control Module (ACM): The Ford was equipped with an Airbag Control Module (ACM) that was supported by the Bosch Crash Data Retrieval System. The airbags or other supplemental restraint systems (SRS) in the Ford did not deploy as a result of the collision. A download of the ACM was conducted and there were no recorded events.

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**Seattle Police Department Employment:** Ofc. DAVE was hired by the Seattle Police Department in 11/2019. According to the Washington State Criminal Justice Training Commission records, Ofc. DAVE attended and passed the Washington State Basic Law Enforcement Academy between 12/18/2019 and 06/11/2020. Ofc. DAVE received his Washington State "Peace Officer Certification" on 06/12/2020.

**Driver Actions:** Immediately after stopping the patrol vehicle Ofc. DAVE notified the West radio dispatcher of the collision. Ofc. DAVE began a medical assessment of 1(f), 1(d) and began to administer CPR until additional SPD officers responded. Seattle Fire Department responded to the scene and took over medical treatment.

Ofc. DAVE was in the presence of Ofc. JAY #8694 and other SPD officers before and after being driven back to the West Precinct. A Drug Recognition Expert (DRE) was requested to evaluate Ofc. DAVE as it was TCIS protocol to have drivers evaluated in serious injury or fatality collisions. Ofc. AUDEKER #7499 responded and evaluated Ofc. DAVE. It was the opinion of Ofc. AUDEKER that Ofc. DAVE did not display any signs of impairment. I met with Ofc. DAVE and his attorney, Mark CONRAD from Freyback Attorneys. Due to the nature of the incident, I read Ofc. DAVE his Miranda Rights. CONRAD stated that no comments would be made at that time.

**SECTION D: PEDESTRIAN:**

**Name:** 1(f), 1(d) **U/F DOB:** 1(f), 1(d)

**Height:** 5'05" **Weight:** 174 **Hair:** Dark Brown

**WA DOL:** 1(g) **Expires:** 00/00/0000

**Status:** Not Licensed - Eligible

**Address:** 1(f), 1(d)

The King County Medical Examiner's Office (KCMEO) conducted an independent investigation under their case number of 23-276. The toxicology report reported that 1(f), 1(d) had 67ng/ml of Midazolam present in her blood at the time of the analysis. The cause of death was listed as "multiple blunt force {injuries}" and the manner of death was classified as "accident (traffic)." The report was destroyed pursuant to RCW 68.50.105.

Due to the nature of the incident and the injuries suffered by 1(f), 1(d) she was unconscious after the collision 1(f), 1(d) was subsequently transported to Harborview Medical Center. Initially, 1(f), 1(d) was in critical condition but was later pronounced deceased.

**SECTION E: WITNESS/VICTIM INFORMATION:**

**Witnesses:**

**DO NOT DISCLOSE**

**Name:** 1(d)

**Address:** 1(d) 14 Ave # Seattle, WA 98122 **Phone:** (206) 1(d)

**DO NOT DISCLOSE**

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Name: 1(d)

Address: 1(d) Minor Ave E # Seattle, WA 98102 Phone: (757) 1(d)

DO NOT DISCLOSE

Name: 1(d)

Address: 1(d) S 214 St Elkhorn, NE 68022 Phone: (402) 1(d)

Witness 1(d):

Witness 1(d) provided an initial statement to Acting Sgt. MATTSON #8305. Acting Sgt. MATTSON also obtained a recorded statement on scene which was uploaded to Evidence.com.

On 01/24/2023 I contacted Witness 1(d) by phone and obtained a recorded audio statement which was later uploaded to Evidence.com. 1(d) stated that he was riding his bicycle southbound on the sidewalk along Dexter Ave N on the west side. He approximated that he was 20 meters (62.6 feet) from Thomas St. 1(d) stated that he heard and saw the Ford approaching the intersection from the south travelling northbound. 1(d) stated that he observed the emergency lights of the vehicle flashing and heard the siren sounding as it approached. 1(d) was asked if he remembered the siren constantly sounding or if he heard it intermittently. 1(d) replied that he didn't remember. 1(d) recalled seeing 1(f), 1(d) crossing Dexter Ave N 5-10 meters (16.4-32.8 feet) outside and to the north of the cross walk. 1(d) stated that 1(f), 1(d) didn't seem to be aware of the Ford and stepped in front of it. 1(d) initially stated that 1(f), 1(d) was crossing Dexter Ave N westbound but when he described the actual crossing, he described 1(f), 1(d) crossing eastbound (starting from 1(d) side of the street and crossing to the opposite side of Dexter Ave N). 1(d) then stated again that 1(f), 1(d) started from the east and crossed west. Based on the previous statement to Ofc. MATTSON, it is likely 1(d) mixed up the west side with the east side in this statement. 1(d) didn't see 1(f), 1(d) begin to cross but only started to pay attention as the police vehicle got closer to the intersection.

All three statements were similar in nature and no glaring discrepancies between them were noted.

Witness 1(d):

Witness 1(d) provided an initial statement to Acting Sgt. MATTSON #8305. Acting Sgt. MATTSON also obtained a recorded statement on scene which was uploaded to Evidence.com.

On 01/24/2023 I contacted 1(d) by phone and obtained a recorded audio statement, which was later uploaded to Evidence.com. 1(d) stated that he was crossing Dexter Ave N westbound where it intersected with Republican St (2 blocks to the north) 1(d) stated that he was in the southern crosswalk. 1(d) stated that he saw a police car coming two blocks away. 1(d) then heard a loud noise. 1(d) was asked how he identified the vehicle as a police car 1(d) stated that he saw lights in the distance coming "pretty quickly" in his direction. 1(d) stated that he heard a sound similar to a car hitting a curb and didn't initially know that it had struck a pedestrian. 1(d) stated that he didn't hear any sounds of tires squealing prior to the sound which made him think it had struck a curb. 1(d) stated that he believed he had heard the siren but didn't remember if he heard it consistently or intermittently. 1(d) then walked to the location of the collision. 1(d) saw an officer performing Cardiopulmonary Resuscitation (CPR) and then additional vehicles arriving. Again, 1(d) mentioned that he thought it was odd that he hadn't heard braking prior to or after the collision.

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All three statements were similar in nature and no glaring discrepancies between them were noted.

**Witness 1(d):**

Witness 1(d) provided an initial statement to Ofc. T. MCDONALD #8868. Ofc. BACKMAN #8619 obtained a recorded statement on scene which was uploaded to Evidence.com.

In the recorded statement obtained by Ofc. BACKMAN, 1(d) stated that she was following 1(f), 1(d) and she heard a siren. 1(d) stated she presumed that 1(f), 1(d) also heard the siren. 1(d) stated that she saw 1(f), 1(d) begin to run "presumably to exit the roadway as they heard a siren approaching." 1(d) then heard a loud "thump" and then saw the car come to a "halt." 1(d) was "coming into view" of Dexter Ave N as the incident happened. 1(d) stated that 1(f), 1(d) was acting normally, keeping to herself and had been walking faster than 1(d). 1(d) wasn't able to describe the physical features of 1(f), 1(d) but stated that she was wearing a "hoodie and a backpack" with the hood possibly over her head or her hair color "blended in." 1(d) stated that she thought 1(f), 1(d) was in the crosswalk. 1(d) stated that she heard the siren and stated that the construction zone "was impacting visibility... Um so, I, I don't believe either party likely saw the other person but I, I can't be certain of that. Um, but I observed the pedestrian begin to run um as the siren sounded." 1(d) stated that as 1(f), 1(d) began to run she was in the crosswalk and not from the sidewalk. 1(d) stated "I just saw them start to run and then I heard the thump. I think it all happened very fast. I don't know that either party had much time to react."

I contacted 1(d) over the phone and obtained a recorded audio statement, which was later uploaded to Evidence.com 1(d) stated she was following 1(f), 1(d) and estimated that she was either a quarter or half a block east of Dexter Ave N when the collision when it occurred 1(d) noted that 1(f), 1(d) was walking "a bit quicker" than she was. 1(d) stated that she was walking westbound along Thomas St on the north side approaching Dexter Ave N. 1(d) noted that the sidewalk on the south side of Thomas St, east of Dexter Ave N, was closed for construction and that she and 1(f), 1(d) both moved from the south side to the north side because of the closure. 1(d) stated that she had been following 1(f), 1(d) for a couple blocks. Initially 1(f), 1(d) was walking behind 1(d) but at a faster pace. 1(d) moved to the side and allowed 1(f), 1(d) to pass her. 1(d) remembered that 1(f), 1(d) was wearing a dark colored hooded sweatshirt and a backpack. 1(d) stated that she observed 1(f), 1(d) enter the crosswalk and again estimated that she was either a quarter or half a block east of Dexter Ave N. 1(d) stated that she did not see 1(f), 1(d) pause or stop before entering the crosswalk. 1(d) was asked about 1(f), 1(d) hood being on her head. 1(d) stated that it could have been up, as she recognized it as a hoodie but couldn't specifically recall. 1(d) was asked if she saw 1(f), 1(d) look before entering the crosswalk and she stated that she didn't notice whether she looked or not. 1(d) stated that she heard sirens prior to the collision. 1(d) was asked about the consistency of the siren and stated that she didn't think it had been on for a while. 1(d) stated that it was distinct to her as a "siren, followed by accident." 1(d) was asked about 1(f), 1(d) pace. 1(d) described the pace as a "faster walking pace with purpose." 1(d) likened 1(f), 1(d) pace to being similar to her own usual pace as a female in the city when it's dark. "Walking with purpose to a destination in a way that she wasn't going to attract, you know, any unwanted attention that, you know, could have been around." 1(d) was asked what happened after the collision. 1(d) stated "I heard the siren. I observed. And I.. I believe the pedestrian likely also heard the siren, because. And and... I saw her like to start to move faster as though like I need to get out of the street, there's a siren coming. Um and then I heard a loud thud. Um which I assume would have been the car colliding with her. Then that's when I ran up to the intersection to get closer to and offer aid if needed." 1(d) stated that 1(f), 1(d) "appeared to fly a good ways down the block." 1(d) saw that police had gotten out of the car and began CPR. 1(d) didn't hear any statements from either 1(f), 1(d) or officers on scene.

All three statements were similar in nature and no glaring discrepancies between them were noted.

**SECTION F: ANALYSIS AND DISCUSSION:**

**ANALYSIS OF VIDEO EVIDENCE:**

A canvas for video in the area was conducted. All obtained video is listed below. Apple at 333 Dexter Ave N, Holiday Inn at 211 Dexter Ave N, and Industrious at 231 Dexter Ave N all stated that all of their cameras were facing internally, and there was no footage.

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**In-Car Video (ICV):** For the purposes of this section, the approximate time will be in parenthesis. This time was taken from the duration bar in the VLC Media Player program and not the embedded time stamp displayed on the video. The video was downloaded directly from the download link provided on Evidence.com. The duration of this video was approximately 2:26:43.

The Ford was equipped with an Axon In-Car Video system. A camera for the system was affixed to the windshield that captured video outward in front of the vehicle. The camera was mounted high up and to the right of center. The Axon recording system had a 1 minute pre-record buffer that would record video but not audio until the recording was activated. However, unlike body worn video (discussed later), speed information is collected and embedded into the video itself. The speed is reported based on GPS data and not from input from the vehicle. This information was not referenced as it appears to have a delay and speed information was available in the BWV. Due to the position where the camera was mounted, the properties of the lens, the angle, and the depth of view the footage was not an accurate representation of what the driver of the vehicle sees. The view of the camera captured the front hood of the vehicle, including the top portions of the push bars. The rest of the frame showed outward in front of the vehicle.

The pre-record function of the video captured the vehicle sitting in the parking garage for the West Precinct. The vehicle began moving toward the exit (00:26). It proceeded toward the garage door, eventually exited, and made a right turn onto 8 Ave.

Ofc. DAVE activated the overhead emergency lights on 8 Ave (00:59). The emergency lights would stay activated for the rest of Ofc. DAVE's driving response. This activated the actual recording and audio in the system. Ofc. DAVE used his emergency lights to proceed through Westlake Ave (01:07). The siren was chirped as he did so. Ofc. DAVE continued to the intersection of 8 Ave and Blanchard ST where he encountered a red traffic signal (01:17). Ofc. DAVE chirped his siren and slowly proceeded through the intersection when it was apparent that traffic had stopped for him.

Ofc. DAVE proceeded to 8 Ave and Bell St which was controlled by a stop sign (01:29). Ofc. DAVE slowed and then proceeded through the stop sign while making a left turn onto Bell St. Ofc. DAVE then made a right turn onto 7 Ave through a green traffic signal (01:39). 7 Ave made a slight right-hand curve and turned into Dexter Ave (01:46).

Ofc. DAVE came to the intersection of Denny Wy and Dexter Ave where he had a red traffic signal (01:51). He slowed and proceeded slowly into the intersection while chirping his siren. When it was clear, Ofc. DAVE began accelerating and proceeded through the intersection. Ofc. DAVE continued to accelerate as he approached the intersection of Dexter Ave N and John St where he had no traffic control devices (02:00). Ofc. DAVE chirped his siren but did not slow and continued to accelerate. Ofc. DAVE entered the area where there was construction on the east side of the street as he proceeded northbound on Dexter Ave N. **1(f), 1(d)** could be seen in the crosswalk initially walking from the east side to the west (2:04). **1(f), 1(d)** was wearing white shoes, black pants and a black jacket with a hood up over her head. **1(f), 1(d)** had a tan backpack on. This appeared to be purple or pink in the video based on the red and blue reflection from the emergency lights. Ofc. DAVE began to respond to **1(f), 1(d)** presence by braking and steering. Almost simultaneously **1(f), 1(d)** transitioned from a walk to a run (2:05). **1(f), 1(d)** ran into the northbound lane of Dexter Ave N where she was struck by the Ford. The collision occurred in the northern crosswalk of Thomas St on Dexter Ave N (02:06).

**Frame by Frame Analysis of ICV:** For slow motion analysis, the same video file was uploaded into Input Ace. In the report, a letter will be reported after the event in parenthesis that correlates to Addendum 1. The time duration and frame reported in Input Ace will be available on the addendum.

Though not readily apparent in the frame, **1(f), 1(d)** was visible in the crosswalk (A). **1(f), 1(d)** could be placed in an approximate location in the crosswalk (B). The Ford's weight could be seen transitioning toward the front. This would indicate vehicle braking. This could have either been engine braking and air resistance slowing the Ford or actual brake application (C). **1(f), 1(d)** had moved from the position where she was noted before to a where it appeared that she was transitioning to running forward (D). This is based on a visible knee bend not apparent in her previous stride as well as a shift in her upper body weight forward. Several direction changes of the Ford, though slight, were seen during this period. Impact occurred and **1(f), 1(d)** upper body was beginning to bend or wrap onto the hood of the Ford. (E).

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**Body Worn Video (BWV):** For the purposes of this section, the approximate time will be in parenthesis. This time was taken from the duration bar in the VLC Media Player program and not the embedded time stamp displayed on the video. The video was downloaded directly from the download link provided on Evidence.com. The video had a duration of 24 minutes and 56 seconds (24:56).

Ofc. DAVE was equipped with an Axon BWV affixed to the outermost layer of his uniform on his chest in a forward-facing position. The Axon recording system had a 1 minute pre-record buffer that would record video but not audio until the recording was activated. It was active and recording during the duration of the initial response to 2023-022228 and the aftermath of this collision. While in the vehicle, the camera angle was low and for a majority of the time captured the top half of the steering wheel, top portions of the windshield and what was visible beyond the windshield, portions of the gauge cluster (including the tachometer, the center display, and the speedometer), the AM/FM radio and portions of the in-car computer.

The pre-record function of the video began with Ofc. DAVE inside of the patrol vehicle. Through the windshield, the interior of the SPD West Precinct patrol vehicle parking garage could be seen. Ofc. DAVE moved to the garage door and exited the garage (00:53). Ofc. Dave made a right-hand turn onto 8 Ave. The actual recording started shortly after making the right-hand turn, and audio could now be heard. Ofc. DAVE chirped[3] his siren to cross Westlake Ave (1:06) and continued on 8 Ave.

At the intersection of 8 Ave and Blanchard St, Ofc. DAVE slowed, chirped the siren and then proceeded through on 8 Ave (1:15). Ofc. DAVE made a left turn onto Bell St (1:30) and then a right turn onto 7 Ave (1:39) followed by a slight right turn onto Dexter Ave. Ofc. Dave chirped his siren twice briefly (1:48) before coming to a stop at the intersection of Dexter Ave and Denny Way. Ofc. DAVE chirped his siren again before proceeding northbound on Dexter Ave N past the red traffic signal at Denny Way (1:51). Ofc. DAVE accelerated northbound on Dexter Ave N and approached John St. (1:54). The siren was chirped again near the intersection with John St (2:00). As Ofc. DAVE approached Thomas St, he activated the siren (2:05). The collision occurred shortly after. The siren was deactivated during or slightly after the collision.

The tachometer and the speedometer appeared to be working properly prior to the collision. During the acceleration on Dexter Ave N after crossing Denny Way, the speed on the center display and the speedometer could be seen increasing. A peak speed of 74 MPH was seen displayed in the center display within the gauge cluster. This appeared to be a point where the speed leveled off and began to drop quickly. The tachometer which displayed engine Revolutions Per Minute (RPM) began to drop from approximately 5500 RPM after the speed of 74 MPH leveled off. It appeared that the drop in RPM and subsequently the speed was a result of transitioning off of the accelerator pedal and to the brake pedal and then braking.

Just prior to the collision, steering input behavior could be seen changing. Ofc. DAVE appeared to quickly turn the steering wheel, though slightly, as a collision avoidance tactic. The inputs in steering did not appear to alter the direction of the vehicle drastically.

The pulsation of the anti-lock braking system could be heard after the collision as the Ford was coming to a stop. This would indicate that heavy braking occurred.

Ofc. DAVE used his in-car radio to notify West radio of the collision by stating "3M2...start a supervisor. Start fire for a struck pedestrian." The West dispatcher asked, "Is it the same location?" Ofc. DAVE responded, "Negative, I'm going to be on Aurora."

Ofc. DAVE began to medically evaluate and then provide aid to **1(f), 1(d)** (2:41). Ofc. DAVE update his location to "Thomas" and then added "Dexter and Thomas." Ofc. DAVE responded over radio that he was "okay." Ofc. DAVE began to perform CPR on **1(f), 1(d)** while alone (3:01). Responding officers began to arrive on the scene and Ofc. DAVE began giving instructions to the officers to assist in providing CPR (03:19). An additional officer arrived on scene and took over chest compressions while Ofc. DAVE responded to the passenger side of his patrol vehicle to retrieve his bag which contained his EMT equipment (04:42). Ofc. DAVE attempted to open the front passenger door but the front fender had been pushed back and obstructed the door from opening without interfering with the fender. Ofc. DAVE had to forcefully open the door to overcome the resistance of the fender against the door. Ofc. DAVE removed components from the bag which he used to apply air to **1(f), 1(d)** during the CPR process (05:00).

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Sgt. I. STEWART #6942 arrived on scene and Ofc. DAVE passed his responsibilities to another officer (06:17). Sgt. I. STEWART asked Ofc. DAVE, "You alright?" Ofc. DAVE stated "No, I'm not alright." Ofc. DAVE appeared to be visibly shaken to the point where Sgt. I. STEWART picked up on this and responded in a consoling manner. After a pause, Ofc. DAVE stated "Lights were on, was chirping the siren as I was headed down. She was in the crosswalk, she saw me, she started running through the crosswalk. Slammed on my brakes. Instead of staying back where she should before crossing, she just zips..." When describing that [1(f), 1(d)] "zips," Ofc. DAVE made a movement from the right to the left with his right hand. (06:41) Ofc. DAVE stated, "She was in a crosswalk." (07:21). Sgt. I. STEWART stated, "with your lights on man, you said she looked at ya."

Ofc. DAVE was taken back to another patrol vehicle to sit in with Ofc. JAY. No other statements specific to the dynamics of the collision or what preceded it were captured on the video.

Ofc. JAY and Ofc. DAVE were informed that they were to go to the West Precinct, and they were authorized to turn off their BWV (24:37).

**Frame by Frame Analysis of BWV:** For slow motion analysis, the same video file was uploaded into Input Ace. In the report, a letter will be reported after the event in parenthesis that correlates to Addendum 1. The time duration and frame reported in Input Ace will be available on the addendum.

A speed of 74 MPH can be seen displayed on the center display in the gauge cluster (F). Steering input from Ofc. Dave could be seen. It was slight and rapid. Steering changed where the wheel began to move to the left (G). Steering input then began to go back toward the center and beyond to the right (H). Steering input then went back toward center and beyond to the left. A speed of 68 MPH could be seen displayed in the center display. The RPM appeared to be around 4,250 (I). Steering input returned toward the center from the left (J). [1(f), 1(d)] head with the hood up became visible in the windshield (K). As the collision was occurring, it appeared that [1(f), 1(d)] was in the process of going upward onto the hood. At this moment the center display was displaying either 68 MPH or 63 MPH range. It is believed that the speed was 63 but due to a blur in the video because of motion, it is difficult to discern if it is 63 or 68. It is believed to be 63 based on the RPM gauge displaying a RPM below 4,000 when it was displaying a higher RPM when 68 MPH was observed (L) [1(f), 1(d)] went up and out of view of the BWV (M). [1(f), 1(d)] could be seen entering the view of the driver's side view mirror as she was coming back down from the initial collision (N). [1(f), 1(d)] could no longer be seen in the driver's side view mirror (O) The vehicle continued to slow as shown in the center display until it showed 1 MPH (P). It continued to display 1 MPH until it transitioned to 0 MPH (Q).

**Video from 203 Dexter Ave N:** Video was obtained from Winston Wachter Fine Arts. It showed the Ford travelling northbound on Dexter Ave N through John St. The emergency lights were activated. There was no footage of the collision.

**Video from King County Metro (KCM) Coach 8036:** KCM bus 8036 was in the area at the time of the collision. It was equipped with several surveillance cameras that were recording and captured the events leading up to the collision and portions of the collision itself. The video showed [1(f), 1(d)] approaching the crosswalk and entering it as the bus passed in the southbound lane. Due to the position of the bus and the quality of the cameras, the video didn't provide any details that were used for this investigation.

**Video from Construction Site (222 Dexter Ave N):** The cameras did not capture the collision or the aftermath. There were four cameras that did capture the events leading to the collision. The footage provided played at a rapid speed and did not appear to have a consistent frame rate between each passing second. The cameras were provided with no name or identifying characteristics assigned to them. I assigned numbers to the cameras for the purposes of this report.

The accuracy of the embedded time stamp is unknown. The video was analyzed using VLC Media Player and Input Ace. The time was close to the actual time based on the time displayed and the time of the collision.

**Camera 1:** This camera was affixed in an elevated position within the construction site near the southeast corner of Dexter Ave N and Thomas St. It faced southwest toward Dexter Ave N and captured traffic on Dexter Ave N south of Thomas St. This video had a total duration of 4:01.

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At 20:06:42 (1:29) on the embedded time stamp, the Ford's headlights and emergency lights can be seen on Dexter Ave N headed northbound. At 20:06:46 (1:29) the Ford can be seen exiting the camera's view.

Camera 2: This camera was affixed in an elevated position within the construction site near the southeast corner of Dexter Ave N and Thomas St. It was facing northeast and captured Thomas St east of Dexter Ave N. The video had a duration of 6:28

At 20:05:10 (2:01) on the embedded time stamp, 1(f), 1(d) can be seen crossing Thomas St to the north sidewalk and heading westbound along Thomas St. A person can be seen following and it is presumed to be 1(d) based on her witness statement. At 20:06:07 (2:17) 1(f), 1(d) can be seen exiting the view of the camera. At 20:06:22 (2:21) 1(d) can be seen exiting the view of the camera.

