

STATE OF CALIFORNIA
DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

MULTIDISCIPLINARY ACCIDENT INVESTIGATION TEAM NARRATIVE/DIAGRAM

CHP 558D (Rev. 9-08) OPI 065 (MAIT use only)

DATE OF COLLISION (MONTH-DAY-YEAR)	TIME (2400)	NCIC	OFFICER I.D.	NUMBER	MAIT CASE NUMBER	PAGE
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FACTS

PHYSICAL EVIDENCE DESCRIPTION AND LOCATION

DESCRIPTION AND LOCATION (continued)

Item 3 Base of Damaged Metal Pole

Item 3 was the mounting position of a damaged metal pole on the Portland cement concrete driveway at 531 Crows Landing Road. Item 3 was 1.0 foot long and 0.9 feet wide. The location of item 3 was:

DESCRIPTION	EAST	NORTH
Perimeter	22.312	43.173
Perimeter	23.191	43.066
Perimeter	23.118	42.063

Item 4 Tire Friction Mark

Item 4 was a tire friction mark on the Portland cement concrete driveway at 531 Crows Landing Road. Item 4 had a southeast to northwest alignment and was 72.0 feet in length. The location of item 4 was:

DESCRIPTION	EAST	NORTH
0.65 width	28.047	40.113
0.90 width	27.700	30.791
0.90 width	27.702	24.149
0.70 width	26.721	7.223
0.70 width	25.580	-12.492
0.60 width	24.932	-23.792
1.65 width	24.541	-31.773

Item 5 Tire Friction Mark

Item 5 was a tire friction mark on the Portland cement concrete driveway at 531 Crows Landing Road. Item 5 had a southeast to northwest alignment and was 64.9 feet in length. The location of item 5 was:

DESCRIPTION	EAST	NORTH
0.55 width	28.060	23.824
0.70 width	27.465	7.178
0.75 width	26.566	-10.885
0.65 width	25.633	-24.092
0.60 width	25.173	-29.285
1.65 width	24.541	-31.773
0.90 width	23.502	-40.801

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PHYSICAL EVIDENCE DESCRIPTION AND LOCATION

DESCRIPTION AND LOCATION (continued)

Item 6 Tire Friction Mark

Item 6 was a tire friction mark on the Portland cement concrete driveway at 531 Crows Landing Road. Item 6 had a southeast to northwest alignment and was 55.1 feet in length. The location of item 6 was:

DESCRIPTION	EAST	NORTH
0.75 width	22.135	12.869
0.90 width	21.803	6.918
1.20 width	21.009	-6.804
1.00 width	20.259	-19.805
1.10 width	19.257	-30.031
0.45 width	18.129	-40.416
0.45 width	18.045	-42.109

Item 7 Damaged Exterior Wall

Item 7 was a damaged exterior wall located at 531 Crows Landing Road. Item 7 was 8.7 feet in length. The location of item 7 was:

DESCRIPTION	EAST	NORTH
Edge	24.520	-39.098
Edge	23.239	-47.217
Edge	22.790	-47.147

Item 8 Tire Track

Item 8 was a tire track in the oil on the Portland cement concrete driveway at 531 Crows Landing Road. Item 8 had a south to north alignment and was 2.5 feet in length. The location of item 8 was:

DESCRIPTION	EAST	NORTH
0.45 width	18.045	-42.109
0.70 width	17.941	-43.075

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PHYSICAL EVIDENCE DESCRIPTION AND LOCATION

DESCRIPTION AND LOCATION (continued)

Item 9 Damaged Metal Table

Item 9 was a damaged metal table located on the dirt area west of Crows Landing Road. The location of item 9 was:

DESCRIPTION	EAST	NORTH
Edge	7.978	-55.130
Edge	8.363	-54.055
Edge	12.999	-55.242
Edge	11.396	-57.310

Item 10 Detached Right Rear Vehicle Door

Item 10 was a detached right rear vehicle door located on the dirt area west of Crows Landing Road. The location of item 10 was:

DESCRIPTION	EAST	NORTH
Center	-1.638	-55.468

Item 11 Detached Right Front Vehicle Door

Item 11 was a detached right front vehicle door located on the dirt area west of Crows Landing Road. The location of item 11 was:

DESCRIPTION	EAST	NORTH
Center	-0.982	-58.646

Item 12 Damaged Truck Bed

Item 12 was a damaged truck bed, maroon in color, located on the dirt area west of Crows Landing Road. The location of item 12 was:

DESCRIPTION	EAST	NORTH
Edge	0.069	-69.274
Edge	2.738	-74.977

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PHYSICAL EVIDENCE DESCRIPTION AND LOCATION

DESCRIPTION AND LOCATION (continued)

Item 13 Damaged Truck Bed

Item 13 was a damaged truck bed, black in color, located on the dirt area west of Crows Landing Road. The location of item 13 was:

DESCRIPTION	EAST	NORTH
Edge	12.628	-75.306
Edge	19.253	-73.925

Item 14 Damaged Truck Bed

Item 14 was a damaged truck bed, white in color, located on the dirt area west of Crows Landing Road. The location of item 14 was:

DESCRIPTION	EAST	NORTH
Edge	-11.505	-72.547
Edge	-6.858	-79.903

Item 15 Damaged Metal Pole

Item 15 was a damaged metal pole located on the dirt area west of Crows Landing Road, resting on top of item 13 (Damaged Truck Bed) and item 16 (Damaged Orange Metal Bin). Item 15 had a northwest to southeast alignment and was 14 feet in length. The location of item 15 was:

DESCRIPTION	EAST	NORTH
Base	22.660	-85.365
Top	14.135	-74.502

Item 16 Damaged Orange Metal Bin

Item 16 was a damaged orange metal bin located overturned on the dirt area west of Crows Landing Road. The location of item 16 was:

DESCRIPTION	EAST	NORTH
Perimeter	12.537	-79.494
Perimeter	16.040	-78.895
Perimeter	19.207	-80.823
Perimeter	16.310	-83.449
Perimeter	12.964	-82.938

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PHYSICAL EVIDENCE DESCRIPTION AND LOCATION

DESCRIPTION AND LOCATION (continued)

Item 17 Damaged Orange Metal Bin

Item 17 was a damaged orange metal bin located on the dirt area west of Crows Landing Road, resting against item 18 (Damaged roll-off container). The location of item 17 was:

DESCRIPTION	EAST	NORTH
Perimeter	4.991	-90.141
Perimeter	5.542	-90.794
Perimeter	5.499	-94.403
Perimeter	1.838	-96.973
Perimeter	1.071	-95.700
Perimeter	3.491	-93.096
Perimeter	3.139	-92.667
Perimeter	3.943	-90.951

Item 18 Damaged Roll-Off Container

Item 18 was a damaged roll-off container located on the dirt area west of Crows Landing Road. The location of item 18 was:

DESCRIPTION	EAST	NORTH
Edge	-8.067	-95.007
Edge	7.626	-95.893
Edge	9.263	-103.446

Item 19 Scrape

Item 19 was a scrape on the asphalt concrete area west of Crows Landing Road. Item 19 had a south to north alignment and was 4.0 feet in length. The location of item 19 was:

DESCRIPTION	EAST	NORTH
Point	10.204	-99.536
0.50 width	9.263	-103.446

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PHYSICAL EVIDENCE DESCRIPTION AND LOCATION

DESCRIPTION AND LOCATION (continued)

Item 20 Damaged Wrought Iron Fence

Item 20 was a damaged wrought iron fence located at 513 Crows Landing Road. Item 20 had a west to east alignment and was approximately 0.5 feet in length. The location of item 20 was:

DESCRIPTION	EAST	NORTH
Edge	10.165	-103.341
Edge	9.708	-103.506

Item 21 Bolt

Item 21 was a bolt located on the dirt/grass area of 513 Crows Landing Road. Item 21 had a north to south alignment. Item 21 was approximately 0.44 feet in length. The location of item 21 was:

DESCRIPTION	EAST	NORTH
Head	-4.652	-111.659

Item 22 Broken Turn Signal Lens

Item 22 was a broken turn signal lens located on the dirt/grass area of 513 Crows Landing Road. The location of item 22 was:

DESCRIPTION	EAST	NORTH
Center	-7.818	-110.950

Item 23 Broken Lamp Diffuser

Item 23 was a broken lamp diffuser located on the dirt/grass area of 513 Crows Landing Road. The location of item 23 was:

DESCRIPTION	EAST	NORTH
Center	-0.249	-118.364

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PHYSICAL EVIDENCE DESCRIPTION AND LOCATION

DESCRIPTION AND LOCATION (continued)

Item 24 Damaged Siren

Item 24 was a damaged siren located on the dirt/grass area of 513 Crows Landing Road. The location of item 24 was:

DESCRIPTION	EAST	NORTH
Center	-1.080	-118.164

Item 25 Damaged Belt Tensioner

Item 25 was a damaged automobile serpentine belt tensioner located on the dirt/grass area of 513 Crows Landing Road. The location of item 25 was:

DESCRIPTION	EAST	NORTH
Center	-6.125	-117.912

Item 26 Damaged Dipstick

Item 26 was a damaged dipstick located on the dirt/grass area of 513 Crows Landing Road. The location of item 26 was:

DESCRIPTION	EAST	NORTH
Center	-1.110	-136.372

Item 27 Broken Spotlight Bracket

Item 27 was a broken spotlight bracket located on the dirt/grass area of 513 Crows Landing Road. The location of item 27 was:

DESCRIPTION	EAST	NORTH
Center	-2.316	-140.402

Item 28 Cartridge Case

Item 28 was a cartridge case located in the southbound lane of Crows Landing Road south of South Seventh Street. Item 28 had a northwest to southeast alignment. The location of item 28 was:

DESCRIPTION	EAST	NORTH
Center	-80.969	-120.939

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PHYSICAL EVIDENCE DESCRIPTION AND LOCATION

DESCRIPTION AND LOCATION (continued)

Item 29 Damaged Metal Part

Item 29 was a damaged metal part located on the asphalt concrete shoulder west of Crows Landing Road. The location of item 29 was:

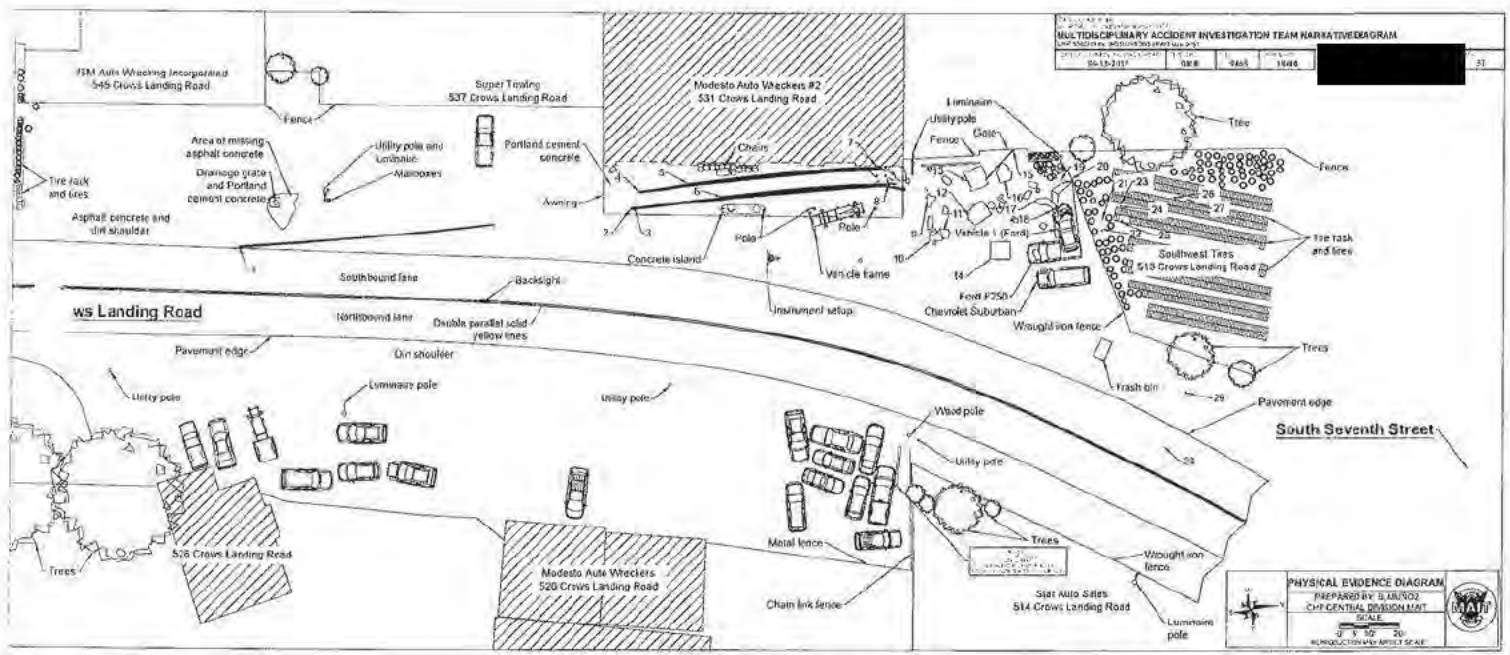
DESCRIPTION	EAST	NORTH
Center	-64.713	-130.877

Points of Rest

VEHICLE 1 (FORD)

Vehicle 1 (Ford) was located on its wheels resting on top of item 18 (Damaged Roll-Off Container) west of Crows Landing Road south of South Seventh Street, facing in a westerly direction.

DESCRIPTION	EAST	NORTH
Left front tire	-1.250	-95.495
Left rear tire	-9.416	-96.462



PHYSICAL EVIDENCE DIAGRAM
 PREPARED BY: D. LIL/002
 CHP CENTRAL DIVISION UNIT
 SCALE: 1" = 50'
 REDUCTION MEASUREMENT SCALE

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VEHICLE 1 (FORD)

VEHICLE IDENTIFICATION

Year/Make/Model: 2014 Ford Police Interceptor Utility

Color: White

Date of Manufacturer: September 6, 2013

Vehicle Identification Number (VIN): 1FM5K8AR0EC [REDACTED]

License: 1299597 California exempt

Expiration Date: December 31, 2099

Odometer: 85,000 miles (approximate)²⁶

Gross Vehicle Weight Rating: 6,300 pounds

Front Axle Weight Rating: 3,200 pounds

Rear Axle Weight Rating: 3,350 pounds

Location: E Towing
500 Primo Way
Modesto, California 95358
(209) 538-3869

Registered Owner: Stanislaus County
448 East Hackett Road
Modesto, California 95358

²⁶ Vehicle 1 (Ford) odometer data was determined when Party 1 (Garner) advised Stanislaus County Sheriff's Department dispatch of starting mileage at 07:05:48 hours on 05/13/2017.

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VEHICLE 1 (FORD)

INTRODUCTION

Vehicle 1 (Ford) was impounded as evidence pursuant to California Vehicle Code §22655.5 on May 13, 2017, by Investigator Norseen. Vehicle 1 (Ford) was towed by E Towing to their tow yard located at 500 Primo Way, Modesto, California 95358, where it was placed in a fenced and locked facility. Vehicle 1 (Ford) was measured utilizing a Leica ScanStation P30 HD Scanner. The data obtained was used with Cyclone and IMS 360 software to prepare a vehicle damage profile.

The dates, locations, and attending personnel at each inspection are noted below:

DATE	LOCATION	PERSONNEL	PURPOSE
05/18/2017	E Towing	CHP MAIT Investigator Muñoz CHP MAIT Investigator Shaw	ACM imaging, Vehicle Scan, Damage Description and Profile
06/06/2017	E Towing	CHP MAIT Investigator Weaver CHP MAIT Investigator Shaw CHP MAIT Investigator Catalina	Mechanical Inspection
06/13/2017	E Towing	CHP MAIT Investigator Weaver CHP MAIT Investigator Catalina	Mechanical Inspection
10/17/2017	E Towing	<p>CHP MAIT Investigator Kolter CHP MAIT Investigator Muñoz CHP MAIT Investigator Weaver SCSD Sergeant T. Burns, ID S00566 SCSD Sergeant J. Perez, ID SA15 SCSD Detective R. Berndt, ID S00542</p> <p>Mrs. S. Sheldon Shook, Hardy & Bacon, L.L.P. One Montgomery Tower, Suite 2700 San Francisco, California 94104-4505 (415) 544-1900</p> <p>Mr. J. Engle Ford Motor Company World Headquarters Building One American Road, 116-A5 Dearborn, Michigan 48126-2701 (313) 323-1084</p> <p>Mr. G. Winter Mr. K. Stites Mastagni Holstedt 1912 I Street Sacramento, California 95811 (916) 491-4252</p> <p>Mr. M. Kitchen M. H. Kitchen & Associates 915 El Sereno Court Aptos, California 95003-5505 (831) 539-8707</p>	Mechanical Inspection

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VEHICLE 1 (FORD)

VEHICLE DAMAGE DESCRIPTION

Overview

All references to direction are oriented from the driver's seat of the vehicle looking forward through the windshield. Vehicle 1 (Ford) sustained major collision damage to its front-end, and thermal damage throughout the vehicle. The Principal Direction of Force²⁷ (PDOF) applied to Vehicle 1 (Ford) was from front to rear.

The following damage description is not inclusive of all the damage sustained by Vehicle 1 (Ford).



The overall damage to Vehicle 1 (Ford).
[REDACTED] B (45) cropped

²⁷ Principal Direction of Force is defined as the vector sum of all the forces acting on the vehicles through the collision sequence. Daily, Shigemura, and Daily, *Fundamentals of Traffic Crash Reconstruction*, Institute of Police Technology and Management, 12000 Alumni Drive, Jacksonville, Florida 32224, ©2016, p. 524.

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VEHICLE 1 (FORD)

VEHICLE DAMAGE DESCRIPTION (continued)

Front

The front end was burned. The bumper cover was missing. The bumper and push bumper were pushed rearward and upward due to contact damage. The left side of the upper and lower push bumper tubes were broken. The left side of the push bumper shelf was dented rearward. There was wood debris embedded in the left side of the push bumper assembly. There were orange paint transfers on the leading edge of the left side of the push bumper and the left front of the bumper fascia. The hood was partially consumed by the fire. The grille was missing. The headlamp assemblies were destroyed. The windshield was melted from the roof and A-pillars. Thermal damage consumed a large portion of the engine compartment.



The damage to the front of Vehicle 1 (Ford).
CL-012-17 05-13-17 RS-B (35)

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VEHICLE 1 (FORD)

VEHICLE DAMAGE DESCRIPTION (continued)

Right

The entire right side was burned. The fender sustained contact damage and the leading edge was pushed rearward. The fender was buckled from the middle to the trailing edge. The front tire was torn, flat and partially melted. The leading edge of the rocker panel was pushed upward. The side mirror was missing and its mount was melted. The spot lamp was missing. The sheet metal of the right front door was crumpled. The right rear door was removed by emergency personnel. The C-pillar was dented. The rear quarter panel was buckled. The gas lid was missing. The right side windows were missing. The rear tire was torn, flat and partially melted. The rear wheel was dented.



The damage to the right side of Vehicle 1 (Ford).
CL-012-17 05-13-17 RS-A (282)

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VEHICLE 1 (FORD)

VEHICLE DAMAGE DESCRIPTION (continued)

Rear

The entire rear end was burned. The rear window was missing. The right tail lamp assembly was missing. The left tail lamp cover was melted. The bumper fascia was missing.



The damage to the rear of Vehicle 1 (Ford).
CL-012-17 05-18-17 RS (1) cropped

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VEHICLE 1 (FORD)

VEHICLE DAMAGE DESCRIPTION (continued)

Left

The entire left side was burned. The fender was pushed rearward. The leading edge of the fender was folded toward the rear. The bottom of the A-pillar was pushed inward and rearward. The front tire was flat and partially melted. The front wheel was misshapen. The side mirror was missing. The leading edge of the driver door frame was pushed rearward. The doors were removed by emergency personnel. The driver's door window was shattered. The bottom of the B-pillar was dented. The rear window was missing. The rear tire was torn, flat and partially melted.



The damage to the left side of Vehicle 1 (Ford).
CL-012-17 05-13-17 RS-A (222) cropped

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VEHICLE 1 (FORD)

VEHICLE DAMAGE DESCRIPTION (continued)

Roof

The roof was burned and buckled. The left side of the leading edge of the roof was pushed downward. The overhead lights and antennas were melted.



The damage to the roof of Vehicle 1 (Ford) at the scene.
CL-012-17 05-13-17 RS-A (285) cropped

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VEHICLE 1 (FORD)

VEHICLE DAMAGE DESCRIPTION (continued)

Undercarriage

The right front tie rod was separated. The right and left front half shafts were separated from the transaxle. The right front lower control arm was broken. The left rear stabilizer bar link was broken.



