

[REDACTED]
Sacramento, CA

OCT 27 2015

*
Change of Address:

[REDACTED]
Oakdale, CA
[REDACTED]

To whom it may concern,

This evidence is in regards to my complaint #10764850. I believe there may already be a recall out on the body control module of the Chevrolet Malibu that was at fault for the accident that killed my husband [REDACTED]. I have included 14 pages of documentation. I have pictures of the vehicles, as well as legal paperwork surrounding this case. I believe these documents will be of the most assistance to you. Please note, the body control module and the main PCM computer are not responding, not communicating. I find this very disturbing because the brakes could have not been functioning properly from what I understand about these components.

Thank you,
[REDACTED]

Confirmation # 10764850

ET
11215
SMD

Geoff Lyons Auto Repair

720 Paso Robles Street
Paso Robles, CA 93446

Phone (805) 238-0471
Fax (805) 238-2716

DA COPY

May 16, 2006

Paso Robles Police Department

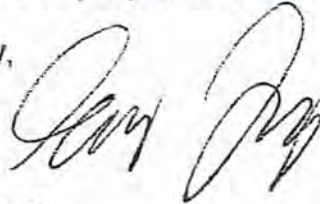
To Whom It May Concern:

Regarding accident vehicle inspection performed on 5-11-06:

03/2005 Chevy Malibu LS V6 27,340 miles VIN # 1G12T52845F [REDACTED] License [REDACTED] overall condition new; tires Bridgestone P205/65R15 with 9/32" tread (good); air bags deployed; windshield all glass clear; brake pedal firm and adjusted high; emergency brake appears ok; all brakes appear to have 5/32" or more of pad and no leaks, rotor condition good (except right front is cracked due to accident and tire deflated due to retainer bolt from motorcycle); front fork area imbedded in vehicle tire; shifter in low position (transmission); radio on, wipers on, headlights on automatic; no communication with body module computer; no response from main PCM computer.

12/1992 Honda CBR1000R VIN# JH2SC241XPM [REDACTED] License # [REDACTED] front tire 120/70-17 Pilot active Michellin, 3/32" (good tread); front and rear disc brakes less than 1/32" (worn out), front brake holding some pressure; rear is not holding pressure, line broken, leaking; supply hose rear brake ruptured (from accident); inspect speedometer, remove cable to inspect, not stuck, gauge stuck at 65 mph may be from impact. Although brakes were worn, did not appear to have any affect on cause of accident. Vehicle should have been able to stop within normal constraints as per physical condition of all components described.

Sincerely,



Geoff Lyons
Owner, Lyons Auto Repair

CONF.# 10764850

COUNTY OF SAN LUIS OBISPO

SAN LUIS OBISPO, CALIFORNIA

CERTIFICATE OF DEATH

USE BLACK INK ONLY: NO CORRECTIONS, REWRITES OR ALTERATIONS

STATE FILE NUMBER		LOCAL REGISTRATION NUMBER	
1. LINE OF DECEDENT - FIRST (Given)		3. LAST (Family)	
2. MIDDLE		4. DATE OF BIRTH month/day/year	
5. AGE Yrs.		6. SEX	
7. DATE OF DEATH month/day/year		8. HOUR (24 Hours)	
9. MARRIAGE STATUS at time of death		10. RACE	
11. SOCIAL SECURITY NUMBER		12. CAUCASIAN	
13. EDUCATION - highest completed grade		14. YEARS IN OCCUPATION	
15. HS GRADUATE		16. COMMERCIAL CONSTRUCTION	
17. US BORN		18. YEARS IN OCCUPATION	
19. DECEDENT'S RESIDENCE (Street and number or location)		20. YEARS IN OCCUPATION	
21. CITY		22. YEARS IN COUNTY	
23. COUNTY		24. STATE/FOREIGN COUNTRY	
25. PASO ROBLES		26. CALIFORNIA	
27. INFORMANT'S NAME RELATIONSHIP		28. INFORMANT'S MAILING ADDRESS (Street and number or rural route number, city or town, state, ZIP)	
29. NAME OF SURVIVOR SPOUSE - TYPE		30. LAST SURVIVOR NAME	
31. TYPE OF DEATH		32. TYPE OF DEATH	
33. CR/RES		34. NOT EMBALMED	
35. KUEHL-NICOLAY FUNERAL HOME		36. FD-68	
37. ROADWAY		38. PASO ROBLES	
39. SAN LUIS OBISPO		40. CRESTON RD. AND SCOTT ST.	
41. EXSANGUINATION		42. MIN.	
43. TRANSECTION OF THORACIC AORTA		44. MIN.	
45. BLUNT FORCE TRAUMA TO CHEST		46. MIN.	
47. YES		48. YES	
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STATE OF CALIFORNIA
TRAFFIC COLLISION REPORT
 CHP 555 Page 1 (Rev. 8-87) OPI 042