Camera 3: This camera was affixed in an elevated position within the construction site near the southeast corner of Dexter Ave N and Thomas St. It faced west toward Dexter Ave N and captured the south side crosswalk across Dexter Ave N. The top portion of the video captured portions of vehicles northbound on Dexter Ave N. At one point the camera moved and the intersection could be seen but it moved back to its original position and was in this position during the collision. This video had a total duration of 6:48.

At 20:06:24 (2:36) red and blue lights could be seen illuminating objects in the camera view. At 20:06:25 (2:36) the Ford can be seen in the intersection and north of the south crosswalk. There was a red illumination that was consistent with the passenger side brake light being illuminated. Moving frame by frame through this time, the Ford only appeared in this position in the video and then was out of the field of view.

Camera 4: This camera was affixed in an elevated position and faced southeast and captured the alley behind the construction site. There was no useful footage from this camera. This video had a total duration of 1:52.

Camera 5: This camera was affixed in an elevated position and faced an unknown direction. It captured the interior of the construction zone and contained no useful footage. This video had a total duration of 1:14.

Camera 6: This camera was affixed in an elevated position and faced an unknown direction. It captured the interior of the construction zone and contained no useful footage. This video had a total duration of 1:14.

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Camera 7: This camera was affixed in an elevated position within the construction site. It faced north and captured a portion of Dexter Ave N and the southern portion of the pylons for the crosswalk. Northbound and southbound traffic could be seen. This video had a total duration of 3:43.

At 20:06:24 (1:25) the Ford can be seen northbound on Dexter Ave N with its overhead lights on. The next position showed the Ford further north along Dexter Ave N with all 3 of its brake lights (left, right and center elevated or third) illuminated. It is difficult to place the vehicle in the roadway in relation to the objects around it, but it appears to be just south of the beginning of the pylons and in-line with the passing KCM bus. At 20:06:25 (1:25) the Ford can no longer be seen but the reflection of the emergency lights can be seen on the side of the bus.

**2023-022228 Call Information and Radio Traffic:**

Generally speaking, 911 calls were received by call takers. Call takers gathered the information and put it into the Computer Aided Dispatch (CAD) system as well as notify other agencies if there was a potential for a dual response needed or the emergency was outside of Seattle City limits. Dispatchers received the information via CAD and then relayed the information over a radio channel. There were four separate main radio channels that SPD used for dispatching calls. (West, East, North and South). Information was broadcast for officers who were tuned into that specific radio channel.

The CAD system information was accessible to officers who were logged into the Mobile Data Terminal (MDT). The CAD would display varying information regarding holding calls, dispatched calls, units available and dispatched units. A CAD call would contain the case number, the time, the reporting party (RP) information (if it was provided), initial remarks regarding call, updates to the call after initial intake, call precedence, officers logged to calls and other information. Precedence 1 calls were considered the most important call for SPD and represent a call where life was in danger. The call precedence was determined by the call taker.

At 2000 hours 911 received a call of an overdose. It appeared that Call Taker 6 (CT6) answered the call. It was labeled in CAD as a precedence 1 call. The caller stated, "Um I did cocaine, and I don't know if I am having an overdose." The caller provided an address of 708 6 Ave N. The caller stated that he would be outside of the building and did not provide a unit number when asked by CT6. It was determined that SFD would be responding in conjunction with SPD to this incident as a "dual response."

The initial call details were entered in the "remarks" field of CAD. The remarks field contained "RP WAITING OUT FRONT, THINKS OVERDOSING ON COCAINE, SCREENING WITH SFD."

At 2001 hours the West Dispatcher (WD) broadcast over West air, "An overdose call in Queen Sector. 708 6 North. Caller is out front. Thinks they are overdosing on cocaine. 708 6 North." An update entry was entered in the CAD log that the call was broadcast.

At 2001 hours WD broadcast asking for "3Q" and received a response from Acting Sgt. MATTSON who was working as "3Q." WD stated "Just notifying you I'm holding a precedence 1 call at 708 6 North. It's an overdose and fire is now enroute." Ofc. MATTSON replied "Copy. Late roll call is getting logged in now. We should have some people here pretty quick." WD added "3Q notified" to the call log. CT6 then added "SFD ENROUTE" to the call log followed by additional logs, "BROADCAST" and "3Q ADV (advised) LATE ROLL CALL IS LOGGIN IN." from WD at 2002 hours.

At 2002 hours Ofc. DAVE broadcast "3M2." WD dispatch responded "3M2" Ofc. DAVE then asked, "Did you need someone to head to that overdose in Queen sector?" WD responded "I did, thank you and are you gonna be a one or two officer car?" Ofc. DAVE responded, "I am gonna be a single officer car. I can check and advise if he's just saying that he is overdosing and is fire enroute?" WD responded "They are enroute. Let's get you an x-ray. Is there a backing unit? 708 6 North" 3M1 got on the air and stated "M1, we can go." WD stated "Received, thank you." 3D33 answered as well stating "3D33, I'm logging in shortly. {If they are looking} for a backing unit, I can go." WD then stated "Received."

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At 2004 hours, Ofc. DAVE logged into the MDT via an in-car computer that was installed in the Ford.

At 2005 hours WD put over the radio channel, "For units going to the overdose at 708 6 North, the person overdosing is calling it in himself. His name is Alex, he's refused to give the rest of his name. He wants to stay on the phone with us until officers arrive. He said he is unarmed." Ofc. DAVE acknowledged the transmission and stated "M2 I'm copying that, thanks." At this point, Ofc. DAVE was making a left turn onto Bell St from 8 Ave. At this time, Ofc. DAVE and 3 additional officers were logged as enroute to this call (1 two officer car and 1 one officer car).

The next radio transmission was at 2006 hours from Ofc. DAVE notifying WD of the collision at Dexter Ave N and Thomas St.

Ofc. DAVE did not arrive on this call due to the collision. Other officers and SFD arrived on the call. After SFD assessed the caller, the caller determined that he needed no further assistance and was left at the scene. The call was cleared by officers as "Assistance Rendered" for a "Assist other agency - city agency" type of call.

**Scene Evidence:**

Three pieces of evidence indicated that 1(f), 1(d) possibly had Apple Airpod Pros inserted in her ears at the time of the collision. This was based on the locations and distances from each other that they were found within the scene. Additionally, the position of the portions of both detachable rubber tips that are inserted into the ear being pulled outward indicated that they came out in a manner not consistent with someone casually pulling them out. It would be expected that if the AirPods were stored in the provided storage case at the time of the collision, the storage case would have been found in the roadway.

Apple Airpod Pros were a pair of portable Bluetooth devices that connected to Bluetooth enabled devices. Each Airpod Pro contained a speaker. The Airpod Pros also contained either one or two microphones (unable to determine if both Airpod Pros had an integrated microphone or just one Airpod Pro had a microphone) which allowed communication from the user (for phone conversations for example). These were identified as the second generation of the Airpod Pro model. This is based on the rubber tip that is inserted into the ear as well as the model numbers printed on each one. Second generation Airpod Pros contained a noise cancelling feature where it played soundwaves to eliminate some noise from outside of the Airpod Pros. Additionally, there was a "transparency" feature on the second generation of the Airpod Pros. This feature used microphones to play outside noises through the speakers[4].

Airpods are generally stored in a case provided by Apple when purchasing AirPods. This case doubles as the way to charge the AirPods. This was not located on the street and may have been within a pocket, backpack or not on 1(f), 1(d) at all.

At the end of my scene investigation, the items were collected and entered them into the SPD Evidence Unit. Each item that was entered into evidence was assigned numbers from the Mark 43 system.

2023-022231-2: This was identified as a left-side Apple Airpod Pro. It had a model number of A2084. It didn't have a rubber tip affixed to the end. It was located in the middle of the southbound bike lane on Dexter Ave N. It was approximately 97.4 feet to the north of the northern edge of the north crosswalk. It was approximately 50.9 feet from the western edge of the eastern fog line for the northbound lane of travel on Dexter Ave N.

2023-022231-3: This was identified as a right-side Apple Airpod Pro. It had a model number of A2083. It contained the rubber tip on the end. The rubber tip was pulled outward from its original position. This was found approximately 57.5 feet north of the northern edge of the crosswalk. It was approximately 4 feet to the east of the western edge of the east fog line for the northbound lane of travel on Dexter Ave N.

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2023-022231-4: This was a detachable rubber tip believed to have been associated with the left-side Apple Airpod Pro. The tip’s end that was inserted in the ear was pulled outward from its original and intended position. This was found approximately 28.3 feet north of the northern edge of the crosswalk. It was approximately 1.5 feet to the east of the western edge of the eastern fog line for the northbound lane of travel on Dexter Ave N.

I was unable to determine what mode the Airpods were in or if they had even been on at the time of the collision. Had they been on, inserted into her ears, and in the noise cancelling mode, it would have been possible that [1(f), 1(d)] ability to hear the Ford’s siren and the noise from the engine accelerating would have been diminished. Alternatively, if they were on, inserted in her ear and in the “transparency” mode, [1(f), 1(d)] ability to hear would have possibly been slightly enhanced.

**SECTION G: DISCUSSION OF ISSUES:**

**Intersection and Approach:** This intersection had no traffic control for pedestrians or traffic. The construction site for the building on the southeast corner of Dexter Ave N and Thomas St spanned a majority of Dexter Ave N for northbound traffic approaching the intersection. The orange physical barricades for this construction site extended to the east side of the northbound lane of travel and created the eastern limit for vehicles. Fencing was placed further inward (east of the barricades) into the construction site and had partially see-through black mesh fixed onto them. This fencing was lined with orange vertical construction pylons along the length of Dexter Ave N. These orange pylons had horizontal stripes of white reflective material.

The fencing and construction barrels did not appear to pose an unreasonable sight obstruction between westbound pedestrians and northbound vehicles when vehicles were approaching at or near the 25 MPH speed limit.

The pylons and signs affixed in the roadway had reflective material that would reflect light back toward approaching vehicles. The vertical pylons were bright yellow. They contained two horizontal yellow stripes of reflective material near the top. There were four signs affixed to the roadway in the south side of the pylon barrier. There was a short sign with yellow and black diagonal stripes. This sign had graffiti on the face of it. The yellow portions of the sign were reflective. 3 signs were affixed to one post behind the short sign. The top of the post had a diamond shaped yellow sign with a black figure in a “walking position” generally indicating a pedestrian crossing. Below that sign was a rectangular yellow sign with black arrows pointed outward from each other and slightly downward indicating the location of the crosswalk. The bottom sign was a square white sign with a red circle and a line through it on top of a 90-degree left arrow indicating “no left turn,” All three of these signs were reflective.

An emergency vehicle with its emergency lights activated approaching this intersection faced a unique scenario. When approaching the intersection, the lights from the emergency equipment would flash off of the signs and the reflective material on the pylons backward toward the driver. This included both the yellow pylons placed in the roadway and the orange pylons placed in the construction zone along the fence line. The reflection of the light made it more difficult to see objects in or beyond the intersection.

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On 02/02/2022 Det. BULAWA, Det. PARKER and I responded to the scene around 0400 hours. We used a similarly equipped PIU and used it to recreate some of the circumstances of the collision.

Det. BULAWA drove the PIU northbound on Dexter Ave N from John St at a pace around 10 MPH while I was standing on the yellow pad affixed to the sidewalk noting the entry to the northern crosswalk. I had my camera positioned approximately 5'03" above the ground at this location. Det. BULAWA was instructed to stop when the overhead lights were observed over the metal chain link fence. A chalk marking on the ground was made at the approximate location of the front push bars. This mark was measured at 421 feet south of the northern crosswalk.

Det. BULAWA was instructed to continue northbound on Dexter Ave N and told to stop when the PIU became visible through the mesh that was affixed to portions of the fencing. An additional mark was made on the ground. This mark was measured at 329 feet south of the northern crosswalk. However, it was noted that the configuration of the mesh on the fencing had changed between the time of the collision and this test.

I drove the PIU northbound on Dexter Ave N with the emergency lights activated. I noted that there was significant reflection from the signs and pylons as we approached the intersection.

Det. PARKER, wearing his black SPD approved jacket with patches affixed to his arms near the shoulder, stood in the northern crosswalk in an approximate location where 1(f), 1(c) was first observed in the ICV. I conducted another approach anticipating that Det. PARKER was standing in the location and was looking for him specifically, and I noted that it was difficult to detect Det. PARKER standing still during the approach.

I conducted another approach of the intersection and Det. PARKER was instructed to walk westbound in the northern crosswalk. Again, I anticipated Det. PARKER's presence and was looking for him specifically. I noted that the barrels obstructed Det PARKER's leg movement, and it was difficult to detect him until I was able to see his legs moving.

Crosswalk: The northern crosswalk was approximately 73.9 feet across (totaled based on the section lengths. The total length varied when measured as a whole based on where it was measured. This was due to the curvature of the curbs at the entry points into the crosswalk). This was broken down into sections for the purpose of explanation and analysis. There was a section of the crosswalk that spanned the bike lane and the area where vehicles could park between the eastern fog lane for the northbound lane of travel and the curb. However, parking for vehicles was prohibited and marked by solid white diagonal lines painted on the roadway from the fog line to the bike lane. This section was approximately 19.3 feet long. There was a section of the crosswalk that spanned the northbound lane of travel for vehicles. This section was approximately 11.3 feet long. The section that spanned the center shared middle turn lane was approximately 12.9 feet long. The section that spanned the southbound lane of travel for vehicles was approximately 11.3 feet long. The last section was where the crosswalk spanned the area between the west fog line, the prohibited parking zone and the bike lane for southbound vehicles was approximately 19.2 feet long.

Collision Avoidance: As Ofc. DAVE approached the point where the collision occurred, it appeared he attempted to avoid the collision by steering and braking.

Steering input was slight and rapid. Initially Ofc. DAVE steered to the left, but only slightly. This was followed by a quick correction in steering to the right, then again to the left, and then correcting back to center after the collision. This input didn't ultimately change the path of the Ford.

Braking appeared prior to and after the collision. Braking alone was not sufficient to avoid the collision due to the speed of the Ford.

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**Pre-Collision Time and Distance:** ICV and 3D scans from the scene were used to estimate several factors to determine time and distance scenarios. Input Ace and Faro Zone 3D were used in this process. 1(f), 1(d) speeds for walking and running were determined by the ICV and more specifically, the slow-motion analysis for times and distances. The slow-motion times from Input Ace will be noted with the associated frame from the program being noted in parenthesis.

1(f), 1(d)

Walking: Attempts to find 1(f), 1(d) walking speed using the ICV were done but I was unable to determine a reliable speed. This was due to the small sample distance that 1(f), 1(d) was visible in the ICV walking. The starting point where 1(f), 1(d) became visible in the ICV was obscured by the barricades as well. Camera 2 from the construction site was also used to analyze 1(f), 1(d) walking pace.

The ICV sample for 1(f), 1(d) walking speed began at 02:05.025 (3748). 1(f), 1(d) exact location in the roadway cannot be specifically determined but was estimated to be approximately 14.6 feet into the roadway. This point was west of the northbound lane of travel and more in line with the zone of prohibited parking. The sample period for 1(f), 1(d) walking speed was ended at 2:05.692 (3768). 1(f), 1(d) was approximately 17.6 feet into the roadway. This showed that 1(f), 1(d) travelled 3 feet in approximately .667 seconds. This gave 1(f), 1(d) an average walking speed of 4.50 MPH or 6.60 FPS.

Camera 2 from the construction site that captured 1(f), 1(d) approaching Dexter Ave N from the east was used to also find a walking pace. Fixed points were found on the video and the embedded time stamp[5] was used to measure the time it took 1(f), 1(d) to travel that distance. The first fixed point was where 1(f), 1(d) had entered into the alley. The affixed time stamp for this was 20:05:51. The second point was where 1(f), 1(d) was passing a point on the sidewalk that was a different color than the rest of the sidewalk. The embedded time stamp for this was 20:06:02. The distance between these two points were measured using Google Maps and was approximately 47 feet. It took 1(f), 1(d) approximately 11 seconds to travel the 47 feet which gave an average walking pace of 4.3 FPS.

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Field Studies of Pedestrian Walking Speed[6] was located where researchers used several samples to find average walking speeds. The research found that an average walking pace was around 4.09 FPS for a person of 1(f), 1(d) age. The higher speed of 6.5 FPS that 1(f), 1(d) was shown to travel in the ICV did not match an average walking speed and did not appear to be accurate based on the 1(f), 1(d) pace visible in the video. The 4.3 FPS pace observed from Camera 2 appeared to be more accurate as it corroborated Witness 1(d) statement that 1(f), 1(d) had a slightly faster walking pace.

It is likely that 1(f), 1(d) pace would not have changed much between her approach to the intersection and when she was crossing Dexter Ave N. The 4.3 FPS pace was used to determine where the Ford approximately was on Dexter Ave N when 1(f), 1(d) entered the crosswalk. The point where 1(f), 1(d) (17.6 feet from the east sidewalk) transitioned to a run was used as she could more accurately be placed in the roadway. A measurement of time was found to see how long it took her to reach this position from the east sidewalk.

The Ford's ICV was then moved back approximately 4.09 seconds from this point and to measure how far to the south of the northern crosswalk it was when 1(f), 1(d) was estimated to have entered the roadway. The Ford was just entering the intersection of John St approximately 475 feet to the south of the northern crosswalk at Dexter Ave N and Thomas St.

Running: Just before the collision, 1(f), 1(d) transitioned from a walk to a run. The sample of 1(f), 1(d) running speed began at 02:05.759 (3770). 1(f), 1(d) location in the roadway was estimated to be approximately 18.7 feet into the roadway. The difference between the end point of the walking sample and the starting point of the run was about .9 feet. Based on the video this was a transition period where 1(f), 1(d) speed was increasing, yet she wasn't moving in a manner that represented either a walk or run. This period was not incorporated in either the walk or the run period. The sample period for 1(f), 1(d) running speed ended at 2:06.660 (3797). 1(f), 1(d) was approximately 26.1 feet into the roadway. This showed that 1(f), 1(d) travelled 7.6 feet in approximately .901 seconds. This gave 1(f), 1(d) an average speed of 8.32 FPS or 5.68 MPH.

At the point where 1(f), 1(d) was observed beginning to run, she was 13.2 feet to the east of the shared center left turn lane and just east of the northbound lane of travel. To reach this point of relative safety, it would have taken her 1.56 seconds at the measured average running pace.

**Ford PIU:**

In Faro Zone 3D the Ford was moved backward in relation to the time and distance related to 1(f), 1(d) movement. This was done through analysis of ICV and the scans of the scene. The position where the camera was affixed to the Ford provided angles that that did not capture the roadway in front of the Ford. The roadway was obscured from the camera's view due to the hood. A similarly equipped SPD PIU was used to determine the angle of the camera's view and where it began to capture footage of the roadway in front of the Ford.

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It was found that the roadway was visible over the hood of the Ford approximately 12 feet and 10 inches (12.83) in front of the Ford. This was measured using a Ford PIU that was sitting at rest. Weight transfer while braking would have shifted the Ford's weight to the front axles and lowered the hood. This would lead to a decreased amount of the roadway being obscured in front of the Ford.

The area of impact was identified as approximately in the middle of the north crosswalk and approximately 26.2 feet from the eastern curb.

At the point where [1(f), 1(d)] began running, the Ford was approximately 90 feet south of the area of impact.

Had the Ford been in the same position in the roadway when [1(f), 1(d)] was observed running and [1(f), 1(d)] continued to run at the measured average pace of 8.32 FPS or 5.68 MPH (which would have taken 1.56 seconds to travel to clear the northbound lane of travel), the Ford would have had to have been travelling 39.35 MPH or 57.69 FPS for [1(f), 1(d)] to have made it out of the northbound lane of travel and into the shared center left turn lane. This is without change in speed or direction from the Ford. A distance (*d*) of 90 ft was used and the time (*t*) of 1.56 was used to solve for speed (*S*).

Braking was observed and incorporated into a time and distance scenario. The 3D scans, BWV, and ICV were analyzed and used for this. From BWV, it was determined that braking occurred at approximately 2:05.505 seconds. The approximate point of impact was at approximately 2:06.171. This was a duration of .666 seconds of braking. ICV was then referenced. The approximate point of impact (2:06.660) was found and the video was reversed approximately .666 seconds (2:05.993). The vehicle was then placed in the 3D scan at the approximate point where it was at this time stamp. The distance to the area of impact was approximately 66 feet to the south.

The total distance it took the Ford to stop from when braking was observed in the video was estimated at 206 feet. This was used to find a drag factor (*f*) for the roadway of .838. The speed of 72 MPH which was displayed on the gauge and presumed to be close to the actual speed was used for *S*.

Acceleration (*a*) was then analyzed. Since braking was being analyzed, the acceleration was a negative value. Gravity was represented as *g*.

The initial velocity (*V<sub>i</sub>*) was then determined using a mathematical formula and independent from what was displayed on the BWV in the gauge cluster.

The starting velocity (*V<sub>i</sub>*) of 108.08 FPS as well as the drag factor (*f*) were used to find the ending velocity (*V<sub>e</sub>*), which was determined to be the speed at the point of impact.

The difference between the time that [1(f), 1(d)] began to run and when braking occurred was then analyzed. It was determined using the analyzed time of .901 (time at which [1(f), 1(d)] had been running to the point of impact) and .666 (time of braking) to find the difference. The Ford "coasted" for approximately .235 seconds while [1(f), 1(d)] was running, and there was no apparent braking by the Ford. This time was assigned a constant velocity of 108.07 fps. The Ford travelled approximately 25.40 feet during this .235 seconds.

The 25.40 feet of coasting distance was added to the 66 feet of braking distance. This equaled 91.4 feet of travelling distance either coasting or braking.

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It was previously estimated that it would take 1(f), 1(d) 1.56 seconds from the point that she started to run to reach the center left turn lane. The collision occurred at approximately .901 and 1(f), 1(d) would need an additional .66 seconds to reach the center left turn lane. Variables were then used for the *V<sub>i</sub>* in the formulas to find the speed at which the Ford had to be travelling at the distance of 91.4 feet south of the area of impact for 1(f), 1(d) to be afforded the additional .66 seconds. The time difference of the variable speed was then matched to the "target" time of 1.56 seconds.

Coasting distance:

Distance of braking was then calculated by taking 17.23 ft from 91.4 ft which equaled 74.17 ft. The ending velocity at braking using 50 MPH (73.34 FPS) was then done.

The acceleration rate (*a*), ending velocity (*V<sub>e</sub>*), and the initial velocity (*V<sub>i</sub>*) was used to show the time (*t*) that braking would have taken place.

The time duration of braking (1.34) was added to the time coasting (.235). This equaled 1.575 seconds which is sufficient enough for 1(f), 1(d) to have made it to the center turn lane and the collision to have not occurred.

Had Ofc. DAVE been travelling 50 MPH or less as he approached the intersection and encountered 1(f), 1(d) and Ofc. DAVE and 1(f), 1(d) responded in the same manner; this collision would not have occurred.

**Human Factors and Threat Detection:** Several factors can alter the perception of drivers and pedestrians related to their ability to detect threats. These are often labeled as human factors in collision investigations. Studies have been done in relation to this topic and specifically the difficulty of identifying pedestrians during nighttime hours[7]. The list of human factors and expectations are expansive and will not be completely analyzed in this section.