The undercarriage of Vehicle 1 (Ford).
CL-012-17 05-13-17 RS-A (273)

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VEHICLE 1 (FORD)

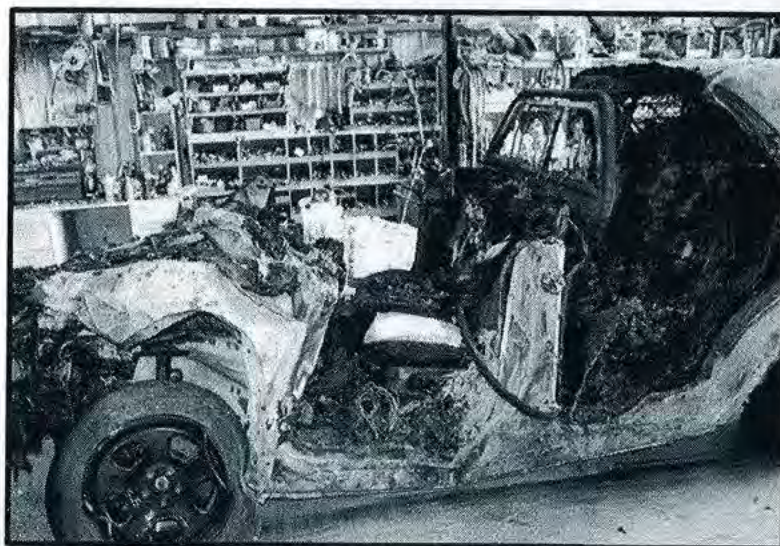
VEHICLE DAMAGE DESCRIPTION (continued)

Interior

The interior sustained considerable thermal damage. The dashboard, instrument panel, and patrol vehicle computer unit assembly were melted. The steering wheel was bent and in an upright position. The driver and front passenger frontal airbags were deployed. There was one automatic vehicle transmission from Modesto Auto Wreckers #2 located on Party 1 (Deputy Garner), and another automatic transmission from Modesto Auto Wreckers #2 located on Passenger CSO Johnson.

The electromechanical lock for the Stanislaus County Sheriff's Department issued rifle was open and bent downward. The rifle was located on top of Passenger CSO Johnson's lower legs with the safety in the on position. The rifle had a full magazine loaded in its magazine well and no round in the chamber. The magazine appeared undamaged. There was another rifle magazine located between the front seats of the vehicle. The magazine sustained thermal damage, and the magazine spring was expended from the damaged magazine case.

The light control board and electromechanical lock release button were located in the center console between the driver and right front passenger seat. The center console was covered with miscellaneous items, all of which sustained thermal damage. The driver's latch plate and the right front passenger's latch plate were found inserted into their respective buckles assemblies. Party 1's (Deputy Garner) departmentally issued pistol was located in his right thigh holster. The lower rear portion of the pistol grip was positioned between the fastened seat belt buckle and Party 1's (Deputy Garner) right thigh. A bullet was located on the driver seat. A cartridge was located on the driver's floorboard adjacent to the center console, in front of the driver's seat.



The interior of Vehicle 1 (Ford) with the front of the roof removed.
CL-012-17 05-18-17 RS (2)

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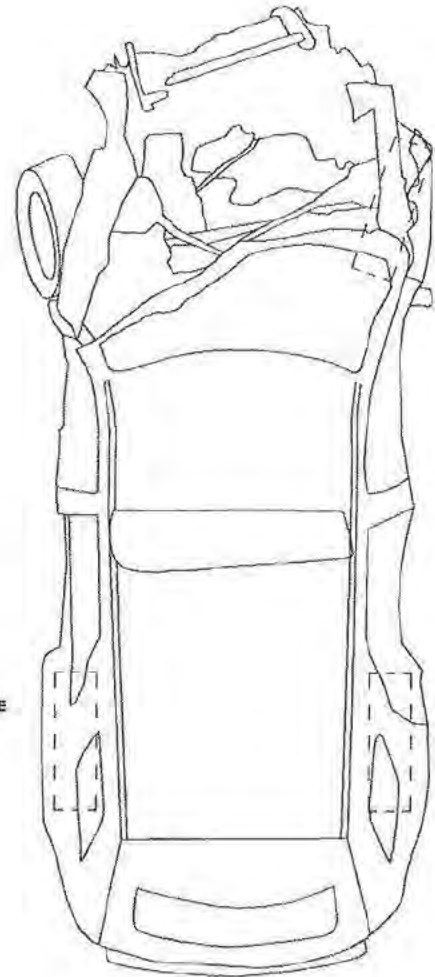
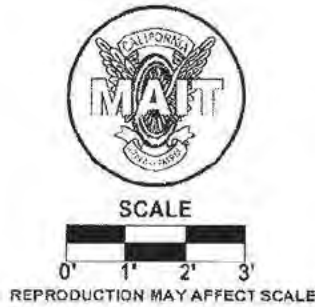
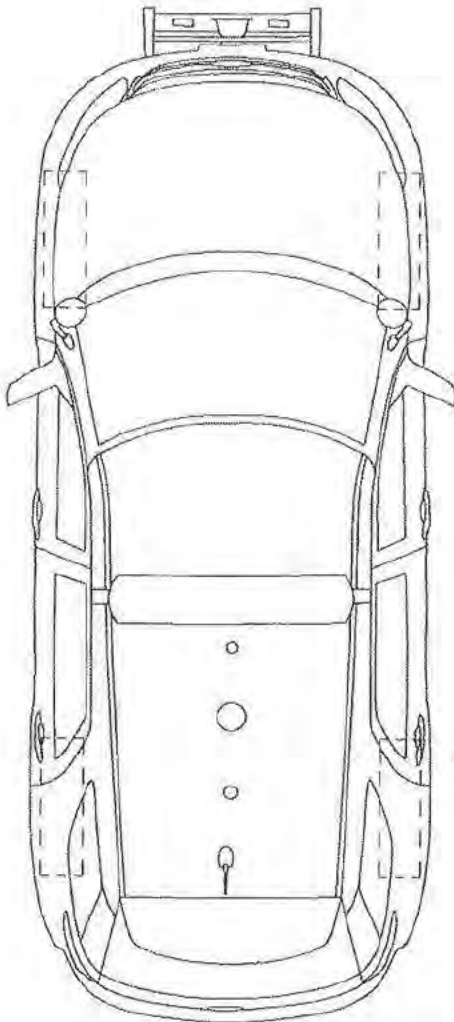
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VEHICLE 1 (FORD)

VEHICLE DAMAGE DESCRIPTION (continued)

Vehicle Damage Profile



Exemplar 2014 Ford Police Interceptor Utility
Drawn by: Investigator Muñoz

Vehicle 1 (Ford)
Drawn by: Investigator Muñoz

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VEHICLE 1 (FORD)

MECHANICAL INSPECTION

Introduction

Vehicle 1 (Ford) was impounded as evidence pursuant to California Vehicle Code §22655.5 on Saturday, May 13, 2017, by Investigator Norseen. Vehicle 1 (Ford) was towed to E Towing, where it was placed in an indoor, fenced, and locked facility.



Vehicle 1 (Ford) at E Towing.
CL-012-17 06-06-17 KW (1) cropped, lightened

MULTIDISCIPLINARY ACCIDENT INVESTIGATION TEAM NARRATIVE/DIAGRAM

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VEHICLE 1 (FORD)

MECHANICAL INSPECTION (continued)

Recalls

A search for safety recalls was conducted through the National Highway Traffic Safety Administration (NHTSA), Ford Motor Company, and CARFAX.

A safety recall is defined as a recall by the manufacturer or a governmental agency due to an immediate safety hazard with the involved vehicle. A recall is initiated when a motor vehicle or item of motor vehicle equipment does not comply with a Federal Motor Vehicle Safety Standard (FMVSS), or when there is a safety related defect with the vehicle or equipment.

The Ford Motor Company data system was accessed on Wednesday, May 17, 2017. Utilizing the VIN of Vehicle 1 (Ford), the database indicated there were no open recalls pertaining to Vehicle 1 (Ford).

A check of the NHTSA Web site: <<http://www.safercar.gov>>, on Friday, June 2, 2017, indicated there were no open recalls for the year, make, and model of this vehicle. A refined search, utilizing the VIN of Vehicle 1 (Ford) also indicated there were no open recalls pertaining to Vehicle 1 (Ford).

A CARFAX Vehicle History Report was obtained for Vehicle 1 (Ford) on June 2, 2017. The report indicated there were no open recalls pertaining to Vehicle 1 (Ford).

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VEHICLE 1 (FORD)

MECHANICAL INSPECTION (continued)

Fluid Levels

An examination of the various fluid levels of Vehicle 1 (Ford) revealed the following:

RADIATOR COOLANT LEVEL

The radiator was void of coolant.

ENGINE OIL LEVEL

The engine oil level was undetermined due to a broken dipstick.

BRAKE SYSTEM HYDRAULIC FLUID LEVEL

The brake system hydraulic fluid reservoir was void of fluid.

FUEL TANK FLUID LEVEL

The fuel tank was void of gasoline.

BATTERY ELECTROLYTE LEVEL

The battery case was void of fluid.

TRANSAXLE FLUID LEVEL

The transaxle fluid level was undetermined due to it being a sealed unit.

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VEHICLE 1 (FORD)

MECHANICAL INSPECTION (continued)

Powertrain and Exhaust System

DESCRIPTION

Vehicle 1 (Ford) was configured with a front-engine/all-wheel drive powertrain, and was equipped with a transversely mounted 3.7-liter, gasoline powered six cylinder engine. The engine was attached to a six speed automatic transaxle. Engine power to the front axle was transferred through the transaxle to the half shafts. The differential received engine power through the transaxle, power transfer unit, and driveshaft. The differential then transferred power through half shafts to each respective rear wheel end assembly.

The exhaust system on Vehicle 1 (Ford) was a dual pipe system. The system consisted of two, one piece catalytic convertor exhaust manifolds attached to the left and right banks of the engine. The two pipes merged at the center of the undercarriage, went through a Y-pipe assembly, muffler, and tailpipe assembly before discharging to the rear.

INSPECTION

The inspection of the powertrain and exhaust system revealed the following:

- The engine compartment, and all the associated components, sustained major thermal damage.
- The front right and left half shafts were detached from the transaxle.
- Due to the damage of the vehicle, the Diagnostic Trouble Codes (DTC) were unable to be checked.

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VEHICLE 1 (FORD)

MECHANICAL INSPECTION

Powertrain and Exhaust System

INSPECTION (continued)



The engine compartment of Vehicle 1 (Ford) at E Towing.
CL-012-17 06-06-17 KW (19) cropped

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VEHICLE 1 (FORD)

MECHANICAL INSPECTION (continued)

Throttle and Fuel System

DESCRIPTION

Vehicle 1 (Ford) utilized a sequential multi-port, electronically controlled, mass air flow type fuel injection and air intake system. The fuel system was incorporated into the electronic engine control system to control and monitor fuel and air delivery during vehicle operation.

The fuel delivery system consisted of a fuel tank, in-tank fuel pump, fuel lines, and fuel injectors. The Powertrain Control Module (PCM) in conjunction with various sensors determined the proper air/fuel ratio required for all operating conditions.

Air induction into the engine was facilitated by a single bore throttle body fastened to the inlet of the intake manifold. The throttle body was outfitted with a single throttle plate.

Acceleration was controlled by a drive-by-wire system which included an accelerator pedal and accelerator pedal position sensors. The accelerator pedal position sensors send a signal to the PCM which correlate to the accelerator pedal movement initiated by the driver. The PCM then sends a signal to the throttle body to increase or decrease the throttle plate position.

INSPECTION

The throttle body was found detached from the engine as a result of collision and thermal damage. The throttle plate was found in an open position with the internal gears of the throttle control motor melted. The throttle return spring was melted to one of the gears. Each of the throttle control motor gears was removed for further inspection. The throttle return spring and one of the gears was removed as one piece. After each gear was removed, the throttle plate was able to move freely from a wide open position to a closed position without restrictions or binding.

The inspection of the throttle and fuel system revealed the following:

- The accelerator pedal was intact but not functional due to displacement of the bulkhead.
- The throttle body was detached from the air intake manifold.
- The throttle body was found with the throttle plate in an open position. The cover to the throttle control motor was missing and the internal gears were exposed. The internal gears were found in a charred and melted state.
- The fuel tank was found to be compromised and sustained thermal damage.
- The driver's side floorboard was free of debris and there were no objects in the vicinity of the accelerator or brake pedals that would have interfered with the movement of either pedal.
- The accelerator pedal movement was free and no obstructions, binding, or restrictions were noted.

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MECHANICAL INSPECTION

Throttle and Fuel System

INSPECTION (continued)



The driver side floorboard and pedals of Vehicle 1 (Ford).
CL-012-17 05-13-17 RS-B (117) cropped

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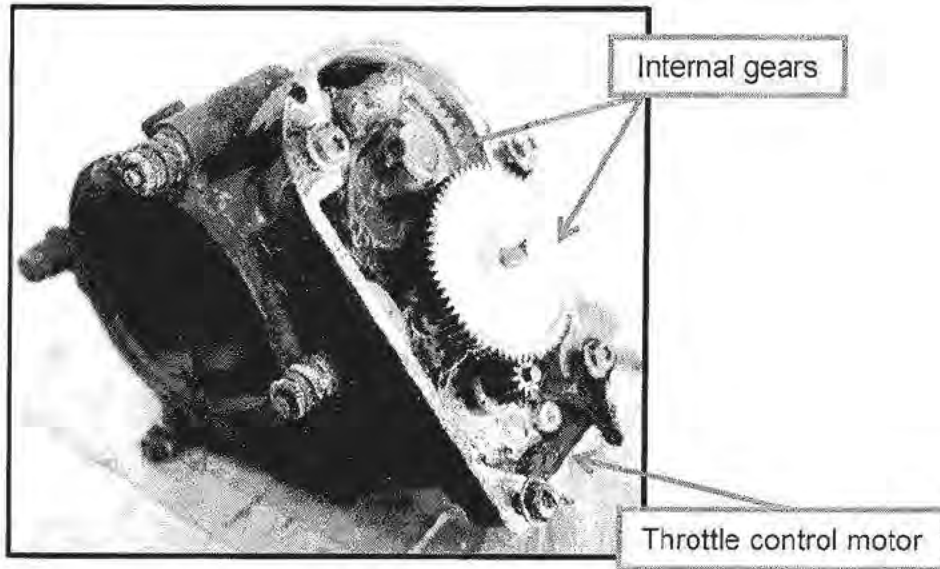
FACTS

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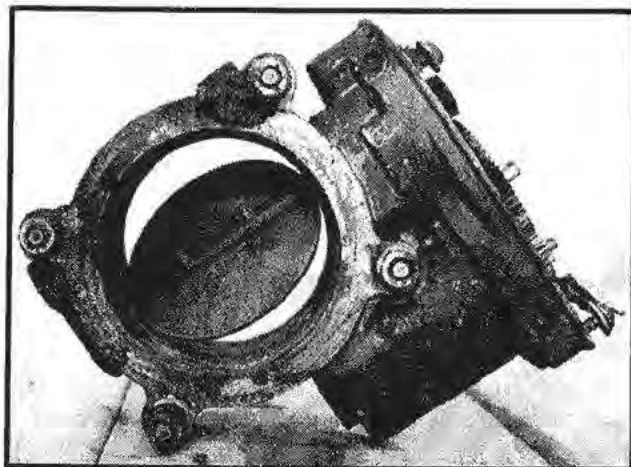
MECHANICAL INSPECTION

Throttle and Fuel System

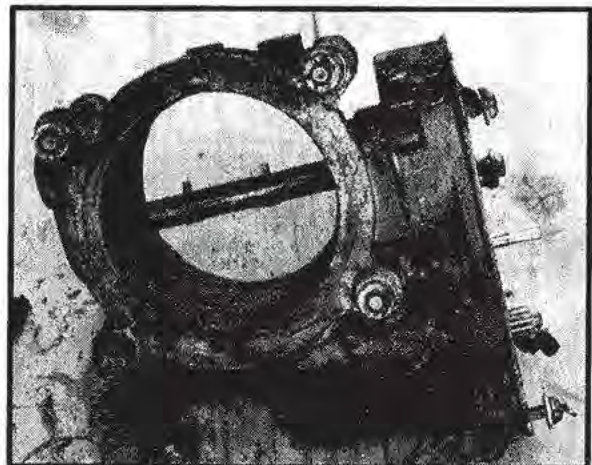
INSPECTION (continued)



The throttle body of Vehicle 1 (Ford) after its removal.
CL-012-17 02-08-18 KW (8) cropped



The throttle plate position with the internal gears still attached.
CL-012-17 02-08-18 KW (13) cropped



The throttle plate position with the internal gears and return spring removed.
CL-012-17 02-08-18 KW (36) cropped

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VEHICLE 1 (FORD)

MECHANICAL INSPECTION

Throttle and Fuel System

INSPECTION (continued)

On Thursday, May 24, 2018, at 1400 hours, Investigators Shaw, Muñoz, and Marsh responded to the CHP Fresno Area office to observe the function of the throttle body and accelerator pedal on a 2014 Ford Police Interceptor Utility vehicle similar to Vehicle 1 (Ford). The purpose of the observation was to determine the action of the throttle body assembly in response to the application of the accelerator pedal. Additionally, the throttle body's reaction to the removing of electrical power by the use of the ignition switch and the disconnection of electrical power through the disconnection of the negative battery cable were observed while the accelerator pedal was utilized.

The vehicle used for the observations was an exemplar 2014 Ford Police Interceptor Utility CHP patrol vehicle, VIN 1FM5K8AR0EC [REDACTED]. The exemplar vehicle was identical to Vehicle 1 (Ford) with regard to the powertrain, trim package, and tires and wheels. The only noted differences were the paint and departmentally added computer equipment and interior accessories.

The ducting between the air cleaner box and the throttle body was removed from the vehicle to gain visual access to the throttle plate within the throttle body. The throttle plate was found to be in an idle position while the ignition switch was in the "Off" position. The ignition switch was placed in the "Run/On" position and the throttle plate quickly and momentarily moved to a closed position and returned back to the idle position. The ignition switch was placed in the "Off" position and no movement of the throttle plate was observed.

The ignition switch was placed in the "Run/On" position and the throttle plate quickly and momentarily moved to a closed position and returned back to the idle position. The negative battery cable was disconnected from the battery and no movement of the throttle plate was observed. The negative battery cable was reattached to the battery and the throttle plate quickly and momentarily moved to a closed position and returned back to the idle position, just as it did when the ignition switch was moved from the "Off" to the "Run/On" position.

The throttle plate of Vehicle 1 (Ford) was found stuck in an approximate one third, or 33 percent, open throttle position during the mechanical inspection. With the ignition switch in the "Run/On" position, the accelerator pedal of the exemplar vehicle was depressed throughout its range. The following table illustrates the height of the top of the accelerator pedal from the floorboard as measured along the center of the accelerator pedal at different positions. Measurements were made in decimal feet.

ACCELERATOR PEDAL POSITION	MEASUREMENT
Not depressed	0.47 feet
Similar to throttle plate of Vehicle 1 (Ford)	0.43 feet
Throttle plate 100 percent/full open	0.34 feet
Accelerator fully depressed	0.29 feet

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VEHICLE 1 (FORD)

MECHANICAL INSPECTION

Throttle and Fuel System

INSPECTION (continued)

The ignition switch was placed in the "Run/On" position and the accelerator pedal of the exemplar vehicle was depressed 0.43 feet. This distance created the similar throttle plate position as the throttle plate of Vehicle 1 (Ford) as found during the mechanical inspection. The negative battery cable was disconnected from the battery and the throttle plate moved to the idle position. The accelerator pedal position did not move. The negative battery cable was reattached to the battery and the throttle plate quickly and momentarily moved to a closed position and returned back to its position prior to the removal of electrical power.

It was noted the accelerator pedal would need to be depressed approximately 0.05 feet or 19/32nds of an inch to achieve the throttle plate position as found on Vehicle 1 (Ford).

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VEHICLE 1 (FORD)

MECHANICAL INSPECTION (continued)

Electrical System

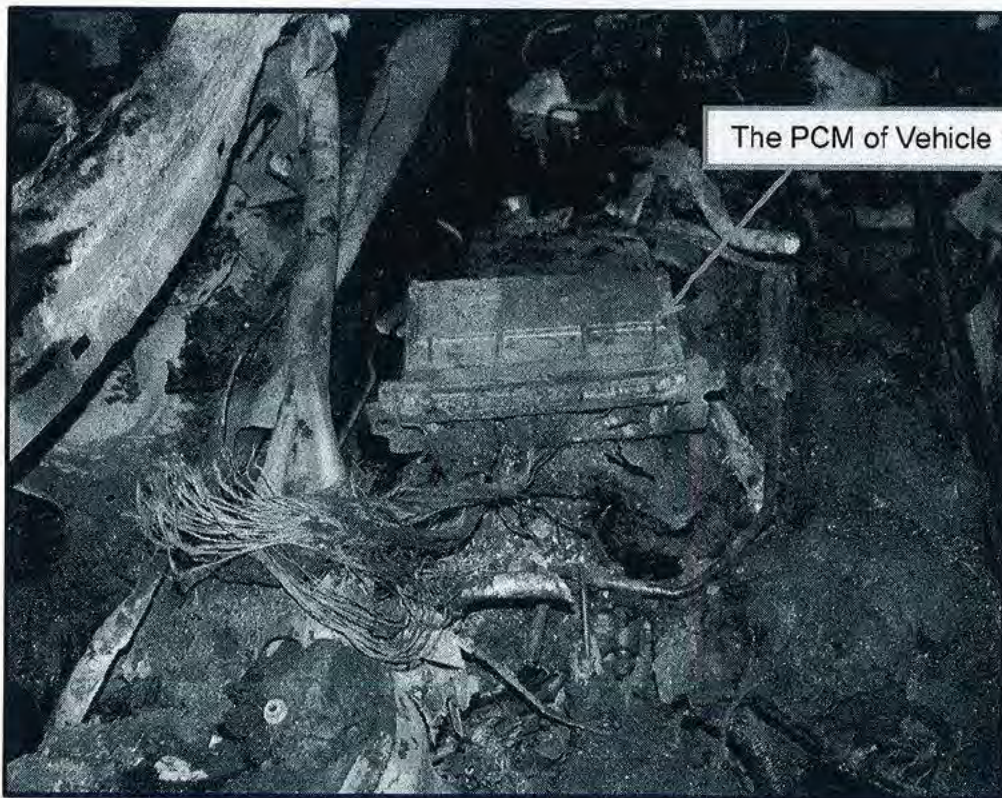
DESCRIPTION

Vehicle 1 (Ford) was equipped with a 12 volt, six cell battery located in the engine compartment. The alternator was mounted to the left front of the engine. The electrical distribution box was located near the left front of the engine compartment.