Page 1 of 2

SPECIAL CONDITIONS FATALITY OCCURRED		NUMBER OF VEHICLES INVOLVED 1	WIT & RAIN ☐	CITY PASO ROBLES	JUDICIAL DISTRICT SLO SUPR CT.		LOCAL REPORT NUMBER [REDACTED]		
		NUMBER KILLED 1	WIT & RAIN ☐	COUNTY SAN LUIS OBISPO	REPORTING DISTRICT 27	BEAT 02			
LOCATION	COLLISION OCCURRED ON CRESTON				MO. DAY YEAR 05/08/2006	TIME (24HR) 18:32	NCIC # [REDACTED]	OFFICER I.D. 4143	
	MILEPOST INFORMATION OF				DAY OF WEEK MON	TOW AWAY ☒ YES ☐ NO	PHOTOGRAPHS BY: ☐ NONE 63 DIGITAL IMAGES		
	☒ AT INTERSECTION WITH SCOTT				STATE HWY REL. ☐ YES ☒ NO				
	☐ OR: OF								
PARTY 1	DRIVER'S LICENSE NUMBER [REDACTED]		STATE CA	CLASS C	SAFETY EQUIP. G	VEH. YEAR 2005	MAKE/MODEL/COLOR CHEV MAL GLD/GLD	LICENSE NUMBER [REDACTED]	STATE CA
	OWNER'S NAME ☒ SAME AS DRIVER				OWNER'S ADDRESS ☒ SAME AS DRIVER				
	STREET ADDRESS [REDACTED]				DISPOSITION OF VEHICLE ON ORDERS OF: ☒ OFFICER ☐ DRIVER ☐ OTHER				
	CITY/STATE/ZIP [REDACTED]				PETE JOHNSTON				
	WEIGHT [REDACTED]				PRIOR MECHANICAL DEFECTS: ☒ NONE APPARENT ☐ REFER TO NARRATIVE				
	BIRTHDATE [REDACTED]				VEHICLE IDENTIFICATION NUMBER: [REDACTED]				
	RACE [REDACTED]				VEHICLE TYPE: 01				
	INSURANCE CARRIER [REDACTED]				DESCRIBE VEHICLE DAMAGE: ☒ MOD. ☐ MAJOR ☐ ROLL-OVER				
	POLICY NUMBER [REDACTED]				SHADE IN DAMAGED [REDACTED]				
	DIR OF TRAVEL ON STREET OR HIGHWAY [REDACTED]				SPEED LIMIT 35				
PARTY 2	DRIVER'S LICENSE NUMBER [REDACTED]		STATE CA	CLASS A	SAFETY EQUIP. W	VEH. YEAR 1993	MAKE/MODEL/COLOR HOND CBR BLK/RED	LICENSE NUMBER [REDACTED]	STATE CA
	OWNER'S NAME ☒ SAME AS DRIVER				OWNER'S ADDRESS ☒ SAME AS DRIVER				
	STREET ADDRESS [REDACTED]				DISPOSITION OF VEHICLE ON ORDERS OF: ☒ OFFICER ☐ DRIVER ☐ OTHER				
	CITY/STATE/ZIP PASO ROBLES, CA				PETE JOHNSON/AAA				
	WEIGHT 225				PRIOR MECHANICAL DEFECTS: ☒ NONE APPARENT ☐ REFER TO NARRATIVE				
	BIRTHDATE [REDACTED]				VEHICLE IDENTIFICATION NUMBER: JH2SC241XPM				
	RACE W				VEHICLE TYPE: 02				
	INSURANCE CARRIER NO PROOF OF INSUR.				DESCRIBE VEHICLE DAMAGE: ☒ MOD. ☒ MAJOR ☐ ROLL-OVER				
	POLICY NUMBER [REDACTED]				SHADE IN DAMAGED [REDACTED]				
	DIR OF TRAVEL ON STREET OR HIGHWAY N				SPEED LIMIT 35				
PARTY 3	DRIVER'S LICENSE NUMBER [REDACTED]		STATE [REDACTED]	CLASS [REDACTED]	SAFETY EQUIP. [REDACTED]	VEH. YEAR [REDACTED]	MAKE/MODEL/COLOR [REDACTED]	LICENSE NUMBER [REDACTED]	STATE [REDACTED]
	OWNER'S NAME ☐ SAME AS DRIVER				OWNER'S ADDRESS ☐ SAME AS DRIVER				
	STREET ADDRESS [REDACTED]				DISPOSITION OF VEHICLE ON ORDERS OF: ☐ OFFICER ☐ DRIVER ☐ OTHER				
	CITY/STATE/ZIP [REDACTED]				[REDACTED]				
	WEIGHT [REDACTED]				PRIOR MECHANICAL DEFECTS: ☐ NONE APPARENT ☐ REFER TO NARRATIVE				
	BIRTHDATE [REDACTED]				VEHICLE IDENTIFICATION NUMBER: [REDACTED]				
	RACE [REDACTED]				VEHICLE TYPE: [REDACTED]				
	INSURANCE CARRIER [REDACTED]				DESCRIBE VEHICLE DAMAGE: ☐ MOD. ☐ MAJOR ☐ ROLL-OVER				
	POLICY NUMBER [REDACTED]				SHADE IN DAMAGED [REDACTED]				
	DIR OF TRAVEL ON STREET OR HIGHWAY [REDACTED]				SPEED LIMIT [REDACTED]				

conf# 10764850

058h9L01 # J400

STATE OF CALIFORNIA
TRAFFIC COLLISION CODING
CHP 555 Page 2 (Rev. 7-03) OPI 061

Page 2 of

DATE OF COLLISION (MO. DAY YEAR) 05/08/2006	TIME (2400) 18:32	NCIC # [REDACTED]	OFFICER I.D. 4143	NUMBER [REDACTED]
PROPERTY DAMAGE	OWNER'S NAME [REDACTED]	OWNER'S ADDRESS [REDACTED]	NOTIFIED ☐ YES ☐	

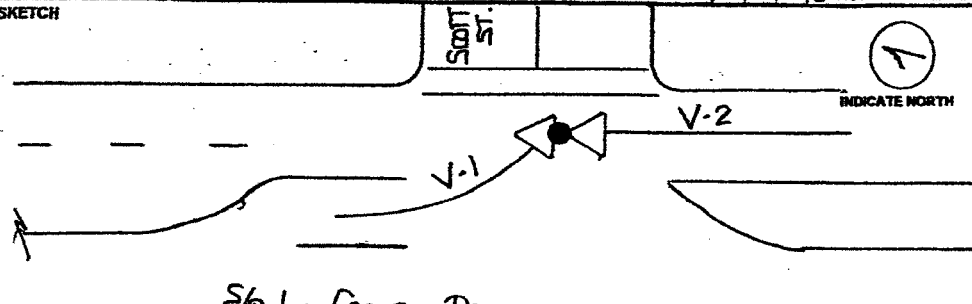
 1 2 3 4 5 6 7	SEATING POSITION	OCCUPANTS A - NONE IN VEHICLE B - UNKNOWN C - LAP BELT USED D - LAP BELT NOT USED E - SHOULDER HARNESS USED F - SHOULDER HARNESS NOT USED G - LAP/SHOULDER HARNESS USED H - LAP/SHOULDER HARNESS NOT USED J - PASSIVE RESTRAINT USED K - PASSIVE RESTRAINT NOT USED	SAFETY EQUIPMENT L - AIR BAG DEPLOYED M - AIR BAG NOT DEPLOYED N - OTHER P - NOT REQUIRED CHILD RESTRAINT O - IN VEHICLE USED R - IN VEHICLE NOT USED S - IN VEHICLE USE UNKNOWN T - IN VEHICLE IMPROPER USE U - NONE IN VEHICLE	M/C BICYCLE - HELMET DRIVER PASSENGER V - NO X - NO W - YES Y - YES EJECTED FROM VEHICLE 0 - NOT EJECTED 1 - FULLY EJECTED 2 - PARTIALLY EJECTED 3 - UNKNOWN	INATTENTION CODES A - CELLPHONE HANDHELD B - CELLPHONE HANDSFREE C - ELECTRONIC EQUIPMENT D - RADIO / CD E - SMOKING F - EATING G - CHILDREN H - ANIMALS I - PERSONAL HYGIENE J - READING K - OTHER
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ITEMS MARKED BELOW FOLLOWED BY AN ASTERISK (*) SHOULD BE EXPLAINED IN THE NARRATIVE.