Ofc. DAVE was responding to a call of service with his emergency equipment activated. Ofc. DAVE was responding to the call around 2000 hours, during the hours of darkness. When nearing the intersection with Thomas St, Ofc. DAVE encountered several objects that had retroreflective characteristics which reflected the lights from the emergency equipment back toward him. This included the affixed yellow pylons in the center of the roadway, the orange pylons placed within the construction site, as well as street signs at various locations. Additionally, there was an oncoming KCM bus with its headlights on. This could make it more difficult to perceive threats beyond these objects that were reflecting light back at him.

The type of roadway, time of day and several other factors change the expectation of a driver or pedestrian. For example, when travelling on a highway, it is generally accepted that there are different threats than travelling on surface streets. A driver can rarely expect to encounter a pedestrian on a highway when it would be more common on a surface street. In this instance, Dexter Ave N was a minor north and south arterial street. Dexter Ave N had marked crosswalks at the main intersections. It was in a fairly densely populated area where traffic and pedestrians could be expected. Additionally, the time of the day was 2000 hours, and one may expect that there would be an elevated amount of traffic as opposed to 0300 hours as an example.

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There was a construction site on the east of Dexter Ave N leading up to the area of the collision. The fencing played an initial, yet minimal, sight obstruction early in the approach to the collision. Initially the fence obscured the entry of the sidewalk for drivers. The southbound view for pedestrians down the eastern side of Dexter Ave N before entering the crosswalk was also obstructed. This obstruction was mitigated as vehicles got closer to the intersection and pedestrians proceeded through the crosswalk.

The barricades created a unique sight obstruction for drivers. There were 2.5-foot-tall orange barricades that were placed along the fog line of the northbound lane of Dexter Ave N. The barricades were at a height where the biological movement of a pedestrian’s legs would be obscured from the driver. A driver’s ability to identify moving objects is increased if they observe unique movement that can easily be identified. The moving torso of a pedestrian isn’t as readily identifiable compared to the movement of their legs[8]. The ICV was reviewed, and this obstruction was a factor to the view of the camera up to around 158 feet before to the area of impact. This was the first possible point that Ofc. DAVE could have identified [REDACTED] as a pedestrian in the crosswalk but in review of the video, this may have been difficult.

Emergency response is at the discretion of the individual officer. Several factors may be incorporated into the decision-making process. This may include, but not limited to, experience, environment, knowledge of their beat, time of day, roadway conditions, and information available about the call.

Pedestrian’s expectations when crossing a street are that they will likely encounter traffic travelling at speeds near the posted speed limit. A driver’s expectation of a pedestrian in a crosswalk and the likelihood of a pedestrian being seen by a driver in the crosswalk are heightened.

[REDACTED] Clothing and Actions: [REDACTED] was wearing white shoes, black pants and a black jacket with the hood up over her head. [REDACTED] had a tan colored backpack on. This may have made detection of her difficult.

[REDACTED] was in the process of crossing Dexter Ave N at Thomas St within the northern crosswalk. Based on the witness account and the ICV, [REDACTED] entered the intersection and was walking as she crossed. [REDACTED] was approximately 18.7 feet into the crosswalk. At this position, [REDACTED] was still to the east of the lane of northbound vehicular travel for Dexter Ave N. Though she was in the roadway, and moving east to west, this position would have allowed vehicles to pass her without striking her. At this point [REDACTED] began to transition to a run to continue her movement westbound. [REDACTED] ran approximately 8.3 feet further westbound into the crosswalk. This placed her nearly in the center of the northbound lane of Dexter Ave N and in the path of the Ford.

It can be difficult for humans to judge the speed of objects when they are approaching. An object passing in front of a person is easier to judge a speed. This is based on the availability of reference points in relation to the object. An object passing from left to right, for example, provides reference points that the object passes thus a human can conduct crude time and distance evaluations and sense the speed of the object. An object approaching from 90 degrees generally does not have fixed reference points that a person can use to judge speed until it gets closer. In this case, it is more likely than not that [REDACTED] wasn’t able to accurately estimate the speed of the Ford based on its lights until it got closer to the intersection. It was likely that [REDACTED] initial estimates of the Ford’s speed (had she seen the Ford approaching) were under the actual speed. When more information to estimate the Ford’s speed became available, it was closer to the intersection. [REDACTED] was then provided little time to assess her options to respond to the threat.

It is unknown why [REDACTED] decided to run at the point in which she did. The point at which [REDACTED] first observed the approaching Ford is also unknown. In review of the video, it appears that [REDACTED] reacted to the approaching Ford as it was becoming an immediate threat to her. [REDACTED] response was to begin to run westbound, and it is believed that she was attempting to reach an area of perceived safety. [REDACTED] had been approximately 18.7 feet away from the curb into the roadway when she started to transition to a run. Using the calculated walking pace of 4.3 FPS, she would have been walking in the roadway for approximately 4.09 seconds. It is a possibility that [REDACTED] thought she was in the path of the Ford based on the time she had been walking in the crosswalk and distance that she travelled, and this played a role in her decision making. Also, at the point where she began to run, she was not in the path of the Ford. However, [REDACTED] reaction appeared quick, and it is also a possibility that she didn’t have enough time to correctly analyze her position in the roadway to determine if she was in the path or not.

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**Applicable Revised Code of Washington (R.C.W.) and Seattle Municipal Code (S.M.C.):**

**RCW 46.61.035 Authorized Emergency Vehicles:**

(1) The driver of an authorized emergency vehicle, when responding to an emergency call or when in the pursuit of an actual or suspected violator of the law or when responding to but not upon returning from a fire alarm, may exercise the privileges set forth in this section, but subject to the conditions herein stated.

(2) The driver of an authorized emergency vehicle may:

- (a) Park or stand, irrespective of the provisions of this chapter;
- (b) Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;
- (c) Exceed the maximum speed limits so long as he or she does not endanger life or property;
- (d) Disregard regulations governing direction of movement or turning in specified directions.

(3) The exemptions herein granted to an authorized emergency vehicle shall apply only when such vehicle is making use of visual signals meeting the requirements of RCW 46.37.190, except that:

- (a) An authorized emergency vehicle operated as a police vehicle need not be equipped with or display a red light visible from in front of the vehicle;
- (b) authorized emergency vehicles shall use audible signals when necessary to warn others of the emergency nature of the situation but in no case shall they be required to use audible signals while parked or standing.

(4) The foregoing provisions shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor shall such provisions protect the driver from the consequences of his or her reckless disregard for the safety of others.

**R.C.W 46.61.235 Crosswalks:**

(1) The operator of an approaching vehicle shall stop and remain stopped to allow a pedestrian, bicycle, or personal delivery device to cross the roadway within an unmarked or marked crosswalk when the pedestrian, bicycle, or personal delivery device is upon or within one lane of the half of the roadway upon which the vehicle is traveling or onto which it is turning. For purposes of this section "half of the roadway" means all traffic lanes carrying traffic in one direction of travel, and includes the entire width of a one-way roadway.

(2) No pedestrian, bicycle, or personal delivery device shall suddenly leave a curb or other place of safety and walk, run, or otherwise move into the path of a vehicle which is so close that it is impossible for the driver to stop.

(3) Subsection (1) of this section does not apply under the conditions stated in RCW 46.61.240(2).

(4) Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian, bicycle, or personal delivery device to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle.

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(5)(a) If a person is found to have committed an infraction under this section within a school, playground, or crosswalk speed zone created under RCW 46.61.440, the person must be assessed a monetary penalty equal to twice the penalty assessed under RCW 46.63.110. The penalty may not be waived, reduced, or suspended.

(b) Fifty percent of the moneys collected under this subsection must be deposited into the school zone safety account.

**R.C.W. 46.61.264 Pedestrians and Personal Delivery Devices Yield to Emergency Vehicles:**

(1) Upon the immediate approach of an authorized emergency vehicle making use of an audible signal meeting the requirements of RCW 46.37.380(4) and visual signals meeting the requirements of RCW 46.37.190, or of a police vehicle meeting the requirements of RCW 46.61.035(3), every pedestrian and every personal delivery device shall yield the right-of-way to the authorized emergency vehicle.

(2) This section shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway nor from the duty to exercise due care to avoid colliding with any pedestrian or any personal delivery device.

**S.M.C 11.12.080 Exemption of Authorized Emergency Vehicles:**

A. The driver of an authorized emergency vehicle, when responding to an emergency call or when in the pursuit of an actual or suspected violator of the law or when responding to but not upon returning from a fire alarm, may exercise the privileges set forth in this section, but subject to the conditions stated in this chapter.

B. The driver of an authorized emergency vehicle may:

- 1. Park or stand, irrespective of the provisions of this subtitle;
- 2. Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;
- 3. Exceed the maximum speed limits so long as he does not endanger life or property;
- 4. Disregard regulations governing direction of movement or turning in specified directions:

Provided, that ambulances shall not exceed the posted speed limit by more than five (5) miles per hour and shall not proceed through stop signs or red traffic signal lights without first making a full stop and permitting traffic to clear the intersection; and provided further, that Fire Department vehicles, including aid cars and other vehicles, shall not be subject to the above restrictions on the operation of ambulances.

C. The exemptions granted in this section to an authorized emergency vehicle shall apply only when such vehicle is making use of visual signals meeting the requirements of RCW 46.37.190, except that:

- 1. An authorized emergency vehicle operated as a police vehicle need not be equipped with or display a red light visible from in front of the vehicle;
- 2. Authorized emergency vehicles shall use audible signals when necessary to warn others of the emergency nature of the situation but in no case shall they be required to use audible signals while parked or standing.

D. The foregoing provisions shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor shall such provisions protect the driver from the consequences of his reckless disregard for the safety of others. (RCW 46.61.035)

**S.M.C. 11.84.360 Emergency Vehicle Audible Sound:**

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Any authorized emergency vehicle may be equipped with a siren, whistle or bell, capable of emitting sound audible under conditions of no background noise from a distance of not less than five hundred feet (500 ) and of a type approved by the State Commission on Equipment, but such siren shall not be used except when such vehicle is operated in response to an emergency call or in the immediate pursuit of an actual or suspected violator of the law, in which said latter events the driver of such vehicle shall sound the siren when reasonably necessary to warn pedestrians and other drivers of the approach thereof. (RCW 46.37.380(4))

### **SECTION G: CONCLUSIONS:**

The following conclusions were based on my investigation and analysis of this incident:

- Ofc. DAVE was an on-duty law enforcement officer employed by SPD the night of the collision.
- Ofc. DAVE was a certified EMT and certified peace officer.
- Ofc. DAVE was driving a SPD 2020 Ford Police Interceptor Utility vehicle. The Ford was equipped with standard SPD markings on the exterior of the vehicle. It was also equipped with emergency equipment including a siren and red, white, and blue LED lights.
- Ofc. DAVE heard a call of an overdose and notified WD that he was responding. The overdose location was 708 6 Ave N.
- Ofc. DAVE left the West Precinct and began to respond to the 911 call location.
- During the response, it was updated that the person who was overdosing, was the person who was on the phone with 911 call takers. Ofc. DAVE acknowledged this over the West radio channel.
- Ofc. DAVE proceeded to Dexter Ave and Denny Way where he faced a red traffic signal. After clearing the intersection, Ofc. DAVE accelerated northbound on Dexter Ave N.
- The acceleration continued from Denny Way up to Thomas St.
- During the period of acceleration, the Ford reached a top speed of 74 MPH.
- During the emergency response, Ofc. DAVE did not have his siren activated continuously. Ofc. DAVE chirped his siren at intersections.
- 1(f), 1(d) approached Dexter Ave N on Thomas St using the northern sidewalk. 1(f), 1(d) was wearing a black jacket, black pants, a tan backpack and white shoes. 1(f), 1(d) was possibly wearing Apple AirPods in both ears.
- 1(f), 1(d) reached Dexter Ave N and began to cross from the east to the west in the north crosswalk.
- 1(f), 1(d) was approximately 18 feet into the crosswalk (this included the bike lane and the prohibited parking zone) and was about to enter the northbound lane of travel for vehicles. 1(f), 1(d) transitioned to a run and continued to proceed westbound in the crosswalk. This placed 1(f), 1(d) approximately 7.5 further into the crosswalk. 1(f), 1(d) needed approximately 5.5 feet to clear the northbound lane.
- 1(f), 1(d) was struck by the Ford at approximately 63 MPH and was thrown approximately 138 feet northwest where she came to a rest in the shared center turn lane.
- Ofc. DAVE began to perform CPR on 1(f), 1(d)
- SFD personnel responded to the scene and continued lifesaving efforts. 1(f), 1(d) was subsequently transported to HMC.
- Ofc. DAVE was assessed by DRE Ofc. AUDERER, who reported that in his opinion, Ofc. DAVE did not display signs of impairment.
- 1(f), 1(d) succumbed to her injuries and was pronounced as deceased at HMC.

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**Summary:**

Ofc. DAVE was driving a marked SPD Ford PIU and responding to an emergency call at 708 6 Ave N. In his response, he used his overhead lights and intermittent siren. Ofc. DAVE proceeded northbound on Dexter Ave N. [REDACTED] was crossing Dexter Ave N westbound in the northern crosswalk at Thomas St. [REDACTED] [REDACTED] was struck by the Ford in the crosswalk as she was proceeding westbound in the crosswalk. Had Ofc. DAVE been travelling approximately 50 MPH at the point where they were both responding to the collision, [REDACTED] would have been able to run across the northbound lane of travel and would not have been struck by the Ford.

**Proximate Cause:**

The proximate cause of this collision was the speed at which Ofc. DAVE approached the intersection of Dexter Ave N and Thomas St. Ofc. DAVE accelerated to 74 MPH in a 25 MPH zone while headed to an emergency call. [REDACTED] entered the crosswalk, and had the right of way, when the Ford was about 475 feet to the south of the intersection. The speed at which Ofc. DAVE was travelling did not allow [REDACTED] or him sufficient time to detect, address and avoid a hazard that presented itself.

**INVESTIGATION:**

- 1. I was notified of this collision by Acting Sgt BULAWA and responded to the scene.
- 1. I was notified that a DRE officer responded to talk with Ofc. DAVE and it was their opinion that Ofc. DAVE displayed no signs of impairment.
- 1. TCIS detectives did an initial canvas for surveillance video in the area.
- 1. I responded to the West Precinct and met with Attorney Mark CONRAD from Freyback P.S. Attorneys. I then read Ofc. DAVE his Miranda Rights and was informed that a statement would not be provided at this time.
- 1. I responded back to the office and located the CAD history for Ofc. DAVE for 01/23/2023. I found that the call that Ofc. DAVE was responding to was 2023-22228.

REPORTING OFFICER SIGNATURE / DATE BRETT SCHOENBERG #7429 May 11, 2023 10:19 (e-signature) PRINT NAME BRETT SCHOENBERG #7429	SUPERVISOR SIGNATURE / DATE JAMES BULAWA #6809 May 11, 2023 13:39 (e-signature) PRINT NAME JAMES BULAWA #6809
---	--

1. I requested the 911 recordings and west radio for 2023-22228 and 2023-22231 and the SFD run reports from the incident.
  
1. I reviewed BWV of the incident.
  
1. Seattle IT responded to the SPD Long-Term storage and retrieved the ICV camera system from the vehicle to upload the video from the incident. The camera itself had to be removed to do this.
  
1. I called DPA FREEDHEIM with the KCPAO to inform her of this incident. I left a voicemail requesting a call back. I received a call back and notified her of this case with the information that was known at this time.
  
1. I called Witness 1(d). I left a voicemail requesting a call back. I received a call back later in the day and obtained a recorded statement from 1(d).
  
1. I called Witness 1(d). It went to the voicemail system, but the box was full, and I was unable to leave a message. I later received a missed call from 1(d) and called him back. I obtained a recorded statement.
  
1. I called Witness 1(d). There was no answer and the voicemail box had not been setup. I received a call back from 1(d) who provided an audio statement.
  
1. I was provided a link to surveillance video from the construction site on the southeast corner of Dexter Ave N and Thomas St by Sgt. DALAN. I added the video from the link to the case file. I later uploaded the video to Evidence.com.
  
1. I reached out to King County Metro requesting information on the coach seen travelling southbound on Dexter Ave N just prior to the collision. I was notified that it was coach 8009, Route 62, Run 19. I requested that the video, if actually equipped, be uploaded to evidence.com.
  
1. I responded to the scene and did another canvas for video surveillance.
  
1. I sent an Axon evidence submission email to Winston Wachter Fine Arts (203 Dexter Ave N, Seattle, WA) for them to upload video surveillance to.
  
1. I called the King County Medical Examiners Office and obtained the case number for their investigation. It was 23-276. I also obtained the height recorded for 1(f), 1(d) from them as being 5'05"
  
1. I called 1(d) (DO NOT DISCLOSE), a family friend, at a provided number of (832) 1(d) and spoke to him over the phone regarding an email with questions.
  
1. Responded to the original scene and evaluated factors at the intersection. This included the fencing as well as sight lines. I used a similarly equipped patrol vehicle to evaluate the camera view outward to determine the distance in front of the vehicle in which the ground becomes visible over the hood.
  
1. I submitted an authorization to release property contained in the evidence unit to the authorized agent of the family. I authored an email with directions on how to obtain the property. This came after receiving an email from the mother of 1(f), 1(d) authorizing an agent in the area to pick the property up. This person was 1(d) (Do not Disclose).

REPORTING OFFICER SIGNATURE / DATE BRETT SCHOENBERG #7429 May 11, 2023 10:19 (e-signature) PRINT NAME BRETT SCHOENBERG #7429	SUPERVISOR SIGNATURE / DATE JAMES BULAWA #6809 May 11, 2023 13:39 (e-signature) PRINT NAME JAMES BULAWA #6809
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1. I called (d) and explained the process over the phone as well.
1. I received a voicemail from CONRAD requesting a phone call. I called him back and explained the process of the investigation including the next step of forwarding the case to the KCPAO.
1. I reviewed the video provided by King County Metro for coach 8009. Based on the video, this was not the bus that was observed on ICV passing Thomas St. I emailed KCM again and requested that they check for busses in that area again.
1. I requested the run report from 23-22228. I received the run report and reviewed it.
1. I received a notification that the KCM video was available. I downloaded the video and reviewed it.
1. I reviewed BWV from the officers who responded after the collision.
1. I submitted a request for the KCMEO report including the toxicology results.
1. I received the toxicology results from the KCMEO.
1. This case was peer reviewed.
1. This case was given to acting Sgt. BULAWA for approval.
1. I submitted the case to the KCPAO for review.

*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.

### **Addendum 1:**

#### **ICV:**

- A)** (2:04.992 3747)
- B)** (2:05.025 3748)
- C)** (2:05.659 3767)
- D)** (2:05.759 3770)
- E)** (2:06.660 3797).

REPORTING OFFICER SIGNATURE / DATE  
 BRETT SCHOENBERG #7429 May 11, 2023 10:19 (e-signature)  
 PRINT NAME  
 BRETT SCHOENBERG #7429

SUPERVISOR SIGNATURE / DATE  
 JAMES BULAWA #6809 May 11, 2023 13:39 (e-signature)  
 PRINT NAME  
 JAMES BULAWA #6809

**BWV:**

**F)** (2:05.104 3755-2:05.472 3766).

**G)** (2:05.338 3762)

**H)** (2:05.572 3769)

**I)** (2:05.772 3775)

**J)** (2:06.138 3786)

**K)** (2:06.171 3787)

**L)** (2:06.205 3788)

**M)** (2:06.505 3797)

**N)** (2:07.804 3827)

**O)** (2:07.838 3837)

**P)** (2:09.537 3888)

**Q)** (2:09.871 3898)

[1] Sunrise/sunset and weather information obtained from Weather Underground historical data, found at the following website:  
<https://www.wunderground.com/history/daily/us/wa/seattle/KSEA/date/2023-1-18>

[2] GPS coordinates obtained using Google Earth

[3] Chirping of the siren is a reference to activating and then deactivating the siren. Doing this creates the audio tones of the siren briefly but not a long and sustained tone from the siren.

[4]<https://www.aooole.com/airpods-pro/>

[5] The frame analysis report was referenced in an attempt to find the true times between fixed points. However, I was unable to find an accurate true time (84 frames at .033 seconds per frame resulting in 2.7 seconds) possibly due to the video characteristics mentioned above. The embedded times stamps on the video were used instead.

[6] Field Studies of Pedestrian Walking Speed and Start-Up Time. R. Knoblauch, M. Pietrucha and M. Nitzburg <https://journals.sagepub.com/doi/10.1177/0361198196153800104>

[7] "The conspicuity of pedestrians at night: a review" - Tyrrell - 2016 - Clinical and Experimental Optometry - Wiley Online Library - <https://onlinelibrary.wiley.com/doi/full/10.1111/cxo.12447>

[8] "The conspicuity of pedestrians at night: a review" - Tyrrell - 2016 - Clinical and Experimental Optometry - Wiley Online Library - <https://onlinelibrary.wiley.com/doi/full/10.1111/cxo.12447>

**ATTACHMENTS ADDENDUM**

FILE NAME	UPLOAD DATE/TIME	UPLOADED BY
REPORTING OFFICER SIGNATURE / DATE		SUPERVISOR SIGNATURE / DATE
BRETT SCHOENBERG #7429 May 11, 2023 10:19 (e-signature)		JAMES BULAWA #6809 May 11, 2023 13:39 (e-signature)
PRINT NAME		PRINT NAME
BRETT SCHOENBERG #7429		JAMES BULAWA #6809

2023-022231.pdf

May 11, 2023 10:19

B. SCHOENBERG #7429

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 <b>BRETT SCHOENBERG</b>	DATE <b>05/11/2023</b>	PLACE <b>Seattle, WA</b>
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**ASSOCIATED RECORDS - EXTERNAL**

RECORD ID	SOURCE	REASON FOR ASSOCIATION
23-276	Other: KCME	Related Incident
2023-022228	Other: CAD	Related Incident

REPORTING OFFICER SIGNATURE / DATE <b>BRETT SCHOENBERG #7429 May 11, 2023 10:19 (e-signature)</b> PRINT NAME <b>BRETT SCHOENBERG #7429</b>	SUPERVISOR SIGNATURE / DATE <b>JAMES BULAWA #6809 May 11, 2023 13:39 (e-signature)</b> PRINT NAME <b>JAMES BULAWA #6809</b>
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CHECK ALL THAT APPLY:

- NON-IMPOUND / DRIVER'S REQUEST TOW
- EVIDENCE
- SEIZED UNDER RCW 69.50.505
- IMPOUND ONLY
- DUI/PC IMPOUND WITH 12 HOUR HOLD
- DWLS IMPOUND WITH \_\_\_\_\_ DAY HOLD
- INFORMATIONAL COPY GIVEN TO SUSPENDED DRIVER.
- REGISTERED OWNER MAY REDEEM \_\_\_\_\_
- DRIVER IS DWLS AND IS THE REGISTERED OWNER. DRIVER MUST PROVIDE DOCUMENTATION FROM THE COURT OR THE IMPOUNDING AGENCY SHOWING FINES OR PENALTIES HAVE BEEN PAID.
- IMPOUND WITH PROSTITUTION HOLD (RCW 9A.88.140).