INSPECTION

The inspection of the electrical system revealed the following:

- The PCM and its associated wire harness were melted.
- The alternator was securely attached but along with the associated wiring, sustained thermal damage.
- The majority of the electrical system was melted due to the post-collision vehicle fire.



The PCM and associated wire harness of Vehicle 1 (Ford).
CL-012-17 06-06-17 KW (23) cropped

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VEHICLE 1 (FORD)

MECHANICAL INSPECTION (continued)

Steering System

DESCRIPTION

Vehicle 1 (Ford) was equipped with an Electronic Power Assist Steering (EPAS) system. The EPAS system consisted of a steering wheel, adjustable steering column, multi-link steering column shaft, rack and pinion steering gearbox, and steering tie rod ends. The multi-link steering column shaft extended through the bulkhead to the input shaft of the rack and pinion steering gearbox. The inner tie rod ends were connected to the rack ends, and the outer tie rod ends were attached to the steering knuckles. The top of the steering knuckles were mounted to the bottom of the MacPherson strut assemblies, and the bottom of the steering knuckles were mounted to lower control arms with ball joints.

The EPAS steering gearbox is an assembly consisting of a Power Steering Control Module (PSCM), an electric motor, a steering shaft torque sensor, and inner and outer tie rods. The PSCM monitors sensor inputs from the Powertrain Control Module (PCM), Anti-Lock Brake System (ABS) module, and the Steering Column Control Module (SCCM), and determines the output of the EPAS motor. The PSCM adjusts steering efforts based on the sensor inputs from the above mentioned modules. The level of steering assist is proportionate to the amount of steering input effort and the vehicle speed. As the speed of the vehicle increases, the amount of assist decreases to improve the feel of the road through the steering wheel. As the speed of the vehicle decreases, the amount of the assist increases to ease vehicle maneuvering.

The PSCM is a self-monitoring system capable of setting and storing DTC's. When a DTC is present in the PSCM, the EPAS will enter one of two modes of operation. The first mode is reduced steering assist mode. This mode is engaged to protect the internal components of the EPAS. The steering assistance is set to a default level and does not change with the vehicle speed. The second mode is manual steering mode which means there is no electrical steering assistance provided. This mode is engaged when a critical safety concern is detected or when the EPAS system has been in the reduced steering assist mode for a predetermined number of key cycles. During manual steering mode, the vehicle has mechanical steering operation.²⁸

²⁸ 2014 Police Interceptor – Utility Workshop Manual. <<http://www.fordinstallersupport.com>>

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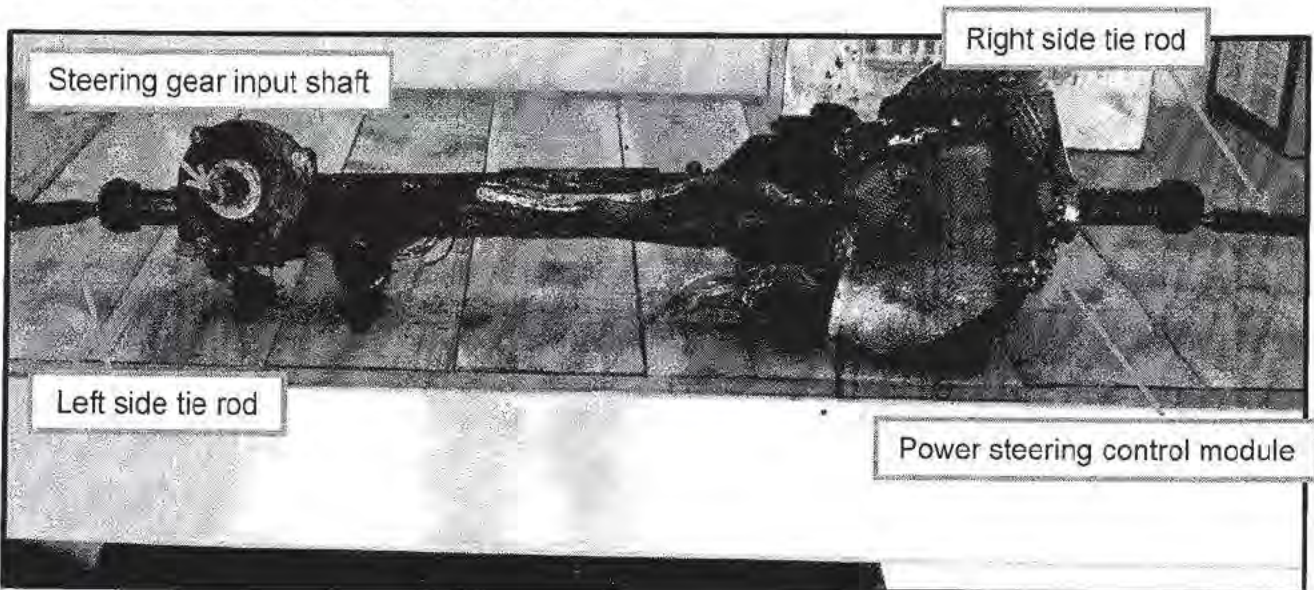
Steering System (continued)

INSPECTION

The EPAS steering gearbox assembly was removed from Vehicle 1 (Ford) for further inspection on Tuesday, June 13, 2017, and taken to the CHP Central Division MAIT office. On Thursday, February 8, 2018, Investigator Weaver inspected and photographed the EPAS steering gearbox assembly at the CHP Central Division MAIT office. The gearbox assembly, sensors and associated wiring displayed evidence of thermal damage.

The inspection of the steering system revealed the following:

- The steering column was cut just below the steering wheel during the extrication of Party 1 (Deputy Garner).
- The right outer tie rod was bent and broken.
- The wire harness to the PSCM and steering torque sensor were melted due to thermal damage.
- Rotational movement of the input shaft of the rack and pinion steering gear box resulted in correlating lateral movement of the right and left tie rods.



The EPAS steering gear box assembly of Vehicle 1 (Ford) after removal.
CL-012-17 02-08-18 KW (44) cropped

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VEHICLE 1 (FORD)

MECHANICAL INSPECTION (continued)

Suspension System

DESCRIPTION

The front suspension system consisted of MacPherson strut assemblies, lower control arms, and a stabilizer bar. The MacPherson strut assemblies were attached to strut towers formed into the inner fender panels and the steering knuckles. The lower control arms were connected to mounts in the subframe and extended outward to the steering knuckles which were attached via ball joints. The stabilizer bar was mounted to the rear of the subframe. The ends of the stabilizer bar were attached to the lower control arm via links and ball joints.

The rear suspension consisted of multiple arms, strut assemblies, and a stabilizer bar.

INSPECTION

The inspection of the suspension system revealed the following:

- The right front MacPherson strut assembly was detached from the vehicle.
- The right and left lower control arms were broken at or near the lower ball joint.
- The front suspension bushings were melted due to the post-collision vehicle fire.
- The right rear toe link was displaced near the wheel knuckle.
- The rear suspension bushings were melted due to the post-collision vehicle fire.
- The right side of the rear subframe was cracked.

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VEHICLE 1 (FORD)

MECHANICAL INSPECTION (continued)

Brake System

DESCRIPTION

The brake system consisted of a hydraulic vacuum assisted four wheel disc brake system. The brake system was equipped with an alloy, single-bore, dual piston master cylinder. The hydraulic system was a diagonally split, dual circuit system, which incorporated the left front and right rear brakes on one circuit, and the right front and left rear brakes on the other circuit.

The parking brake was a cable operated mechanical system. The parking brake was actuated by depression of the parking brake pedal adjacent to the left kick panel. The parking brake was designed to expand the brake shoes outward toward the friction surfaces of the rear brake's drum in hat design within the rear rotors. The foot operated parking brake release mechanism was incorporated into the parking brake pedal, and was designed to release the parking brake system when the pedal was fully depressed and subsequently released.

INSPECTION

The parking brake system was found in an unapplied position. The parking brake was checked for operation before the service brakes were checked. The parking brake locked the left rear brake assembly but the right rear brake assembly was free to rotate.

The brake master cylinder and vacuum booster were properly mounted to the bulkhead. The master cylinder reservoir was detached from the master cylinder and destroyed as a result of the post-collision vehicle fire.

Prior to disassembly of the brake system and following a visual inspection, functional testing of the brake system was performed. The brake hubs were checked to ensure they rotated freely before the brake system components were disassembled. All four brake hubs rotated freely.

Due to the damage the vehicle sustained during the collision and the post-collision vehicle fire, the normal operation of the brake system was unable to be checked. To verify the operation of the brake system components, compressed air was utilized at each brake caliper to replicate a brake application. During testing of the brake system, it was noted that all four brake hubs could not be rotated with compressed air being applied to each corresponding brake caliper.

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MECHANICAL INSPECTION

Brake System

INSPECTION (continued)

Front

Each side of the front brake system was equipped with a pin slider type, dual piston brake caliper, a vented hat type cast iron rotor, a flexible hose, attachment hardware, and semi-metallic brake pads. The total friction material thickness measurements were measured from the metal backing plate to the surface of the friction material. The friction surfaces of the rotors and brake linings were smooth. The following observations were noted:

COMPONENT	LEFT	RIGHT
Lining Thickness, Outboard	0.383"	0.352"
Lining Thickness, Inboard	0.347"	0.353"
Number of Pistons	2	2
Rotor Thickness	1.256"	1.249"
MANUFACTURER'S SPECIFICATIONS		
Rotor Minimum Thickness	1.181"	
Lining Minimum Thickness	0.118"	

Rear

Each side of the rear brake system was equipped with a pin slider type, single piston brake caliper, a vented drum in hat type cast iron rotor, a flexible hose, attachment hardware, and brake pads. The total friction material thickness measurements were measured from the metal backing plate to the surface of the friction material. The friction surfaces on the rotors and pads were smooth. The following observations were noted:

COMPONENT	LEFT	RIGHT
Lining Thickness, Outboard	0.271"	0.290"
Lining Thickness, Inboard	0.244"	0.272"
Number of Pistons	1	1
Rotor Thickness	0.692"	0.696"
MANUFACTURER'S SPECIFICATIONS		
Rotor Minimum Thickness	0.689"	
Lining Minimum Thickness	0.118"	

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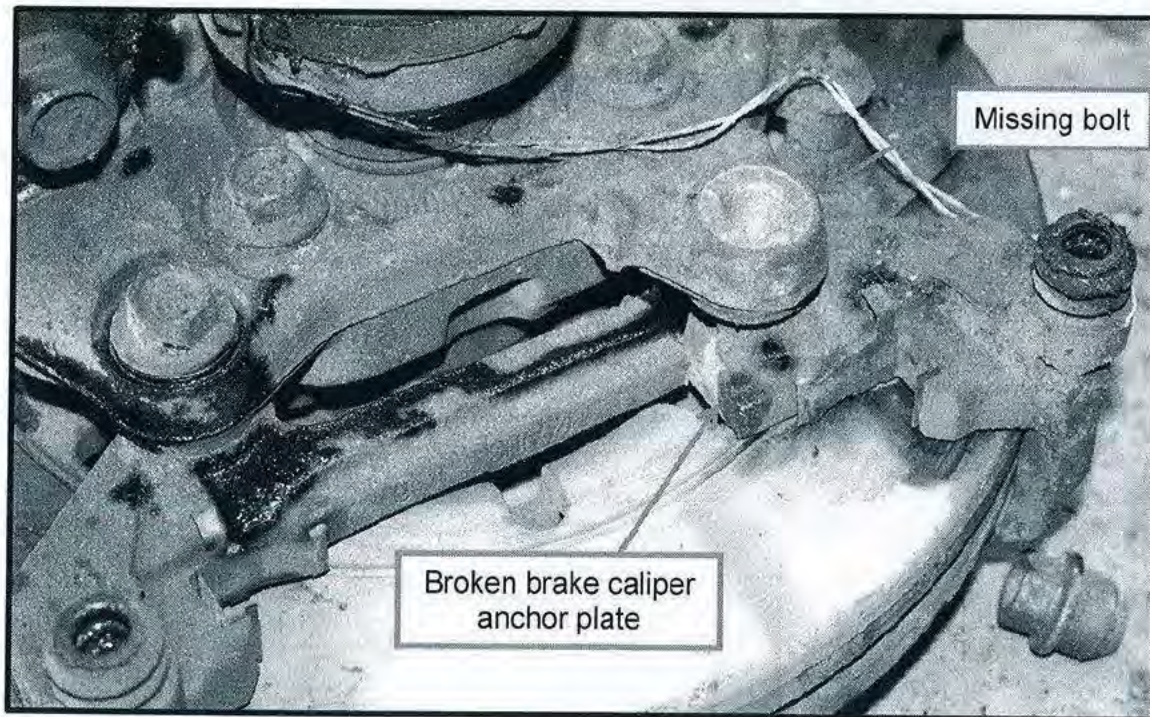
MECHANICAL INSPECTION

Brake System

INSPECTION (continued)

The inspection of the brake system revealed the following:

- The brake hoses between the frame mounted fittings and the brake calipers at all four wheel ends were consumed due to fire damage.
- The right front brake caliper anchor plate was missing the lower bolt.
- The right front brake caliper anchor plate was broken between the brake caliper slides.
- The parking brake did not apply at the right rear brake assembly. Manual operation of the parking brake at the brake assembly locked the hub in place.



The right front brake assembly of Vehicle 1 (Ford).
CL-012-17 06-06-17 RS (96) cropped

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VEHICLE 1 (FORD)

MECHANICAL INSPECTION (continued)

Tires and Wheels

DESCRIPTION

The manufacturer's recommended front and rear tire size for this vehicle was a 245/55R18 tire mounted on 18 x 8.0 wheels. The manufacturer's recommended inflation pressures for the tires was 36 pounds per square inch (psi). This information was located on a label affixed to the driver door jamb of an exemplar 2014 Ford Police Interceptor Utility. The tires and wheels mounted on Vehicle 1 (Ford) were the correct size recommended by the manufacturer.

INSPECTION

Information and damage related to the tires were indexed to the Department of Transportation (DOT) number being located at the 12 o'clock position. Information and damage related to the wheels were indexed to the valve stem being located at the 12 o'clock position. The tire tread depth measurements originated at the outboard shoulder, traversed the tread width, and terminated at the inboard shoulder of the tire. Measurements were taken at the major grooves.

FRONT	LEFT	RIGHT
Make and Model	Goodyear Eagle RS-A	Goodyear Eagle RS-A
Size	245/55R18	245/55R18
DOT Number	M6DX JA2R 3516	M6DX JA2R 3816
Week and Year of Mfg.	35th week of 2016	38th week of 2016
DOT Number Location	Outboard	Both
Tread Plies	2 polyester, 2 steel, 2 nylon	Unreadable
Sidewall Plies	2 polyester	Unreadable
Maximum Load	1,929 lbs. @ 51 psi	1,929 lbs. @ 51 psi
Treadwear	260	Unreadable
Traction	A	Unreadable
Temperature	A	Unreadable
Pressure	0 psi	0 psi
Tread Depth /32"	7, 7, 7, 6 ²⁹	8, 9, 9, 8 ³⁰
Wheel Type	Steel	Steel
Wheel Description	18 x 8 J	18 x 8 J

²⁹ Measurements taken at the 9 o'clock position in relation to the DOT number being at the 12 o'clock position.

³⁰ Measurements taken at the 3 o'clock position in relation to the DOT number being at the 12 o'clock position.

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VEHICLE 1 (FORD)

MECHANICAL INSPECTION

Tires and Wheels

INSPECTION (continued)

REAR	LEFT	RIGHT
Make and Model	Unreadable	Unreadable
Size	Unreadable	Unreadable
DOT Number	Unreadable	Unreadable
Week and Year of Mfg.	Unreadable	Unreadable
DOT Number Location	Unreadable	Unreadable
Tread Plies	Unreadable	Unreadable
Sidewall Plies	Unreadable	Unreadable
Maximum Load	Unreadable	Unreadable
Treadwear	Unreadable	Unreadable
Traction	Unreadable	Unreadable
Temperature	Unreadable	Unreadable
Pressure	0 psi	0 psi
Tread Depth /32"	5, 5, 5, 4 ³¹	7, 7, 7, 7 ³²
Wheel Type	Steel	Steel
Wheel Description	18 x 8 J	18 x 8 J

³¹ Measurements taken at the 7 o'clock position in relation to the valve stem being at the 12 o'clock position.

³² *Ibid.*

MULTIDISCIPLINARY ACCIDENT INVESTIGATION TEAM NARRATIVE/DIAGRAM

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VEHICLE 1 (FORD)

MECHANICAL INSPECTION

Tires and Wheels

INSPECTION (continued)

FRONT	
Left	<p>The outboard wheel flange had radial displacement between the 12 and 2 o'clock positions as well as at the 6 o'clock position.</p> <p>The outboard sidewall had multiple cuts, punctures, and superficial scrapes about its entirety.</p> <p>The tread block had thermal damage between the 11 and 4 o'clock positions.</p> <p>The inboard sidewall had a cut at the 4 o'clock position.</p> <p>The inboard sidewall had a tear between the 8 and 12 o'clock positions.</p> <p>The inboard tire bead was unseated from the bead seat.</p>
Right	<p>The outboard wheel flange had radial displacement between the 12 and 3 o'clock positions.</p> <p>The outboard sidewall had a tear at the 6 o'clock position.</p> <p>The outboard sidewall had thermal damage between the 6 and 1 o'clock positions.</p> <p>The outboard tire bead was unseated from the bead seat.</p> <p>The tread block had thermal damage between the 6 and 1 o'clock positions.</p> <p>The inboard sidewall had thermal damage between the 12 and 7 o'clock positions.</p> <p>The inboard sidewall had a tear at the 8 o'clock position.</p> <p>The inboard wheel flange had radial displacement between the 7 and 3 o'clock positions.</p> <p>Due to the thermal damage to the tire, the information located on the sidewall was unable to be obtained.</p>

MULTIDISCIPLINARY ACCIDENT INVESTIGATION TEAM NARRATIVE/DIAGRAM

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VEHICLE 1 (FORD)

MECHANICAL INSPECTION

Tires and Wheels

INSPECTION (continued)

REAR	
Left	The outboard sidewall had thermal damage about its entirety. The outboard tire bead was unseated from the bead seat. The inboard sidewall had thermal damage about its entirety. The inboard tire bead was unseated from the bead seat. Due to the thermal damage to the tire, the information located on the sidewall was unable to be obtained.
Right	The outboard wheel flange had radial displacement between the 4 and 5 o'clock positions. The inboard wheel flange had radial displacement between the 4 and 5 o'clock positions. There was fire damage about the tire's entirety. Due to the thermal damage to the tire, the information located on the sidewall was unable to be obtained.

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VEHICLE 1 (FORD)

MAINTENANCE AND REPAIR RECORDS

As part of the investigation, a review of the service and repair records of Vehicle 1 (Ford) was conducted. The records were voluntarily supplied by the Stanislaus County Sheriff's Department. The tables on the following pages summarize the service and repair of Vehicle 1 (Ford) from July 11, 2014, to May 11, 2017.