PRIMARY COLLISION FACTOR LIST NUMBER (8) OF PARTY AT FAULT		TRAFFIC CONTROL DEVICES		SPECIAL INFORMATION		MOVEMENT PRECEDING COLLISION	
1	A 21801(a)VC VC SECTION VIOLATION CITED ☒ YES ☐ NO	A CONTROLS FUNCTIONING	1	2	A HAZARDOUS MATERIAL	1	2
	B OTHER IMPROPER DRIVING*	B CONTROLS NOT FUNCTIONING*			B CELL PHONE HANDHELD IN USE		X
	C OTHER THAN DRIVER*	C CONTROLS OBSCURED			C CELL PHONE HANDSFREE IN USE		
	D UNKNOWN*	X D NO CONTROLS PRESENT / FACTOR*	X	X	D CELL PHONE NOT IN USE		
		TYPE OF COLLISION		E SCHOOL BUS RELATED	X		
		A HEAD - ON		F 75 FT MOTORTRUCK COMBO			
		B SIDE SWIPE		G 32 FT TRAILER COMBO			
		C REAR END		H			
WEATHER (MARK 1 TO 2 ITEMS)		X D BROADSIDE		I			
X A CLEAR		E HIT OBJECT		J			
B CLOUDY		F OVERTURNED		K			
C RAINING		G VEHICLE / PEDESTRIAN		L			
D SNOWING		H OTHER*		M			
E FOG / VISIBILITY FT.				N			
F OTHER*		MOTOR VEHICLE INVOLVED WITH		O			
G WIND		A NON - COLLISION					
LIGHTING		B PEDESTRIAN					
X A DAYLIGHT		X C OTHER MOTOR VEHICLE	1	2	OTHER ASSOCIATED FACTOR(S) (MARK 1 TO 2 ITEMS)		
B DUSK - DAWN		D MOTOR VEHICLE ON OTHER ROADWAY			A VC SECTION VIOLATION CITED ☐ YES ☐ NO		
C DARK - STREET LIGHTS		E PARKED MOTOR VEHICLE			B VC SECTION VIOLATION CITED ☐ YES ☐ NO		
D DARK - NO STREET LIGHTS		F TRAIN			C VC SECTION VIOLATION CITED ☐ YES ☐ NO		
E DARK - STREET LIGHTS NOT FUNCTIONING*		G BICYCLE					
ROADWAY SURFACE		H ANIMAL					
X A DRY		I FIXED OBJECT:					
B WET		J OTHER OBJECT:					
C SNOWY - ICY							
D SLIPPERY (MUDDY, OILY, ETC.)							
ROADWAY CONDITION(S) (MARK 1 TO 2 ITEMS)		PEDESTRIAN'S ACTIONS					
A HOLES, DEEP RUT*		X A NO PEDESTRIANS INVOLVED					
B LOOSE MATERIAL ON ROADWAY*		B CROSSING IN CROSSWALK - AT INTERSECTION					
C OBSTRUCTION ON ROADWAY*		C CROSSING IN CROSSWALK - NOT AT INTERSECTION					
D CONSTRUCTION - REPAIR ZONE		D CROSSING - NOT IN CROSSWALK					
E REDUCED ROADWAY WIDTH		E IN ROAD - INCLUDES SHOULDER					
F FLOODED*		F NOT IN ROAD					
G OTHER*		G APPROACHING / LEAVING SCHOOL BUS	X				
X H NO UNUSUAL CONDITIONS							

SKETCH

MISCELLANEOUS



DATE OF COLLISION (MO. DAY YEAR)

5/8/2006

TIME (2400)