UNIFORM WASHINGTON STATE

CASE / EVIDENCE NUMBER

23-22231

TOW / IMPOUND AND INVENTORY RECORD

VEHICLE INFORMATION

VIN: 1FMSK8AW9LGD0Z1ZZ

LICENSE: X M T 71703D STATE: WA YEAR: 2020 MAKE: FORD MODEL: EXPLORE

MILEAGE: \_\_\_\_\_ STYLE: UT COLOR: BLUE/WHITE

Report of Sale  Digital

DRIVER

REGISTERED OWNER

LEGAL OWNER

NAME (LAST, FIRST, MI)	NAME (LAST, FIRST, MI)	NAME (LAST, FIRST, MI)
STREET ADDRESS	STREET ADDRESS	STREET ADDRESS
CITY, STATE, ZIP CODE	CITY, STATE, ZIP CODE	CITY, STATE, ZIP CODE
PHONE	PHONE	PHONE
DOB		

AUTHORIZATION AND RECEIPT

ON 1-23-23 AT 2230 (DATE) (24 HOURS) PURSUANT TO RCW 46.55.085, 46.55.113, OR 9A.88.140, OFFICER Backman 8619 (NAME/BADGE NO.)

AUTHORIZED SARD (TOWING FIRM)

DRIVEN BY JAW (DRIVER'S PRINTED FIRST AND LAST NAME) TO REMOVE THIS VEHICLE FROM Dexter Av N / Thomas ST (LOCATION)


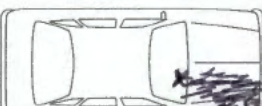
THE ITEMS IN THE DESCRIBED VEHICLE WERE PERSONALLY INVENTORIED BY OFFICER Backman (NAME/BADGE NO.)

EQUIPMENT

DAMAGE

EVIDENCE (DRIVER'S SIDE)

EVIDENCE (PASSENGER'S SIDE)

<input type="checkbox"/> KEYS	<input checked="" type="checkbox"/> FRONT	SHADE DAMAGED AREA 		
<input type="checkbox"/> LOCKED TRUNK	<input type="checkbox"/> R FRONT			
<input type="checkbox"/> LOCKED GLOVE BOX	<input type="checkbox"/> R SIDE			
<input type="checkbox"/> LOCKED CENTER CONSOLE	<input type="checkbox"/> R REAR			
<input type="checkbox"/> AUTO STEREO	<input type="checkbox"/> L FRONT			
<input type="checkbox"/> GPS	<input type="checkbox"/> L SIDE			
<input type="checkbox"/> RADAR/LIDAR DETECTOR	<input type="checkbox"/> L REAR			
<input type="checkbox"/> IGNITION INTERLOCK DEVICE	<input type="checkbox"/> REAR			
<input type="checkbox"/> OTHER _____	<input type="checkbox"/> TOP			
	<input type="checkbox"/> UNDERCARRIAGE			
	<input type="checkbox"/> OTHER _____			

RECEIVED BY DATA CENTER 2023 JAN 26 PM 1:42

INVENTORY

NARRATIVE OR DIAGRAM

(List reason(s) for impound.)

MVC TCIS INVESTIGATION ✓

A COPY OF THIS TOW/IMPOUND REPORT WAS PROVIDED TO THE TOWING FIRM'S OPERATOR WHO TOOK POSSESSION OF THE VEHICLE:

- BY THE OFFICER LISTED BELOW.
- BY OFFICER \_\_\_\_\_

A COPY OF THIS TOW/IMPOUND REPORT AND INFORMATION FOR DRIVERS TO REDEEM IMPOUNDED VEHICLE WAS PROVIDED TO THE DRIVER OF THIS VEHICLE:

- BY THE OFFICER LISTED BELOW.
- BY OFFICER \_\_\_\_\_

THE VEHICLE WAS ABANDONED - A COPY OF THE TOW/IMPOUND REPORT WAS LEFT WITH THE VEHICLE.

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

OFFICER'S SIGNATURE: X Z. Backman KING COUNTY, WA SUPERVISOR

8619 BADGE NO. EXPLORE AGENCY



# Seattle Police Department Case Investigation Report

**Case Investigation Report: #2023-022231 TCIS #23-003**

**Type of Crime:** Pedestrian Fatality  
**Date of Incident:** 1/23/2023  
**Date of Last Entry:** 5/11/2023  
**Submitted by:** Detective Brett Schoenberg #7429, Traffic Collision Investigation Squad, Unit B512T. 206-684-8934, SPD7429@seattle.gov

**UCR-**

**CMS-** Referred to KCPA-Adult (W)

**LODI-** 05/11/2023

## ENTITIES:

### **Driver of Vehicle 1:**

**Name:** DAVE, Kevin A      **W/M**      **DOB:** 4(b)/10/4(b)  
**Height:** 5'08"      **Weight:** 190 lbs      **Eyes:** Bro  
**WA DOL:** 1(g)      **Expires:** 06/10/2027  
**Status:** Surrendered – Out of State  
**AZ DOL:** 1(g)      **Issued:** 10/09/2022  
**Status:** Valid      **Expires:** 11/18/2029  
**Work Address:** 810 Virginia St Seattle, WA 98101      **Phone:** (206) 684-8917  
**On-Duty Law Enforcement Officer and Emergency Medical Technician (EMT) certified.**  
**SPD serial number #8750**

**KCPAO Review for applicable charges.**

### **Vehicle 1:**

**Description:** 2020 Blue Ford Police Interceptor Utility (PIU) #035367  
**WA Plate:** 71703D      **VIN:** 1FM5K8AW9LGD02122      **Exp:** No Expiration  
**Registered Owner:** City of Seattle Fleets  
**Address:** 700 5 Ave, Seattle, WA, 98104  
**Legal owner:** Same as above  
**Insurance:** City of Seattle Fleets Self Insured



# Seattle Police Department Case Investigation Report

Case Investigation Report: #2023-022231 TCIS #23-003

## Unit 2: Pedestrian (Deceased):

*Name:* 1(f), 1(d) U/F *DOB:* 1(f), 1(d)  
*Height:* 5'05" *Weight:* 174 *Hair:* Dark Brown  
*WA DOL:* 1(g) *Expires:* 00/00/0000  
*Status:* Not Licensed - Eligible  
*Address:* 1(f), 1(d)

## Witnesses:

### DO NOT DISCLOSE

*Name:* 1(d)  
*Address:* 1(d) 14 Ave # Seattle, WA 98122 *Phone:* (206) 1(d)

### DO NOT DISCLOSE

*Name:* 1(d)  
*Address:* 1(d) Minor Ave E # Seattle, WA 98102 *Phone:* (757) 1(d)

### DO NOT DISCLOSE

*Name:* 1(d)  
*Address:* 1(d) S 214 St Elkhorn, NE 68022 *Phone:* (402) 1(d)



# Seattle Police Department Case Investigation Report

Case Investigation Report: #2023-022231 TCIS #23-003

## **SCENE INVESTIGATION REPORT:**

On Monday, January 23, 2023, at approximately 2012 hours, Seattle Police Department (SPD) Traffic Collision Investigation Squad (TCIS) Acting Sergeant BULAWA #6908 received a phone call from the SPD Communications Section Supervising Dispatcher, advising of a serious-injury collision that had occurred near the intersection of Dexter Ave N and Thomas St. This was within the city limits of Seattle. Acting Sgt. BULAWA called SPD Patrol Sgt. DALY #7440, an on-scene supervisor, and was provided details about this collision. Based on the details he was provided; Acting Sgt. BULAWA determined this collision required a TCIS response for an on-scene investigation. Acting Sgt. BULAWA, TCIS Detective PARKER #6780, TCIS Detective REESE #7533, and I comprised the TCIS response team. We all responded to the collision scene, and I arrived at approximately 2052 hours.

## **SECTION A: SCENE CONDITIONS:**

Initial Briefing: Upon arrival, I met with Sgt. DALAN #7558 and was briefed on the incident. I was informed that a SPD patrol vehicle was northbound on Dexter Ave N in the northbound lane of travel with its emergency equipment activated. The patrol vehicle struck a pedestrian who was believed to have been crossing Dexter Ave N from the east to the west just north of Thomas St. It was believed that the pedestrian was outside of the crosswalk based on initial witness reports to the responding officers. The pedestrian was transported to Harborview Medical Center (HMC) and was in critical condition. The officer who had been driving was taken to the SPD's West Precinct and the patrol vehicle was left on scene in its final rest position after the collision. The officer involved in the collision was responding to a precedence 1 call.

Environmental Conditions: At the time of my scene investigation, the sky was partially overcast. The air temperature was about 42° Fahrenheit, and the roadway surface was dry. There had been no recent precipitation. The sun had risen at about 0747 hours and set at about 1657 hours<sup>1</sup>. This collision occurred at approximately 2007 hours, during nighttime hours.

Area Description: This collision occurred in the area of the South Lake Union neighborhood within the Seattle city limits. The approximate geographic latitude/longitude coordinates of the collision scene were Latitude 47.62099, Longitude -122.34231<sup>2</sup>.

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<sup>1</sup> Sunrise/sunset and weather information obtained from Weather Underground historical data, found at the following website: <https://www.wunderground.com/history/daily/us/wa/seattle/KSEA/date/2023-1-18>

<sup>2</sup> GPS coordinates obtained using Google Earth



# Seattle Police Department Case Investigation Report

Case Investigation Report: #2023-022231 TCIS #23-003

Scene Security: At the time of my scene investigation, Dexter Ave N was temporarily closed for the investigation between John St and Harrison St to vehicles. Pedestrians were allowed on the west sidewalk through the area but prohibited on the east sidewalk between Thomas St and Harrison St. Thomas St was closed to vehicles on the east and the west of Dexter Ave N.

Involved Vehicle/Pedestrian: Unit 1 was identified as a dark blue 2020 Ford Police Interceptor Utility (PIU) with Washington State license plates of 71703D affixed to the front and back of the vehicle.

Unit 2 was a pedestrian who was identified as 1(f), 1(c), a 23-year-old female.

## Roadway Evidence:

- A) There was a debris field of various items primarily in the northbound lane of Dexter Ave N just north of the northern marked crosswalk at Thomas St. The debris field consisted of dark blue paint flakes and clear plastic pieces (attributed to the passenger side headlight assembly on the Ford). There were pens, markers and other personal effects within the debris field.
- B) There was a small blue paint flake in the roadway approximately 6.6 ft north of the northern crosswalk for Thomas St in the northbound lane of Dexter Ave N.
- C) There was a rubber insert for an Apple Airpod Pro that was found about 28.3 feet north of the northern crosswalk. It was about 1.5 feet east of the northbound lane of Dexter Ave N.
- D) An Apple Airpod Pro was found about 57.5 feet to the north of the northern crosswalk and about 4 feet to the east of the northbound lane of Dexter Ave N. The Airpod had a rubber ear insert on the end of it.
- E) A second Apple Airpod Pro was found approximately 97.4 feet to the north of the northern crosswalk and 50.9 feet to the west of the eastern limit of the northbound lane of Dexter Ave N.
- F) The Ford PIU was left in the roadway where it had come to rest approximately 136 feet north of the northern crosswalk (north edge of crosswalk to front push bar).





# Seattle Police Department Case Investigation Report

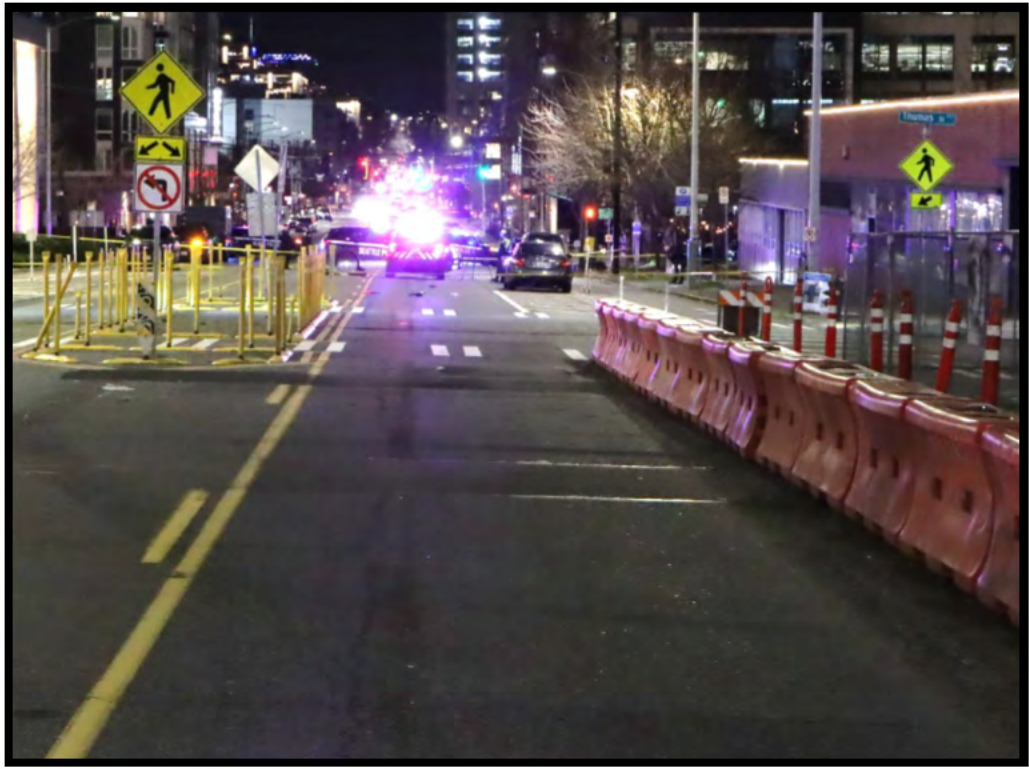
Case Investigation Report: #2023-022231 TCIS #23-003

## Roadway Characteristics:

Dexter Ave N was a minor arterial street for northbound and southbound traffic. The speed limit on Dexter Ave N was 25 MPH. It consisted of one lane for vehicles in each direction with solid white fog lines painted on the roadway in the standard configuration (though the fog line was covered by construction barricades). There was a two-way center left turn lane in the middle that was marked with solid and dashed yellow lines painted on the roadway in the standard configuration leading up to and after Thomas St.

There were yellow plastic pylons attached to c-curbing that were affixed to the roadway. These were placed south of the southern crosswalk with Thomas St and extended northbound past the north crosswalk. The pylons prevented vehicular traffic from crossing Thomas St but allowed pedestrians to cross. There were pedestrian crossing signs placed in the center two-way left turn lane where Thomas St and Dexter Ave N intersected. The roadway surface consisted of asphalt in good repair. Northbound motorists on Dexter Ave N approaching Thomas St experienced an approximate 2-3 percent downhill grade.

On the eastern side of Dexter Ave N north of Thomas St there was a bike lane and a portion of the roadway that contained prohibited street parking. This no parking zone was indicated by diagonal white solid lines painted on the roadway and signs. The west side of Dexter Ave N was configured similarly with a bike lane and a zone of prohibited parking.



**View northbound on Dexter Ave N approaching Thomas St.**



# Seattle Police Department Case Investigation Report

Case Investigation Report: #2023-022231 TCIS #23-003

Between Thomas St and John St, Dexter Ave N had construction barricades that created the eastern limit of the northbound lane. There was metal chain link fencing that extended out to the edge of the roadway. The fencing had portions that contained a black partially see-through mesh affixed to the fence. This necessitated the usage of the construction barricades to push the sidewalk into the northbound bike lane. This guarded space was then shared by bicycles and pedestrians. These barricades were approximately 2.5 feet tall and extended along the length of the construction site and up to the southern crosswalk where Thomas St intersected Dexter Ave N. There were no alterations to the northbound lane of travel for vehicles.



**Google Maps overhead view of the intersection. Yellow areas had pylons affixed to roadway.**

There were two marked crosswalks at the intersection of Thomas St. One was on the south side and the other was on the north side of Thomas St. These were identified by solid white lines painted on the roadway in the standard configuration. There were also signs in the middle of the roadway noting the presence of a crosswalk.

There were no traffic control devices for northbound or southbound vehicles. Pedestrians crossing Dexter Ave N had no traffic control devices at this intersection.

## **SECTION B: SCENE DOCUMENTATION:**

I photographed the scene and the involved vehicle using a Canon EOS 90D SLR digital camera with a built-in flash. All the unmodified digital images were uploaded to the case file and eventually into the Seattle Police evidence system known as Evidence.com.



# Seattle Police Department Case Investigation Report

Case Investigation Report: #2023-022231 TCIS #23-003

Det. PARKER and Det. REESE used the unit's Faro laser scanners to collect and document collision scene data from different locations along Dexter Ave N. The raw scans were uploaded to Evidence.com. A Scene2Go was created and uploaded into Evidence.com.

## SECTION C: FORD PIU / DRIVER INFORMATION:

### Vehicle 1:

**Description:** 2020 Blue Ford Police Interceptor Utility (PIU) #035367  
**WA Plate:** 71703D **VIN:** 1FM5K8AW9LGD02122 **Exp:** No Expiration  
**Registered Owner:** City of Seattle Fleets  
**Address:** 700 5 Ave, Seattle, WA, 98104  
**Legal owner:** Same as above

### Driver 1:

<b>Name:</b> DAVE, Kevin A	<b>W/M</b>	<b>DOB:</b> (b)/10/(b)
<b>Height:</b> 5'08"	<b>Weight:</b> 190 lbs	<b>Eyes:</b> Bro
<b>WA DOL:</b> 1(g)		<b>Expires:</b> 06/10/2027
<b>Status:</b> Surrendered – Out of State		
<b>AZ DOL:</b> 1(g)		<b>Issued:</b> 10/09/2022
<b>Status:</b> Valid		<b>Expires:</b> 11/18/2029
<b>Work Address:</b> 810 Virginia St Seattle, WA 98101		<b>Phone:</b> (206) 684-8917
<b>On-Duty Law Enforcement Officer and Emergency Medical Technician (EMT) certified.</b>		
<b>SPD serial number #8750.</b>		

External Inspection: The involved vehicle was a 2020 Ford Police Interceptor Utility that was owned, equipped and maintained by the City of Seattle. This was a shared West Precinct vehicle where multiple officers were able to drive the vehicle when it was available and not assigned to one individual. The PIU was based on the Ford Explorer platform and was similar in appearance to a Ford Explorer. The vehicle was dark blue and was equipped with standard externally visible white Seattle Police decals. It was equipped with emergency lights consisting of overhead light emitting diode (LED) red, white and blue lights, red and blue LED lights affixed to the push bars, red and blue LED lights in the external side view mirror caps, and red, white and blue lights installed in the headlight assemblies. All these lights had a synchronized strobing effect when activated. An audible siren was also equipped to the Ford. The siren was emitted from a forward-facing speaker system affixed to the front push bar. The Ford was assigned an individual unique



# Seattle Police Department Case Investigation Report

Case Investigation Report: #2023-022231 TCIS #23-003

number of “035367” for City of Seattle identification purposes. This number was posted on the exterior of the vehicle in several locations.

The Ford was stopped in the northbound lane of Dexter Ave N where it came to a controlled stop. The engine was still running and had its overhead lights still activated. The In-Car Video (ICV) system’s forward-facing camera had a red intermittent flashing LED light indicating that it was still recording. The driver’s side headlight was still illuminating and appeared to be operating normally. The passenger side headlight was not illuminating and appeared to have collision related damage.

The Ford had damage to the front push bar. The push bar on the vehicle was manufactured by Setina and appeared to be their PB 450L model which consisted of two vertical bars supported by two horizontal center support bars. The push bar was supplemented on the outsides by a Setina P89 fender guard which were two horizontal bars that extended out from the push bar and around to the front wheel opening on both the passenger and driver sides of the vehicle. The push bar and fender guard created the leading edge of the vehicle. The horizontal portions were mounted essentially in-line with the height of the bumper. The two vertical portions of the push bar were mounted inboard of each headlight assembly. The push bar’s vertical portions and portions of the horizontal bars were equipped with rubber protectors.

The rubber protector on the passenger side vertical push bar was pushed upward but was still on the push guard. The bolts in the top bracket for the push bar were damaged and/or missing on the passenger side mount. The bumper cover on the passenger side had damage consistent with the horizontal guard being pushed back and making contact with it.



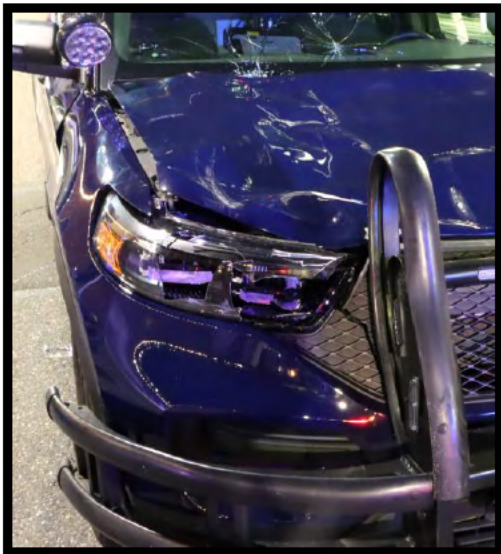
**Top: Overview of push bar and damage.  
Right: Rubber covering after the collision**



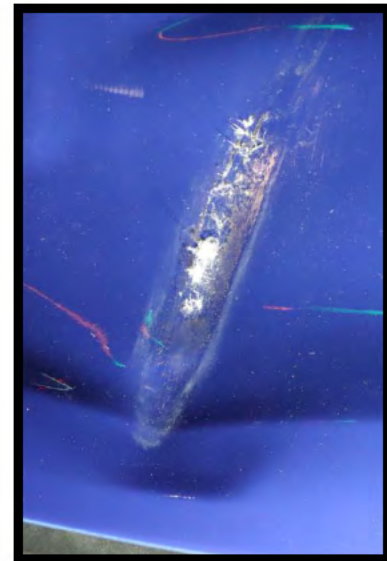
# Seattle Police Department Case Investigation Report

Case Investigation Report: #2023-022231 TCIS #23-003

The hood had damage primarily on the passenger side. Damage to the hood consisted of contact and induced damage. The front edge of the hood contained contact damage while the rest appeared to be induced damage. There was distinct gouging on the front hood that appeared to be contact damage. This was later attributed to 1(f), 1(d) left elbow contacting this point. The gouge ran directionally from front to back. There was a feather like material consistent with jacket stuffing that was embedded in the gouge. There was a reddish/pink rubber like material within the gouge that was believed to have been transferred from the outer material of the jacket that 1(f), 1(d) was wearing due to the friction between it and the hood.



**Damage to hood**



**Marking on hood containing jacket stuffing**

The windshield was cracked by the hood being pushed backward and contacting it in the lower portion on the passenger side. There was a second section of cracking in the windshield, but it is unknown what caused this.

The front passenger side door and passenger side front fender had damage to it. The front fender was pushed backward which interfered with the opening of the door. The damage to the door was likely caused after the collision when Ofc. DAVE opened the door to retrieve equipment from the front passenger seat.



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The manufacturer's recommended tire size for front and rear were 255/60R18. The Ford had 255/60R18 Goodyear Eagle Enforcer tires on all four wheels. All four tires appeared to be properly inflated with legal tread depth.

Interior Inspection: I noted that the slide switch for the overhead lights was all the way to the right in the fully activated position. I also noted that the head light switch was in the "On" position.

Airbag Control Module (ACM): The Ford was equipped with an Airbag Control Module (ACM) that was supported by the Bosch Crash Data Retrieval System. The airbags or other supplemental restraint systems (SRS) in the Ford did not deploy as a result of the collision. A download of the ACM was conducted and there were no recorded events.

Seattle Police Department Employment: Ofc. DAVE was hired by the Seattle Police Department in 11/2019. According to the Washington State Criminal Justice Training Commission records, Ofc. DAVE attended and passed the Washington State Basic Law Enforcement Academy between 12/18/2019 and 06/11/2020. Ofc. DAVE received his Washington State "Peace Officer Certification" on 06/12/2020.