DATE	MILEAGE	LOCATION	SERVICE PERFORMED
7/11/2014	552	Stanislaus County Fleet Services	Prep for patrol
9/22/2014	600	Stanislaus County Fleet Services	Adjust tire pressure
11/13/2014	800	Stanislaus County Fleet Services	Vehicle tow on 10/5/2014
11/17/2014	6,314	Stanislaus County Fleet Services	Preventive Maintenance (PM) "A" service
1/27/2015	14,074	Patchetts Ford	Perform recall #14B05
1/27/2015	14,084	Stanislaus County Fleet Services	PM "A" service, deliver to dealer
1/28/2015	14,195	Patchetts Ford	Replace right rear shock
2/2/2015	14,549	Stanislaus County Fleet Services	Replace right front tire
3/19/2015	18,519	Stanislaus County Fleet Services	Replace tire
3/26/2015	19,585	Stanislaus County Fleet Services	PM "B" service
5/11/2015	23,635	Stanislaus County Fleet Services	PM "A" service, replace front brake pads and hardware
6/23/2015	27,467	Stanislaus County Fleet Services	PM "A" service, replace driver headlight bulb
7/13/2015	28,993	Stanislaus County Fleet Services	Replace right front turn signal assembly, scanner
8/25/2015	32,308	Stanislaus County Fleet Services	PM "A" service, replace two tires, replace rear brake pads and rotors
9/11/2015	32,522	Stanislaus County Fleet Services	Replace battery
10/30/2015	33,811	Stanislaus County Fleet Services	Check engine light on, deliver to dealer
10/30/2015	33,823	Price Ford of Turlock	Warranty – Replace purge valve
2/18/2016	39,361	Stanislaus County Fleet Services	PM "C" service, replace front brake pads and rotors
3/10/2016	40,368	Stanislaus County Fleet Services	Replace left headlight bulb
3/30/2016	42,755	Stanislaus County Fleet Services	Replace tire

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VEHICLE 1 (FORD)

MAINTENANCE AND REPAIR RECORDS (continued)

DATE	MILEAGE	LOCATION	SERVICE PERFORMED
4/18/2016	44,921	Stanislaus County Fleet Services	PM "A" service, replace one tire, resurfaced all four rotors
6/1/2016	48,921	Stanislaus County Fleet Services	PM "A" service, replace one tire, replace one headlight and license plate bulb
7/19/2016	51,672	Stanislaus County Fleet Services	Replace windshield
7/28/2016	52,314	Stanislaus County Fleet Services	Replace right front tire
8/22/2016	54,656	Stanislaus County Fleet Services	PM "A" service, replaced all brake pads and rotors, replace battery, deliver to dealer
8/22/2016	54,674	Price Ford of Turlock	Warranty – replace front and rear catalytic converters
9/26/2016	59,597	Stanislaus County Fleet Services	PM "B" service
10/25/2016	64,622	Stanislaus County Fleet Services	PM "A" service
12/12/2016	71,157	Stanislaus County Fleet Services	PM "A" service, replace two tires, replace front and rear brake pads, resurface rotors
12/27/2016	72,399	Stanislaus County Fleet Services	Replace misc. bulbs, replace right rear tire
1/3/2017	72,955	Stanislaus County Fleet Services	Replace two O2 sensors
1/6/2017	73,096	Stanislaus County Fleet Services	Check engine light on, replace purge valve
1/31/2017	76,334	Stanislaus County Fleet Services	PM "C" service, flush and replace transmission fluid
2/28/2017	79,050	Stanislaus County Fleet Services	Replace headlight
3/9/2017	80,019	Stanislaus County Fleet Services	PM "A" service, replace front brake pads and rotors
5/3/2017	84,140	Stanislaus County Fleet Services	PM "A" service, replace miscellaneous front end parts
5/8/2017	84,666	Stanislaus County Fleet Services	Replace multiple vehicle bulbs

Vehicle 1 (Ford) was in a repair facility for service or maintenance 37 times prior to the collision. This equates to an average of one vehicle service or maintenance every 2,297 miles.

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VEHICLE 1 (FORD)

SUPPLEMENTAL RESTRAINT SYSTEM

Data Imaging

Vehicle 1 (Ford) was equipped with a Supplemental Restraint System (SRS). The SRS consisted of airbags, seatbelt pretensioners, Airbag Control Module, (ACM), peripheral crash sensors, and miscellaneous switches. Under such a system, crash detection, as well as SRS deployment, is managed by the ACM. A Restraint Control Module (RCM) is the term used by the vehicle manufacturer for the ACM. The two terms are synonymous and interchangeable. Throughout the remainder of this report, the term ACM will be utilized when referring to the RCM. The primary function of the ACM is to evaluate the acceleration experienced by the vehicle in the event of a collision. Depending on the severity and direction of the acceleration, the ACM will determine if and when a SRS device deployment is warranted.

The ACM also performs continuous diagnostic monitoring of the SRS's electrical components and circuitry whenever the ignition is on. If the ACM detects a malfunction in the system, the ACM will command the airbag warning lamp to illuminate within the instrument cluster, notifying the driver a malfunction exists in the SRS. Depending on the manufacturer's programming, a Diagnostic Trouble Code (DTC) may be recorded in the ACM.

In addition to its primary function, the ACM is equipped with an Electronically Erasable Programmable Read Only Memory (EEPROM) which is used to preserve operating data. Loss of power (cut wires, damage to the battery, crushed fuses) to the ACM during or immediately following the collision may prevent the data from being recorded to the EEPROM. A backup power supply is incorporated within the ACM to continue to analyze the acceleration data and deploy restraint devices if needed, however the backup power supply is limited and may not be sufficient to provide power to the ACM during a secondary collision event, or to record data.

If collision related data was recorded in the ACM of Vehicle 1 (Ford), it may be retrievable utilizing proprietary hardware and software of the Bosch Crash Data Retrieval (CDR) System.

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VEHICLE 1 (FORD)

SUPPLEMENTAL RESTRAINT SYSTEM

Data Imaging (continued)

Sergeant Kolter obtained written permission from Stanislaus County Sheriff's Department Captain Rakoncza, on Monday, May 15, 2017, which authorized MAIT personnel to image any data stored in the ACM of Vehicle 1 (Ford).

Investigator Shaw responded to E Towing, 500 Primo Way, Modesto, California, 95358, on Thursday, May 18, 2017, to inspect and photograph Vehicle 1 (Ford), and image any data stored in its ACM.

All references to direction are oriented from the driver's seat of the vehicle looking forward through the windshield. Vehicle 1 (Ford) sustained major collision damage to its front end. The PDOF was applied to the front of Vehicle 1 (Ford), and was directed from front to rear.



Vehicle 1 (Ford) at its point of rest at the scene.
CL-012-17 05-13-17 RS-A (223) cropped

MULTIDISCIPLINARY ACCIDENT INVESTIGATION TEAM NARRATIVE/DIAGRAM

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VEHICLE 1 (FORD)

SUPPLEMENTAL RESTRAINT SYSTEM

Data Imaging (continued)

A visual inspection of the interior of Vehicle 1 (Ford) revealed the following SRS devices were deployed:

- Driver's steering wheel mounted airbag
- Front passenger dash mounted airbag
- Driver's under dash knee bolster airbag
- Right front under dash knee bolster airbag

Due to the fire which consumed Vehicle 1 (Ford) following the collision, no portion of the following SRS devices could be physically located. And as a result, it could not be determined if any of the following SRS devices had deployed in the collision:

- Driver's seat mounted side airbag
- Right front seat mounted side airbag
- Driver's seatbelt pre-tensioner
- Right front passenger seatbelt pre-tensioner
- Left side curtain/roof rail airbag
- Right side curtain/roof rail airbag

The majority of the driver's seatbelt was consumed during the post-collision fire; however, the seatbelt latch plate was located securely locked in the seatbelt buckle assembly. There was a portion of melted restraint webbing which passed through the seatbelt latch plate, and was located by investigators lying across the torso of Party 1 (Deputy Garner).

The majority of the right front passenger seatbelt was consumed during the post-collision fire; however, the seatbelt latch plate was located securely inserted in the seatbelt buckle assembly. There was a portion of melted seatbelt webbing which passed through the seatbelt latch plate, and was located by investigators lying across the torso of Passenger CSO Johnson.

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VEHICLE 1 (FORD)

SUPPLEMENTAL RESTRAINT SYSTEM

Data Imaging (continued)

The battery was found inside the engine compartment above the left inner fender wheel well. The battery sustained thermal damage to the case and its associated battery cables. Due to the damage to the battery, there was no electrical power present in the vehicle. The majority of the electrical wiring located within the engine compartment sustained thermal damage which resulted in the melting of the wire's insulation, and precluded electrical power from being restored to the electrical system. The ACM of Vehicle 1 (Ford) was located securely fastened to the floor pan between the front seats. The associated wiring was securely attached and appeared undamaged.

Due to the extensive collision damage and subsequent fire damage to Vehicle 1 (Ford), the CDR system (version 17.3) was connected directly to the ACM utilizing Bosch direct-to-module cable number F-00K-108-783, and adapter F-00K-108-387, in order to conduct a direct-to-module data imaging.



ACM of Vehicle 1 (Ford).
CL-012-17 05-18-17 RS (9) cropped



ACM of Vehicle 1 (Ford) connected to CDR equipment.
CL-012-17 05-18-17 RS (13) cropped

Investigator Shaw successfully imaged the ACM on Thursday, May 18, 2017, at 1134 hours. The CDR report for Vehicle 1 (Ford) is attached to this supplemental report as Annex A.

The CDR report was saved for printing and review as a Portable Document Format (PDF) file, using the latest version of the CDR software available to CHP Central Division MAIT at the time this report was published. MAIT booked the PDF and raw data file for the underlying CDR System file into evidence. The raw data file was named with the vehicle's VIN with an "ACM" identifier, and a ".CDRx" file extension. The raw data file should only be opened and viewed with the latest version of the Bosch Crash Data Retrieval System software.

The use of a "text viewer" may corrupt the CDR file which may prevent it from being opened again with the CDR Tool software. A free copy of the current "CDR Reader Version" software is available for download at the CDR Web site: <www.crashdatagroup.com/software>.

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EVIDENCE LOG

The following items were booked into evidence at the CHP Modesto Area office by MAIT investigators as a result of this investigation.

ITEM	QUANTITY	DESCRIPTION	SEIZED/BOOKED BY	DISPOSITION
1M	11	Digital Versatile Discs (DVDs) and Compact Discs (CDs) containing original MAIT digital photographic images.	Investigator Muñoz	CHP Modesto Area evidence number E20170214
2M	1	CD containing Environment Video.	Investigator Muñoz	CHP Modesto Area evidence number E20170214
3M	1	CD containing Portable Document File (PDF) and CDRx file of the CDR report for Vehicle 1 (Ford).	Investigator Muñoz	CHP Modesto Area evidence number E20170214
4M	1	CD containing GSI files, KML File, and PDF of the MAIT report.	Investigator Muñoz	CHP Modesto Area evidence number E20170214
5M	1	DVD containing ScanStation Data of Scene and Vehicle 1 (Ford).	Investigator Muñoz	CHP Modesto Area evidence number E20170214
6M	1	CD containing ScanStation Data of Vehicle 1 (Ford).	Investigator Muñoz	CHP Modesto Area evidence number E20170214
7M	1	Universal Serial Bus (USB) flash drive containing data analysis of Passenger 1's (CSO Johnson) cellular telephone.	Investigator Muñoz	CHP Modesto Area evidence number E20170214
8M	1	DVD containing Leica TruView and Scene Fly Through	Investigator Muñoz	CHP Modesto Area evidence number E20170214

The CHP Modesto Area is the custodian of records for this investigation. All requests related to evidence shall be directed to:

CHP Modesto Area
4030 Kiernan Avenue
Modesto, California 95356
(209) 545-7440

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PHOTO/VIDEO LOG

DISC A

Folder File Name: [REDACTED]
Date Digital Photographs Taken: May 13, 2017
Photographer: Investigator Shaw
Camera: Canon EOS 70D
Subject: Collision scene
Number of Digital Photographs: 303
Digital Photograph File Names: [REDACTED]

Folder File Name: [REDACTED]
Date Digital Photographs Taken: May 13, 2017
Photographer: Investigator Shaw
Camera: Canon EOS 70D
Subject: Vehicle 1 (Ford)
Number of Digital Photographs: 133
Digital Photograph File Names: [REDACTED]

Folder File Name: [REDACTED]
Date Digital Photographs Taken: May 13, 2017
Photographer: Investigators Shaw and Weaver
Camera: Canon EOS 70D
Subject: Collision Scene
Number of Digital Photographs: 48
Digital Photograph File Names: [REDACTED]

Folder File Name: [REDACTED]
Date Digital Video Taken: May 18, 2017
Videographer: Investigator Haas
Camera: Nikon D90
Subject: Scene Environment
Number of Digital Videos: 1
Digital Video File Name: [REDACTED]

Folder File Name: [REDACTED]
Date Digital Photographs Taken: May 18, 2017
Photographer: Investigator Haas
Camera: Nikon D90
Subject: Scene Environment
Number of Digital Photographs: 34
Digital Photograph File Names: [REDACTED]

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FACTS

PHOTO/VIDEO LOG

DISC A (continued)

Folder File Name: [REDACTED]
Date Digital Photographs Taken: May 18, 2017
Photographer: Investigator Shaw
Camera: Canon EOS 70D
Subject: Vehicle 1 (Ford) ACM imaging and Exemplar 2014 Stanislaus County Sheriff Ford Police Interceptor
Number of Digital Photographs: 57
Digital Photograph File Names: [REDACTED]

DISC B

Folder File Name: [REDACTED]
Date Digital Photographs Taken: June 6, 2017
Photographer: Investigator Weaver
Camera: Nikon D70
Subject: Mechanical Inspection of Vehicle 1 (Ford)
Number of Digital Photographs: 139
Digital Photograph File Names: [REDACTED]

Folder File Name: [REDACTED]
Date Digital Photographs Taken: June 6, 2017
Photographer: Investigator Shaw
Camera: Canon EOS 70D
Subject: Mechanical Inspection of Vehicle 1 (Ford)
Number of Digital Photographs: 115
Digital Photograph File Names: [REDACTED]

Folder File Name: [REDACTED]
Date Digital Photographs Taken: June 13, 2017
Photographer: Investigator Weaver
Camera: Canon EOS 70D
Subject: Mechanical Inspection of Vehicle 1 (Ford)
Number of Digital Photographs: 50
Digital Photograph File Names: [REDACTED]

MULTIDISCIPLINARY ACCIDENT INVESTIGATION TEAM NARRATIVE/DIAGRAM

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PHOTO/VIDEO LOG

DISC B (continued)

Folder File Name:

Date Digital Photographs Taken:

Photographer:

Camera:

Subject:

Number of Digital Photographs:

Digital Photograph File Names:

October 17, 2017

Investigator Muñoz

Canon EOS 80D

Component Inspection of Vehicle 1 (Ford)

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Folder File Name:

Date Digital Photographs Taken:

Photographer:

Camera:

Subject:

Number of Digital Photographs:

Digital Photograph File Names:

February 8, 2018

Investigator Weaver

Canon EOS 80D

Component Inspection of Vehicle 1 (Ford)

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Folder File Name:

Date Digital Photographs Taken:

Photographer:

Camera:

Subject:

Number of Digital Photographs:

Digital Photograph File Names:

February 15, 2018

Investigators Weaver and Norseen

Canon EOS 80D

Scene

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During the course of this investigation, 1,044 digital photographs and one digital video were taken by MAIT investigators. At the conclusion of this investigation, the digital photographs and the video, stored on DVDs, were delivered to the CHP Modesto Area office with this report.

The CHP Modesto Area is the custodian of records for this investigation. All requests related to photographic images shall be directed to:

CHP Modesto Area
4030 Kiernan Avenue
Modesto, California 95356
(209) 545-7440

MULTIDISCIPLINARY ACCIDENT INVESTIGATION TEAM NARRATIVE/DIAGRAM

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STATEMENTS

WITNESS [REDACTED]

[REDACTED]
Modesto, California
Date of birth: [REDACTED]
Telephone: [REDACTED]

Witness 1 [REDACTED] was interviewed by Investigator Norseen on Saturday, May 13, 2017, at approximately 0930 hours, at the collision scene. Witness 1 ([REDACTED]) identified himself with his valid California driver license, number [REDACTED]. The interview was digitally recorded. The following is a summary of the interview.

At the time of the collision, he was driving his white Nissan pickup south on Crows Landing Road, from South Seventh Street, at approximately 35 miles per hour. Witness 1 ([REDACTED]) related there were approximately three vehicles approaching his vehicle traveling north, in the northbound lane of Crows Landing Road, when he observed Vehicle 1 (Ford). He stated, "The officer was in a pursuit going north so he passed all three of those vehicles." When asked if he was chasing another car he advised he was just passing the other vehicles at a high rate of speed without any emergency lights or sirens on. When I explained to Witness 1 ([REDACTED]) that a pursuit would involve chasing another vehicle, he changed his statement and said he used the "wrong choice of words." He related the Deputy was "going fast somewhere." When asked if he could determine how fast the patrol vehicle was traveling he stated, "70."

Witness 1 ([REDACTED]) said the vehicle was coming directly at his vehicle causing him to swerve off the right side of the roadway to avoid being hit in a head-on collision. Witness ([REDACTED]) was unaware the vehicle was a patrol vehicle until after it passed his vehicle and he saw the Sheriff logo on the door. As Vehicle 1 (Ford) passed him, Witness 1 ([REDACTED]) related due to the excessive speed, Vehicle 1 (Ford) was unable to make the right turn in the roadway causing it to travel off the road, collide with debris and land on the steel bin. I asked Witness 1 ([REDACTED]) if he was saying what he thought had happened or did he actually see it. He stated that he saw the collision in his rearview mirror.

Following the collision, Witness 1 ([REDACTED]) drove back to the scene. He observed flames engulfing the passenger and driver sides of Vehicle 1 (Ford), making it unsafe to attempt to help the occupants. Witness 1's ([REDACTED]) passenger, Witness 2 ([REDACTED]) called 911. While waiting for emergency personnel to arrive, Witness ([REDACTED]) heard at least four to five "firearm rounds" exploding, like "popping" noises from inside the vehicle. Witness ([REDACTED]) remained on scene waiting for the arrival of CHP and other emergency personnel.

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STATEMENTS

WITNESS 1 [REDACTED]

Oakland, California [REDACTED]

Date of birth: [REDACTED]

Telephone: (2 [REDACTED])

Witness 2 [REDACTED] was interviewed by Investigator Norseen on Saturday, May 13, 2017, at approximately 0941 hours, at the collision scene. Witness 2 [REDACTED] identified himself with his California identification card, number [REDACTED]. The interview was digitally recorded. The following is a summary of the interview.

At the time of the collision, he was the right front passenger in Witness 1's [REDACTED] white Nissan pickup. The Nissan was traveling south on Crows Landing Road, from South Seventh Street, at approximately 25 to 30 miles per hour. Witness 2 [REDACTED] observed Vehicle 1 (Ford) coming directly at their vehicle in the southbound lane. When asked if he could estimate the speed of Vehicle 1 (Ford) he stated, "Quite fast, 50 or 60." Witness 1 [REDACTED] swerved to the right to avoid being hit by Vehicle 1 (Ford). Witness 2 [REDACTED] did not see Vehicle 1 (Ford) crash but he related Witness [REDACTED] saw it in his rearview mirror. Witness [REDACTED] turned his vehicle around and drove back to the scene and observed Vehicle 1 (Ford) on fire while on top of the metal bin. Witness 2 [REDACTED] exited the vehicle and started walking toward Vehicle 1 (Ford) but due to the fire he was unable to get close enough to the vehicle to help anyone inside. Witness 2 [REDACTED] called 911 and remained on scene waiting for the arrival of CHP and other emergency personnel.

MULTIDISCIPLINARY ACCIDENT INVESTIGATION TEAM NARRATIVE/DIAGRAM

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STATEMENTS

WITNESS 3 [REDACTED]

[REDACTED]
Modesto, California

Date of birth: [REDACTED]

Telephone: [REDACTED]

Witness 3 ([REDACTED]) was interviewed by Investigator Norseen on Saturday, May 13, 2017, at approximately 0955 hours, at the collision scene. Witness 3 ([REDACTED]) identified himself with his Stanislaus County Sheriff's Department identification card and he was wearing his departmental uniform. The interview was digitally recorded. The following is a summary of the interview.

At the time of the collision, he was dressed in a full Stanislaus County Sheriff's Department uniform, driving a fully marked Sheriff's Department SWAT van. He was returning from departmental training. He was traveling north on Crows Landing Road near Pecos Avenue and observed a lot of dust on the north side of the freeway as he entered the northbound State Route 99 on-ramp from Crows Landing Road. As he entered onto northbound State Route 99, he monitored a call from the Stanislaus County Sheriff's Department Communication Center advising of a traffic collision with an ambulance responding involving a Sheriff's Department patrol vehicle. Witness 3 ([REDACTED]) exited the freeway and responded to the scene from Seventh Street to southbound Crows Landing Road. Upon arriving on the scene, he observed Vehicle 1 (Ford) on top of the metal bin and it was already on fire. Witness 3 ([REDACTED]) retrieved a fire extinguisher from his vehicle to attempt to put the fire out, but the flames were too hot to get close enough to the vehicle. Witness 3 ([REDACTED]) heard several popping noises coming from inside the vehicle which he assumed was ammunition going off in the fire. Within a couple minutes, fire department personnel arrived on scene. Witness 3 ([REDACTED]) remained on scene until CHP arrived.

MULTIDISCIPLINARY ACCIDENT INVESTIGATION TEAM NARRATIVE/DIAGRAM

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STATEMENTS

WITNESS 4 [REDACTED]

Modesto, California [REDACTED]

Date of birth [REDACTED]

Telephone: ([REDACTED]) [REDACTED]

Witness 4 [REDACTED] was interviewed by Investigator Norseen on Saturday, May 13, 2017, at approximately 1005 hours, at the collision scene. Witness 4 [REDACTED] identified himself with his California identification card, number [REDACTED]. The interview was digitally recorded. The following is a summary of the interview.