1832

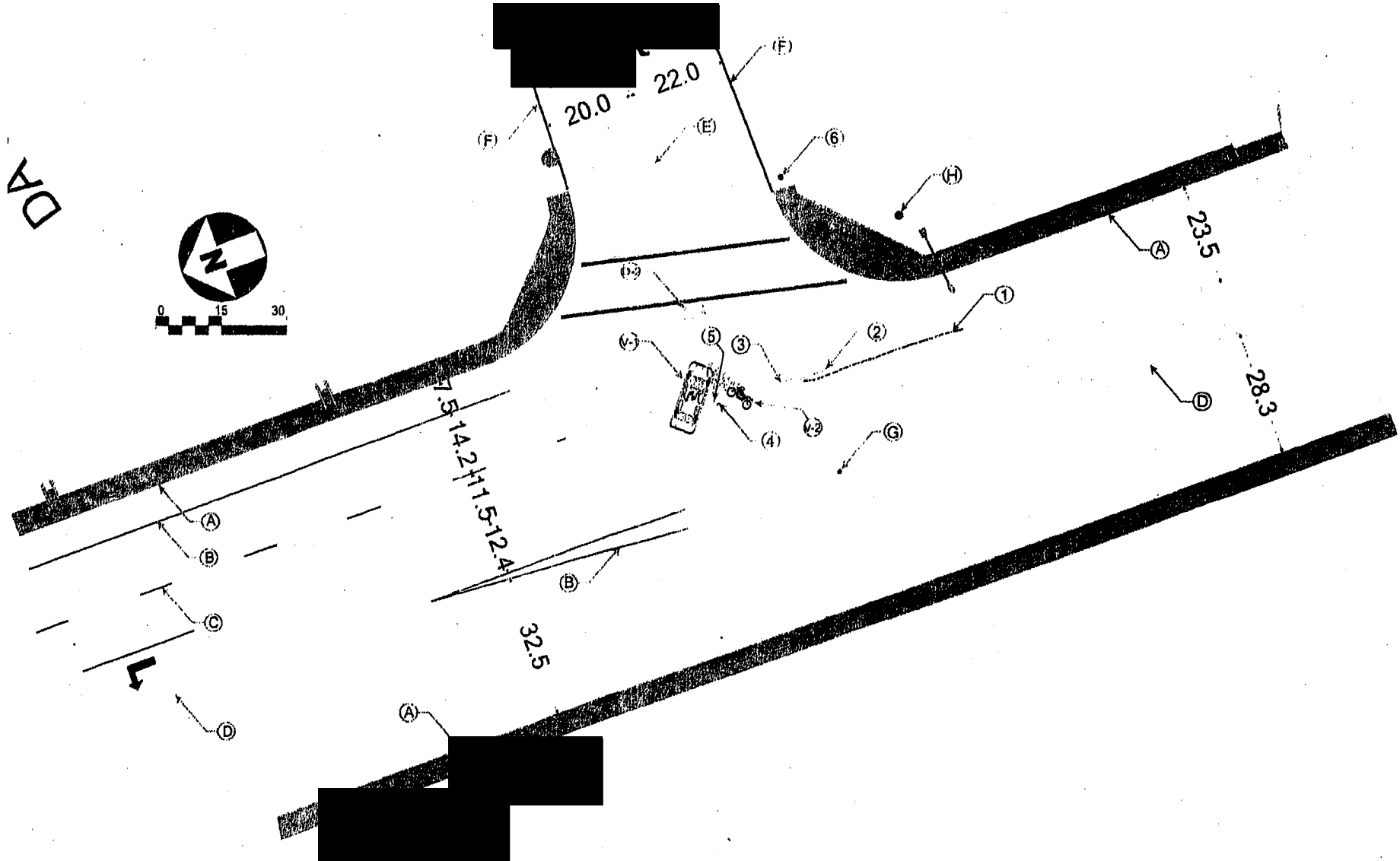
NCIC #

OFFICER I.D.

4143

NUMBER

ALL MEASUREMENTS ARE APPROXIMATE AND NOT TO SCALE UNLESS STATED (SCALE = 1" = 33')



058h9L014jw0

PREPARED BY
S. Pipan

I.D. NUMBER
4012

MO. DAY YEAR
5/9/2006

REVIEWER'S NAME

MO. DAY YEAR
5/10/2006

NARRATIVE/SUPPLEMENTAL

CHP 556 (Rev 7-90) OPI 042

Page 1

DATE OF INCIDENT/OCCURRENCE 05/08/2006	TIME (2400) 18:32	NCIC NUMBER [REDACTED]	OFFICER I.D. NUMBER 4143	NUMBER [REDACTED]
*X ONE ☐ Narrative ☒ Supplemental		*X ONE ☒ Collision report ☐ Other:		
TYPE SUPPLEMENTAL (*X APPLICABLE) ☐ BA update ☐ Hazardous materials ☒ Fatal ☐ School bus ☐ Hit and run update ☐ Other:				
CITY/COUNTY/JUDICIAL DISTRICT PASO ROBLES / SAN LUIS OBISPO / SLO SUPR CT.				REPORTING DISTRICT/BEAT 27/02
LOCATION/SUBJECT CRESTON at SCOTT				CITATION NUMBER [REDACTED]
STATE HIGHWAY RELATED ☐ Yes ☒ No				

SOURCE OF ACTIVITY:

On 06-09-2006 at approximately 1215 hrs., San Luis Obispo County DDA Comar called the PRPD and requested clarification on the request for criminal charge filing in this case.

INVESTIGATION;

I reviewed the criminal charge listed in the recommendation section of the original report which indicated 192(c)(3) PC. This penal code section was recommended in error because the incident did not involve alcohol or drugs.

Based on the collision investigation there is evidence that D-1([REDACTED]) was driving a vehicle in the commission of an unlawful act, (Violation [REDACTED] a) CVC), not amounting to a felony and without gross negligence.

RECOMMENDATIONS:

Request the original complaint be amended from 192(c)(3) PC to 192(c)(2) PC.

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DATE OF INCIDENT/OCCURRENCE 05/08/2006	TIME (2400) 18:32	NCIC NUMBER [REDACTED]	OFFICER I.D. NUMBER 4161	NUMBER [REDACTED]
*X ONE ☐ Narrative ☒ Supplemental		*X ONE ☒ Collision report ☐ Other:		
TYPE SUPPLEMENTAL (*X APPLICABLE) ☐ BA update ☐ Fatal ☐ Hazardous materials ☐ School bus				
CITY/COUNTY/JUDICIAL DISTRICT PASO ROBLES / SAN LUIS OBISPO / SLO SUPR CT.				REPORTING DISTRICT/BEAT 27/02
LOCATION/SUBJECT CRESTON at SCOTT				STATE HIGHWAY RELATED ☐ Yes ☒ No

On 05-08-06 1832 hrs, I responded to the intersection of [REDACTED] and [REDACTED] regarding an injury traffic collision. While at scene I was contacted by a person who identified himself as (W-1) [REDACTED]. He advised me that he had been the first car on [REDACTED] at the [REDACTED] intersection when the collision occurred. [REDACTED] indicated the gold Chevy (V-1) had been going south on [REDACTED] in the left turn lane to go east onto [REDACTED]. The vehicle slowed normally to a near stop and started making the left turn when the motorcycle (V-2) struck it on the right side.

[REDACTED] said he recalled the motorcycle traveling fast prior to the collision. I advised him of the posted speed limit (35 MPH) and he said it appeared to be going faster than 35 MPH, but not an extremely high speed. He believed the rider (12) tried to avoid the collision at the last minute.

[REDACTED] said his impression was that D-1 never saw the motorcycle coming and made no attempts to avoid the collision. I asked [REDACTED] if he recalled D-1 using a cell phone at the time of collision and he did not recall seeing one in use. I also asked if D-1 was using her left turn signal and he could not recall if she had it activated or not.