Driver Actions: Immediately after stopping the patrol vehicle Ofc. DAVE notified the West radio dispatcher of the collision. Ofc. DAVE began a medical assessment of **1(f), 1(c)** and began to administer CPR until additional SPD officers responded. Seattle Fire Department responded to the scene and took over medical treatment.

Ofc. DAVE was in the presence of Ofc. JAY #8694 and other SPD officers before and after being driven back to the West Precinct. A Drug Recognition Expert (DRE) was requested to evaluate Ofc. DAVE as it was TCIS protocol to have drivers evaluated in serious injury or fatality collisions. Ofc. AUDERER #7499 responded and evaluated Ofc. DAVE. It was the opinion of Ofc. AUDERER that Ofc. DAVE did not display any signs of impairment. I met with Ofc. DAVE and his attorney, Mark CONRAD from Freyback Attorneys. Due to the nature of the incident, I read Ofc. DAVE his Miranda Rights. CONRAD stated that no comments would be made at that time.



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## SECTION D: PEDESTIRAN:

**Name:** 1(f), 1(d) U/F **DOB:** 1(f), 1(d)  
**Height:** 5'05" **Weight:** 174 **Hair:** Dark Brown  
**WA DOL:** 1(g) **Expires:** 00/00/0000  
**Status:** Not Licensed - Eligible  
**Address:** 1(f), 1(d)

The King County Medical Examiner's Office (KCMEO) conducted an independent investigation under their case number of 23-276. The toxicology report reported that 1(f), 1(d) had 67ng/ml of Midazolam present in her blood at the time of the analysis. The cause of death was listed as "multiple blunt force {injuries}" and the manner of death was classified as "accident (traffic)." The report was destroyed pursuant to RCW 68.50.105.

Due to the nature of the incident and the injuries suffered by 1(f), 1(d) she was unconscious after the collision. 1(f), 1(d) was subsequently transported to Harborview Medical Center. Initially, 1(f), 1(d) was in critical condition but was later pronounced deceased.

## SECTION E: WITNESS/VICTIM INFORMATION:

### Witnesses:

#### DO NOT DISCLOSE

**Name:** 1(d)  
**Address:** 1(d) 14 Ave # Seattle, WA 98122 **Phone:** (206) 1(d)

#### DO NOT DISCLOSE

**Name:** 1(d)  
**Address:** 1(d) Minor Ave E # Seattle, WA 98102 **Phone:** (757) 1(d)

#### DO NOT DISCLOSE

**Name:** 1(d)  
**Address:** 1(d) S 214 St Elkhorn, NE 68022 **Phone:** (402) 1(d)



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**Witness 1(d) :**

Witness 1(d) provided an initial statement to Acting Sgt. MATTSON #8305. Acting Sgt. MATTSON also obtained a recorded statement on scene which was uploaded to Evidence.com.

On 01/24/2023 I contacted Witness 1(d) by phone and obtained a recorded audio statement which was later uploaded to Evidence.com. 1(d) stated that he was riding his bicycle southbound on the sidewalk along Dexter Ave N on the west side. He approximated that he was 20 meters (62.6 feet) from Thomas St. 1(d) stated that he heard and saw the Ford approaching the intersection from the south travelling northbound. 1(d) stated that he observed the emergency lights of the vehicle flashing and heard the siren sounding as it approached. 1(d) was asked if he remembered the siren constantly sounding or if he heard it intermittently. 1(d) replied that he didn't remember. 1(d) recalled seeing 1(f), 1(d) crossing Dexter Ave N 5-10 meters (16.4-32.8 feet) outside and to the north of the cross walk. 1(d) stated that 1(f), 1(d) didn't seem to be aware of the Ford and stepped in front of it. 1(d) initially stated that 1(f), 1(d) was crossing Dexter Ave N westbound but when he described the actual crossing, he described 1(f), 1(d) crossing eastbound (starting from 1(d) side of the street and crossing to the opposite side of Dexter Ave N). 1(d) then stated again that 1(f), 1(d) started from the east and crossed west. Based on the previous statement to Ofc. MATTSON, it is likely 1(d) mixed up the west side with the east side in this statement. 1(d) didn't see 1(f), 1(d) begin to cross but only started to pay attention as the police vehicle got closer to the intersection.

All three statements were similar in nature and no glaring discrepancies between them were noted.

**Witness 1(d) :**

Witness 1(d) provided an initial statement to Acting Sgt. MATTSON #8305. Acting Sgt. MATTSON also obtained a recorded statement on scene which was uploaded to Evidence.com.

On 01/24/2023 I contacted 1(d) by phone and obtained a recorded audio statement, which was later uploaded to Evidence.com. 1(d) stated that he was crossing Dexter Ave N westbound where it intersected with Republican St (2 blocks to the north). 1(d) stated that he was in the southern crosswalk. 1(d) stated that he saw a police car coming two blocks away. 1(d) then heard a loud noise. 1(d) was asked how he identified the vehicle as a police car. 1(d) stated that he saw lights in the distance coming "pretty quickly" in his direction. 1(d) stated that he





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heard a sound similar to a car hitting a curb and didn't initially know that it had struck a pedestrian. 1(d) stated that he didn't hear any sounds of tires squealing prior to the sound which made him think it had struck a curb. 1(d) stated that he believed he had heard the siren but didn't remember if he heard it consistently or intermittently. 1(d) then walked to the location of the collision. 1(d) saw an officer performing Cardiopulmonary Resuscitation (CPR) and then additional vehicles arriving. Again, 1(d) mentioned that he thought it was odd that he hadn't heard braking prior to or after the collision.

All three statements were similar in nature and no glaring discrepancies between them were noted.

## Witness 1(d) :

Witness 1(d) provided an initial statement to Ofc. T. MCDONALD #8868. Ofc. BACKMAN #8619 obtained a recorded statement on scene which was uploaded to Evidence.com.

In the recorded statement obtained by Ofc. BACKMAN, 1(d) stated that she was following 1(f), 1(d) and she heard a siren. 1(d) stated she presumed that 1(f), 1(d) also heard the siren. 1(d) stated that she saw 1(f), 1(d) begin to run "presumably to exit the roadway as they heard a siren approaching." 1(d) then heard a loud "thump" and then saw the car come to a "halt." 1(d) was "coming into view" of Dexter Ave N as the incident happened. 1(d) stated that 1(f), 1(d) was acting normally, keeping to herself and had been walking faster than 1(d). 1(d) wasn't able to describe the physical features of 1(f), 1(d) but stated that she was wearing a "hoodie and a backpack" with the hood possibly over her head or her hair color "blended in." 1(d) stated that she thought 1(f), 1(d) was in the crosswalk. 1(d) stated that she heard the siren and stated that the construction zone "was impacting visibility... Um so, I, I don't believe either party likely saw the other person but I, I can't be certain of that. Um, but I observed the pedestrian begin to run um as the siren sounded." 1(d) stated that as 1(f), 1(d) began to run she was in the crosswalk and not from the sidewalk. 1(d) stated "I just saw them start to run and then I heard the thump. I think it all happened very fast. I don't know that either party had much time to react."

I contacted 1(d) over the phone and obtained a recorded audio statement, which was later uploaded to Evidence.com. 1(d) stated she was following 1(f), 1(d) and estimated that she was either a quarter or half a block east of Dexter Ave N when the collision when it occurred. 1(d) noted that 1(f), 1(d) was walking "a bit quicker" than she was. 1(d) stated that she was walking westbound along Thomas St on the north side approaching Dexter Ave N. 1(d) noted that the sidewalk on the south side of Thomas St, east of Dexter Ave N, was closed for construction and



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that she and 1(f), 1(d) both moved from the south side to the north side because of the closure. 1(d) stated that she had been following 1(f), 1(d) for a couple blocks. Initially 1(f), 1(d) was walking behind 1(d) but at a faster pace. 1(d) moved to the side and allowed 1(f), 1(d) to pass her. 1(d) remembered that 1(f), 1(d) was wearing a dark colored hooded sweatshirt and a backpack. 1(d) stated that she observed 1(f), 1(d) enter the crosswalk and again estimated that she was either a quarter or half a block east of Dexter Ave N. 1(d) stated that she did not see 1(f), 1(d) pause or stop before entering the crosswalk. 1(d) was asked about 1(f), 1(d) hood being on her head. 1(d) stated that it could have been up, as she recognized it as a hoodie but couldn't specifically recall. 1(d) was asked if she saw 1(f), 1(d) look before entering the crosswalk and she stated that she didn't notice whether she looked or not. 1(d) stated that she heard sirens prior to the collision. 1(d) was asked about the consistency of the siren and stated that she didn't think it had been on for a while. 1(d) stated that it was distinct to her as a "siren, followed by accident." 1(d) was asked about 1(f), 1(d) pace. 1(d) described the pace as a "faster walking pace with purpose." 1(d) likened 1(f), 1(d) pace to being similar to her own usual pace as a female in the city when it's dark. "Walking with purpose to a destination in a way that she wasn't going to attract, you know, any unwanted attention that, you know, could have been around." 1(d) was asked what happened after the collision. 1(d) stated "I heard the siren. I observed. And I. I believe the pedestrian likely also heard the siren, because. And and... I saw her like to start to move faster as though like I need to get out of the street, there's a siren coming. Um and then I heard a loud thud. Um which I assume would have been the car colliding with her. Then that's when I ran up to the intersection to get closer to and offer aid if needed." 1(d) stated that 1(f), 1(d) "appeared to fly a good ways down the block." 1(d) saw that police had gotten out of the car and began CPR. 1(d) didn't hear any statements from either 1(f), 1(d) or officers on scene.

All three statements were similar in nature and no glaring discrepancies between them were noted.

## **SECTION F: ANALYSIS AND DISCUSSION:**

### **ANALYSIS OF VIDEO EVIDENCE:**

A canvas for video in the area was conducted. All obtained video is listed below. Apple at 333 Dexter Ave N, Holiday Inn at 211 Dexter Ave N, and Industrious at 231 Dexter Ave N all stated that all of their cameras were facing internally, and there was no footage.



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**In-Car Video (ICV):** For the purposes of this section, the approximate time will be in parenthesis. This time was taken from the duration bar in the VLC Media Player program and not the embedded time stamp displayed on the video. The video was downloaded directly from the download link provided on Evidence.com. The duration of this video was approximately 2:26:43.

The Ford was equipped with an Axon In-Car Video system. A camera for the system was affixed to the windshield that captured video outward in front of the vehicle. The camera was mounted high up and to the right of center. The Axon recording system had a 1 minute pre-record buffer that would record video but not audio until the recording was activated. However, unlike body worn video (discussed later), speed information is collected and embedded into the



**View from the forward-facing ICV camera.**

video itself. The speed is reported based on GPS data and not from input from the vehicle. This information was not referenced as it appears to have a delay and speed information was available in the BWV. Due to the position where the camera was mounted, the properties of the lens, the angle, and the depth of view the footage was not an accurate representation of what the driver of the vehicle sees. The view of the camera captured the front hood of the vehicle, including the top portions of the push bars. The rest of the frame showed outward in front of the vehicle.

The pre-record function of the video captured the vehicle sitting in the parking garage for the West Precinct. The vehicle began moving toward the exit (00:26). It proceeded toward the garage door, eventually exited, and made a right turn onto 8 Ave.

Ofc. DAVE activated the overhead emergency lights on 8 Ave (00:59). The emergency lights would stay activated for the rest of Ofc. DAVE's driving response. This activated the actual recording and audio in the system. Ofc. DAVE used his emergency lights to proceed through Westlake Ave (01:07). The siren was chirped as he did so. Ofc. DAVE continued to the intersection of 8 Ave and Blanchard ST where he encountered a red traffic signal (01:17). Ofc.



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DAVE chirped his siren and slowly proceeded through the intersection when it was apparent that traffic had stopped for him.

Ofc. DAVE proceeded to 8 Ave and Bell St which was controlled by a stop sign (01:29). Ofc. DAVE slowed and then proceeded through the stop sign while making a left turn onto Bell St. Ofc. DAVE then made a right turn onto 7 Ave through a green traffic signal (01:39). 7 Ave made a slight right-hand curve and turned into Dexter Ave (01:46).

Ofc. DAVE came to the intersection of Denny Wy and Dexter Ave where he had a red traffic signal (01:51). He slowed and proceeded slowly into the intersection while chirping his siren. When it was clear, Ofc. DAVE began accelerating and proceeded through the intersection. Ofc. DAVE continued to accelerate as he approached the intersection of Dexter Ave N and John St where he had no traffic control devices (02:00). Ofc. DAVE chirped his siren but did not slow and continued to accelerate. Ofc. DAVE entered the area where there was construction on the east side of the street as he proceeded northbound on Dexter Ave N. 1(f), 1(d) could be seen in the crosswalk initially walking from the east side to the west (2:04). 1(f), 1(d) was wearing white shoes, black pants and a black jacket with a hood up over her head. 1(f), 1(d) had a tan backpack on. This appeared to be purple or pink in the video based on the red and blue reflection from the emergency lights. Ofc. DAVE began to respond to 1(f), 1(d) presence by braking and steering. Almost simultaneously 1(f), 1(d) transitioned from a walk to a run (2:05). 1(f), 1(d) ran into the northbound lane of Dexter Ave N where she was struck by the Ford. The collision occurred in the northern crosswalk of Thomas St on Dexter Ave N (02:06).

Frame by Frame Analysis of ICV: For slow motion analysis, the same video file was uploaded into Input Ace. In the report, a letter will be reported after the event in parenthesis that correlates to Addendum 1. The time duration and frame reported in Input Ace will be available on the addendum.

Though not readily apparent in the frame, 1(f), 1(d) was visible in the crosswalk (A). 1(f), 1(d) could be placed in an approximate location in the crosswalk (B). The Ford's weight could be seen transitioning toward the front. This would indicate vehicle braking. This could have either been engine braking and air resistance slowing the Ford or actual brake application (C). 1(f), 1(d) had moved from the position where she was noted before to a where it appeared that she was transitioning to running forward (D). This is based on a visible knee bend not apparent in her previous stride as well as a shift in her upper body weight forward. Several direction changes



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of the Ford, though slight, were seen during this period. Impact occurred and [REDACTED] upper body was beginning to bend or wrap onto the hood of the Ford. (E).

**Body Worn Video (BWV):** For the purposes of this section, the approximate time will be in parenthesis. This time was taken from the duration bar in the VLC Media Player program and not the embedded time stamp displayed on the video. The video was downloaded directly from the download link provided on Evidence.com. The video had a duration of 24 minutes and 56 seconds (24:56).

Ofc. DAVE was equipped with an Axon BWV affixed to the outermost layer of his uniform on his chest in a forward-facing position. The Axon recording system had a 1 minute pre-record buffer that would record video but not audio until the recording was activated. It was active and recording during the duration of the initial response to 2023-022228 and the aftermath of this collision.



**View from BWV while seated in the Ford**

While in the vehicle, the camera angle was low and for a

majority of the time captured the top half of the steering wheel, top portions of the windshield and what was visible beyond the windshield, portions of the gauge cluster (including the tachometer, the center display, and the speedometer), the AM/FM radio and portions of the in-car computer.

The pre-record function of the video began with Ofc. DAVE inside of the patrol vehicle. Through the windshield, the interior of the SPD West Precinct patrol vehicle parking garage could be seen. Ofc. DAVE moved to the garage door and exited the garage (00:53). Ofc. Dave made a right-hand turn onto 8 Ave. The actual recording started shortly after making the right-hand turn, and audio could now be heard. Ofc. DAVE chirped<sup>3</sup> his siren to cross Westlake Ave (1:06) and continued on 8 Ave.

<sup>3</sup> Chirping of the siren is a reference to activating and then deactivating the siren. Doing this creates the audio tones of the siren briefly but not a long and sustained tone from the siren.



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At the intersection of 8 Ave and Blanchard St, Ofc. DAVE slowed, chirped the siren and then proceeded through on 8 Ave (1:15). Ofc. DAVE made a left turn onto Bell St (1:30) and then a right turn onto 7 Ave (1:39) followed by a slight right turn onto Dexter Ave. Ofc. Dave chirped his siren twice briefly (1:48) before coming to a stop at the intersection of Dexter Ave and Denny Way. Ofc. DAVE chirped his siren again before proceeding northbound on Dexter Ave N past the red traffic signal at Denny Way (1:51). Ofc. DAVE accelerated northbound on Dexter Ave N and approached John St. (1:54). The siren was chirped again near the intersection with John St (2:00). As Ofc. DAVE approached Thomas St, he activated the siren (2:05). The collision occurred shortly after. The siren was deactivated during or slightly after the collision.

The tachometer and the speedometer appeared to be working properly prior to the collision. During the acceleration on Dexter Ave N after crossing Denny Way, the speed on the center display and the speedometer could be seen increasing. A peak speed of 74 MPH was seen displayed in the center display within the gauge cluster. This appeared to be a point where the speed leveled off and began to drop quickly. The tachometer which displayed engine Revolutions Per Minute (RPM) began to drop from approximately 5500 RPM after the speed of 74 MPH leveled off. It appeared that the drop in RPM and subsequently the speed was a result of transitioning off of the accelerator pedal and to the brake pedal and then braking.

Just prior to the collision, steering input behavior could be seen changing. Ofc. DAVE appeared to quickly turn the steering wheel, though slightly, as a collision avoidance tactic. The inputs in steering did not appear to alter the direction of the vehicle drastically.

The pulsation of the anti-lock braking system could be heard after the collision as the Ford was coming to a stop. This would indicate that heavy braking occurred.

Ofc. DAVE used his in-car radio to notify West radio of the collision by stating “3M2...start a supervisor. Start fire for a struck pedestrian.” The West dispatcher asked, “Is it the same location?” Ofc. DAVE responded, “Negative, I’m going to be on Aurora.”

Ofc. DAVE began to medically evaluate and then provide aid to **1(f), 1(d)** (2:41). Ofc. DAVE update his location to “Thomas” and then added “Dexter and Thomas.” Ofc. DAVE responded over radio that he was “okay.” Ofc. DAVE began to perform CPR on **1(f), 1(d)** while alone (3:01). Responding officers began to arrive on the scene and Ofc. DAVE began giving instructions to the officers to assist in providing CPR (03:19). An additional officer arrived on scene and took over chest compressions while Ofc. DAVE responded to the passenger side of his patrol vehicle to



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retrieve his bag which contained his EMT equipment (04:42). Ofc. DAVE attempted to open the front passenger door but the front fender had been pushed back and obstructed the door from opening without interfering with the fender. Ofc. DAVE had to forcefully open the door to overcome the resistance of the fender against the door. Ofc. DAVE removed components from the bag which he used to apply air to **1(f), 1(d)** during the CPR process (05:00).

Sgt. I. STEWART #6942 arrived on scene and Ofc. DAVE passed his responsibilities to another officer (06:17). Sgt. I. STEWART asked Ofc. DAVE, "You alright?" Ofc. DAVE stated "No, I'm not alright." Ofc. DAVE appeared to be visibly shaken to the point where Sgt. I. STEWART picked up on this and responded in a consoling manner. After a pause, Ofc. DAVE stated "Lights were on, was chirping the siren as I was headed down. She was in the crosswalk, she saw me, she started running through the crosswalk. Slammed on my brakes. Instead of staying back where she should be before crossing, she just zips..." When describing that **1(f), 1(d)** "zips," Ofc. DAVE made a movement from the right to the left with his right hand. (06:41) Ofc. DAVE stated, "She was in a crosswalk." (07:21). Sgt. I. STEWART stated, "with your lights on man, you said she looked at ya."

Ofc. DAVE was taken back to another patrol vehicle to sit in with Ofc. JAY. No other statements specific to the dynamics of the collision or what preceded it were captured on the video.

Ofc. JAY and Ofc. DAVE were informed that they were to go to the West Precinct, and they were authorized to turn off their BWV (24:37).

Frame by Frame Analysis of BWV: For slow motion analysis, the same video file was uploaded into Input Ace. In the report, a letter will be reported after the event in parenthesis that correlates to Addendum 1. The time duration and frame reported in Input Ace will be available on the addendum.

A speed of 74 MPH can be seen displayed on the center display in the gauge cluster (F). Steering input from Ofc. Dave could be seen. It was slight and rapid. Steering changed where the wheel began to move to the left (G). Steering input then began to go back toward the center and beyond to the right (H). Steering input then went back toward center and beyond to the left. A speed of 68 MPH could be seen displayed in the center display. The RPM appeared to be around 4,250 (I). Steering input returned toward the center from the left (J). **1(f), 1(d)** head with the hood up became visible in the windshield (K). As the collision was occurring, it appeared that **1(f), 1(d)** was in the process of going upward onto the hood. At this moment the center display was



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displaying either 68 MPH or 63 MPH range. It is believed that the speed was 63 but due to a blur in the video because of motion, it is difficult to discern if it is 63 or 68. It is believed to be 63 based on the RPM gauge displaying a RPM below 4,000 when it was displaying a higher RPM when 68 MPH was observed (L) [REDACTED] went up and out of view of the BWV (M). [REDACTED] could be seen entering the view of the driver's side view mirror as she was coming back down from the initial collision (N). [REDACTED] could no longer be seen in the driver's side view mirror (O) The vehicle continued to slow as shown in the center display until it showed 1 MPH (P). It continued to display 1 MPH until it transitioned to 0 MPH (Q).

**Video from 203 Dexter Ave N:** Video was obtained from Winston Wachter Fine Arts. It showed the Ford travelling northbound on Dexter Ave N through John St. The emergency lights were activated. There was no footage of the collision.

**Video from King County Metro (KCM) Coach 8036:** KCM bus 8036 was in the area at the time of the collision. It was equipped with several surveillance cameras that were recording and captured the events leading up to the collision and portions of the collision itself. The video showed [REDACTED] approaching the crosswalk and entering it as the bus passed in the southbound lane. Due to the position of the bus and the quality of the cameras, the video didn't provide any details that were used for this investigation.

**Video from Construction Site (222 Dexter Ave N):** The cameras did not capture the collision or the aftermath. There were four cameras that did capture the events leading to the collision. The footage provided played at a rapid speed and did not appear to have a consistent frame rate between each passing second. The cameras were provided with no name or identifying characteristics assigned to them. I assigned numbers to the cameras for the purposes of this report.

The accuracy of the embedded time stamp is unknown. The video was analyzed using VLC Media Player and Input Ace. The time was close to the actual time based on the time displayed and the time of the collision.

**Camera 1:** This camera was affixed in an elevated position within the construction site near the southeast corner of Dexter Ave N and Thomas St. It faced southwest toward Dexter Ave N and captured traffic on Dexter Ave N south of Thomas St. This video had a total duration of 4:01.