At the time of the collision, he was driving his red Chevrolet pickup north on Crows Landing Road, south of State Route 99. As he approached Mendoza's Auto Sales, he observed Vehicle 1 (Ford) stopped ahead on the east shoulder facing in a northerly direction. As he approached the location of Vehicle 1 (Ford), it suddenly accelerated at a high rate of speed without its emergency lights or siren activated. Vehicle 1 (Ford) was traveling north on Crows Landing Road. Vehicle 1 (Ford) crossed into the southbound lane, passing a vehicle, and nearly hit another vehicle, possibly a white Ford pickup, before losing control and traveling off the west side of the roadway. Witness 4 [REDACTED] could only see dust until he approached the scene and saw Vehicle 1 (Ford) on fire while on top of the metal bin. Witness 4 [REDACTED] stopped his vehicle and attempted to approach Vehicle 1 (Ford) but due to the flames he was unable to get close.

Witness 4 [REDACTED] heard what he thought was ammunition going off inside the vehicle. Witness [REDACTED] remained on scene for the arrival of CHP and other emergency personnel.

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STATEMENTS

WITNESS [REDACTED]

[REDACTED]
Modesto, California

Date of birth [REDACTED]

Telephone [REDACTED]

Witness [REDACTED] was interviewed by Investigator Norseen on Saturday, May 13, 2017, at approximately 1009 hours, at the collision scene. Witness 5 ([REDACTED]) identified herself verbally. The interview was not digitally recorded. The following is a summary of the interview.

At the time of the collision, she was at home and received a call from her husband, Witness [REDACTED] telling her what had happened. She responded to the scene to pick up her husband and did not witness the collision. Witness 5 [REDACTED] remained on scene where she was contacted by CHP personnel.

WITNESS 6 [REDACTED]

[REDACTED]
Modesto, California

Date of birth [REDACTED]

Telephone: ([REDACTED])

Witness 6 [REDACTED] was interviewed by Investigators Norseen and Davis on Saturday, May 13, 2017, at approximately 1016 hours, at the collision scene. Witness 6 [REDACTED] identified himself with his California driver license, number [REDACTED]. The interview was digitally recorded. The following is a summary of the interview.

At the time of the collision, he was asleep in his bedroom inside his house, which was approximately 100 feet west of the collision scene. He did not hear or see the collision and was only woken up when his boss called him and asked him to see what was going on outside of the business. Witness 6 [REDACTED] walked out front and emergency personnel were already on scene and had the area taped off. Witness 6 [REDACTED] remained on scene where he was contacted by CHP personnel.

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STATEMENTS

WITNESS 9 ([REDACTED])

[REDACTED]
Modesto, California

Date of birth [REDACTED]

Telephone [REDACTED]

Witness 9 ([REDACTED]) was interviewed at her residence by Investigators Norseen and Davis on Wednesday, May 17, 2017, at approximately 1500 hours. Witness 9 ([REDACTED]) identified herself verbally. The interview was digitally recorded. The following is a summary of the interview.

She and Party 1 ([REDACTED]) had been close friends for the past six years, were currently in a relationship, and they have a seven month old son together. Party 1 ([REDACTED]) has come to her with every question, problem, concern and everything else for the past six years.

On Friday, April 21, 2017, Party 1 ([REDACTED]) was out with his horse and got "overheated," felt "really faint," and thought he was going to "pass out." When asked if she witnessed this incident, she related Party 1 ([REDACTED]) sent her a text message on April 21, 2017, and again on Thursday, May 4, 2017. A review of the text messages by investigators showed a text message was sent from Party 1 ([REDACTED]) on April 21, 2017, at 1955 hours, stating, "I'm not feeling very good...I think I got to [sic] hot. I'm going home to cool off. I will call you tomorrow babe love u."³³

A second set of text messages were located on Friday, May 5, 2017, at 0833 hours, with Party 1 (Deputy [REDACTED]) stating, "Good Morning. I got a bit overheated yesterday." Witness 9 ([REDACTED]) responded, "Hey babe. U ok?" Party 1 ([REDACTED]) responded, "Yeah I just felt sick yesterday after work and had to lay down."³⁴ Witness 9 ([REDACTED]) advised she called him after receiving the text message and Party 1 ([REDACTED]) told her he got overheated to the point he felt like he was going to pass out. Due to the fact that it had been hot outside, she didn't think anything of it.

Party 1 ([REDACTED]) went to Witness 9's ([REDACTED]) house on Thursday, May 11, 2017, and Friday, May 12, 2017, after he finished collision school classes. He advised her he almost didn't pass his final test for the collision school because he had a panic attack due to being stressed. Witness 9 ([REDACTED]) advised he was overly stressed lately because of the issues he was having with his wife at home. Party 1 ([REDACTED]) had filed for divorce on Wednesday, May 10, 2017. Witness 9 ([REDACTED]) advised he had been having panic attacks lately and took prescription Xanax regularly. He also had stomach acid issues and told her during the test, it was worse than ever, including chest pain, difficulty breathing, and he couldn't catch his breath.

Witness 9 ([REDACTED]) also advised Party 1 ([REDACTED]) experienced, what she called, "focal seizures" which she had witnessed on two separate occasions. She stated he had these more frequently when he was stressed. The first time Witness 9 ([REDACTED]) observed Party 1 ([REDACTED]) experience these "focal seizures" was approximately one and a half or two years ago while she was on a ride-a-long with him during his shift.

³³ CHP Modesto Area Evidence number E20170214, item 25, Image 3184.

³⁴ CHP Modesto Area Evidence number E20170214, item 25, Images 3192 and 3193.

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WITNESS 9 (continued)

After clearing a domestic violence call, they were traveling north on State Route 99, near the Carpenter Road exit, when Party 1 looked at her and started saying something that was incomprehensible and sounded like "uh, thah, thah, thah." Witness 9 thought Party 1 was making fun of her, but soon realized he was looking at her and not paying attention to the road. Witness 9 said to him, "You're not funny, stop it." Party 1 mumbled "the guy, the guy, the guy." She was getting scared and started hitting him and asked him to stop. He finally turned to her and said, "I just did that thing, didn't I?"

Witness 9 asked him to pull over and he stopped by the Salida Post Office. Party 1 then attempted to dictate his report from the previous call they had just come from but he could not remember anything about it. Party 1 told Witness 9, "I just need to sleep. I am so tired. I just need to sleep." Witness 9 told him to just take a nap and she would listen to the radio for any calls. Party 1 then went to sleep for approximately three to four hours while she listened to the Sheriff Department radio for calls.

Party 1 told Witness 9 he would have these incidents where he would smell what he described as "cotton candy," and then he would see something, and he wasn't sure what it was. After these incidents occurred, he would not remember anything that had happened, he noticed an extended amount of time had elapsed, and he was extremely tired. She described the incidents like "the lights are on but nobody is home."

They discussed it and researched it, and felt they could be "focal seizures." The second time Witness 9 witnessed a similar event, they were sitting in her bedroom at her residence and Party 1 "zoned off." Witness 9 asked, "Hey, where are you?" Party 1 just stared straight ahead and she was unable to get his attention for a couple minutes. When he came too she asked him, "Did you do it again?" Party 1 said, "Yeah." Witness 9 then tried to get him to let her drive him home and he said, "No, I am okay." She made him stay for another 15 minutes or so before letting him drive home, but only after he agreed to text her and when he made it home safely.

Witness 9 believed an incident may have occurred at the time of the collision because these incidents seemed to occur more often when he was stressed. Party 1 had been very stressed the previous week with all the issues he had been having with his wife, Witness 19. Witness 9 claimed she had seen recent text messages from Witness 19 to Party 1 stating Witness 19 wished he was dead and that she hoped he would die so she didn't have to deal with him.

Witness 9 only witnessed Party 1 experience these episodes two times but advised he told her about six or eight additional occurrences. Witness 9 stated Party 1 wasn't one to drive fast and she would call him "I" because he would drive so slow. When asked when was the last time she was aware of the "focal seizures" occurring, she related Party 1 told her about a month and a half earlier while he was in Lodi, after dropping off his kids with their mother, and he was having trouble staying awake on his way home. When I asked if there was anyone close to him whom he may have told about the seizures, she related she was not sure. He did not want it to get out. He was worried about his driver license getting suspended and would lose his job.

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STATEMENTS

WITNESS 9 (HITI) (continued)

Witness 9 [REDACTED] said if he did tell anyone else it would be Witness 12 ([REDACTED]), Witness 16 ([REDACTED]) or Witness 26 ([REDACTED]). Party 1 ([REDACTED]) told Witness 9 ([REDACTED]) on Thursday, May 11, 2017, that he had filed for divorce from his wife, Witness 1 ([REDACTED]), and was planning on getting a place to live with Witness 26 ([REDACTED]) in the next couple weeks. He also brought her paperwork to fill out to add his name to their son Caleb's birth certificate. Witness 9 ([REDACTED]) advised that she had urged Party 1 ([REDACTED]) to go to the doctor and get these "focal seizures" checked.

Witness 9 ([REDACTED]) was only aware of Party 1 ([REDACTED]) being under a doctor's care for stress. He was taking Xanax regularly since August 26, 2017. Witness 9 ([REDACTED]) remembered a conversation she had with Party 1 ([REDACTED]) regarding his going to the doctor, and he related that they would revoke his license until they determined what was wrong with him. He would not be able to work or go to Lodi to visit his kids.

Witness 9 ([REDACTED]) was asked about a Private Investigation (PI) business Party 1 ([REDACTED]) was reported to have. She related she knew about it, and he only did business in San Joaquin County because of the conflict of interest it would pose with his job at the Stanislaus County Sheriff's Department.

In addition to the PI work, Party 1 ([REDACTED]) would also install security systems for businesses. One business in particular he installed a system for was Emerald Tattoo in Lodi, but he was supposed to also install one in their Modesto location also. I asked Witness 9 ([REDACTED]) when the last time she saw Party 1 ([REDACTED]) before the collision, and she advised he came over on Friday, May 12, 2017, at 1533 hours. While he was there, they talked, "slept together," and then he left at 1603 hours.

Witness 9 ([REDACTED]) related Party 1 ([REDACTED]) had three cellular telephones. The cellular telephone number for work was ([REDACTED]). This cellular telephone was an iPhone. His personal cellular telephone number that "everyone knows" was ([REDACTED]). This cellular telephone was an iPhone 6. The other cellular telephone number was ([REDACTED]). This cellular telephone was a Metro prepaid telephone which Witness 9 ([REDACTED]) and Party 1 ([REDACTED]) would send/receive their text messages to each other, and talk to each other.

¹⁵ Verified by a text message Witness 9 ([REDACTED])

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STATEMENTS

WITNESS 10

Modesto, California

Date of birth:

Telephone:

Witness 10 () was interviewed by Sergeant G. Serrato, ID 18437, on Thursday, May 18, 2017, at approximately 1115 hours, at the CHP Modesto Area office. Witness 10 () identified himself with his valid California driver license, number (). The interview was digitally recorded. The interview was conducted in Spanish because Witness 10 () felt more comfortable speaking and comprehending Spanish. Sergeant Serrato is certified by the CHP as a bilingual sergeant. The following is a summary of the interview translated into English by Sergeant Serrato.

Witness 10 () was traveling north on Crows Landing Road, north of Hatch Road, in the number one lane, when he came to a stop for a red traffic signal at School Avenue. Witness 10 () looked to the right and observed Vehicle 1 (Ford), a Stanislaus County Sheriff's Department Ford Police Interceptor, stopped at the red light, north on Crows Landing Road, at School Avenue, in the number two lane. Witness 10 () only focused his attention to the driver's area and only saw one person inside Vehicle 1 (Ford).

Approximately 35 seconds later, the light turned green and both vehicles proceeded north on Crows Landing Road. Traffic in the number two lane, began to move a bit faster and Vehicle 1 (Ford) was able to get ahead of Witness 10 (). Witness 10 () estimated both vehicles were traveling at approximately 33 to 34 miles per hour. Just before the number two lane ended, Vehicle 1 (Ford) stopped on the right side of the roadway north of Pecos Street, approximately 150 feet south of the on-ramp to southbound State Route 99. Vehicle 1 (Ford) was adjacent to the Mendoza's Auto Sales dealership. Witness 10 () passed Vehicle 1 (Ford) and observed a Stanislaus County Sheriff's Department deputy seated in the driver's seat. The deputy (male) seemed to be tranquil and Witness 10 () did not observe anything out of the norm. Witness 10 () did not know if the deputy was grabbing the steering wheel or using a cellular telephone. Vehicle 1 (Ford) did not have any overhead lights activated, nor did it have its siren activated. Witness 10 () did not notice if Vehicle 1's (Ford) brake lights were illuminated. Witness 10 () did not see any vehicles or pedestrians stopped near the deputy.

Witness 10 () continued north on Crows Landing Road and when he was approximately 150 feet north of the State Route 99 bridge, he heard a loud noise. Witness 10 () described the noise as the noise wheels of an airplane make, when they land on the pavement. Witness 10 () looked in his vehicle's left rearview mirror and saw a vehicle approaching his direction, traveling on the opposite side of the roadway. At this time, Witness 10 () was unable to recognize the make/model or color of vehicle. Witness 10 () related there was dirt and pavement where the vehicle was traveling. Witness 10 () estimated the vehicle to be traveling at approximately 45 to 50 miles per hour as it passed his location.

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STATEMENTS

WITNESS 10 [REDACTED]

Once the patrol vehicle was adjacent to Witness 10 [REDACTED], Witness 10 [REDACTED] recognized it as the same vehicle that had been stopped at the right curb on Crows Landing Road. It did not appear the driver was applying the brakes nor doing anything to stop it. Once Vehicle 1 (Ford) was approximately three car lengths ahead of Witness 10 [REDACTED] Vehicle 1 (Ford) veered slightly to the left, and it never got back onto the pavement. Vehicle 1 (Ford) continued to travel north on Crows Landing Road on the west shoulder.

The right front of Vehicle 1 (Ford) struck a pole holding a blue porch located at the wrecking yard. Vehicle 1 (Ford) did not have its siren activated. Vehicle 1 (Ford) continued traveling underneath the porch (approximately 75 feet in length). Witness 10 [REDACTED] could hear noises, as if Vehicle 1 (Ford) was colliding with other things underneath the porch. Witness 10 [REDACTED] observed things flying from underneath the porch, but could not recognize what they were. Vehicle 1 (Ford) struck something near the end of the porch and it caused Vehicle 1 (Ford) to go airborne approximately four feet. At this time, Witness 10 [REDACTED] observed fire coming from the front of Vehicle 1 (Ford), near the radiator area. Once Vehicle 1 (Ford) was airborne, it veered to the right before veering to the left and landing on top of a white commercial van.

Witness 10 [REDACTED] stopped on the shoulder and tried to help, but was unable to render assistance, due to the heat from the fire. Witness 10 [REDACTED] could only get as close as 30 feet, but because of the height where Vehicle 1 (Ford) came to rest, Witness 10 [REDACTED] was unable to assist. The fire gradually moved from the front to the rear of Vehicle 1 (Ford) and small explosions could be heard coming from inside Vehicle 1 (Ford). Witness 10 [REDACTED] tried giving his telephone to a woman to call 911, because he doesn't speak English. Witness 10 [REDACTED] observed an Indian male calling 911. The woman he tried giving his telephone to was described as 60 years of age and appeared to be Hispanic. Approximately 3 to 4 minutes later a police officer, which he believed to be from the Modesto Police Department (MPD), arrived on scene but he could not do anything. The police officer appeared to be desperate and calling for help on the radio or cellular telephone. A United Parcel Service (UPS) vehicle arrived shortly after, followed by a fire truck which started putting out the fire.

Witness 10 [REDACTED] did not see any movement inside Vehicle 1 (Ford) once it was stabilized. Witness 10 [REDACTED] remained on scene and provided his information to an officer that arrived.

Witness 10 [REDACTED] had a difficult time calling it an accident, because the driver didn't try to apply the brakes. Witness 10 [REDACTED] related in his 30 years of driving experience, he believed there was plenty of time to slow or brake.

Witness 10 [REDACTED] related he did not know if Vehicle 1's (Ford) brakes were working and related he never saw the brake lights illuminate. Vehicle 1 (Ford) was gaining speed as it was traveled north on Crows Landing Road.

Witness 10 [REDACTED] believed he had footage of Vehicle 1 (Ford) once it came to rest, but when he was attempting to show the video to investigators, it was discovered that although he activated the video camera, he never pressed the "record" button, and no video was recorded. The cellular telephone Witness 10 [REDACTED] had was a Samsung flip telephone.

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WITNESS 10 [REDACTED] (continued)

On Thursday, January 18, 2018, at approximately 1702 hours, Sergeant G. Serrato re-contacted Witness 10 [REDACTED] via telephone, and verified he was driving a burgundy 2000 Chevrolet S-10 pickup with a lumber rack in the bed on the day of the collision.

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STATEMENTS

WITNESS I [REDACTED]

[REDACTED]
Patterson, California

Date of birth: [REDACTED]

Telephone: [REDACTED]

Witness 11 [REDACTED] was interviewed at her residence by Investigator Norseen on Friday, May 19, 2017, at approximately 1240 hours. Witness 11 [REDACTED] identified herself with her valid California driver license, number [REDACTED]. The interview was digitally recorded. The following is a summary of the interview.

At the time of the collision, she was driving her black Nissan Altima north on Crows Landing Road and was stopped behind Vehicle 1 (Ford) in the number two lane at the red traffic signal at the intersection with Whitmore Avenue. After the traffic signal turned green, she continued to follow Vehicle 1 (Ford) all the way to School Avenue, where they came to a stop at another red traffic signal. After the traffic signal turned green, Vehicle 1 (Ford) accelerated and got ahead of her because, "I'm grandma and try to follow the rules a little bit."

Witness 11 [REDACTED] observed Vehicle 1 (Ford) pull to the right shoulder, near where the two lanes merge into one, and the driver's door opened all the way. Witness 11 [REDACTED] thought that was strange and thought maybe the driver got sick, and just stopped for some fresh air. As she approached Vehicle 1 (Ford), Witness 11 [REDACTED] observed a vehicle approaching in her rearview mirror at a high rate of speed. She could only describe the vehicle as a newer model mid-size gray metallic or light blue metallic car with a young man driving it. The vehicle passed her car on the right, barely missing her car and Vehicle 1's (Ford) open driver's door by inches. As the vehicle traversed the freeway overcrossing, Witness 11 [REDACTED] lost sight of the vehicle. Within a few seconds, Witness 11 [REDACTED] saw Vehicle 1 (Ford) pass her vehicle on the left at a high rate of speed. Vehicle 1 (Ford) never made the curve in the roadway and went off the roadway into a cloud of dust. Witness 11 [REDACTED] observed Vehicle 1 (Ford) on top of the dumpster smoking and then caught fire. Witness 11 [REDACTED] stopped at the scene and wanted to help but another witness who had stopped kept her from getting too close.

While waiting for emergency personnel to arrive, Witness 11 [REDACTED] became emotional due to her daughter recently having passed away. Witness 11 [REDACTED] left the scene in her vehicle and contacted Patterson Police Services on Wednesday, May 17, 2017, and advised them she was a witness to the collision.

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STATEMENTS

WITNESS 12 [REDACTED]

Date of birth: [REDACTED]

Telephone: [REDACTED]

Witness 12 [REDACTED] was interviewed by Investigator Norseen on Friday, May 19, 2017, at [REDACTED] hours, at Stanislaus County Sheriff's Department Headquarters. Witness 12 identified himself verbally and he was wearing his departmental uniform. The interview was digitally recorded. The following is a summary of the interview.

On the morning of Saturday, May 13, 2017, he arrived at the Stanislaus County Sheriff's Department Headquarters between 0615 and 0630 hours. After getting dressed for briefing, Witness 12 [REDACTED] encountered Passenger CSO Johnson in the hallway. Passenger CSO Johnson asked Witness 12 [REDACTED] if he had any opposition with her riding out with a deputy for the day since it was her first day after transferring back to the main office, and she wanted to re-acclimate herself with the area. Witness 12 [REDACTED] advised her he was not opposed to it and he could find someone for her to ride out with. Passenger CSO Johnson said she had already spoke to Party 1 [REDACTED]. If it was ok with Witness 12 [REDACTED], Party 1 [REDACTED] said Passenger CSO Johnson could ride with him. Witness 12 [REDACTED] figured since Party 1 [REDACTED] was a former Field Training Officer, he could answer any procedural questions she might have, and told her it was okay for her to ride out with him.

From approximately 0710 to 0745 hours, Witness 12 [REDACTED] conducted daily briefing as he normally would at the beginning of shift. Party 1 [REDACTED] and Passenger CSO Johnson were in attendance. Party 1 [REDACTED] and Passenger CSO Johnson were assigned beat/call sign 6L-2 for the day. After briefing, Witness 12 [REDACTED] proceeded to the parking lot with the deputies to assist with vehicle and equipment checks prior to shift. As Witness 12 [REDACTED] made his rounds, he contacted Party 1 [REDACTED] and Passenger CSO Johnson already in Vehicle 1 (Ford).