AUDIO/VIDEO:

This investigation was recorded in unit #670.

RECOMMENDATIONS:

Copy added to original report for information.

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DATE OF INCIDENT/OCCURRENCE 05/08/2006	TIME (2400) 18:32	NCIC NUMBER [REDACTED]	OFFICER I.D. NUMBER 4168	NUMBER [REDACTED]
"X" ONE ☐ Narrative ☒ Supplemental		"X" ONE ☒ Collision report ☐ Other:		
TYPE SUPPLEMENTAL ("X" APPLICABLE)				
☐ BA update ☐ Hazardous materials		☒ Fatal ☐ School bus		
		☐ Hit and run update ☐ Other:		
CITY/COUNTY/JUDICIAL DISTRICT PASO ROBLES / SAN LUIS OBISPO / SLO SUPR CT.				REPORTING DISTRICT/BEAT 27/02
LOCATION/SUBJECT [REDACTED]				STATE HIGHWAY RELATED ☐ Yes ☒ No

SUPPLEMENTAL REPORT:

05-08-06/1832 hours: I responded to the T/C reported in the area of [REDACTED] and [REDACTED]. On arrival I spoke with several subjects that had witnessed the incident:

W-2 [REDACTED] said she was seated in the front seat of her mother's vehicle at the time of the accident. They were proceeding N/B on [REDACTED] and had just driven through the intersection of [REDACTED]. She just happened to look over her shoulder and looked through the rear window of the vehicle. At this time she saw the collision. She recalls seeing the driver of motorcycle twisting in the air after the impact. Even though she was in the car, [REDACTED] stated she could still hear the impact of the collision. She then told her mother what she had just seen so they drove the intersection of [REDACTED] and [REDACTED] and turned around and parked in the Sherwood Park. They got out of their car and walked to the S/W corner of the parking lot and waited until they were contacted by the Police.

W-3 [REDACTED] stated she was the second car waiting at the W/B stop sign on [REDACTED] at [REDACTED] ready to make a left turn on to [REDACTED]. She happened to have her window down and she heard the rapping of an approaching motorcycle. She thought that it sounded like the approaching motorcycle was traveling faster than the speed limit. Once she saw the motorcycle she definitely thought it was exceeding the speed limit but was unable to estimate the speed. [REDACTED] just stated the motorcycle was traveling faster than the posted 35 MPH speed limit. [REDACTED] witnessed vehicles collide in the intersection of [REDACTED] and [REDACTED]. She saw the driver of the motorcycle get ejected at impact. The driver was not thrown end over end at impact, it was more like sideways. [REDACTED] stated she got out of her vehicle and walked to where the motorcycle driver had landed in the street. She noticed that his eyes had already rolled back, his head and she assumed he had passed away from the impact.

D-1 [REDACTED] was standing on the N/E corner of [REDACTED] and [REDACTED] stated she was the driver of the V-1 and verbally provided her name and date of birth. [REDACTED] stated she was driving home in her car while listening to the radio on the radio. She turned into the left turn pocket with the intention of turning E/B on [REDACTED]. She had slowed to about 10 MPH to make the turn onto [REDACTED]. She did not see the oncoming motorcycle. The only indication she had of the motorcycle impacting her car, was when both of her front airbags deployed. [REDACTED] claimed she had not been drinking nor had she taken any prescription or over the counter drugs. The only thing she is taking orally is daily vitamins.

[REDACTED] agreed to take a PAS test at the scene. I administered two PAS tests to her, approximately two minutes apart (1912/1914 hours) and both showed .000 BAC. I used PAS unit Ser. #010965 (PRPD #5).

RECOMMENDATION:

Attach to the original report.

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05879401 #JMOJ

STATE OF CALIFORNIA
INJURED / WITNESS / PASSENGER
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DATE OF COLLISION (MO. DAY YEAR) 05/08/2006				TIME (2400) 18:32		NCIC #		OFFICER I.D. 4143		NUMBER							
WITNESS ONLY		PASSENGER ONLY	AGE	SEX	EXTENT OF INJURY ("X" ONE)				INJURED WAS ("X" ONE)				PARTY NUMBER	SEAT POS.	SAFETY EQUIP.	E.I.E.	
FATAL INJURY	SEVERE INJURY	OTHER VISIBLE INJURY	COMPLAINT OF PAIN	DRIVER	PASS.	PED.	BICYCLIST	OTHER									
☐ #	☐	☐	F	☐	☐	☐	☒	☒	☐	☐	☐	☐	1	1	G	0	
NAME / D. O. B. / ADDRESS												PASO ROBLES, CA				TELEPHONE	
(INJURED ONLY) TRANSPORTED BY:												TAKEN TO:					
DESCRIBE INJURIES																	
TREATED AT THE SCENE FOR AIRBAG DEPLOYMENT MARKS ON HER ARMS.																	
☐ VICTIM OF VIOLENT CRIME NOTIFIED																	
☐ #	☐	☐	M	☒	☐	☐	☐	☒	☐	☐	☐	☐	2	1	W	1	
NAME / D. O. B. / ADDRESS												PASO ROBLES, CA				TELEPHONE	
(INJURED ONLY) TRANSPORTED BY:												TAKEN TO:					
DESCRIBE INJURIES																	
D-2 WAS PRONOUNCED DEAD AT THE SCENE AND WAS NOT TRANSPORTED TO THE HOSPITAL.																	
☐ VICTIM OF VIOLENT CRIME NOTIFIED																	
☒ # 1	☐	☐	M	☐	☐	☐	☐	☐	☐	☐	☐	☐					
NAME / D. O. B. / ADDRESS												PASO ROBLES, CA				TELEPHONE	
(INJURED ONLY) TRANSPORTED BY:												TAKEN TO:					
DESCRIBE INJURIES																	
☐ VICTIM OF VIOLENT CRIME NOTIFIED																	
☒ # 2	☐	☐	F	☐	☐	☐	☐	☐	☐	☐	☐	☐					
NAME / D. O. B. / ADDRESS												PASO ROBLES, CA				TELEPHONE	
(INJURED ONLY) TRANSPORTED BY:												TAKEN TO:					
DESCRIBE INJURIES																	
☐ VICTIM OF VIOLENT CRIME NOTIFIED																	
☒ # 3	☐	☐	F	☐	☐	☐	☐	☐	☐	☐	☐	☐					
NAME / D. O. B. / ADDRESS												SAN MIGUEL, CA				TELEPHONE	
(INJURED ONLY) TRANSPORTED BY:												TAKEN TO:					
DESCRIBE INJURIES																	
☐ VICTIM OF VIOLENT CRIME NOTIFIED																	
☒ # 4	☐	☐	F	☐	☐	☐	☐	☐	☐	☐	☐	☐					
NAME / D. O. B. / ADDRESS												PASO ROBLES, CA				TELEPHONE	
(INJURED ONLY) TRANSPORTED BY:												TAKEN TO:					
DESCRIBE INJURIES																	