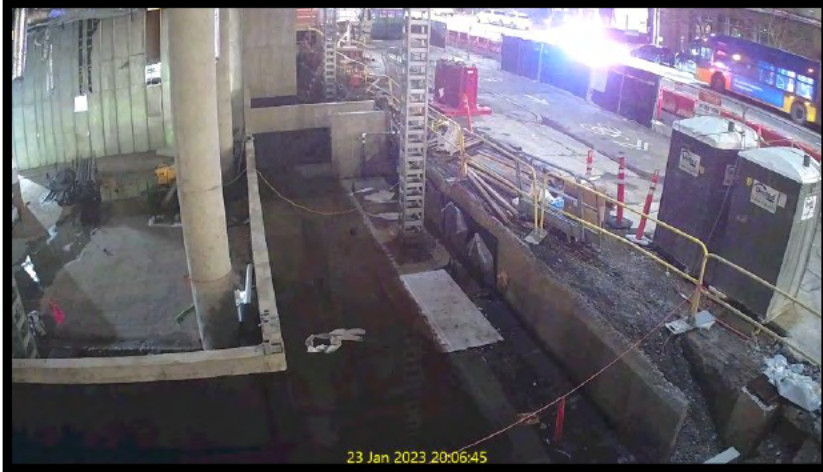




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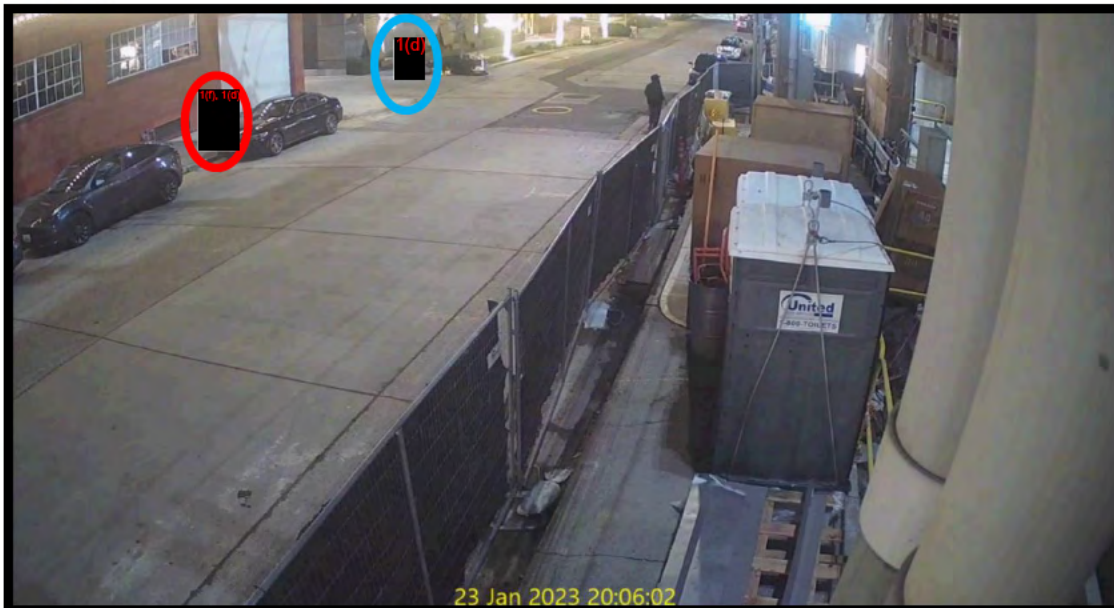
At 20:06:42 (1:29) on the embedded time stamp, the Ford's headlights and emergency lights can be seen on Dexter Ave N headed northbound. At 20:06:46 (1:29) the Ford can be seen exiting the camera's view.



**View from Camera 1. The Ford is seen approaching Thomas St.**

Camera 2: This camera was affixed in an elevated position within the construction site near the southeast corner of Dexter Ave N and Thomas St. It was facing northeast and captured Thomas St east of Dexter Ave N. The video had a duration of 6:28

At 20:05:10 (2:01) on the embedded time stamp, 1(f), 1(d) can be seen crossing Thomas St to the north sidewalk and heading westbound along Thomas St. A person can be seen following and it is presumed to be 1(d) based on her witness statement. At 20:06:07 (2:17) 1(f), 1(d) can be seen exiting the view of the camera. At 20:06:22 (2:21) 1(d) can be seen exiting the view of the camera.



**View from Camera 2. 1(f), 1(d) (circled in red) approaching Dexter Ave N on Thomas St followed by 1(d) (circled in blue).**



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Camera 3: This camera was affixed in an elevated position within the construction site near the southeast corner of Dexter Ave N and Thomas St. It faced west toward Dexter Ave N and captured the south side crosswalk across Dexter Ave N. The top portion of the video captured portions of vehicles northbound on Dexter Ave N. At one point the camera moved and the intersection could be seen but it moved back to its original position and was in this position during the collision. This video had a total duration of 6:48.



**View from Camera 3. Ford passing and brake lights illuminated.**

At 20:06:24 (2:36) red and blue lights could be seen illuminating objects in the camera view. At 20:06:25 (2:36) the Ford can be seen in the intersection and north of the south crosswalk. There was a red illumination that was consistent with the passenger side brake light being illuminated. Moving frame by frame through this time, the Ford only appeared in this position in the video and then was out of the field of view.

Camera 4: This camera was affixed in an elevated position and faced southeast and captured the alley behind the construction site. There was no useful footage from this camera. This video had a total duration of 1:52.

Camera 5: This camera was affixed in an elevated position and faced an unknown direction. It captured the interior of the construction zone and contained no useful footage. This video had a total duration of 1:14.

Camera 6: This camera was affixed in an elevated position and faced an unknown direction. It captured the interior of the construction zone and contained no useful footage. This video had a total duration of 1:14.

Camera 7: This camera was affixed in an elevated position within the construction site. It faced north and captured a portion of Dexter Ave N and the southern portion of the pylons for the



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crosswalk. Northbound and southbound traffic could be seen. This video had a total duration of 3:43.

At 20:06:24 (1:25) the Ford can be seen northbound on Dexter Ave N with its overhead lights on. The next position showed the Ford further north along Dexter Ave N with all 3 of its brake lights (left, right and center elevated or third) illuminated. It is difficult to place the vehicle in the roadway in relation to the objects around it, but it appears to be just south of the beginning of the pylons and in-line with the passing KCM bus. At 20:06:25 (1:25) the Ford can no longer be seen but the reflection of the emergency lights can be seen on the side of the bus.



**View from Camera 7. The Ford can be seen with its brake lights illuminated. KCM bus and Ford pointed out with arrows.**

## 2023-022228 Call Information and Radio Traffic:

Generally speaking, 911 calls were received by call takers. Call takers gathered the information and put it into the Computer Aided Dispatch (CAD) system as well as notify other agencies if there was a potential for a dual response needed or the emergency was outside of Seattle City limits. Dispatchers received the information via CAD and then relayed the information over a radio channel. There were four separate main radio channels that SPD used for dispatching calls. (West, East, North and South). Information was broadcast for officers who were tuned into that specific radio channel.

The CAD system information was accessible to officers who were logged into the Mobile Data Terminal (MDT). The CAD would display varying information regarding holding calls, dispatched calls, units available and dispatched units. A CAD call would contain the case number, the time, the reporting party (RP) information (if it was provided), initial remarks regarding call, updates to the call after initial intake, call precedence, officers logged to calls and other information.



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Precedence 1 calls were considered the most important call for SPD and represent a call where life was in danger. The call precedence was determined by the call taker.

At 2000 hours 911 received a call of an overdose. It appeared that Call Taker 6 (CT6) answered the call. It was labeled in CAD as a precedence 1 call. The caller stated, "Um I did cocaine, and I don't know if I am having an overdose." The caller provided an address of 708 6 Ave N. The caller stated that he would be outside of the building and did not provide a unit number when asked by CT6. It was determined that SFD would be responding in conjunction with SPD to this incident as a "dual response."

The initial call details were entered in the "remarks" field of CAD. The remarks field contained "RP WAITING OUT FRONT, THINKS OVERDOSING ON COCAINE, SCREENING WITH SFD."

At 2001 hours the West Dispatcher (WD) broadcast over West air, "An overdose call in Queen Sector. 708 6 North. Caller is out front. Thinks they are overdosing on cocaine. 708 6 North." An update entry was entered in the CAD log that the call was broadcast.

At 2001 hours WD broadcast asking for "3Q" and received a response from Acting Sgt. MATTSON who was working as "3Q." WD stated "Just notifying you I'm holding a precedence 1 call at 708 6 North. It's an overdose and fire is now enroute." Ofc. MATTSON replied "Copy. Late roll call is getting logged in now. We should have some people here pretty quick." WD added "3Q notified" to the call log. CT6 then added "SFD ENROUTE" to the call log followed by additional logs, "BROADCAST" and "3Q ADV (advised) LATE ROLL CALL IS LOGGIN IN." from WD at 2002 hours.

At 2002 hours Ofc. DAVE broadcast "3M2." WD dispatch responded "3M2" Ofc. DAVE then asked, "Did you need someone to head to that overdose in Queen sector?" WD responded "I did, thank you and are you gonna be a one or two officer car?" Ofc. DAVE responded, "I am gonna be a single officer car. I can check and advise if he's just saying that he is overdosing and is fire enroute?" WD responded "They are enroute. Let's get you an x-ray. Is there a backing unit? 708 6 North" 3M1 got on the air and stated "M1, we can go." WD stated "Received, thank you." 3D33 answered as well stating "3D33, I'm logging in shortly. {If they are looking} for a backing unit, I can go." WD then stated "Received."



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At 2004 hours, Ofc. DAVE logged into the MDT via an in-car computer that was installed in the Ford.

At 2005 hours WD put over the radio channel, “For units going to the overdose at 708 6 North, the person overdosing is calling it in himself. His name is Alex, he’s refused to give the rest of his name. He wants to stay on the phone with us until officers arrive. He said he is unarmed.” Ofc. DAVE acknowledged the transmission and stated “M2 I’m copying that, thanks.” At this point, Ofc. DAVE was making a left turn onto Bell St from 8 Ave. At this time, Ofc. DAVE and 3 additional officers were logged as enroute to this call (1 two officer car and 1 one officer car).

The next radio transmission was at 2006 hours from Ofc. DAVE notifying WD of the collision at Dexter Ave N and Thomas St.

Ofc. DAVE did not arrive on this call due to the collision. Other officers and SFD arrived on the call. After SFD assessed the caller, the caller determined that he needed no further assistance and was left at the scene. The call was cleared by officers as “Assistance Rendered” for a “Assist other agency – city agency” type of call.

## Scene Evidence:

Three pieces of evidence indicated that **1(f), 1(d)** possibly had Apple Airpod Pros inserted in her ears at the time of the collision. This was based on the locations and distances from each other that they were found within the scene. Additionally, the position of the portions of both detachable rubber tips that are inserted into the ear being pulled outward indicated that they came out in a manner not consistent with someone casually pulling them out. It would be expected that if the Airpods were stored in the provided storage case at the time of the collision, the storage case would have been found in the roadway.

Apple Airpod Pros were a pair of portable Bluetooth devices that connected to Bluetooth enabled devices. Each Airpod Pro contained a speaker. The Airpod Pros also contained either one or two microphones (unable to determine if both Airpod Pros had an integrated microphone or just one Airpod Pro had a microphone) which allowed communication from the user (for phone conversations for example). These were identified as the second generation of the Airpod Pro model. This is based on the rubber tip that is inserted into the ear as well as the model numbers printed on each one. Second generation Airpod Pros contained a noise cancelling feature where it played soundwaves to eliminate some noise from outside of the Airpod Pros. Additionally, there



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was a “transparency” feature on the second generation of the Airpod Pros. This feature used microphones to play outside noises through the speakers<sup>4</sup>.

Airpods are generally stored in a case provided by Apple when purchasing Airpods. This case doubles as the way to charge the Airpods. This was not located on the street and may have been within a pocket, backpack or not on **1(f), 1(d)** at all.

At the end of my scene investigation, the items were collected and entered them into the SPD Evidence Unit. Each item that was entered into evidence was assigned numbers from the Mark 43 system.

2023-022231-2: This was identified as a left-side Apple Airpod Pro. It had a model number of A2084. It didn’t have a rubber tip affixed to the end. It was located in the middle of the southbound bike lane on Dexter Ave N. It was approximately 97.4 feet to the north of the northern edge of the north crosswalk. It was approximately 50.9 feet from the western edge of the eastern fog line for the northbound lane of travel on Dexter Ave N.

2023-022231-3: This was identified as a right-side Apple Airpod Pro. It had a model number of A2083. It contained the rubber tip on the end. The rubber tip was pulled outward from its original position. This was found approximately 57.5 feet north of the northern edge of the crosswalk. It was approximately 4 feet to the east of the western edge of the east fog line for the northbound lane of travel on Dexter Ave N.

2023-022231-4: This was a detachable rubber tip believed to have been associated with the left-side Apple Airpod Pro. The tip’s end that was inserted in the ear was pulled outward from its original and intended position. This was found approximately 28.3 feet north of the northern edge of the crosswalk. It was approximately 1.5 feet to the east of the western edge of the eastern fog line for the northbound lane of travel on Dexter Ave N.

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<sup>4</sup><https://www.aoole.com/airpods-pro/>



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2023-022231-2 Left  
Airpod without  
rubber tip.



2023-022231-3 Right  
Airpod with rubber tip.



2023-022231-4  
Detachable rubber tip  
for Airpods.

I was unable to determine what mode the Airpods were in or if they had even been on at the time of the collision. Had they been on, inserted into her ears, and in the noise cancelling mode, it would have been possible that 1(f), 1(d) ability to hear the Ford's siren and the noise from the engine accelerating would have been diminished. Alternatively, if they were on, inserted in her ear and in the "transparency" mode, 1(f), 1(d) ability to hear would have possibly been slightly enhanced.

## SECTION G: DISCUSSION OF ISSUES:

**Intersection and Approach:** This intersection had no traffic control for pedestrians or traffic. The construction site for the building on the southeast corner of Dexter Ave N and Thomas St spanned a majority of Dexter Ave N for northbound traffic approaching the intersection. The orange physical barricades for this construction site extended to the east side of the northbound lane of travel and created the eastern limit for vehicles. Fencing was placed further inward (east of the barricades) into the construction site and had partially see-through black mesh fixed onto them. This fencing was lined with orange vertical construction pylons along the length of Dexter Ave N. These orange pylons had horizontal stripes of white reflective material.

The fencing and construction barrels did not appear to pose an unreasonable sight obstruction between westbound pedestrians and northbound vehicles when vehicles were approaching at or near the 25 MPH speed limit.



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The pylons and signs affixed in the roadway had reflective material that would reflect light back toward approaching vehicles. The vertical pylons were bright yellow. They contained two horizontal yellow stripes of reflective material near the top. There were four signs affixed to the roadway in the south side of the pylon barrier. There was a short sign with yellow and black diagonal stripes. This sign had graffiti on the face of it. The yellow portions of the sign were reflective. 3 signs were affixed to one post behind the short sign. The top of the post had a diamond shaped yellow sign with a black figure in a “walking position” generally indicating a pedestrian crossing. Below that sign was a rectangular yellow sign with black arrows pointed outward from each other and slightly downward indicating the location of the crosswalk. The bottom sign was a square white sign with a red circle and a line through it on top of a 90-degree left arrow indicating “no left turn,” All three of these signs were reflective.

An emergency vehicle with its emergency lights activated approaching this intersection faced a unique scenario. When approaching the intersection, the lights from the emergency equipment would flash off of the signs and the reflective material on the pylons backward toward the driver. This included both the yellow pylons placed in the roadway and the orange pylons placed in the construction zone along the fence line. The reflection of the light made it more difficult to see objects in or beyond the intersection.



**Still shot from ICV of the reflective properties of objects when approaching Thomas St.**

On 02/02/2022 Det. BULAWA, Det. PARKER and I responded to the scene around 0400 hours. We used a similarly equipped PIU and used it to recreate some of the circumstances of the collision.

Det. BULAWA drove the PIU northbound on Dexter Ave N from John St at a pace around 10 MPH while I was standing on the yellow pad affixed to the sidewalk noting the entry to the northern crosswalk. I had my camera positioned approximately 5’03” above the ground at this location. Det. BULAWA was instructed to stop when the overhead lights were observed over the





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metal chain link fence. A chalk marking on the ground was made at the approximate location of the front push bars. This mark was measured at 421 feet south of the northern crosswalk.

Det. BULAWA was instructed to continue northbound on Dexter Ave N and told to stop when the PIU became visible through the mesh that was affixed to portions of the fencing. An additional mark was made on the ground. This mark was measured at 329 feet south of the northern crosswalk. However, it was noted that the configuration of the mesh on the fencing had changed between the time of the collision and this test.

I drove the PIU northbound on Dexter Ave N with the emergency lights activated. I noted that there was significant reflection from the signs and pylons as we approached the intersection.

Det. PARKER, wearing his black SPD approved jacket with patches affixed to his arms near the shoulder, stood in the northern crosswalk in an approximate location where 1(f), 1(d) was first observed in the ICV. I conducted another approach anticipating that Det. PARKER was standing in the location and was looking for him specifically, and I noted that it was difficult to detect Det. PARKER standing still during the approach.

I conducted another approach of the intersection and Det. PARKER was instructed to walk westbound in the northern crosswalk. Again, I anticipated Det. PARKER's presence and was looking for him specifically. I noted that the barrels obstructed Det. PARKER's leg movement, and it was difficult to detect him until I was able to see his legs moving.

Crosswalk: The northern crosswalk was approximately 73.9 feet across (totaled based on the section lengths. The total length varied when measured as a whole based on where it was measured. This was due to the curvature of the curbs at the entry points into the crosswalk). This was broken down into sections for the purpose of explanation and analysis. There was a section of the crosswalk that spanned the bike lane and the area where vehicles could park between the eastern fog lane for the northbound lane of travel and the curb. However, parking for vehicles was prohibited and marked by solid white diagonal lines painted on the roadway from the fog line to the bike lane. This section was approximately 19.3 feet long. There was a section of the crosswalk that spanned the northbound lane of travel for vehicles. This section was approximately 11.3 feet long. The section that spanned the center shared middle turn lane was approximately 12.9 feet long. The section that spanned the southbound lane of travel for vehicles was approximately 11.3 feet long. The last section was where the crosswalk spanned the area between the west fog line, the



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prohibited parking zone and the bike lane for southbound vehicles was approximately 19.2 feet long.

**Collision Avoidance:** As Ofc. DAVE approached the point where the collision occurred, it appeared he attempted to avoid the collision by steering and braking.

Steering input was slight and rapid. Initially Ofc. DAVE steered to the left, but only slightly. This was followed by a quick correction in steering to the right, then again to the left, and then correcting back to center after the collision. This input didn't ultimately change the path of the Ford.

Braking appeared prior to and after the collision. Braking alone was not sufficient to avoid the collision due to the speed of the Ford.

**Pre-Collision Time and Distance:** ICV and 3D scans from the scene were used to estimate several factors to determine time and distance scenarios. Input Ace and Faro Zone 3D were used in this process. 1(f), 1(d) speeds for walking and running were determined by the ICV and more specifically, the slow-motion analysis for times and distances. The slow-motion times from Input Ace will be noted with the associated frame from the program being noted in parenthesis.

1(f), 1(d)

Walking: Attempts to find 1(f), 1(d) walking speed using the ICV were done but I was unable to determine a reliable speed. This was due to the small sample distance that 1(f), 1(d) was visible in the ICV walking. The starting point where 1(f), 1(d) became visible in the ICV was obscured by the barricades as well. Camera 2 from the construction site was also used to analyze 1(f), 1(d) walking pace.

The ICV sample for 1(f), 1(d) walking speed began at 02:05.025 (3748). 1(f), 1(d) exact location in the roadway cannot be specifically determined but was estimated to be approximately 14.6 feet into the roadway. This point was west of the northbound lane of travel and more in line with the zone of prohibited parking. The sample period for 1(f), 1(d) walking speed was ended at 2:05.692 (3768). 1(f), 1(d) was approximately 17.6 feet into the roadway. This showed that 1(f), 1(d) travelled 3 feet in approximately .667 seconds. This gave 1(f), 1(d) an average walking speed of 4.50 MPH or 6.60 FPS.



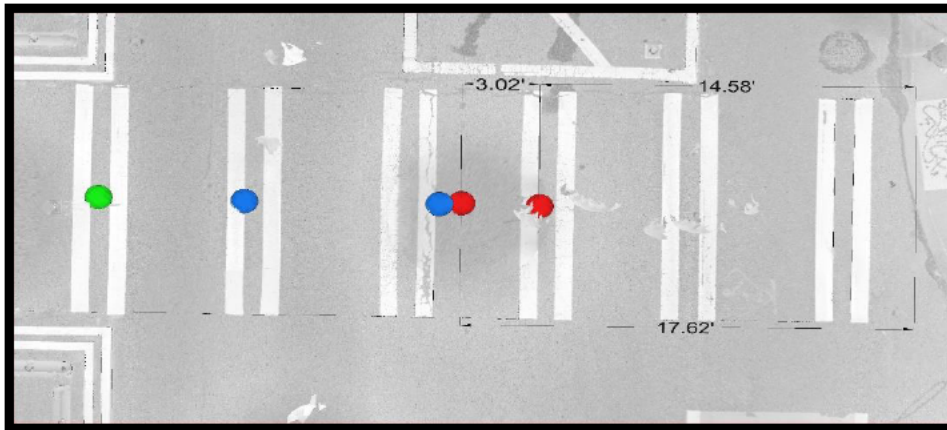
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$$t = 2:05.692 - 2:05.025 \quad t = .667 \text{ seconds}$$

$$d = 17.6 \text{ ft} - 14.6 \text{ ft} \quad d = 3 \text{ ft}$$

$$S = \frac{d}{t} \quad S = \frac{3 \text{ ft}}{.667 \text{ sec.}} \quad S = 6.60 \text{ FPS or } 4.5 \text{ MPH}$$



**3D scan showing walking (red circle) distances.**

Camera 2 from the construction site that captured **1(f), 1(d)** approaching Dexter Ave N from the east was used to also find a walking pace. Fixed points were found on the video and the embedded time stamp<sup>5</sup> was used to measure the time it took **1(f), 1(d)** to travel that distance. The first fixed point was where **1(f), 1(d)** had entered into the alley. The affixed time stamp for this was 20:05:51. The second point was where **1(f), 1(d)** was passing a point on the sidewalk that was a different color than the rest of the sidewalk. The embedded time stamp for this was 20:06:02. The distance between these two points were measured using Google Maps and was approximately 47 feet. It took **1(f), 1(d)** approximately 11 seconds to travel the 47 feet which gave an average walking pace of 4.3 FPS.