Witness 12 [REDACTED] had a brief conversation with Passenger CSO Johnson about her choice of shifts after her transfer. While talking with Passenger CSO Johnson, Witness 12 [REDACTED] heard the Stanislaus Regional Communication Center (SRCC) broadcast a call on their beat, 6L-2, of a residential burglary in the airport district area of the county. Witness 12 [REDACTED] jokingly said to Passenger CSO Johnson that she might as well grab a handful of property sheets because they just got dispatched to a residential burglary. Passenger CSO Johnson stated, "That was us? I am going to have to get used to the main office call signs cause I was used to 3-16 or 3-18 in Patterson." Party 1 [REDACTED] turned to Witness 12 [REDACTED], shook his hand and said, "After you get your staffing report out, hit me up and we will 98³⁶ for coffee." Witness 12 [REDACTED] said to him, "I'd love that."

Par [REDACTED] and Passenger CSO Johnson drove out of the parking lot.

³⁶ Aural brevity code 11-98, shortened to "98," meaning "Meet."

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WITNESS 12 [REDACTED] (continued)

Witness 12 [REDACTED] went back inside the building and, after using the restroom, he walked to his desk in the Sergeant's office. Before he could sit down, he heard SRCC broadcast reports of an "11-79"³⁷ involving a Sheriff's Department vehicle at Crows Landing Road and Seventh Street. SRCC advised that their AVL (Automated Vehicle Locator) system showed unit 6L-2 to be at that location. Witness 12 [REDACTED] immediately ran to his patrol vehicle and advised SRCC he was en route "Code 3."³⁸ As Witness 12 [REDACTED] traveled toward the scene, he saw a pillar of black smoke from the location the collision was reported.

Witness 12 [REDACTED] arrived on scene at approximately 0824 hours³⁹ and observed Vehicle 1 (Ford) on the dumpster on fire. He could see the remainder of the "Sheriff" sticker on the rear tailgate of the vehicle. Witness 12's [REDACTED] first thought was to grab a fire extinguisher and try to put the fire out, but due to the extent of the flames, it was too dangerous. Witness 12 [REDACTED] immediately attempted to assist with blocking off the roadways and securing the scene when officers from the CHP and the Modesto Police Department (MPD) arrived. MPD Sergeant S. Hinkley, ID 10311, contacted Witness 12 [REDACTED] and advised him the Sheriff's Department did not need to do anything and that between the CHP and MPD they would make sure everything was taken care of.

Witness 12 [REDACTED] remained on scene as a liaison between the investigating officers and the Sheriff's Department. Witness 12 (Sergeant Longoria) remained on scene until the scene was clear because, as he stated, he "was not going to leave until they were home."

The following information was obtained from Witness 12 [REDACTED] pertaining to the background information on Party 1 [REDACTED]. Witness 12 [REDACTED] stated, due to his strong Christian faith, Party 1 [REDACTED] often turned to him for his perspective based on the wisdom of the Bible.

When asked about Party 1's [REDACTED] personal life and relationships, Witness 12 [REDACTED] stated around April 15, 2017, he received a vacation request from Party 1 [REDACTED] for the week surrounding April 29, 2017. Party 1 [REDACTED] checked with him daily to see if it was approved because it was very important to him because his wife, Witness 19 [REDACTED], and he were at a "crossroads" in their marriage, which he attributed to the kids, work, and the other business of life in general, and wanted to use the vacation time for he and his wife to get away together. Witness 12 [REDACTED] told him that was a good idea and they were able to fill his shifts, and granted him the time off he requested. Party 1 [REDACTED] told him about it because he wanted it to be a complete surprise to his wife. Party 1 [REDACTED] made plans for their kids to be taken care of, and reservations were made but Witness 12 [REDACTED] is unable to recall the destination for the trip.

Witness 12 [REDACTED] received a text message on his personal cellular telephone on Saturday, April 29, 2017, from Party 1 [REDACTED] stating, "Hey, you mind telling me the real estate agent you were using to sell your house?" Before he could respond he received a second text message that said, "I need prayers brother."

³⁷ Aural brevity code for "Traffic Collision - Ambulance Rolling."

³⁸ Aural brevity code for "Emergency."

³⁹ Per Stanislaus County Sheriff's Department dispatch log number [REDACTED]

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WITNESS 1 ([REDACTED] continued)

Witness 12 ([REDACTED]) sent a text message back stating, "Praying." Out of concern for Party 1 ([REDACTED] Garner), Witness 12 ([REDACTED]) called Party 1 ([REDACTED]) and asked him if he was all right. Party 1 ([REDACTED]) told him that he was not all right, and explained to him what had happened.

Party 1's ([REDACTED]) wife was supposed to be off work when he had planned the surprise getaway for the two of them. The night before, he made arrangements to take his two children, from his previous marriage, back to their mother in Lodi very early before his wife woke up. His plan was to hurry back home, cook breakfast, and have breakfast in bed for her that morning when she woke up. When Party 1 ([REDACTED]) was halfway to Lodi, he received a telephone call from his wife. Witness 19 ([REDACTED]) was angry, stating "How could you possibly do this? You're thoughtless, you don't care about us, you don't care about your children, how could you possibly leave knowing I had to go to work? What am I going to do with our kids?"

Party 1 ([REDACTED]) responded by saying, "I thought you were off today, I wouldn't do that." Witness 19 ([REDACTED]) stated, "You need to start finding out where you're going to go, we are going to sell this place and we are getting a divorce." Witness 12 ([REDACTED]) told Party 1 ([REDACTED]) that he too was a married man. Marriages have their peaks and valleys. There is no such thing as a normal relationship. We just learn to perfect the argument/disagreement process. Witness 12 ([REDACTED]) advised that he prides himself on knowing the employees he supervises and genuinely cares about them enough to ask them, "what's going on."

Witness 12 ([REDACTED]) talked with Party 1 ([REDACTED]) several times and he seemed to get more and more discouraged, and related to him things were not going well and asked for any suggestions.

Witness 12 ([REDACTED]) told him about an event called "A Weekend to Remember," which is a Christian Ministry weekend getaway for couples that he and his wife attended in the past and benefitted from. Witness 12 ([REDACTED]) remembered pulling Party 1 ([REDACTED]) into his office at a later date and asking him, "How are you doing?" Party 1 ([REDACTED]) shook his head and stated, "Not good brother." He then asked him how things were at home and Party 1 ([REDACTED]) said they were not any better than the last time they had spoken. Witness 12 ([REDACTED]) also recalled another conversation. He was concerned for Party 1 ([REDACTED]). Witness 12 ([REDACTED]) assessed him to see if he needed to take some time off work but he still was performing his job satisfactorily. Party 1 ([REDACTED]) told him that work was actually therapeutic and it allowed him to get out of the house.

Witness 12 ([REDACTED]) stated Party 1 ([REDACTED]) was always talking about his wife, Witness 19 ([REDACTED]) and his kids; they were his life. Despite the issues he was having with his wife, Party 1 ([REDACTED]) expressed nothing else to Witness 12 ([REDACTED]) other than his desire to reconcile with her.

Witness 12 ([REDACTED]) remembered having a very brief conversation with Party 1 ([REDACTED]) regarding his relationship with his wife on Thursday, May 4, 2017 at a training day, and he asked, "How are you doing." Party 1 ([REDACTED]) replied, "Oh, I'm hanging in there." Witness 12 ([REDACTED]) then asked, "How are things on the home front?" Party 1 ([REDACTED]) replied, "Not any better than the last time we spoke." The conversation was brief and Party 1 ([REDACTED]) did not go into any further detail.

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WITNESS 12 [REDACTED] (continued)

Investigator Norseen requested any information Witness 12 [REDACTED] was aware of regarding Party 1's [REDACTED] extramarital relationships. Witness 12 [REDACTED] related he was not aware of any, and he considered Party 1 [REDACTED] as a person of "high moral character," and he was hoping to lead his wife to Christ and back to the church. Witness 12 [REDACTED] and Party 1 [REDACTED] had even talked about making plans to take their wives out on a double date sometime but had never found the time to make it happen.

Witness 12 [REDACTED] knew that Party 1 [REDACTED] liked to play golf and spend time with his horse. When asked about any issues with Party 1 [REDACTED] calling in sick regularly, Witness 12 [REDACTED] advised that his leaves of absences were usually vacation requests. The other deputies would tease him because he would not take full weeks of vacation but would take four or five Saturdays off over a couple months.

Witness 12 [REDACTED] concluded the interview by stating, "What troubles me the most about all of this is that none of this makes any sense. Sadly, if I would have got a telephone call from the public complaining that I had a deputy driving crazy down the streets, Jason [Party 1 [REDACTED]] would have been the last one to come to mind."

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[REDACTED]
Modesto, California [REDACTED]
Date of birth: February 6 [REDACTED]
Telephone: ([REDACTED]) [REDACTED]

WITNESS 14 [REDACTED]

[REDACTED]
Modesto, California [REDACTED]
Date of birth: [REDACTED]
Telephone: ([REDACTED]) [REDACTED]

WITNESS 1 [REDACTED]

[REDACTED]
Modesto, California [REDACTED]
Date of birth: December 9, 1997 [REDACTED]
Telephone: (2 [REDACTED]) [REDACTED]

Witness 1 [REDACTED] were interviewed together, at their residence, by Investigator Norseen, on Friday, June 2, 2017, at approximately 1120 hours. Witness 13 [REDACTED] identified themselves verbally. The interview was digitally recorded. The following is a summary of the interview.

Passenger CSO Johnson had moved out of her husband's house and in with them on Monday, April 24, 2017, and she was in the process of filing for a divorce. Witness 14 [REDACTED] provided a copy of her completed and signed, unfiled, divorce papers.⁴⁰

Witness 13 [REDACTED] related on the day prior to the collision, they drove Passenger CSO Johnson to the Stanislaus County Sheriff's Department office in Patterson at approximately 0600 hours, arriving in Patterson at approximately 0630 hours. Passenger CSO Johnson was in training in Patterson before driving her departmental truck to the Stanislaus County Sheriff's Department Headquarters office on Hackett Road in Modesto. Witness 1 [REDACTED] picked her up at the office between 1545 and 1645 hours. They dropped Witness 1 [REDACTED] off at home, and Witness 14 [REDACTED] and Passenger CSO Johnson went to Kaiser Permanente Hospital in Modesto, California, to visit her daughter, Witness 15's [REDACTED] friend, [REDACTED], who just had a baby. Passenger CSO Johnson helped install a child safety seat in [REDACTED] car before they returned home at approximately 1845 hours.

⁴⁰ CHP Modesto Area Evidence number E20170214, item 22.

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WITNESS 13 [REDACTED] (continued)

Passenger CSO [REDACTED] had dinner. After dinner, Passenger CSO Johnson took a shower and watched television prior to going to bed around 2030 or 2100 hours.

On the morning of May 13, 2017, Passenger CSO Johnson had to be at work at 0700 hours, and left their residence sometime prior to that time. No one heard her leave so they did not know the exact time she departed.

Witness 13 [REDACTED] did not hear from Passenger CSO Johnson that day prior to being notified of the traffic collision by Stanislaus County Sheriff's Department personnel.

Investigator Norseen asked [REDACTED] about any relationships they were aware of Passenger CSO Johnson being involved in. [REDACTED] advised she was currently seeing Witness [REDACTED] for the past four months, and she was very happy with that relationship.

When asked about other relationships she may have had, Witness 15 [REDACTED] related she had also had an affair with Party 1 [REDACTED] but thought she had ended the relationship when she started seeing Witness 20 [REDACTED] and Witness 15 [REDACTED] stated they were unaware of any additional relationships in which Passenger CSO Johnson may have been involved in.

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WITNESS 16 ([REDACTED])

[REDACTED]
Modesto, California

Date of birth: [REDACTED]

Telephone: ([REDACTED])

Witness 16 ([REDACTED]) was interviewed at his residence by Investigator Norseen, on Friday, June 2, 2017, at approximately 1325 hours. Witness 16 ([REDACTED]) identified himself verbally. The interview was digitally recorded. The following is a summary of the interview.

Witness 16 ([REDACTED]) had been friends with Party 1 ([REDACTED]) for approximately 15 or 16 years. They attended the police academy together. He related he did not see or talk to Party 1 ([REDACTED]) the day of, or the day prior to the collision.

The last time Witness 16 ([REDACTED]) saw Party 1 ([REDACTED]) was the Wednesday or Thursday prior to the date of the collision. Witness 16 ([REDACTED]) was getting off work in the morning and Party 1 ([REDACTED]) was coming on duty to go to traffic collision training. When asked if he was aware of any health or possible seizure issues that Party 1 ([REDACTED]) may have had, or been having, Witness 16 ([REDACTED]) advised Party 1 ([REDACTED]) told him about a year ago he was having episodes where he was going somewhere and would suddenly be at his destination and not know how he got there, like he blacked-out. Witness 16 ([REDACTED]) told him to take care of himself and to see a doctor about it. Party 1 ([REDACTED]) had not told him lately of any more of these episodes, but he had seen the distress on his face lately. Party 1 ([REDACTED]) told him he had been having panic attacks lately and was under a lot of stress. Witness 16 ([REDACTED]) advised the only issue he observed with Party 1 ([REDACTED]) was that he could fall asleep during a conversation. He would be looking at and talking to you, and his eyes would start closing, he would stop talking and he was asleep. Witness 16 ([REDACTED]) related this was a regular thing for Party 1 ([REDACTED]) to do, but he "did have a lot of stuff on his table. He worked a lot of overtime. He was dealing with all the crap with Helen, and his extracurricular activities."

Party 1 ([REDACTED]) talked with Witness 16 ([REDACTED]) regularly about issues Party 1 ([REDACTED]) was having with his wife, Witness 19 ([REDACTED]) and that for about the last four years, Party 1 ([REDACTED]) had been talking about filing for a divorce. Party 1 ([REDACTED]) told Witness 16 ([REDACTED]) he and Witness 19 ([REDACTED]) were constantly arguing about issues, mainly with him spending time in Lodi with his two oldest children from a previous marriage. Investigator Norseen asked Witness 16 ([REDACTED]) if he was aware of any Private Investigation (PI) business that Party 1 ([REDACTED]) was reported to have. Witness 16 ([REDACTED]) related he knew Party 1 ([REDACTED]) previously had a PI business, but the only side work he knew he had done was to install security cameras for people.

Investigator Norseen asked Witness 16 ([REDACTED]) for details about what he called Party 1's ([REDACTED]) "extracurricular activities." Witness 16 ([REDACTED]) advised he would discuss the ones he was aware of, but he was sure he did not know about all of them.

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WITNESS 16 ([REDACTED]) (continued)

Witness 16 ([REDACTED]) advised Party 1 ([REDACTED]) had been friends with Witness 9 ([REDACTED]), but they had an on and off again relationship for about the last three years, and they had a seven month old child together. Party 1 ([REDACTED]) had also been dating Passenger CSO Johnson starting about a year or year and a half ago.

According to conversations with Passenger CSO Johnson, she started getting some "big feelings" toward Party 1 ([REDACTED]), but he was not willing to completely devote to her because he was still married, so she decided to "move on." Witness 16 ([REDACTED]) said their relationship only lasted three or four months that he was aware of, but they continued to "goof around" after that. Witness 16 ([REDACTED]) was asked if they were still together and he advised Passenger CSO Johnson was now dating Witness 20 ([REDACTED]), and had left her husband to be with him. She was now living with her parents, Witness 13 ([REDACTED]) and Witness 14 ([REDACTED]).

When asked about Party 1's ([REDACTED]) mood prior to the collision, Witness 16 ([REDACTED]) advised Party 1 ([REDACTED]) was stressed to the point you could see it in his face. He was not as "chipper," outgoing and energetic as he usually was. He was going through a lot of stress because he was talking about getting closer and closer to divorcing Witness 19 ([REDACTED]).

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WITNESS 17 ([REDACTED])

Ms. [REDACTED]

Modesto, California [REDACTED]

Date of birth: [REDACTED]

Telephone: [REDACTED]

Witness 17 [REDACTED] was interviewed at her residence by Investigator Norseen on Friday, June 2, 2017, at approximately 1325 hours. Witness 17 [REDACTED] identified herself verbally. The interview was digitally recorded. The following is a summary of the interview.

Witness 17 [REDACTED] advised she was not friends with Party 1 ([REDACTED]), but she had been friends with Passenger CSO Johnson for approximately four years.

Investigator Norseen advised Witness 17 ([REDACTED]) that we [CHP] had been monitoring social media regarding this incident, and discovered a Facebook comment in response to someone bringing up "excessive speed," as the reason for the collision. Witness 17 ([REDACTED]) responded on Facebook to the comment by writing:

"Before you think you know something you should really know your facts. [REDACTED] suffered from seizures and it is very likely that he had one which caused him to get into this accident. Do not be so quick to judge and do not be so quick to assume that he was trying to drive like a maniac because that is not the kind of person he is. They were very good friends of mine and I know first-hand that he would not have done anything to put Raschel (Passenger CSO Johnson) into any harm."⁴¹

Witness 17 ([REDACTED]) said she had never observed Party 1 ([REDACTED]) have a seizure in person and the information she had was what she had been told by Witness 9 [REDACTED]

⁴¹ CHP Modesto Area Evidence number E20170214, item 29.

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WITNESS 18 ([REDACTED])

Mr. [REDACTED]
[REDACTED]
Modesto, California [REDACTED]
Date of birth: [REDACTED]
Telephone: [REDACTED]

Witness 18 ([REDACTED]) was interviewed by Investigator Norseen on Friday, June 2, 2017, at approximately 1905 hours, at 1417 Falcon Way in Modesto, California. Witness 18 ([REDACTED]) identified himself verbally. The interview was digitally recorded. The following is a summary of the interview.

Witness 18 ([REDACTED]) was married to Passenger CSO Johnson, but she had moved out of their house and into her parent's house about a week and a half before the collision. Witness 18 ([REDACTED]) advised he had seen Passenger CSO Johnson a few days prior to the crash. She came over to his house to sort out house stuff and to pay mutual bills. They continued to send text messages to each other daily. He talked to her via text message the night before the collision between 2020 and 2120 hours. The text messages were regarding Witness 18 ([REDACTED]) trying to get her to come over and talk, but she was busy at the hospital helping her daughter's friend install a child safety seat in her car for the baby she had just had.

When asked if Passenger CSO Johnson had mentioned being abnormally troubled or stressed, he advised she had not. She wanted him to stay in their house because their children were happy there and her parents, Witness 13 ([REDACTED]) and Witness 14 ([REDACTED]), were moving to Las Vegas, so she was going to take over their house. Witness 18 ([REDACTED]) advised that it was not a bad break up, and they were handling everything together.

Passenger CSO Johnson was a little nervous but excited about being transferred back to the Stanislaus County Sheriff's Department main office, and that is why she was riding along with Party 1 ([REDACTED]) to re-familiarize herself with the area.

Investigator Norseen requested Witness 18 ([REDACTED]) sign a CHP 202D – Consent Search, to attempt to download the content of Passenger CSO Johnson's cellular telephone.⁴² Witness 18 ([REDACTED]) supplied the number for the cellular telephone, and voluntarily signed the CHP 202D – Consent Search.⁴³

⁴² Passenger CSO Johnson's cellular telephone was located by investigators in Vehicle 1 (Ford) following the collision.

⁴³ CHP Modesto Area Evidence number 20170214, item 15.

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WITNESS 19 ()

Ms. ()

Modesto, California ()

Date of birth: ()

Telephone: ()

Witness 19 () was interviewed by Investigator Davis on Wednesday, June 7, 2017, at approximately 1008 hours, at the CHP Modesto Area office. Witness 19 () identified herself by her valid California driver license, number (). The interview was digitally recorded. The following is a summary of the interview.

On the day prior to the collision, Friday, May 12, 2017, her husband, Party 1 () was in training all day and was not supposed to go to work on Saturday because he had been in training all week. He was told on Friday he had to work his regular shift on Saturday. Party 1 () went to bed around 2130 hours and his alarm went off around 0600 hours on Saturday. Party 1 () took a shower and got ready for work. Witness 19 () told him goodbye when he left for work around 0640 hours, and she did not talk to him again prior to the traffic collision.

Witness 19 () was asked about any pre-existing health issues that Party 1 () had or anything that ran in the family. Witness 19 () related Party 1 () was healthy, as far as she knew. She was only aware of stomach issues, which Party 1 () took acid reflux medicine for. Party 1 () also took an anxiety medication which he took occasionally for approximately the last year.

She did advise their youngest son has "Febrile Seizures,"⁴⁴ which she stated were not epileptic but were caused from very high fevers. Witness 19 () said Party 1 () had been in perfect health, so if anything had happened to him he would have gone to the doctor. Witness 19 () was unaware of any seizures Party 1 () may have had. He was very busy and had two children from his previous wife in the Lodi area. He would pick them up from school on his days off and would often have their two children with him so he would not put them in danger.

Witness 19 () was asked about any extracurricular activities Party 1 () may have been involved with. She related he liked to play golf from time to time and he assisted a friend, who lived in Seattle, Washington, by managing a property for him in Lodi. She also advised he was in a good mood, he was very happy with his job, and did not have any issues with his partners or supervisors.

Witness 19 () signed a CHP 202D – Consent Search, to attempt to download the content of Party 1's () cellular telephones located in Vehicle 1 (Ford) after the collision. Witness 19 () voluntarily signed the CHP 202D – Consent Search.⁴⁵

⁴⁴ Febrile seizure is defined as a seizure associated with a febrile illness. "Febrile" is defined as pertaining to or characterized by an elevated body temperature, such as a febrile reaction to an infectious agent. *Mosby's Medical Dictionary*, 3rd Edition, Mosby, Incorporated, United States of America, ©2002, p. 663.