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DATE OF INCIDENT/OCCURRENCE 05/08/2006	TIME (2400) 18:32	NCIC NUMBER [REDACTED]	OFFICER I.D. NUMBER 4143	NUMBER [REDACTED]
*X ONE ☒ Narrative ☐ Supplemental		*X ONE ☒ Collision report ☐ Other:		
TYPE SUPPLEMENTAL (*X APPLICABLE) ☐ BA update ☐ Fatal ☐ Hazardous materials ☐ School bus				
CITY/COUNTY/JUDICIAL DISTRICT PASO ROBLES / SAN LUIS OBISPO / SLO SUPR CT.				REPORTING DISTRICT/BEAT 27/02
LOCATION/SUBJECT [REDACTED]				CITATION NUMBER STATE HIGHWAY RELATED ☐ Yes ☒ No

FACTS:

NOTIFICATION:

On 05-08-2006 at approximately 1904 hrs., I was contacted off-duty via the telephone by PRPD Dispatch. PRPD Dispatch advised me that there had been a fatal traffic collision at the intersection of [REDACTED]. I was requested by the on-duty AWC, Officer Terry Johnson to respond to the scene to take over the investigation. I arrived on scene at approximately 1920 hrs. All times, speeds and measurements in this investigation are approximate unless otherwise noted.

SCENE DESCRIPTION:

This collision occurred on [REDACTED] at the intersection with [REDACTED]. At this intersection, [REDACTED] is an asphalt paved north/south roadway. Northbound [REDACTED] has a single lane for N/B traffic which increases to two N/B lanes north of the intersection of [REDACTED]. S/B has a single lane for traffic. There is a left turn lane provided for S/B [REDACTED] traffic that intends to turn E/B onto [REDACTED]. The north and south side of [REDACTED] is bordered by a concrete curb and City sidewalks.

[REDACTED] is an asphalt paved east/west lane roadway. The lanes are differentiated by a single yellow line. The south side of [REDACTED] is bordered by dirt/mud, the north side of [REDACTED] is bordered by a concrete curb. [REDACTED] ends in a T-intersection with [REDACTED].

The lighting at the time of the collision was daylight, the weather was warm and the roadway was dry. I observed no roadway or visual obstructions that would have been a factor in this collision.

PARTIES:

Driver #1 (D-1 [REDACTED]) was sitting in the passenger seat of PRPD Officer Hartman's patrol vehicle, which was parked on [REDACTED]. Officer Hartman had interviewed and obtained a consent PAS test from D-1. Refer to Officer Hartman's supplemental report for D-1's statements and PAS test results. Due to D-1's upset condition and the fact she had already been interviewed, I requested Officer Hartman advise D-1 that I would contact her later to obtain a statement for my investigation. D-1 admitted to Officer Hartman she was the driver and sole occupant of V-1 (Chevrolet) at the time of the collision. D-1 and her mother, [REDACTED] are the registered owners of V-1.

Driver #2 (D-2 [REDACTED]) was located lying in the northbound lane of [REDACTED]. Prior to my arrival D-2 had been attended to by Paso Robles Fire Personnel. D-2 was pronounced dead at the scene (Refer to PRPD case # [REDACTED]). When I observed D-2 he had been placed lying face-up on a medical backboard. D-2 was covered with a yellow plastic sheet.

V-1 (Chevrolet) was located upright on its wheels in the intersection of [REDACTED] facing in a south/easterly direction. V-1 was unoccupied and had its hazard lights activated. I saw that V-1 had damage to the right front quarter panel which included the right front turn signal, headlamp and right front tire. No prior mechanical defects or damage were noted or claimed by D-1 (Refer to attached vehicle inspection report and factual diagram).

V-2 (Honda) was located laying on its right side in the intersection of [REDACTED] facing in a north/easterly

PREPARER'S NAME AND I.D. NUMBER [REDACTED]	DATE [REDACTED]	REVIEWER'S NAME [REDACTED]	DATE [REDACTED]
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DATE OF INCIDENT/OCCURRENCE 05/08/2006	TIME (2400) 18:32	NCIC NUMBER [REDACTED]	OFFICER I.D. NUMBER 4143	NUMBER [REDACTED]
"X" ONE ☒ Narrative ☐ Supplemental		"X" ONE ☒ Collision report ☐ Other:		
TYPE SUPPLEMENTAL ("X" APPLICABLE) ☐ BA update ☐ Fatal ☐ Hazardous materials ☐ School bus ☐ Hit and run update ☐ Other:				
CITY/COUNTY/JUDICIAL DISTRICT PASO ROBLES / SAN LUIS OBISPO / SLO SUPR CT.				CITATION NUMBER 27/02
LOCATION/SUBJECT [REDACTED]				STATE HIGHWAY RELATED ☐ Yes ☒ No

D-1 said she was driving V-1 home from work in San Luis Obispo. D-1 exited N/B 101 to E/B Niblick and turned right onto S/B [REDACTED]. D-1 entered the left turn pocket on [REDACTED] intending to make a left turn onto [REDACTED]. D-1 said she started her left turn onto [REDACTED] when her airbag deployed. D-1 said she had no idea what had happened until she saw D-2 laying in front of her vehicle.