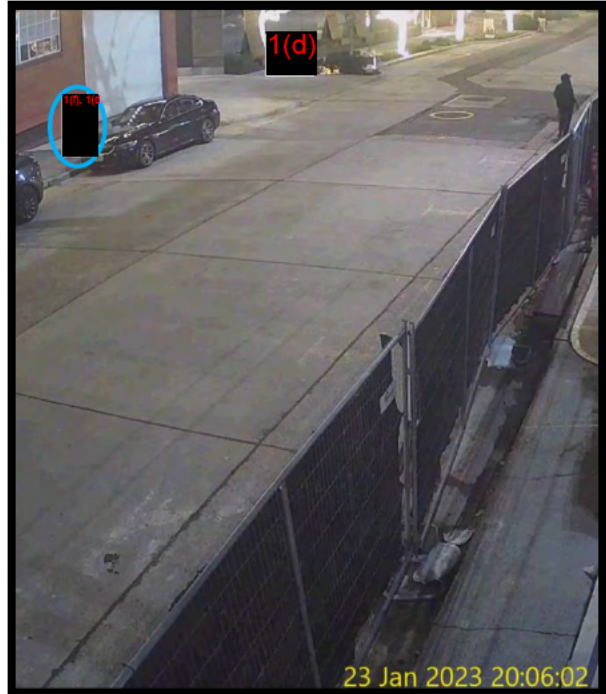
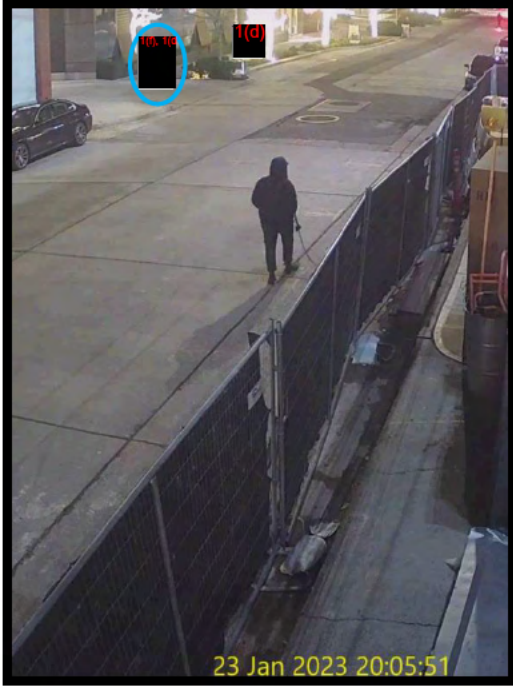
$$S = \frac{d}{t} \quad S = \frac{47 \text{ ft}}{11 \text{ sec.}} \quad S = 4.27 \text{ FPS or } 2.9 \text{ MPH}$$

<sup>5</sup> The frame analysis report was referenced in an attempt to find the true times between fixed points. However, I was unable to find an accurate true time (84 frames at .033 seconds per frame resulting in 2.7 seconds) possibly due to the video characteristics mentioned above. The embedded times stamps on the video were used instead.



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Upper Left: Starting point for 1(f), 1(d) walking pace.  
Upper Right: Ending Point for 1(f), 1(d) walking pace.  
Below: Google Maps measurement of the distance.





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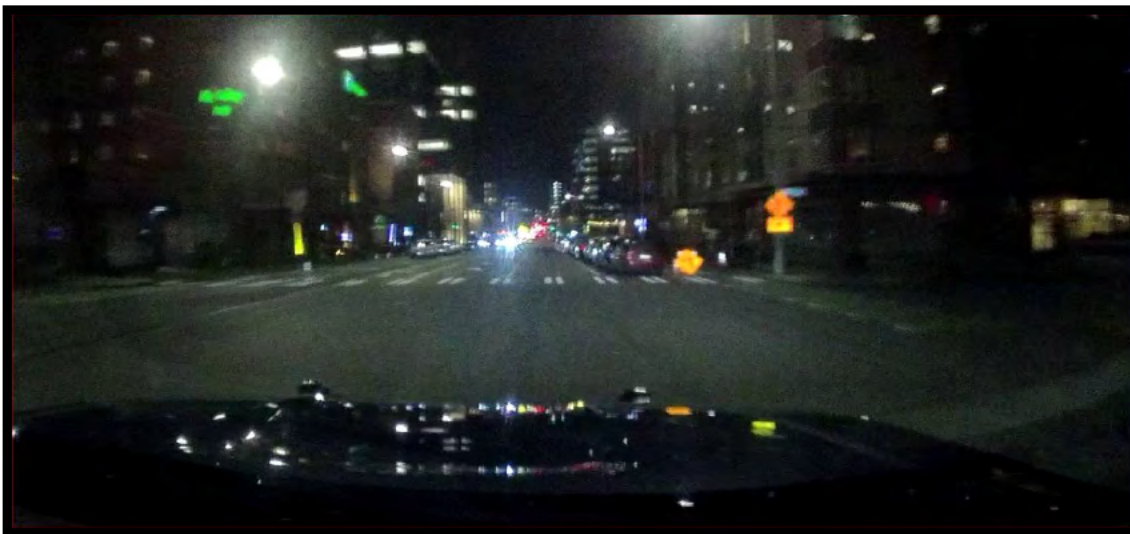
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Field Studies of Pedestrian Walking Speed<sup>6</sup> was located where researchers used several samples to find average walking speeds. The research found that an average walking pace was around 4.09 FPS for a person of 1(f), 1(d) age. The higher speed of 6.5 FPS that 1(f), 1(d) was shown to travel in the ICV did not match an average walking speed and did not appear to be accurate based on the 1(f), 1(d) pace visible in the video. The 4.3 FPS pace observed from Camera 2 appeared to be more accurate as it corroborated Witness 1(d) statement that 1(f), 1(d) had a slightly faster walking pace.

It is likely that 1(f), 1(d) pace would not have changed much between her approach to the intersection and when she was crossing Dexter Ave N. The 4.3 FPS pace was used to determine where the Ford approximately was on Dexter Ave N when 1(f), 1(d) entered the crosswalk. The point where 1(f), 1(d) (17.6 feet from the east sidewalk) transitioned to a run was used as she could more accurately be placed in the roadway. A measurement of time was found to see how long it took her to reach this position from the east sidewalk.

$$t = \frac{d}{S} \quad t = \frac{17.6 \text{ ft}}{4.30 \text{ FPS}} \quad t = 4.09 \text{ seconds}$$

The Ford's ICV was then moved back approximately 4.09 seconds from this point and to measure how far to the south of the northern crosswalk it was when 1(f), 1(d) was estimated to have entered the roadway. The Ford was just entering the intersection of John St approximately 475 feet to the south of the northern crosswalk at Dexter Ave N and Thomas St.



Ford's approximate position when 1(f), 1(d) began entering the crosswalk using a 4.3 FPS

<sup>6</sup> Field Studies of Pedestrian Walking Speed and Start-Up Time. R. Knoblauch, M. Pietrucha and M. Nitzburg  
<https://journals.sagepub.com/doi/10.1177/0361198196153800104>



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Running: Just before the collision, 1(f), 1(d) transitioned from a walk to a run. The sample of 1(f), 1(d) running speed began at 02:05.759 (3770). 1(f), 1(d) location in the roadway was estimated to be approximately 18.7 feet into the roadway. The difference between the end point of the walking sample and the starting point of the run was about .9 feet. Based on the video this was a transition period where 1(f), 1(d) speed was increasing, yet she wasn't moving in a manner that represented either a walk or run. This period was not incorporated in either the walk or the run period. The sample period for 1(f), 1(d) running speed ended at 2:06.660 (3797). 1(f), 1(d) was approximately 26.1 feet into the roadway. This showed that 1(f), 1(d) travelled 7.6 feet in approximately .901 seconds. This gave 1(f), 1(d) an average speed of 8.32 FPS or 5.68 MPH.

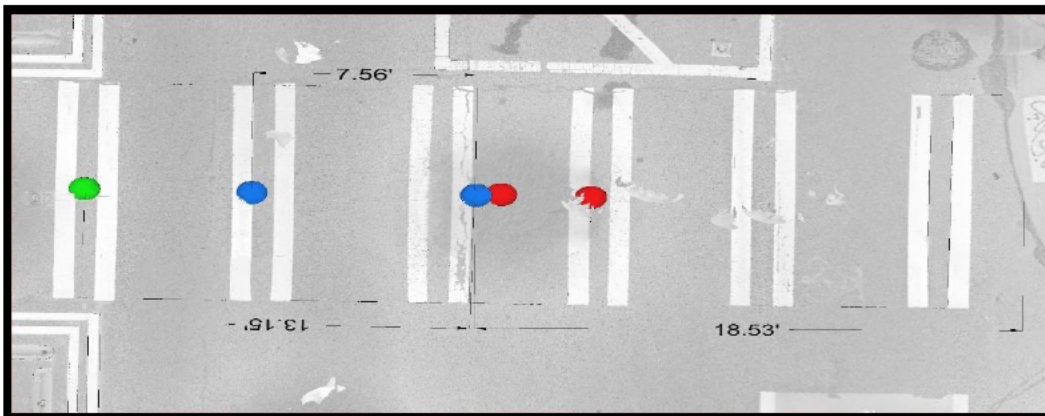
$$t = 2:06.660 - 2:05.759 \quad t = .901 \text{ seconds}$$

$$d = 26.1 - 18.5 \quad d = 7.6 \text{ ft}$$

$$S = \frac{d}{t} \quad S = \frac{7.6 \text{ ft}}{.901} \quad S = 8.44 \text{ FPS or } 5.75 \text{ MPH}$$

At the point where 1(f), 1(d) was observed beginning to run, she was 13.2 feet to the east of the shared center left turn lane and just east of the northbound lane of travel. To reach this point of relative safety, it would have taken her 1.56 seconds at the measured average running pace.

$$t = \frac{d}{S} \quad t = \frac{13.2 \text{ ft}}{8.44 \text{ FPS}} \quad t = 1.56 \text{ seconds}$$



3D scan showing running (blue circles) distances. Walking represented by red circles. Green is the area where 1(f), 1(d) is clear of the northbound lane.



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## Ford PIU:

In Faro Zone 3D the Ford was moved backward in relation to the time and distance related to 1(f), 1(d) movement. This was done through analysis of ICV and the scans of the scene. The position where the camera was affixed to the Ford provided angles that that did not capture the roadway in front of the Ford. The roadway was obscured from the camera’s view due to the hood. A similarly equipped SPD PIU was used to determine the angle of the camera’s view and where it began to capture footage of the roadway in front of the Ford. It was found that the roadway was visible over the hood of the Ford approximately 12 feet and 10 inches (12.83) in front of the Ford. This was measured using a Ford PIU that was sitting at rest. Weight transfer while braking would have shifted the Ford’s weight to the front axles and lowered the hood. This would lead to a decreased amount of the roadway being obscured in front of the Ford.

The area of impact was identified as approximately in the middle of the north crosswalk and approximately 26.2 feet from the eastern curb.

At the point where 1(f), 1(d) began running, the Ford was approximately 90 feet south of the area of impact.

Had the Ford been in the same position in the roadway when 1(f), 1(d) was observed running and 1(f), 1(d) continued to run at the measured average pace of 8.32 FPS or 5.68 MPH (which would have taken 1.56 seconds to travel to clear the northbound lane of travel), the Ford would have had to have been travelling 39.35 MPH or 57.69 FPS for 1(f), 1(d) to have made it out of the northbound lane of travel and into the shared center left turn lane. This is without change in speed or direction from the Ford. A distance (*d*) of 90 ft was used and the time (*t*) of 1.56 was used to solve for speed (*S*).

$$S = \frac{d}{t} \quad S = \frac{90 \text{ ft}}{1.56 \text{ s}} \quad S = 57.69 \text{ Fps or } 39.33 \text{ MPH}$$

Braking was observed and incorporated into a time and distance scenario. The 3D scans, BWV, and ICV were analyzed and used for this. From BWV, it was determined that braking occurred at approximately 2:05.505 seconds. The approximate point of impact was at approximately 2:06.171. This was a duration of .666 seconds of braking. ICV was then referenced. The approximate point of impact (2:06.660) was found and the video was reversed approximately .666 seconds (2:05.993).



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The vehicle was then placed in the 3D scan at the approximate point where it was at this time stamp. The distance to the area of impact was approximately 66 feet to the south.

The total distance it took the Ford to stop from when braking was observed in the video was estimated at 206 feet. This was used to find a drag factor ( $f$ ) for the roadway of .838. The speed of 72 MPH which was displayed on the gauge and presumed to be close to the actual speed was used for  $S$ .

$$f = \frac{S^2}{30(d)} \quad f = \frac{72^2}{30(206)} \quad f = \frac{5184}{6180} \quad f = .838$$

Acceleration ( $a$ ) was then analyzed. Since braking was being analyzed, the acceleration was a negative value. Gravity was represented as  $g$ .

$$a = (g)(f) \quad a = (-32.17)(.838) \quad a = -26.96 \text{ FPS}^2$$

The initial velocity ( $V_i$ ) was then determined using a mathematical formula and independent from what was displayed on the BWV in the gauge cluster.

$$V_i = \frac{d}{t} - \frac{at}{2} \quad V_i = \frac{66}{.666} - \frac{(-26.96)(.666)}{2} \quad V_i = 99.10 - \frac{-17.955}{2}$$

$$V_i = 99.10 - (-8.978) \quad V_i = 108.08 \text{ FPS or } 73.69 \text{ MPH}$$

The starting velocity ( $V_i$ ) of 108.08 FPS as well as the drag factor ( $f$ ) were used to find the ending velocity ( $V_e$ ), which was determined to be the speed at the point of impact.

$$V_e = \sqrt{V_i^2 + 2(a)(d)} \quad V_e = \sqrt{108.08^2 + 2(-26.96)(66)}$$

$$V_e = \sqrt{11681.28 + (-3558.72)} \quad V_e = \sqrt{8122.6} \quad V_e = 90.13 \text{ FPS or } 61.45 \text{ MPH}$$

The difference between the time that **1(f), 1(d)** began to run and when braking occurred was then analyzed. It was determined using the analyzed time of .901 (time at which **1(f), 1(d)** had been running to the point of impact) and .666 (time of braking) to find the difference. The Ford “coasted” for approximately .235 seconds while **1(f), 1(d)** was running, and there was no





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apparent braking by the Ford. This time was assigned a constant velocity of 108.07 fps. The Ford travelled approximately 25.40 feet during this .235 seconds.

The 25.40 feet of coasting distance was added to the 66 feet of braking distance. This equaled 91.4 feet of travelling distance either coasting or braking.

It was previously estimated that it would take **1(f), 1(d)** 1.56 seconds from the point that she started to run to reach the center left turn lane. The collision occurred at approximately .901 and **1(f), 1(d)** would need an additional .66 seconds to reach the center left turn lane. Variables were then used for the  $V_i$  in the formulas to find the speed at which the Ford had to be travelling at the distance of 91.4 feet south of the area of impact for **1(f), 1(d)** to be afforded the additional .66 seconds. The time difference of the variable speed was then matched to the “target” time of 1.56 seconds.

Coasting distance:

$$d = vt \quad d = (73.34)(.235) \quad d = 17.23 \text{ ft}$$

Distance of braking was then calculated by taking 17.23 ft from 91.4 ft which equaled 74.17 ft. The ending velocity at braking using 50 MPH (73.34 FPS) was then done.

$$Ve = \sqrt{Vi^2 + 2(a)(d)} \quad Ve = \sqrt{73.33^2 + 2(-26.96)(74.17)}$$

$$Ve = \sqrt{5377.29 + 2(-1999.62)} \quad Ve = \sqrt{5377.29 + (-3999.24)}$$

$$Ve = \sqrt{1378.05} \quad Ve = 37.12 \text{ FPS}$$

The acceleration rate ( $a$ ), ending velocity ( $Ve$ ), and the initial velocity ( $Vi$ ) was used to show the time ( $t$ ) that braking would have taken place.

$$t = \frac{Ve - Vi}{a} \quad t = \frac{37.12 - 73.34}{-26.96} \quad t = \frac{-36.22}{-26.96} \quad t = 1.34 \text{ seconds}$$



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The time duration of braking (1.34) was added to the time coasting (.235). This equaled 1.575 seconds which is sufficient enough for 1(f), 1(d) to have made it to the center turn lane and the collision to have not occurred.

$$t = 1.34 + .235 \quad t = 1.575 \text{ or } 1.58 \text{ rounded}$$

Had Ofc. DAVE been travelling 50 MPH or less as he approached the intersection and encountered 1(f), 1(d) and Ofc. DAVE and 1(f), 1(d) responded in the same manner; this collision would not have occurred.

**Human Factors and Threat Detection:** Several factors can alter the perception of drivers and pedestrians related to their ability to detect threats. These are often labeled as human factors in collision investigations. Studies have been done in relation to this topic and specifically the difficulty of identifying pedestrians during nighttime hours<sup>7</sup>. The list of human factors and expectations are expansive and will not be completely analyzed in this section.

Ofc. DAVE was responding to a call of service with his emergency equipment activated. Ofc. DAVE was responding to the call around 2000 hours, during the hours of darkness. When nearing the intersection with Thomas St, Ofc. DAVE encountered several objects that had retroreflective characteristics which reflected the lights from the emergency equipment back toward him. This included the affixed yellow pylons in the center of the roadway, the orange pylons placed within the construction site, as well as street signs at various locations. Additionally, there was an oncoming KCM bus with its headlights on. This could make it more difficult to perceive threats beyond these objects that were reflecting light back at him.

The type of roadway, time of day and several other factors change the expectation of a driver or pedestrian. For example, when travelling on a highway, it is generally accepted that there are different threats than travelling on surface streets. A driver can rarely expect to encounter a pedestrian on a highway when it would be more common on a surface street. In this instance, Dexter Ave N was a minor north and south arterial street. Dexter Ave N had marked crosswalks at the main intersections. It was in a fairly densely populated area where traffic and pedestrians could be expected. Additionally, the time of the day was 2000 hours, and one may expect that there would be an elevated amount of traffic as opposed to 0300 hours as an example.

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<sup>7</sup> "The conspicuity of pedestrians at night: a review" - Tyrrell - 2016 - Clinical and Experimental Optometry - Wiley Online Library - <https://onlinelibrary.wiley.com/doi/full/10.1111/cxo.12447>



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There was a construction site on the east of Dexter Ave N leading up to the area of the collision. The fencing played an initial, yet minimal, sight obstruction early in the approach to the collision. Initially the fence obscured the entry of the sidewalk for drivers. The southbound view for pedestrians down the eastern side of Dexter Ave N before entering the crosswalk was also obstructed. This obstruction was mitigated as vehicles got closer to the intersection and pedestrians proceeded through the crosswalk.

The barricades created a unique sight obstruction for drivers. There were 2.5-foot-tall orange barricades that were placed along the fog line of the northbound lane of Dexter Ave N. The barricades were at a height where the biological movement of a pedestrian's legs would be obscured from the driver. A driver's ability to identify moving objects is increased if they observe unique movement that can easily be identified. The moving torso of a pedestrian isn't as readily identifiable compared to the movement of their legs<sup>8</sup>. The ICV was reviewed, and this obstruction was a factor to the view of the camera up to around 158 feet before to the area of impact. This was the first possible point that Ofc. DAVE could have identified 1(f), 1(d) as a pedestrian in the crosswalk but in review of the video, this may have been difficult.

Emergency response is at the discretion of the individual officer. Several factors may be incorporated into the decision-making process. This may include, but not limited to, experience, environment, knowledge of their beat, time of day, roadway conditions, and information available about the call.

Pedestrian's expectations when crossing a street are that they will likely encounter traffic travelling at speeds near the posted speed limit. A driver's expectation of a pedestrian in a crosswalk and the likelihood of a pedestrian being seen by a driver in the crosswalk are heightened.

1(f), 1(d) Clothing and Actions: 1(f), 1(d) was wearing white shoes, black pants and a black jacket with the hood up over her head. 1(f), 1(d) had a tan colored backpack on. This may have made detection of her difficult.

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<sup>8</sup> "The conspicuity of pedestrians at night: a review" - Tyrrell - 2016 - Clinical and Experimental Optometry - Wiley Online Library - <https://onlinelibrary.wiley.com/doi/full/10.1111/cxo.12447>



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1(f), 1(d) was in the process of crossing Dexter Ave N at Thomas St within the northern crosswalk. Based on the witness account and the ICV, 1(f), 1(d) entered the intersection and was walking as she crossed. 1(f), 1(d) was approximately 18.7 feet into the crosswalk. At this position, 1(f), 1(d) was still to the east of the lane of northbound vehicular travel for Dexter Ave N. Though she was in the roadway, and moving east to west, this position would have allowed vehicles to pass her without striking her. At this point 1(f), 1(d) began to transition to a run to continue her movement westbound. 1(f), 1(d) ran approximately 8.3 feet further westbound into the crosswalk. This placed her nearly in the center of the northbound lane of Dexter Ave N and in the path of the Ford.



ICV still showing the clothing worn by

1(f), 1(d)

It can be difficult for humans to judge the speed of objects when they are approaching. An object passing in front of a person is easier to judge a speed. This is based on the availability of reference points in relation to the object. An object passing from left to right, for example, provides reference points that the object passes thus a human can conduct crude time and distance evaluations and sense the speed of the object. An object approaching from 90 degrees generally does not have fixed reference points that a person can use to judge speed until it gets closer. In this case, it is more likely than not that 1(f), 1(d) wasn't able to accurately estimate the speed of the Ford based on its lights until it got closer to the intersection. It was likely that 1(f), 1(d) initial estimates of the Ford's speed (had she seen the Ford approaching) were under the actual speed. When more information to estimate the Ford's speed became available, it was closer to the intersection.

1(f), 1(d) was then provided little time to assess her options to respond to the threat.

It is unknown why 1(f), 1(d) decided to run at the point in which she did. The point at which 1(f), 1(d) first observed the approaching Ford is also unknown. In review of the video, it appears that 1(f), 1(d) reacted to the approaching Ford as it was becoming an immediate threat to her. 1(f), 1(d) response was to begin to run westbound, and it is believed that she was



# Seattle Police Department Case Investigation Report

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attempting to reach an area of perceived safety. 1(f), 1(d) had been approximately 18.7 feet away from the curb into the roadway when she started to transition to a run. Using the calculated walking pace of 4.3 FPS, she would have been walking in the roadway for approximately 4.09 seconds. It is a possibility that 1(f), 1(d) thought she was in the path of the Ford based on the time she had been walking in the crosswalk and distance that she travelled, and this played a role in her decision making. Also, at the point where she began to run, she was not in the path of the Ford. However, 1(f), 1(d) reaction appeared quick, and it is also a possibility that she didn't have enough time to correctly analyze her position in the roadway to determine if she was in the path or not.

## **Applicable Revised Code of Washington (R.C.W.) and Seattle Municipal Code (S.M.C.):**

### **RCW 46.61.035 Authorized Emergency Vehicles:**

- (1) The driver of an authorized emergency vehicle, when responding to an emergency call or when in the pursuit of an actual or suspected violator of the law or when responding to but not upon returning from a fire alarm, may exercise the privileges set forth in this section, but subject to the conditions herein stated.
- (2) The driver of an authorized emergency vehicle may:
  - (a) Park or stand, irrespective of the provisions of this chapter;
  - (b) Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;
  - (c) Exceed the maximum speed limits so long as he or she does not endanger life or property;
  - (d) Disregard regulations governing direction of movement or turning in specified directions.
- (3) The exemptions herein granted to an authorized emergency vehicle shall apply only when such vehicle is making use of visual signals meeting the requirements of RCW 46.37.190, except that:
  - (a) An authorized emergency vehicle operated as a police vehicle need not be equipped with or display a red light visible from in front of the vehicle;
  - (b) authorized emergency vehicles shall use audible signals when necessary to warn others of the emergency nature of the situation but in no case shall they be required to use audible signals while parked or standing.



# Seattle Police Department Case Investigation Report

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(4) The foregoing provisions shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor shall such provisions protect the driver from the consequences of his or her reckless disregard for the safety of others.

## **R.C.W 46.61.235 Crosswalks:**

(1) The operator of an approaching vehicle shall stop and remain stopped to allow a pedestrian, bicycle, or personal delivery device to cross the roadway within an unmarked or marked crosswalk when the pedestrian, bicycle, or personal delivery device is upon or within one lane of the half of the roadway upon which the vehicle is traveling or onto which it is turning. For purposes of this section "half of the roadway" means all traffic lanes carrying traffic in one direction of travel, and includes the entire width of a one-way roadway.

(2) No pedestrian, bicycle, or personal delivery device shall suddenly leave a curb or other place of safety and walk, run, or otherwise move into the path of a vehicle which is so close that it is impossible for the driver to stop.

(3) Subsection (1) of this section does not apply under the conditions stated in RCW 46.61.240(2).

(4) Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian, bicycle, or personal delivery device to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle.