⁴⁵ CHP Modesto Area Evidence number E20170214, item 15.

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WITNESS 20 ([REDACTED])

Mr. [REDACTED]

Modesto, California [REDACTED]

Date of birth: [REDACTED]

Telephone: [REDACTED]

Witness 20 [REDACTED] was interviewed by telephone by Investigator Norseen on Tuesday, June 27, 2017, at approximately 1100 hours. Witness 20 ([REDACTED]) identified himself verbally. This interview was not digitally recorded. The following is a summary of the interview.

Witness 20 ([REDACTED]) had been dating Passenger CSO Johnson for approximately four months, and they were planning to move in together. On Friday, May 12, 2017, they had been texting each other while she was in a training class. After her class was over, she went to the Patterson Fire Station, where Witness 20 ([REDACTED]) was working, at approximately 1445 hours. They talked for approximately ten minutes before she left in her Stanislaus County Sheriff's Department CSI truck to go to the Stanislaus County Sheriff's Department Headquarters in Modesto. They continued to text each other throughout the evening and the next morning.

She texted him after briefing and related she had been "talked down to" by another ID technician. She also advised Witness 20 ([REDACTED]) that she was riding out for the day with a deputy to get re-familiarized with the area. When Witness 20 ([REDACTED]) found out she was riding along with Party 1 ([REDACTED]), he became upset because he was aware of the rumors she used to date him.

On Tuesday, March 20, 2018, via email, Investigator Norseen received a copy of the text messages sent between Witness 20 ([REDACTED]) and Passenger CSO Johnson for the 24 hours preceding the collision.

The last text Witness 20 ([REDACTED]) received from Passenger CSO Johnson was at 0806 hours, stating, "Are you on your way home?"

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WITNESS 21 ([REDACTED])

Date of birth: [REDACTED]

Telephone: [REDACTED]

Witness 21 ([REDACTED]) was interviewed at Stanislaus County Sheriff's Department's Headquarters by Investigator Norseen on Tuesday, June 27, 2017, at approximately 1655 hours. Witness 21 ([REDACTED]) identified himself verbally and he was wearing his departmental uniform. The interview was digitally recorded. The following is a summary of the interview.

Investigator Norseen advised Witness 21 ([REDACTED]) that he was forwarded an email Witness 21 ([REDACTED]) had sent on Monday, May 15, 2017, to the command at the Stanislaus County Sheriff's Department.⁴⁶ The email regarded some issues that Witness 21 ([REDACTED]) had previously with Vehicle 1 (Ford). Investigator Norseen advised the reason for the interview was for Witness 21 ([REDACTED]) to explain the issues he had with Vehicle 1 (Ford) discussed in the email. Witness 21 ([REDACTED]) advised he had been working as a deputy with the Stanislaus County Sheriff's Department for about seven months. With his military police time and with the Ceres Police Department time, he related he had over 20 years of experience in law enforcement. He also advised he has experience driving the Ford Police Interceptor Utility Vehicle over the last three to four years, ever since law enforcement started changing over from the Ford Crown Victoria.

Witness 21 ([REDACTED]) advised he and Party 1 ([REDACTED]) were both assigned to use Vehicle 1 (Ford) during their shifts. Party 1 ([REDACTED]) drove for one half of the week and he drove it the other half of the week. He advised he had only been assigned to Vehicle 1 (Ford) for the last couple months.

Regarding the issue Witness 21 ([REDACTED]) reported to his department on May 15, 2017, about Vehicle 1 (Ford), he related the following: On Monday, April 3, 2017,⁴⁷ while responding to a call for service, he attempted to make a three-point turn on a residential road to turn around. He pulled forward toward the curb, put the vehicle into reverse and backed up. As he put the vehicle from reverse to drive, the engine accelerated up to around 4,500 revolutions per minute (RPM) and he had to push the brake to keep it from moving forward. He held the brake and cycled the shifter through all the gears but the engine continued to rev until he shifted through the gears a second time and that is when the RPM dropped back to normal. The entire incident lasted no more than 15 seconds.

After the occurrence, he turned to an intern he had with him, later determined to be Witness 27 ([REDACTED]), and jokingly said to him, "You saw the throttle stuck on me so if I crash it is not my fault." Witness 21 ([REDACTED]) never witnessed it occur before or after that date so he never wrote it up to have it checked.

⁴⁶ CHP Modesto Area Evidence number E20170214, item 34.

⁴⁷ Date obtained from the original email sent to the Stanislaus County Sheriff's Department.

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WITNESS 21 [REDACTED] (continued)

When asked if he ever noticed any other issues with Vehicle 1 (Ford), he said the only other thing he noticed was it sticking in pursuit mode where the RPM's would go very high and the transmission would not want to shift. He would think "This piece of crap transmission is getting ready to go." Then the RPM's would drop back down to normal and everything would work fine. When asked if he had ever noticed any steering or brake problems with the car, Witness 21 ([REDACTED]) advised he did not remember any steering issues but remembered some vibrations when braking at times, but nothing he would consider excessive.

When asked about any other issues with the car he stated, "Actually, I thought it was a good car to be honest with you."

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WITNESS 22 [REDACTED]

Mr. [REDACTED]
Lodi, California [REDACTED]
Date of birth: [REDACTED]
Telephone: [REDACTED]

Witness 22 ([REDACTED]) was interviewed by telephone by Investigator Norseen on Tuesday, June 27, 2017, at approximately 1420 hours. Witness 22 ([REDACTED]) identified himself verbally. The interview was digitally recorded. The following is a summary of the interview.

Witness 22 ([REDACTED]) was asked about any medical issues his son, Party 1 ([REDACTED]), or family medical issues that he was aware of. Witness 22 ([REDACTED]) stated, "No. All I can tell you is that my wife, his brothers and I are not aware of any medical issues that he had of any kind. That is the gospel truth."

With regard to family history, he related the family had no negative medical history including strokes or seizures. The last time he spoke with his son was on the telephone the night before the collision sometime between 2000 and 2100 hours, about miscellaneous family things.

When asked about Party 1 ([REDACTED]) and his current relationship with his wife, he advised he was aware of a lot of tension between them, and Party 1 ([REDACTED]) was considering the possibility of divorce.

MULTIDISCIPLINARY ACCIDENT INVESTIGATION TEAM NARRATIVE/DIAGRAM

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STATEMENTS

WITNESS

[REDACTED]
Modesto, California

Date of birth: [REDACTED]

Telephone: [REDACTED]

Witness 23 ([REDACTED]) was interviewed by Investigator Norseen on Thursday, June 29, 2017, at approximately 1310 hours, at the Stanislaus County Sheriff's Department-Coroner's Division. Witness 23 ([REDACTED]) identified herself verbally. Witness 23 ([REDACTED]) agreed to be interviewed only if it was not recorded. The following is a summary of the interview.

Witness 23 ([REDACTED]) related she had been best friends with Passenger CSO Johnson for over thirteen years both at work and off duty. The last time she talked to Passenger CSO Johnson was on Friday, May 12, 2017, at approximately 0900 hours, briefly on the telephone. Passenger CSO Johnson was happy and in good spirits about transferring back to the main office to train new CSO's.

Passenger CSO Johnson had been frustrated lately about her relationship with her husband, Witness 18 (M. [REDACTED]) and her new boyfriend Witness 20 ([REDACTED]). Witness 18 ([REDACTED]) was attempting to fix their relationship, but Passenger CSO Johnson had moved into her parent's house, and was "done" with her marriage. Passenger CSO Johnson was very happy with her relationship with Witness 20 ([REDACTED]).

When asked about Passenger CSO Johnson's relationship with Party 1 ([REDACTED]), she advised they had been having an on and off affair for about the last year and a half. The last time Passenger CSO Johnson told her they were together intimately was approximately one month before the collision. Passenger CSO Johnson told her she believed Party 1 ([REDACTED]) was still attached to her and told her during the week before the collision he had filed for divorce from his wife [Witness 19 ([REDACTED])].

Witness 23 ([REDACTED]) advised Passenger CSO Johnson would routinely jump from relationship to relationship, and would fall hard each time. She believed her current relationship with Witness 20 ([REDACTED]) was "the one," and they were planning on moving in together. Passenger CSO Johnson did care for Party 1 ([REDACTED]) and did not want to hurt him.

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STATEMENTS

WITNESS 24 [REDACTED]

Modesto, California [REDACTED]

Date of birth: [REDACTED]

Telephone: (2 [REDACTED])

Witness 24 [REDACTED] was interviewed by Investigator Norseen on Thursday, June 29, 2017, at approximately 1445 hours, at the Stanislaus County Sheriff's Department-Coroner's Division. Witness 24 [REDACTED] identified himself verbally. The interview was digitally recorded. The following is a summary of the interview.

Witness 24 [REDACTED] advised he was attended a Basic Traffic Collision training class in Patterson, California, with Party 1 [REDACTED] and Passenger CSO Johnson, the week prior to the collision. When asked how well he knew Party 1 [REDACTED] he advised Party 1 [REDACTED] was Witness 24's [REDACTED] first phase Field Training Officer (FTO). They attended additional training together in Santa Barbara, and they were both on the Mounted Unit.

When asked about his relationship with Passenger CSO Johnson, Witness 24 [REDACTED] advised he did not know her well but they were on the Stanislaus County Sheriff Department's Major Accident Investigation Team (MAIT) team together. When asked about Party [REDACTED] and Passenger CSO Johnson's interactions during the class, he said they were joking around in class all week, went to lunch together, and he did hear them talk about her riding out with him on Saturday because it was her first day back after transferring to the Modesto office from the Patterson office.

When asked if he noticed any issues with Party [REDACTED] when Party 1 [REDACTED] was his FTO, he said the only thing he noticed was that Party [REDACTED] would get very tired when they were driving around at night. On approximately five occasions over approximately a fourteen day period, Party 1 [REDACTED] would direct him to pull over and work on reports while he took a nap. He never noticed anything else abnormal when he was on training with him.

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STATEMENTS

WITNESS 25 [REDACTED]

Modesto, California

Date of birth: [REDACTED]

Telephone: [REDACTED]

Witness 25 [REDACTED] was interviewed by Investigator Norseen on Monday, July 10, 2017, at approximately 1422 hours, at Chase Bank, 3430 Tully Road, Modesto, California, 95356. Witness 25 [REDACTED] identified himself verbally. The interview was digitally recorded. The following is a summary of the interview.

At the time of the collision, he was driving his black Jeep Wrangler north on Crows Landing Road south of the State Route 99 overcrossing. Witness 25 [REDACTED] observed Vehicle 1 (Ford) stopped on the east shoulder of Crows Landing Road just south of the State Route 99 overcrossing. As his vehicle approached Vehicle 1 (Ford), it pulled into the northbound lane and was traveling approximately 25 to 30 miles per hour approximately three car lengths ahead of his vehicle.

As Vehicle 1 (Ford) passed the State Route 99 overcrossing, the vehicle suddenly accelerated at a high rate of speed and crossed into the southbound lane, nearly colliding with a vehicle traveling south on Crows Landing Road. Witness 25 [REDACTED] thought the deputy was chasing after someone but there were no vehicles directly ahead of him and he did not have his lights and siren activated.

When he saw the vehicle was swerving back and forth he pulled out his cellular telephone and began recording the incident. Vehicle 1 (Ford) had accelerated to 80 or 90 miles per hour and was far ahead of Witness 25 [REDACTED] when it swerved right, then left, and drove off the west side of Crows Landing Road.

Vehicle 1 (Ford) continued under the overhang of the building and landed on top of a metal bin. As Witness 25 [REDACTED] stopped at the scene, the patrol vehicle had already caught fire and he did not hear anyone screaming from inside the vehicle. He attempted to get closer, but was unable to due to the heat of the fire.

Witness 25 [REDACTED] called his cousin, Witness 3 [REDACTED] to verify he was okay. Witness 25 [REDACTED] advised his cousin he had recorded the video of the incident on his cellular telephone.⁴⁸

As emergency personnel began to arrive at the scene, Witness 25 [REDACTED] continued to his work at Chase Bank on Tully Road because he was the bank manager and had to open up bank.

⁴⁸ The video was later retrieved and supplied to the CHP, which was booked into CHP Modesto Area Evidence – Evidence number E20170214, item 12.

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WITNESS 26 (DEPUTY HUMBLE)

[REDACTED]
Modesto, California

Date of birth: [REDACTED]

Telephone: (2 [REDACTED])

Investigator Norseen was told by multiple witnesses that Witness 26 [REDACTED] was good friends with Party 1 [REDACTED] and they were planning to get a house together in the very near future. Investigator Norseen made multiple attempts to contact Witness 26 [REDACTED] with no return calls. Investigator Norseen contacted Lieutenant Walker in an effort to interview Witness 26 [REDACTED]. Investigator Norseen was informed that Witness 26 [REDACTED] had been off work since this collision and could only be contacted through his attorney. The Stanislaus County Sheriff's Department contacted Witness 26's [REDACTED] attorney with the request of Investigator Norseen to interview Witness 26 [REDACTED]. At the time of the completion of this report, Investigator Norseen had yet to receive a response from Witness 26 [REDACTED] or his attorney.

WITNESS 27 ([REDACTED])

[REDACTED]
Los Banos, California

Date of birth: [REDACTED]

Telephone: ([REDACTED])

Witness 27 [REDACTED] was interviewed by Investigator Norseen on Wednesday, November 1, 2017, at approximately 1516 hours, via telephone. Witness 27 [REDACTED] identified himself verbally. The interview was digitally recorded. The following is a summary of the interview.

While riding along with Witness 21 ([REDACTED]), as an intern with the Stanislaus County Sheriff's Department, on Monday, April 3, 2017,⁴⁹ he observed Witness 21 [REDACTED] have a throttle issue with the patrol vehicle. When Witness 21 ([REDACTED]) attempted to make a three-point turn, the accelerator stuck around 1,500 to 2,500 RPM as he came to a stop and attempted to shift the vehicle into reverse. Witness 21 ([REDACTED]) had to hold his foot on the brake to keep the vehicle from accelerating forward as he shifted through the gears and into park. After five to ten seconds, the throttle dropped back to normal and he did not have any issues with the vehicle for the remainder of the day.

⁴⁹ Date obtained from the original email from Witness 21 [REDACTED] to the Stanislaus County Sheriff's Department.

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WITNESS 28 [REDACTED]

Modesto, California

Date of birth: [REDACTED]

Mobile telephone: [REDACTED]

Witness 28 [REDACTED] was interviewed by Investigator Norseen on Thursday, February 8, 2018, at approximately 1137 hours, at 696 Crows Landing Road, Modesto, California. Witness 28 [REDACTED] identified himself by name and date of birth. The interview was digitally recorded. The following is a summary of the interview.

At the time of the collision, Witness 28 [REDACTED] had just driven a vehicle out of his business at 696 Crows Landing Road, and parked it in the lot in front of the building. After exiting the vehicle, he heard a heavy acceleration noise from a vehicle approaching from the south. When he looked to his left, he observed Vehicle 1 (Ford) accelerating at a high rate of speed down the middle of the road, while traveling north on Crows Landing Road.

As the vehicle passed his location, it traveled off the west side of the roadway, in front of the Caltrans building, onto the dirt/gravel shoulder. The vehicle then swerved suddenly back to the right nearly colliding with a wood utility pole. As the vehicle continued north, it traveled out of his view.

Witness 28 [REDACTED] heard a loud crash sound followed a short time later by sirens. When asked to estimate how fast the vehicle was traveling when it passed him, he advised 80 to 90 miles per hour, and accelerating.

Witness 28 [REDACTED] also advised the vehicle went past him so fast he could not see the occupants or if someone was struggling inside the vehicle. He also did not see any brake lights come on after the vehicle passed his location.

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STATEMENTS

WITNESS 29 [REDACTED]

Date of birth: [REDACTED]

Mobile telephone: [REDACTED]

According to Stanislaus County Sheriff's Department Computer Aided Dispatch (CAD) Response Report number [REDACTED] for Saturday, May 13, 2017, at 08:17:57 hours, Witness 29 ([REDACTED]) was the first person to call to report this traffic collision.

In the voice recording,⁵⁰ Witness 29 [REDACTED] was talking to a dispatcher and stated he was "on Crows Landing Road just by Seventh and a sheriff vehicle just passed me going about 100 miles per hour, and crashed and it is on fire." Witness 29 [REDACTED] stated the vehicle was on fire and he could not see anyone inside. The dispatcher told Witness 29 [REDACTED] "they will get everyone on their way." The call then ended.

Investigator Norseen did not contact Witness [REDACTED] at the scene.

Investigator Norseen had made several attempts to contact Witness 29 [REDACTED] by telephone. At the time of the completion of this report, Investigator Norseen had yet to receive a response from Witness 29 [REDACTED].

⁵⁰ CHP Modesto Area Evidence item number 11. The disc was supplied by SCSD, Disc 1 – CAD Logs and Audio – TC Scene, SP17021044 AUDIO, 2017-05-13-08-18-03-048-Recorder.

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PHYSICAL EVIDENCE ANALYSIS

All evidence items in this section were documented and photographed in the area west of Crows Landing Road south of South Seventh Street, unless otherwise noted.

Item 1 Tire Track

Item 1 was a tire track on the asphalt concrete and dirt shoulder. Based on the dynamics analysis and vehicle damage analysis, this item was determined to have been deposited by the right front tire of Vehicle 1 (Ford) during its pre-impact movement.

Item 2 Tire Friction Mark

Item 2 was a tire friction mark on the Portland cement concrete driveway at 531 Crows Landing Road. Based on the dynamics analysis, this item was determined to have been deposited by the right front tire of Vehicle 1 (Ford) during the collision sequence.

Item 3 Base of Damaged Metal Pole

Item 3 was the mounting position of a damaged metal pole on the Portland cement concrete driveway at 531 Crows Landing Road. Based on the dynamics analysis and vehicle damage analysis, this item was determined to have been the original location of the metal pole which was struck by Vehicle 1 (Ford) during the collision sequence.

Item 4 Tire Friction Mark

Item 4 was a tire friction mark on the Portland cement concrete driveway at 531 Crows Landing Road. Based on the dynamics analysis, this item was determined to have been created by the left front tire of Vehicle 1 (Ford) during the collision sequence. Based on its appearance, it was evidence the left front tire was slowing due to a steering movement and/or a braking application.

Item 5 Tire Friction Mark

Item 5 was a tire friction mark on the Portland cement concrete driveway at 531 Crows Landing Road. Based on the dynamics analysis, this item was determined to have been created by the left rear tire of Vehicle 1 (Ford) during the collision sequence. Based on its appearance, it was evidence the left rear tire was slowing due to a steering movement and/or a braking application.

Item 6 Tire Friction Mark

Item 6 was a tire friction mark on the Portland cement concrete driveway. Based on the dynamics analysis, this item was determined to have been created by the right rear tire of Vehicle 1 (Ford) during the collision sequence. Based on its appearance, it was evidence the right rear tire was slowing due to a steering movement and/or a braking application.

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PHYSICAL EVIDENCE ANALYSIS

Item 7 Damaged Wall

Item 7 was a damaged exterior wall located at 531 Crows Landing Road. Based on the dynamics analysis and vehicle damage analysis, this item was determined to have been struck by Vehicle 1 (Ford).

Item 8 Tire Track

Item 8 was a tire track in the oil on the Portland cement concrete driveway at 531 Crows Landing Road. Based on the dynamics analysis, this item was determined to have been created by Vehicle 1 (Ford) during the collision sequence.

Item 9 Damaged Metal Table

Item 9 was a damaged metal table located on the dirt area west of Crows Landing Road. The owner of the business at 531 Crows Landing Road indicated item 9 contained two miscellaneous automotive automatic transmissions and a torque converter on top of it. There was a hole in the center of the metal table. There was a white bucket underneath the hole to contain the automotive fluids which drained out of the transmissions. The metal table was originally located to the east of item 7 (Damaged Wall). Based on the dynamics analysis and the Google Earth Pro image, this item was determined to have been struck by Vehicle 1 (Ford) and displaced by Vehicle 1 (Ford) during the collision sequence.



Google Earth Pro image of 531 Crows Landing imagery date May 2017.

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PHYSICAL EVIDENCE ANALYSIS

Item 10 Detached Right Rear Door

Item 10 was a detached right rear vehicle door located on the dirt area west of Crows Landing Road. Based on the scene layout, this item's location and appearance, the damage to Vehicle 1 (Ford), and the point of rest of Vehicle 1 (Ford), this item was determined to have originated from Vehicle 1 (Ford). This item was removed by fire personnel after the fire was extinguished.

Item 11 Detached Right Front Door

Item 11 was a detached right front vehicle door located on the dirt area west of Crows Landing Road. Based on the scene layout, this item's location and appearance, the damage to Vehicle 1 (Ford), and the point of rest of Vehicle 1 (Ford), this item was determined to have originated from Vehicle 1 (Ford). This item was removed by fire personnel after the fire was extinguished.

Item 12 Damaged Truck Bed

Item 12 was a damaged truck bed, maroon in color, located on the dirt area west of Crows Landing Road. The owner of the business at 531 Crows Landing Road indicated item 12 contained miscellaneous automotive parts and an engine, and was originally located to the northeast of item 7 (Damaged Wall). Based on the dynamics analysis and the Google Earth Pro image, this item was determined to have been struck and displaced by Vehicle 1 (Ford) during the collision sequence.

Item 13 Damaged Truck Bed

Item 13 was a damaged truck bed, black in color, located on the dirt area west of Crows Landing Road. The owner of the business at 531 Crows Landing Road indicated item 13 contained miscellaneous automotive parts and was originally located to the northeast of item 7 (Damaged Wall). Based on the dynamics analysis and the Google Earth Pro image, this item was determined to have been struck and displaced by item 16 (Damaged orange metal bin) during the collision sequence.



Google Earth Pro image of 531 Crows Landing imagery date May 2017.

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PHYSICAL EVIDENCE ANALYSIS

Item 14 Damaged Truck Bed

Item 14 was a damaged truck bed, white in color, located on the dirt area west of Crows Landing Road. The owner of the business at 531 Crows Landing Road indicated item 14 was empty and was originally located to the northeast of item 7 (Damaged Wall). Based on the dynamics analysis and the Google Earth Pro image, this item was determined to have been struck and displaced by item 12 (Damaged truck bed) during the collision sequence.

Item 15 Damaged Metal Pole

Item 15 was a damaged metal pole located on the dirt area west of Crows Landing Road, resting on top of item 13 (Damaged Truck Bed) and item 16 (Damaged Orange Metal Bin). Based on the dynamics analysis, the vehicle damage analysis, and location of item 3 (Base of Damaged Metal Pole), this item was determined to have been struck by Vehicle 1 (Ford) during the collision sequence.

Item 16 Damaged Orange Metal Bin

Item 16 was a damaged orange metal bin located overturned on the dirt area west of Crows Landing Road. The owner of the business at 531 Crows Landing Road indicated item 16 was empty and was originally located to the northeast of item 7 (Damaged Wall). Based on the dynamics analysis, its appearance, and the Google Earth Pro image, this item was determined to have been struck and displaced by item 12 (Damaged truck bed) during the collision sequence.

Item 17 Damaged Orange Metal Bin

Item 17 was a damaged orange metal bin located on the dirt area west of Crows Landing Road, resting against item 18 (Damaged roll-off container). The owner of the business at 531 Crows Landing Road indicated item 17 contained miscellaneous automotive parts and was originally located to the east of item 7 (Damaged Wall). Based on the dynamics analysis, its appearance, and the Google Earth Pro image, this item was determined to have been struck and displaced by Vehicle 1 (Ford) during the collision sequence.

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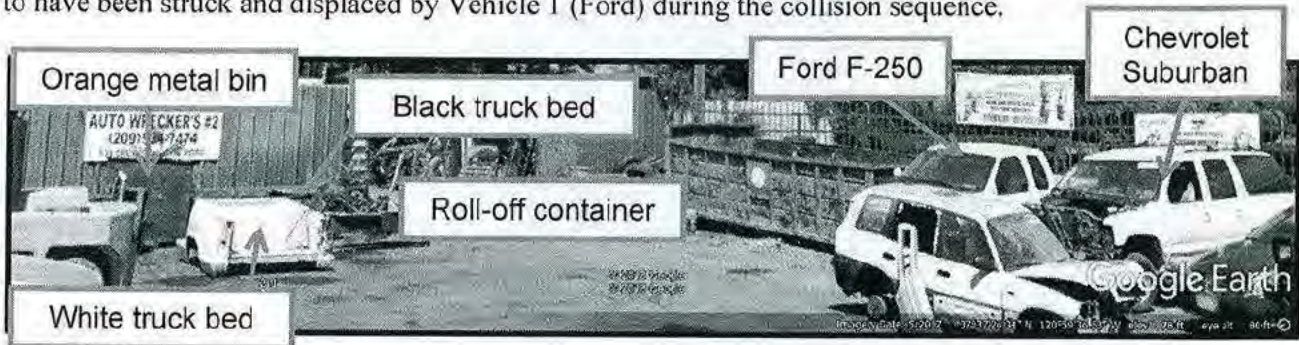
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PHYSICAL EVIDENCE ANALYSIS

Item 18 Damaged Roll-Off Container

Item 18 was a damaged roll-off container located on the west dirt area of 531 Crows Landing Road. Based on the dynamics analysis and Vehicle 1's (Ford) point of rest, this item was determined to have been struck by Vehicle 1 (Ford). Based on the dynamics analysis and the Google Earth Pro image, this item was determined to have been struck and displaced by Vehicle 1 (Ford) during the collision sequence.



Google Earth Pro image of 531 Crows Landing imagery date May 2017.

Item 19 Scrape

Item 19 was a scrape on the asphalt concrete area west of Crows Landing Road. Based on the dynamics analysis, this item was determined to have been created when Vehicle 1 (Ford) struck item 18 (Damaged roll-off container) and item 18 (Damaged roll-off container) moved in a northerly direction.

Item 20 Damaged Wrought Iron Fence

Item 20 was a damaged wrought iron fence located at 513 Crows Landing Road. Based on the dynamics analysis, this item was determined to have been created when Vehicle 1 (Ford) struck item 18 (Damaged roll-off container) and item 18 (Damaged roll-off container) moved in a northerly direction and struck item 20 (Damaged wrought iron fence).

Item 21 Bolt

Item 21 was a bolt located on the dirt/grass area of 513 Crows Landing Road. The origin of this item could not be determined.

Item 22 Broken Turn Signal Lens

Item 22 was a broken turn signal lens on the dirt/grass area of 513 Crows Landing Road. Based on the scene layout, this item's location and appearance, the damage to the front of Vehicle 1 (Ford), and the point of rest of Vehicle 1 (Ford), this item was determined to have originated from Vehicle 1 (Ford).

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PHYSICAL EVIDENCE ANALYSIS

Item 23 Broken Lamp Diffuser

Item 23 was a broken lamp diffuser on the dirt/grass area of 513 Crows Landing Road. The origin of this item could not be determined.

Item 24 Damaged Siren

Item 24 was a damaged siren located on the dirt/grass area of 513 Crows Landing Road. Based on the scene layout, this item's location and appearance, the damage to Vehicle 1 (Ford), and the point of rest of Vehicle 1 (Ford), this item was determined to have originated from the front of Vehicle 1 (Ford).

Item 25 Damaged Belt Tensioner

Item 25 was a damaged belt tensioner on the dirt/grass area of 513 Crows Landing Road. The origin of this item could not be determined.

Item 26 Damaged Dipstick

Item 26 was a damaged dipstick on the dirt/grass area of 513 Crows Landing Road. The origin of this item could not be determined.

Item 27 Broken Spotlight Bracket

Item 27 was a broken spotlight bracket on the dirt/grass area of 513 Crows Landing Road. Based on the scene layout, this item's location and appearance, the damage to Vehicle 1 (Ford), and the point of rest of Vehicle 1 (Ford), this item was determined to have originated from the left spotlight of Vehicle 1 (Ford).

Item 28 Cartridge Case

Item 28 was a cartridge case located in the southbound lane of Crows Landing Road south of South Seventh Street. Based on the scene layout, this item's location and appearance, statement evidence of potential ammunition being discharged, a bullet located on the driver seat of Vehicle 1 (Ford), the damage to Vehicle 1 (Ford) and the point of rest of Vehicle 1 (Ford), this item was determined to have originated from Vehicle 1 (Ford).

Item 29 Damaged Metal Part

Item 29 was a damaged metal part located on the asphalt concrete shoulder west of Crows Landing Road. The origin of this item could not be determined.

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ANALYSIS AND OPINION

VEHICLE DAMAGE ANALYSIS

INTRODUCTION

Vehicle 1 (Ford) struck multiple objects during the collision. The following analysis of the damaged objects and the damage to Vehicle 1 (Ford) was conducted to correlate and determine the position and/or locations of Vehicle 1 (Ford) during the collision sequence.

Based upon statements, physical evidence, and vehicle damage, the first impact was the front of Vehicle 1 (Ford) versus a metal pole. The second impact was Vehicle 1 (Ford) versus a metal table and building. The third impact was Vehicle 1 (Ford) colliding with an orange metal bin and an individual pickup truck bed, which was used to store miscellaneous vehicle parts. The fourth impact was Vehicle 1 (Ford) colliding with a roll-off container.

VEHICLE 1 (FORD) VERSUS METAL POLE

The upper portion of the right fender sustained contact damage consisting of dents and the leading edge was displaced outward, and bent inward. The damage was consistent with the damaged metal pole (physical evidence item 15). The right front end of Vehicle 1 (Ford) struck the south metal pole. Based on the contact damage to the front of Vehicle 1 (Ford), the PDOF applied to the front of Vehicle 1 (Ford) was from front to rear.



The damage to the right front of Vehicle 1 (Ford).
CL-012-17 05-13-17 RS-B (34) cropped

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VEHICLE DAMAGE ANALYSIS

VEHICLE 1 (FORD) VERSUS MODESTO AUTO WRECKERS #2 AT 531 CROWS LANDING ROAD

The left side of the push bumper, front bumper fascia, front bumper, and engine cross member of Vehicle 1 (Ford) were pushed rearward, creased, and displaced upward due to contact damage (indicated by red arrows).

There was wood debris embedded in the left side of the push bumper assembly (indicated in the red rectangle).

There was a damaged metal table which contained miscellaneous automotive parts (physical evidence item 9) and damage to the northeast side of the building at 531 Crows Landing Road (physical evidence item 7). Based on the damage, Vehicle 1 (Ford) collided with the metal table and then the northeast side of the building.



The wood debris embedded into the front push bumper assembly of Vehicle 1 (Ford).
CL-012-17 05-13-17 RS-B (56)



The damage to the left front side of Vehicle 1 (Ford).
CL-012-17 05-13-17 RS-B (49)

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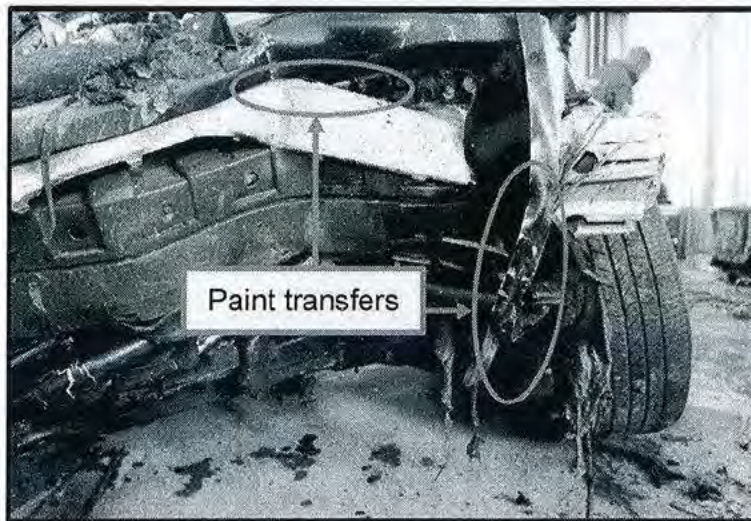
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VEHICLE DAMAGE ANALYSIS

VEHICLE 1 (FORD) VERSUS AN ORANGE METAL BIN AND A PICKUP TRUCK BED

There were orange paint transfers (indicated by red arrows) on the leading edge of the left side push bumper and left front side of the front bumper fascia. There was one damaged orange metal bin (physical evidence item 17) resting on the south facing side of the damaged roll-off container (physical evidence item 18). There was one pickup truck bed (physical evidence item 12) which sustained damage to its right side. The front of Vehicle 1 (Ford) struck the orange bin and then the pickup truck bed during the collision sequence.



The orange paint transfers to the left side of Vehicle 1 (Ford).
CL-012-17 05-13-17 RS-B (49)



The damaged orange bin and pickup truck bed.
CL-012-17 05-13-17 RS-A (112)

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VEHICLE DAMAGE ANALYSIS

**VEHICLE 1 (FORD) AND DAMAGED ORANGE METAL BIN (PHYSICAL EVIDENCE ITEM 17)
VERSUS DAMAGED ROLL-OFF CONTAINER (PHYSICAL EVIDENCE ITEM 18)**

There was damage to the undercarriage and right side wheels of Vehicle 1 (Ford). The leading right edge of the push bumper was pushed rearward and to the right. The right side of the front bumper fascia was pushed rearward. The right front of the engine cross member was pushed rearward. The upper edge of the south facing side of the damaged roll-off container (physical evidence item 18) was pushed inward and downward. A damaged orange metal bin (physical evidence item 17) was resting on the south facing side of the damaged roll-off container (physical evidence item 18). As a result of the collision, Vehicle 1 (Ford) and the orange metal bin were projected airborne and the undercarriage of Vehicle 1 (Ford) and the orange metal bin struck the roll-off container. This caused the roll-off container to turn in a counterclockwise direction and it struck the wrought iron fence (physical evidence item 20).



The damage to the roll-off container, orange metal bin, and Vehicle 1 (Ford).
CL-012-17 05-13-17 RS-A (160)

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ANALYSIS AND OPINION

MECHANICAL INSPECTION ANALYSIS

The damage noted during the mechanical inspection of Vehicle 1 (Ford) was determined to be collision induced. None of the noted damage was determined to be preexisting.

Based on functional testing, the throttle plate was found in an open position after the collision, and was due to the throttle being open during an electrical short as Vehicle 1 (Ford) was being consumed by the post-collision fire. The plastic gears and metal return spring melted, leaving the throttle plate in an open position.

On Wednesday, November 8, 2017, Investigators Kolter and Muñoz spoke with Mrs. Sandra Sheldon with the Law Office of Shook, Hardy & Bacon; and Mr. James Engle (a Design Analysis Engineer) and Mr. Bob Pascurella of Ford Motor Company via telephone. Per Ford Motor Company representatives, their analysis of their visual mechanical inspection of Vehicle 1 (Ford) did not reveal any obvious mechanical issues with the steering, throttle or brake systems.

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ANALYSIS AND OPINION

CELLULAR TELEPHONE DATA ANALYSIS

PASSENGER CSO JOHNSON CELLULAR TELEPHONE

On June 26, 2017, Investigator Norseen arranged for Party I [REDACTED] and Passenger CSO Johnson's cellular telephones to be taken to CHP Computer Crimes Investigation Unit (CCIU) for downloading. CHP CCIU Investigator W. Hom, ID 19852, took possession of the cellular telephones to conduct downloads of the telephones. Party I's [REDACTED] cellular telephones sustained severe fire damage. Limited information was obtained, and the available information contained no evidentiary value. Passenger CSO Johnson's cellular telephone was successfully downloaded, but the text messages and telephone calls were not retrievable at this time. Investigator Hom wrote a supplemental report with respect to his investigation. Investigator Hom's supplemental report was attached to the CHP Modesto Area Traffic Collision report number [REDACTED].

On Wednesday, March 28, 2018, Investigator Muñoz responded to the Multi-Agency Gang Enforcement Consortium (MAGEC) office and delivered Passenger CSO Johnson's cellular telephone to Fresno Police Department Officer D. Wilkin, ID P1297. Fresno Police Department Sergeant R. Escalante, ID S166, conducted the analysis of the information from the cellular telephone. On Wednesday, April 25, 2018, Investigator Muñoz responded to the MAGEC office and received the downloaded information of Passenger CSO Johnson's cellular telephone from Sergeant Escalante.

Based on witness statements, Party I [REDACTED] and Passenger CSO Johnson had a physical relationship in the past. The analysis of the download information showed Party I [REDACTED] and Passenger CSO Johnson had sent and/or received text messages to each other. The text messages insinuated they had a personal relationship. Passenger CSO Johnson's cellular telephone number was [REDACTED] and Party I [REDACTED] used his Metro prepaid cellular telephone number [REDACTED].

On Friday, May 12, 2017, the day before the collision, they sent the following text messages:

- 1401 hours: Passenger CSO Johnson to Party I [REDACTED]: "Hey so you know not about you and i [sic]. Did not want you to worry."
- 1402 hours: Passenger CSO Johnson to Party I [REDACTED]: "I still miss you and want to have time with you." "Have a good night and i [sic] will see you in the morning."
- 1427 hours: Party I [REDACTED] to Passenger CSO Johnson: "I figured babe....tomorrow [sic] will be fun. Hopefully the damn wind quits."
- 1429 hours: Passenger CSO Johnson to Party I [REDACTED]: "Yeah the wind is brutal we'll talk tomorrow when it's just you and I."
- 1430 hours: Party I ([REDACTED]) to Passenger CSO Johnson: "Yes :)"

MULTIDISCIPLINARY ACCIDENT INVESTIGATION TEAM NARRATIVE/DIAGRAM

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ANALYSIS AND OPINION

CELLULAR TELEPHONE DATA ANALYSIS

WITNESS 9 [REDACTED] CELLULAR TELEPHONE

Witness 9 [REDACTED] had sent and/or received text messages to/from Party 1's [REDACTED] Metro prepaid cellular telephone. Inspection of the text messages sent between Witness 9 [REDACTED] and Party 1 ([REDACTED]) indicated they were in a physical relationship and had a child together. Party 1 ([REDACTED]) had worked from Wednesday, May 3, 2017, to Saturday, May 6, 2017, and had work related training from Monday, May 8, 2017, to Friday, May 12, 2017. On Wednesday, May 10, 2017, Party 1 ([REDACTED]) sent a text message to Witness 9 [REDACTED] indicating there was "lots of fighting and tension at home."

Witness 9 ([REDACTED]) had sent and/or received text messages to/from Witness 26 ([REDACTED]) after the collision. Inspection of the text messages sent between Witness 9 [REDACTED] and Witness 26 [REDACTED] indicated Party 1 [REDACTED] was getting a divorce and was moving out of his house. Party 1 ([REDACTED]) was planning on renting a house with Witness 26 ([REDACTED]). Witness 26 [REDACTED] knew Party 1 [REDACTED] and Witness 9 [REDACTED] had a child together.

Witness 9 [REDACTED] had sent and/or received text messages to/from Witness 16 [REDACTED]. Inspection of the text messages indicated Party 1 ([REDACTED]) was getting a divorce. [REDACTED]

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ANALYSIS AND OPINION

AUTOMATED VEHICLE LOCATOR ANALYSIS

VEHICLE 1 (FORD)

Introduction

Vehicle 1 (Ford) was equipped with a Panasonic Toughbook CF-31 computer, commonly referred to as a Mobile Digital Computer (MDC) by the Stanislaus County Sheriff's Department. The MDC unit was equipped with an optional Global Positioning System (GPS) receiver which transmitted positional information to the Computer Aided Dispatch (CAD)/Automated Vehicle Locator (AVL) System of the Stanislaus County Sheriff's Department. Positional data generated by the GPS receiver was recorded digitally by the AVL.

On Monday, May 15, 2017, Investigator Norseen requested the AVL data for Vehicle 1 (Ford) from the day of the collision from the Stanislaus County Sheriff's Department. On Tuesday, May 16, 2017, Investigator Norseen received a digital copy of the AVL data for Vehicle 1 (Ford), via email from Stanislaus County Sheriff's Department Lieutenant Walker.

On Monday, January 22, 2018, Investigator Norseen responded to the Stanislaus County Sheriff's Department and met with Lieutenants Walker and Ridenour, and Information and Technology Manager S. Campbell. The purpose of the meeting was to observe the start-up procedure and operation of a Stanislaus County Sheriff's Department patrol vehicle's MDC and AVL systems, which was identical to the MDC and AVL being used in Vehicle 1 (Ford) at the time of the collision.

Mr. Campbell explained the following procedure and steps required for the AVL system to become active and begin recording information.

- Vehicle ignition start up
- Toggle the switch on the computer to 'On' in order to supply power to the computer
- Microsoft Windows will load automatically
- Once Microsoft Windows is loaded, the operator must log in
- Background applications will load which include, however but are not limited to:
 - GPS Reader
 - AVL System
- The operator must log in to the Tiburon, Incorporated, CAD application
- AVL begins processing and sending data

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AUTOMATED VEHICLE LOCATOR ANALYSIS

VEHICLE 1 (FORD)

Introduction (continued)

The GPS information is transmitted to the CAD. Investigator Norseen observed the time required from the moment the vehicle's ignition system was activated, and the AVL system began recording information was approximately three minutes. Mr. Campbell further explained the time it takes the AVL to activate could be up to ten minutes depending on the computer's wireless cellular connection, coupled with the time it takes the operator to log into the computer's systems.

Analysis

MAIT investigators reviewed the AVL data and located a series of position recordings for Vehicle 1 (Ford) associated with the time of the collision. The AVL reported 241 positional locations measured in degrees of latitude and longitude, and speed in kilometers per hour, from 07:05:52 hours through 08:19:48 hours.

The AVL data record included data updates at altering intervals between one second to over one minute. Based upon an analysis of the AVL data, the sampling rate is approximately one sample every two seconds while the vehicle is in motion, and one sample every one minute while the vehicle is stopped.

The positional information of Vehicle 1 (Ford) from 07:51:51 hours through 08:17:34 hours was entered into Google Earth Pro, and a path was created which is depicted on the following page. The Google Earth Pro data was saved as a Keyhole Markup Language (KML) file. The KML file was booked into evidence at the CHP Modesto Area office at the conclusion of this investigation.