D-1 said she never saw or heard V-2 approaching her location. D-1 could not think of any distractions at the time of the collision. D-1 was listening to the KSBY weather report on the radio with all her windows up. D-1 stated, "There's no reason why I didn't see him." D-1 was not able to recall any of the traffic around her at the time of the collision. I asked her if she remembered seeing the vehicles stopped on [REDACTED] (W-1, W-3) or a passenger vehicle passing her N/B [REDACTED] (W-2) just prior to the collision. D-1 could not recall any of these vehicles.

D-1 said she was wearing her clear (non-tinted) prescription glasses at the time of the collision. D-1 could not specifically remember turning on her left turn signal, however, she said, "It's an automatic thing for me to use my turn signal." "I remember looking back at my car and I saw it blinking." (At the time I observed V-1 its hazard lights were activated and the engine was turned off).

D-1 stated she is not under the care of a doctor and she has no medical problems. D-1 has not been to a doctor for the past two and a half years. D-1 said she takes a daily multi vitamin and rosemary oil. D-1 said on occasion she will take aspirin. The only other vehicle accident D-1 has been involved in was when she was a teenager. D-1 said she was hit by a large truck.

Officer Hackett asked her what she has been thinking about since the collision. D-1 stated, "What ifs." D-1 went on to say, what if I had just stopped somewhere on the way home, or what if I had stayed at work a little longer, just a bunch of what ifs.

Witness #1 (W-1 [REDACTED]) was stopped on [REDACTED] at the marked crosswalk with the intersection of [REDACTED]. I contacted W-1 via the telephone on 05-08-2006 at approximately 2115 hrs. The following is a summary of W-1's statement to me. W-1 said he had come to a stop on [REDACTED] intending to make a left turn onto [REDACTED]. W-1 saw V-1 in the left turn lane. W-1 said it appeared D-1 waited for a passenger car to pass N/B [REDACTED] and she then started her left turn. W-1 said just as she started her left turn, V-2 came into his sight. W-1 said he saw V-2 approximately 2-3 seconds before the collision. W-1 estimated V-2's speed at the time of the collision to be approximately 45 -50 MPH. W-1 stated, "I know it wasn't 60 MPH." W-1 could not remember if D-2 was wearing a helmet at the time of the collision. W-1 stated, "I remember seeing a helmet laying on the side of the road but I can't remember if he was wearing a helmet." W-1 stated, "It appeared to me that she (D-1) never saw the motorcycle."

Witness #2 (W-2 [REDACTED]) was riding as a passenger in a vehicle heading N/B [REDACTED] and had just passed the intersection with [REDACTED] when the collision occurred. Refer of PRPD Officer Hartman's report for details of W-2's statement.

Witness #3 (W-3 [REDACTED]) was stopped on [REDACTED] behind W-1. I spoke with W-3 via the telephone on 05-09-2006. W-3 told me she had taken her children to the Sherwood Park and was leaving to pickup her older daughter when the collision occurred. W-3 said her rear window was down while she was stopped at the intersection. W-3 was able to hear V-2 approaching her location. W-3 said I could hear the motorcycles engine accelerating. W-3 saw the collision between V-1 and V-2, however she was not able to estimate V-2's speed and she could not remember if D-2 was wearing a helmet.

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DATE OF INCIDENT/OCCURRENCE 05/08/2006	TIME (2400) 18:32	NCIC NUMBER [REDACTED]	OFFICER I.D. NUMBER 4143	NUMBER [REDACTED]
X ONE ☒ Narrative ☐ Supplemental	*X* ONE ☒ Collision report ☐ Other:	TYPE SUPPLEMENTAL (*X* APPLICABLE) ☐ BA update ☐ Fatal ☐ Hit and run update ☐ Hazardous materials ☐ School bus ☐ Other:		
CITY/COUNTY/JUDICIAL DISTRICT PASO ROBLES / SAN LUIS OBISPO / SLO SUPR CT.				REPORTING DISTRICT/BEAT 27/02
LOCATION/SUBJECT [REDACTED]				STATE HIGHWAY RELATED ☐ Yes ☒ No

Witness #4 (W-4, [REDACTED]) did not witness the collision and was not present at the scene. I spoke with W-4 on 05-09-2006 via the telephone to obtain information about D-2. W-4 told me she had spoke with her husband (D-2) via his cellular telephone the afternoon of 05-08-2006. D-2 told W-4 he was at home and he planned to go for a ride on V-2. W-4 said D-2 was in a good mood and there was no indication of any problems. W-4 said she didn't know of any specific place her husband had gone, "He was just out for a cruz." W-4 said she didn't believe D-2 took any medications and he had no medical problems. W-4 said D-2 was currently employed by [REDACTED] as a driver and heavy equipment operator.

During my conversation with W-4 she did not mention any problems with V-2, if fact she indicated she knew very little about V-2 including weather or not it was insured. On 05-10-2006 W-4 called the PRPD and told me she had heard D-2 is being accused of speeding and may be found at fault for the accident. W-4 then told me V-2's speedometer was not functioning property. I asked W-4 how she knew this information. W-4 said D-2 had told her about a week ago that the speedometer is bouncing up and down, as much as 20 MPH in both directions.

On 05-11-2006 at approximately 1200 hrs., W-4 came to the PRPD and requested a PO Box key that was connected to the key ring with V-2's ignition key. W-4 said she could not access their PO Box without the key. USPS key # [REDACTED] was turned over to W-4.

Witness #5 (W-5, [REDACTED]) Did not witness the collision and was not present at the scene. W-5 is a service manager for Powerhouse. Powerhouse is a motorcycle sales and service business. I spoke with W-5 on 05-10-2006 at the Powerhouse business. W-5 told me they had performed service work on V-2. Service records indicate V-2 was serviced on 03-28-2006. W-5 said they replaced V-2's rear tire and recommended D-2 have the chain and sprocket replaced. D-2 declined having the chain and sprocket work performed. The mileage on V-2 at the time of service was 323793

W-5 told me after the tire was replaced, D-2 took V-2 from the service area and began riding on Riverside Ave. W-5 estimated D-2 reached speeds near 100 MPH on V-2 and he was not wearing a helmet. W-5 flagged down D-2 and told him he could not ride the motorcycle before he paid for the work performed.

On 05-09-2006 I spoke with, "Annie" (Body # 011). Annie works for the California Department of Motor Vehicles Government/Law Enforcement Branch. At the time of this collision DMV CLETS information indicated D-2's California driver's license was expired with an automated application pending. Annie was able to locate a current, "Class M" learners permit issued to D-2. D-2 applied for the permit on 02-27-2006 and the permit was issued on 02-28-2006 (Refer to attached DMV information).

INJURIES:

D-1 [REDACTED] was evaluated and treated for airbag deployment at the scene by PRFD Personnel and San Luis Obispo Ambulance Personnel. D-1 declined any additional medical services.

D-2 [REDACTED] received fatal injuries as a result of this traffic collision. On 05-11-2006, I spoke with San Luis Obispo County Deputy Coroner Steve Harris. Deputy Harris had been present during D-2's autopsy. Deputy Harris told me that during the autopsy, he and the doctor observed bruising around D-2's collar bone which was consistent with D-2 having a helmet on at the time of the collision. D-2's cause of death was a "Torn aorta" and trauma to his chest. It appeared to

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DATE OF INCIDENT/OCCURRENCE 05/08/2006	TIME (2400) 18:32	NCIC NUMBER [REDACTED]	OFFICER I.D. NUMBER 4143	NUMBER [REDACTED]
"X" ONE ☒ Narrative ☐ Supplemental		TYPE SUPPLEMENTAL ("X" APPLICABLE) ☐ BA update ☐ Fatal ☐ Hazardous materials ☐ School bus		
"X" ONE ☒ Collision report ☐ Other:		☐ Hit and run update ☐ Other:		
CITY/COUNTY/JUDICIAL DISTRICT PASO ROBLES / SAN LUIS OBISPO / SLO SUPR CT.				CITATION NUMBER 27/02
LOCATION/SUBJECT [REDACTED]				STATE HIGHWAY RELATED ☐ Yes ☒ No

INTOXICATION:

D-1 [REDACTED] displayed no signs of intoxication at the scene of the collision. D-1 submitted at a PAS test. PAS test results .000% BAC (Refer to Officer Hartman's report).

D-2's [REDACTED] toxicology report performed as part of Deputy Harris' coroner investigation indicated he was not under the influence of alcohol or drugs. D-2's toxicology report was negative for both alcohol and drugs.

OPINIONS AND CONCLUSIONS:

SUMMARY:

D-1 [REDACTED] was driving V-1 at the time of the collision and she was the sole occupant. D-2 [REDACTED] was driving V-2 and he was the sole rider at the time of the collision. D-1 drove V-1 into the left turn pocket of [REDACTED] D-1 slowed V-1 but never came to a complete stop before starting her left turn onto [REDACTED] D-1 failed to see V-2 approaching her location and turned V-1 directly into V-2's path. D-2 evidently saw V-1 turning in front of him and attempted to stop V-2. D-2 applied the front brake to V-2 causing the front wheel to leave an approximate 37.7' tire friction mark. V-2 went down on its right side and slid another 27' before impacting with the right front tire of V-1. D-2 was ejected into the front right quarter panel of V-1 and then continued to vault through the air to his point of rest at or near the location documented on the Factual Diagram.

The speed of V-2 was of interest to this investigation due to the severity of the injuries sustained by D-2 and to consider or eliminate excessive speed as a primary or associated factor in the cause. The analysis of V-2's speed does not account for any speed reduction from the initial, impending braking. As a result of its light weight and high horsepower this type of "Sport motorcycle" will immediately begin reducing speed as soon as the throttle is let loose. and a significant amount of speed will be reduced even before the tires "Lock-up" and begin depositing skids. Therefore, based on the roadway evidence it is not possible to determine an exact speed when D-2 first "Let loose" of the throttle. However it is possible to determine a minimum speed when the tires began to skid. There was a witness that heard V- accelerating rapidly prior to the collision and a second witness that estimated V-2's speed to be 50 MPH at the time of the collision

Based on the evidence located at the scene, V-2's tire friction / gouge marks, located in the asphalt and the damage to 2, I was able to determine V-2's minimum speed prior to the collision to be approximately 36.6 MPH. This speed does not take into account deceleration, pre-locked wheel braking, vehicle crush depth or the vault of D-2 (Refer to attached speed calculation provided by ATPD Officer Pipan).

AREA OF IMPACT:

The AOI was determined by driver and witness statements, tire friction / gouge marks and debris in the roadway.

AOI: 15.4' south of the north curb line prolongation of [REDACTED] and 25.4' west of the east curb line prolongation of [REDACTED]

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DATE OF INCIDENT/OCCURRENCE 05/08/2006	TIME (2400) 18:32	NCIC NUMBER [REDACTED]	OFFICER I.D. NUMBER 4143	NUMBER [REDACTED]
*X ONE ☒ Narrative ☐ Supplemental	*X ONE ☒ Collision report ☐ Other:	TYPE SUPPLEMENTAL (*X APPLICABLE) ☐ BA update ☐ Fatal ☐ Hazardous materials ☐ School bus ☐ Hit and run update ☐ Other:		
CITY/COUNTY/JUDICIAL DISTRICT PASO ROBLES / SAN LUIS OBISPO / SLO SUPR CT.				CITATION NUMBER
LOCATION/SUBJECT [REDACTED]				REPORTING DISTRICT/BEAT 27102
				STATE HIGHWAY RELATED ☐ Yes ☒ No

line prolongation of [REDACTED]

CAUSE:

Based on the foregoing investigation, D-1's [REDACTED] violation of [REDACTED] (a) CVC (Left turn violation) has been determined to be the primary collision factor in this collision. A secondary associated factor in this collision is D-2's [REDACTED] violation of [REDACTED] CVC (Basic speed law). The preceding speed analysis yielded a minimum speed of 36 MPH when V-2 started to skid, but taking into consideration the factors discussed with regard to the braking dynamics of V-2, in conjunction with witnesses statements, it is reasonable to conclude that V-2 was traveling at an unsafe speed when V-1 made the left turn.

RECOMENDATIONS:

Submit a copy of this investigation and its findings to the District Attorney's Office for review. Request a complaint against D-1 [REDACTED] for violation of [REDACTED] c)(3) PC (Vehicular Manslaughter).

conf # 10764850

Oakdale, CA

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS. FOLD AT DOTTED LINE

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