(5)(a) If a person is found to have committed an infraction under this section within a school, playground, or crosswalk speed zone created under RCW 46.61.440, the person must be assessed a monetary penalty equal to twice the penalty assessed under RCW 46.63.110. The penalty may not be waived, reduced, or suspended.

(b) Fifty percent of the moneys collected under this subsection must be deposited into the school zone safety account.



# Seattle Police Department Case Investigation Report

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## **R.C.W. 46.61.264 Pedestrians and Personal Delivery Devices Yield to Emergency Vehicles:**

(1) Upon the immediate approach of an authorized emergency vehicle making use of an audible signal meeting the requirements of RCW 46.37.380(4) and visual signals meeting the requirements of RCW 46.37.190, or of a police vehicle meeting the requirements of RCW 46.61.035(3), every pedestrian and every personal delivery device shall yield the right-of-way to the authorized emergency vehicle.

(2) This section shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway nor from the duty to exercise due care to avoid colliding with any pedestrian or any personal delivery device.

## **S.M.C 11.12.080 Exemption of Authorized Emergency Vehicles:**

A. The driver of an authorized emergency vehicle, when responding to an emergency call or when in the pursuit of an actual or suspected violator of the law or when responding to but not upon returning from a fire alarm, may exercise the privileges set forth in this section, but subject to the conditions stated in this chapter.

B. The driver of an authorized emergency vehicle may:

1. Park or stand, irrespective of the provisions of this subtitle;
2. Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;
3. Exceed the maximum speed limits so long as he does not endanger life or property;
4. Disregard regulations governing direction of movement or turning in specified directions:

Provided, that ambulances shall not exceed the posted speed limit by more than five (5) miles per hour and shall not proceed through stop signs or red traffic signal lights without first making a full stop and permitting traffic to clear the intersection; and provided further, that Fire Department vehicles, including aid cars and other vehicles, shall not be subject to the above restrictions on the operation of ambulances.



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C. The exemptions granted in this section to an authorized emergency vehicle shall apply only when such vehicle is making use of visual signals meeting the requirements of RCW 46.37.190, except that:

1. An authorized emergency vehicle operated as a police vehicle need not be equipped with or display a red light visible from in front of the vehicle;
2. Authorized emergency vehicles shall use audible signals when necessary to warn others of the emergency nature of the situation but in no case shall they be required to use audible signals while parked or standing.

D. The foregoing provisions shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor shall such provisions protect the driver from the consequences of his reckless disregard for the safety of others. (RCW 46.61.035)

## **S.M.C. 11.84.360 Emergency Vehicle Audible Sound:**

Any authorized emergency vehicle may be equipped with a siren, whistle or bell, capable of emitting sound audible under conditions of no background noise from a distance of not less than five hundred feet (500') and of a type approved by the State Commission on Equipment, but such siren shall not be used except when such vehicle is operated in response to an emergency call or in the immediate pursuit of an actual or suspected violator of the law, in which said latter events the driver of such vehicle shall sound the siren when reasonably necessary to warn pedestrians and other drivers of the approach thereof. (RCW 46.37.380(4))

## **SECTION G: CONCLUSIONS:**

The following conclusions were based on my investigation and analysis of this incident:

- Ofc. DAVE was an on-duty law enforcement officer employed by SPD the night of the collision.
- Ofc. DAVE was a certified EMT and certified peace officer.
- Ofc. DAVE was driving a SPD 2020 Ford Police Interceptor Utility vehicle. The Ford was equipped with standard SPD markings on the exterior of the vehicle. It was also equipped with emergency equipment including a siren and red, white, and blue LED lights.





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- Ofc. DAVE heard a call of an overdose and notified WD that he was responding. The overdose location was 708 6 Ave N.
- Ofc. DAVE left the West Precinct and began to respond to the 911 call location.
- During the response, it was updated that the person who was overdosing, was the person who was on the phone with 911 call takers. Ofc. DAVE acknowledged this over the West radio channel.
- Ofc. DAVE proceeded to Dexter Ave and Denny Way where he faced a red traffic signal. After clearing the intersection, Ofc. DAVE accelerated northbound on Dexter Ave N.
- The acceleration continued from Denny Way up to Thomas St.
- During the period of acceleration, the Ford reached a top speed of 74 MPH.
- During the emergency response, Ofc. DAVE did not have his siren activated continuously. Ofc. DAVE chirped his siren at intersections.
- 1(f), 1(d) approached Dexter Ave N on Thomas St using the northern sidewalk.
- 1(f), 1(d) was wearing a black jacket, black pants, a tan backpack and white shoes.
- 1(f), 1(d) was possibly wearing Apple AirPods in both ears.
- 1(f), 1(d) reached Dexter Ave N and began to cross from the east to the west in the north crosswalk.
- 1(f), 1(d) was approximately 18 feet into the crosswalk (this included the bike lane and the prohibited parking zone) and was about to enter the northbound lane of travel for vehicles. 1(f), 1(d) transitioned to a run and continued to proceed westbound in the crosswalk. This placed 1(f), 1(d) approximately 7.5 feet further into the crosswalk. 1(f), 1(d) needed approximately 5.5 feet to clear the northbound lane.
- 1(f), 1(d) was struck by the Ford at approximately 63 MPH and was thrown approximately 138 feet northwest where she came to a rest in the shared center turn lane.
- Ofc. DAVE began to perform CPR on 1(f), 1(d)
- SFD personnel responded to the scene and continued lifesaving efforts. 1(f), 1(d) was subsequently transported to HMC.
- Ofc. DAVE was assessed by DRE Ofc. AUDERER, who reported that in his opinion, Ofc. DAVE did not display signs of impairment.
- 1(f), 1(d) succumbed to her injuries and was pronounced as deceased at HMC.

## Summary:

Ofc. DAVE was driving a marked SPD Ford PIU and responding to an emergency call at 708 6 Ave N. In his response, he used his overhead lights and intermittent siren. Ofc. DAVE proceeded northbound on Dexter Ave N. 1(f), 1(d) was crossing Dexter Ave N westbound in the northern



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crosswalk at Thomas St. 1(f), 1(d) . 1(f), 1(d) was struck by the Ford in the crosswalk as she was proceeding westbound in the crosswalk. Had Ofc. DAVE been travelling approximately 50 MPH at the point where they were both responding to the collision, 1(f), 1(d) would have been able to run across the northbound lane of travel and would not have been struck by the Ford.

## **Proximate Cause:**

The proximate cause of this collision was the speed at which Ofc. DAVE approached the intersection of Dexter Ave N and Thomas St. Ofc. DAVE accelerated to 74 MPH in a 25 MPH zone while headed to an emergency call. 1(f), 1(d) entered the crosswalk, and had the right of way, when the Ford was about 475 feet to the south of the intersection. The speed at which Ofc. DAVE was travelling did not allow 1(f), 1(d) or him sufficient time to detect, address and avoid a hazard that presented itself.



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## INVESTIGATION:

- 1) **01/23/2023:** I was notified of this collision by Acting Sgt BULAWA and responded to the scene.
- 2) **01/23/2023:** I was notified that a DRE officer responded to talk with Ofc. DAVE and it was their opinion that Ofc. DAVE displayed no signs of impairment.
- 3) **01/23/2023:** TCIS detectives did an initial canvas for surveillance video in the area.
- 4) **01/23/2023:** I responded to the West Precinct and met with Attorney Mark CONRAD from Freyback P.S. Attorneys. I then read Ofc. DAVE his Miranda Rights and was informed that a statement would not be provided at this time.
- 5) **01/23/2023:** I responded back to the office and located the CAD history for Ofc. DAVE for 01/23/2023. I found that the call that Ofc. DAVE was responding to was 2023-22228.
- 6) **01/24/2023:** I requested the 911 recordings and west radio for 2023-22228 and 2023-22231 and the SFD run reports from the incident.
- 7) **01/24/2023:** I reviewed BWV of the incident.
- 8) **01/24/2023:** Seattle IT responded to the SPD Long-Term storage and retrieved the ICV camera system from the vehicle to upload the video from the incident. The camera itself had to be removed to do this.
- 9) **01/24/2023:** I called DPA FREEDHEIM with the KCPAO to inform her of this incident. I left a voicemail requesting a call back. I received a call back and notified her of this case with the information that was known at this time.
- 10) **01/24/2023:** I called Witness **1(d)**. I left a voicemail requesting a call back. I received a call back later in the day and obtained a recorded statement from **1(d)**.
- 11) **01/24/2023:** I called Witness **1(d)**. It went to the voicemail system, but the box was full, and I was unable to leave a message. I later received a missed call from **1(d)** and called him back. I obtained a recorded statement.



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- 12) **01/24/2023:** I called Witness 1(d). There was no answer and the voicemail box had not been setup. I received a call back from 1(d) who provided an audio statement.
- 13) **01/25/2023:** I was provided a link to surveillance video from the construction site on the southeast corner of Dexter Ave N and Thomas St by Sgt. DALAN. I added the video from the link to the case file. I later uploaded the video to Evidence.com.
- 14) **01/25/2023:** I reached out to King County Metro requesting information on the coach seen travelling southbound on Dexter Ave N just prior to the collision. I was notified that it was coach 8009, Route 62, Run 19. I requested that the video, if actually equipped, be uploaded to evidence.com.
- 15) **01/26/2023:** I responded to the scene and did another canvas for video surveillance.
- 16) **01/26/2023:** I sent an Axon evidence submission email to Winston Wachter Fine Arts (203 Dexter Ave N, Seattle, WA) for them to upload video surveillance to.
- 17) **02/01/2023:** I called the King County Medical Examiners Office and obtained the case number for their investigation. It was 23-276. I also obtained the height recorded for 1(f), 1(d) from them as being 5'05"
- 18) **02/01/2023:** I called 1(d) (DO NOT DISCLOSE), a family friend, at a provided number of (832) 1(d) and spoke to him over the phone regarding an email with questions.
- 19) **02/02/2023:** Responded to the original scene and evaluated factors at the intersection. This included the fencing as well as sight lines. I used a similarly equipped patrol vehicle to evaluate the camera view outward to determine the distance in front of the vehicle in which the ground becomes visible over the hood.
- 20) **02/02/2023:** I submitted an authorization to release property contained in the evidence unit to the authorized agent of the family. I authored an email with directions on how to obtain the property. This came after receiving an email from the mother of 1(f), 1(d) authorizing an agent in the area to pick the property up. This person was 1(d) (Do not Disclose).



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- 21) **02/02/2023:** I called 1(d) and explained the process over the phone as well.
- 22) **02/03/2023:** I received a voicemail from CONRAD requesting a phone call. I called him back and explained the process of the investigation including the next step of forwarding the case to the KCPAO.
- 23) **02/03/2023:** I reviewed the video provided by King County Metro for coach 8009. Based on the video, this was not the bus that was observed on ICV passing Thomas St. I emailed KCM again and requested that they check for busses in that area again.
- 24) **02/07/2023:** I requested the run report from 23-22228. I received the run report and reviewed it.
- 25) **02/08/2023:** I received a notification that the KCM video was available. I downloaded the video and reviewed it.
- 26) **02/08/2023:** I reviewed BWV from the officers who responded after the collision.
- 27) **03/27/2023:** I submitted a request for the KCMEO report including the toxicology results.
- 28) **05/01/2023:** I received the toxicology results from the KCMEO.
- 29) **05/09/2023:** This case was peer reviewed.
- 30) **05/11/2023:** This case was given to acting Sgt. BULAWA for approval.
- 31) **05/11/2023:** I submitted the case to the KCPAO for review.

*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.



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## Addendum 1:

### **ICV:**

- A) (2:04.992 3747)
- B) (2:05.025 3748)
- C) (2:05.659 3767)
- D) (2:05.759 3770)
- E) (2:06.660 3797).

### **BWV:**

- F) (2:05.104 3755-2:05.472 3766).
- G) (2:05.338 3762)
- H) (2:05.572 3769)
- I) (2:05.772 3775)
- J) (2:06.138 3786)
- K) (2:06.171 3787)
- L) (2:06.205 3788)
- M) (2:06.505 3797)
- N) (2:07.804 3827)
- O) (2:07.838 3837)
- P) (2:09.537 3888)
- Q) (2:09.871 3898)



STATE OF WASHINGTON  
POLICE TRAFFIC  
COLLISION REPORT



1591971

REPORT NO. 3907296

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

CASE # 23-22231

LOCAL AGENCY CODING WASPD0000

TOTAL # OF UNITS 2 OBJECT STRUCK

USE IN LIEU OF ORIGINAL

M M D D Y Y Y Y TIME (2400) COUNTY # MILES CITY #

DATE OF COLLISION 01-23-2023 200717 N  E  IN  S  W  OF 1140

ON (PRIMARY TRAFFIC WAY) INTERSECTION  NON-INTERSECTION

DEXTER AV N BLOCK NO.  300 MILE POST

DISTANCE 20 MILES  N  E  FEET  S  W OF (REFERENCE OR CROSS STREET) THOMAS ST

UNIT 01 MOTOR VEHICLE  PEDAL-CYCLE  DAMAGE THRESHOLD MET YES  NO  PHONE 206-684-8917

LAST NAME DAVE FIRST NAME KEVIN MIDDLE INITIAL A

STREET NEW ADDRESS 810 VIRGINIA ST CITY SEATTLE ST WA ZIP 98101

CDL IGNITION INTERLOCK REQUIRED YES  NO  PRESENT YES  NO  MEDICAL TRANSPORTED YES  NO

DRIVER'S LICENSE # 1(g) STATE WA SEX M D.O.B. MMDDYYYY 4(b)-10-4(b)

ON DUTY  STATUS 9 AIRBAG RESTR. EJECT 1 HELMET USE 2 INJURY CLASS 1 NATURE OF INJURIES

LICENSE PLATE # 71703D STATE WA VIN# 1FM5K8AW9L6D02122

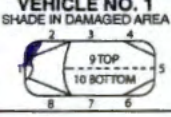
TRAILER PLATE # STATE TRAILER PLATE # STATE

TRLR VIN#

VEH. YEAR 2020 MAKE FORD MODEL EXPLORER STYLE UT VEHICLE TOWED DUE TO DISABLING DAMAGE YES  NO  TOWED BY LINCOLN GOVT. VEHICLE YES  NO

REGISTERED OWNER INFO CITY OF SEATTLE-FLEET MANAGEMENT VEHICLE NO. 1 SHADE IN DAMAGED AREA

LIABILITY INSURANCE IN EFFECT  INSURANCE CO & POLICY # CITATION # CHARGE



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

LAST NAME 1(f), 1(d) FIRST NAME 1(f), 1(d) MIDDLE INITIAL

STREET NEW ADDRESS 1(f), 1(d) CITY 1(f), 1(d) ST 1(f), 1(d) ZIP 1(f), 1(d)

CDL IGNITION INTERLOCK REQUIRED YES  NO  PRESENT YES  NO  MEDICAL TRANSPORTED YES  NO

DRIVER'S LICENSE # 1(g) STATE WA SEX F D.O.B. MMDDYYYY 1(f), 1(d)

ON DUTY  STATUS 3 AIRBAG RESTR. EJECT HELMET USE 2 INJURY CLASS 4 NATURE OF INJURIES DIED AT HOSPITAL

LICENSE PLATE # RMS(ENT)MOD CLR RVW STATE WA VIN#

D: 0126237: 1401 8965C

TRAILER PLATE # D: 0126237: 1401 8965C STATE TRAILER PLATE # STATE

TRLR VIN#

VEH. YEAR MAKE MODEL STYLE VEHICLE TOWED DUE TO DISABLING DAMAGE YES  NO  TOWED BY GOVT. VEHICLE YES  NO

REGISTERED OWNER INFO LIABILITY INSURANCE IN EFFECT  INSURANCE CO & POLICY # CITATION # CHARGE



OFFICER'S NAME (PRINT) H. WICKEN OFFICER PHONE 206-491-0677 BADGE OR ID # 8687 AGENCY SEATTLE PD

RECEIVED BY

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STATE OF WASHINGTON  
POLICE TRAFFIC  
COLLISION REPORT



1591972

CORRECTION

REPORT NO. 3907296

CASE # 2022-22231

ADDITIONAL PERSONS INVOLVED (PASSENGERS AND/OR WITNESSES ONLY)

NAME (LAST, FIRST, MIDDLE INITIAL) 1(d)

ADDRESS & PHONE # 1(d) 14<sup>th</sup> AV, Apt 1(d), Seattle, WA 206-1(d) SEX M D.O.B. 1(d) 1989

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

NAME (LAST, FIRST, MIDDLE INITIAL) 1(d)

ADDRESS & PHONE # 1(d) Minor AV E Apt 1(d), Seattle, WA 757-1(d) SEX M D.O.B. 1(d) 1995

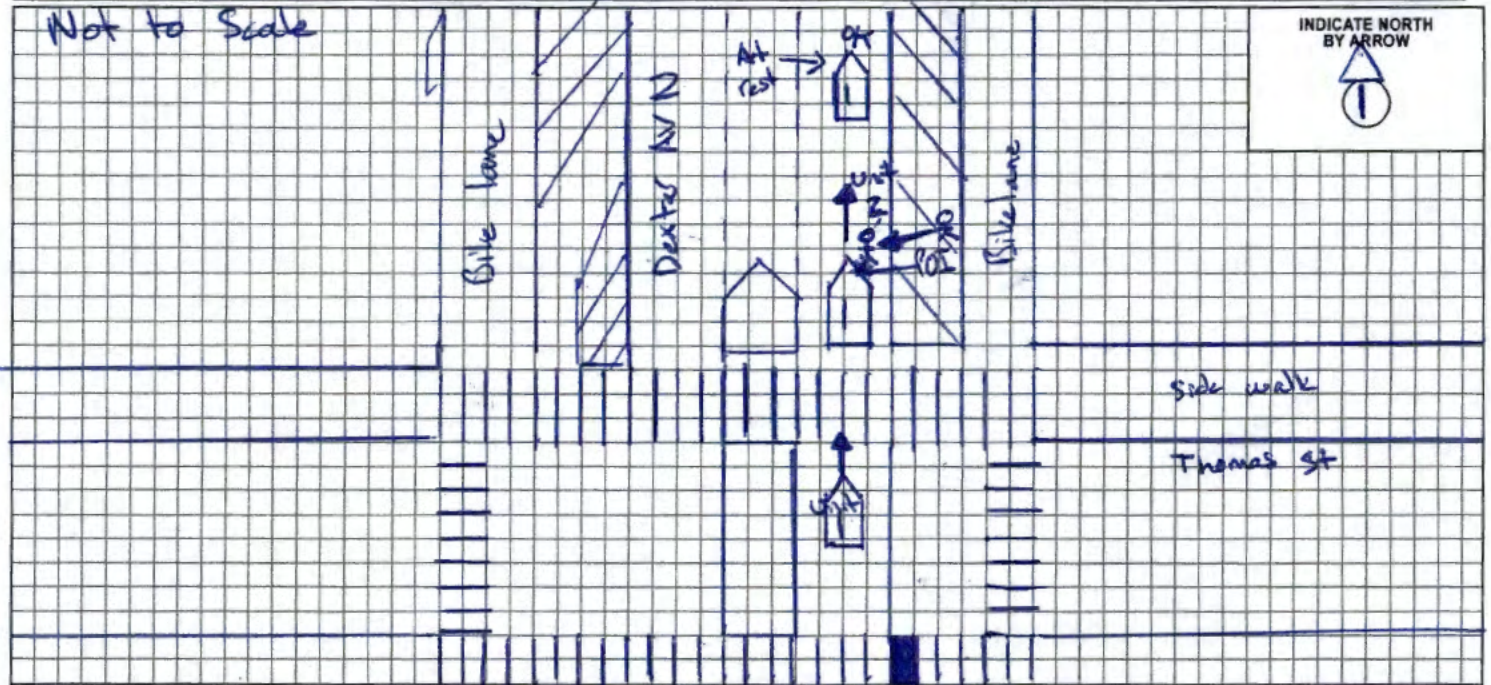
PASSENGER  WITNESS  UNIT # SEAT POS. AIRBAG RESTR. EJECT HELMET USE INJURY CLASS NATURE OF INJURIES

NAME (LAST, FIRST, MIDDLE INITIAL) 1(d)

ADDRESS & PHONE # 1(d) S 214<sup>th</sup> ST, Elkhorn, NE 402-1(d) SEX D.O.B. 1(d) 1987

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

DIAGRAM



NARRATIVE

I CERTIFY (DECLARE) UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT THE FOREGOING IS TRUE AND CORRECT. (RCW 9A.72.060)

INVESTIGATING OFFICER'S SIGNATURE Hauly UNIT OR DIST. DET B113V DATED 1/23/23 PLACE SIGNED Seattle

APPROVED BY [Signature] 6942 DATE 1-24-23

BADGE OR ID # 8657 ORI # WASPD0000 TIME POLICE DISPATCHED 2007 TIME POLICE ARRIVED 2007





SEATTLE  
POLICE  
DEPARTMENT

# CONTINUATION SHEET

GENERAL OFFENSE # <b>23-22231</b>
RELATED EVENT# <b>3907296</b>

Submitted by <b>H. Wicken</b>	Serial# <b>8687</b>	Date <b>1/23/23</b>	Time <b>2310</b>
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On 1/23/23 I was working uniformed patrol for the Seattle Police Department as "3M1" with my partner Officer Banks. At 20:22 I was dispatched to a collision at Dexter AV N/Thomas St.

The driver of vehicle #35367 is an on-duty Seattle Police Officer, who was driving a Seattle Police Department vehicle in the commission of his official duties. Officer Kevin Dave was operating fully marked Seattle Police vehicle WA/71703D, unit 1.

Unit 1 was responding to a priority one 911 call and was driving North bound on Dexter AV N while operating emergency lights and sirens. Unit 2, a pedestrian identified as Jaahnavi **1(f), 1(d)** entered the roadway and started crossing in the roadway Westbound across Dexter AV N.

Unit 2 was struck by unit 1 just North of Thomas St. Immediate medical aid was provided by officers and SFD responded. SFD transported unit 2 to HMC.

Officers interviewed witnesses on scene.

I certify (declare) under penalty of perjury under the laws of the State of Washington that this report is true and correct to the best of my knowledge and belief (RCW 9A.72.085)				
<u>H. Wicken</u>	<u>8687</u>	<u>B113V</u>	<u>1/23/23</u>	Seattle WA
Officer Submitting Report	Serial #	Unit#	Date Signed	Place Signed



Reset Form

Event # 2023-22231

Date 2/2/20

Seattle Police Department
Evidence/Property Release Authorization Form

INSTRUCTIONS: Fill out this form and save it as a PDF.

Name B. Schoenberg Serial 7429
Unit TCIS

Table with 3 columns: Property Report #, Item #, Description. Rows 1-7 containing item details like 'Artistic Supplies/ Accessories - SSSC RU' and 'Purses/ Handbags/ Backpack - SBSC vic'.

Officers/Detectives are required to complete all sections below and to notify property owners that their property is being released. The Evidence Unit does not make owner notifications.

Release to:

- Director for Disposal (auction, destruction, conversion)
Owner/Agent
Do Not Release (explanation required in comments below)

Person(s) Authorized to Receive Property:

Name: 1(d)
Address: 1(d)
Phone: 1(d)
Email: 1(d)

Owner Notified by: (REQUIRED)

- Hand Served Notice
US Mail

Date Notified: (REQUIRED)

02/02/2023

**Firearms Release (REQUIRED for all firearms)**

Sheena Henderson Act Notification Required? N/A

**Notification Date:**

**Notification Time:**

Comments: