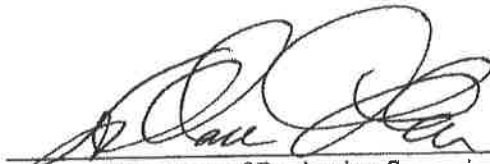


FLORIDA HIGHWAY PATROL

SUBJECT: **TRAFFIC HOMICIDE INVESTIGATION RELEASE**
CASE NO.: FHP713-18-011
INVESTIGATOR: Corporal Jeff Rongish

This is to certify that the above captioned case was reviewed by the Florida Highway Patrol and does not meet the Florida Highway Patrol's requirements for State Attorney review or release. The Florida Highway Patrol will release the above captioned case as a public record in accordance with Florida Statutes.

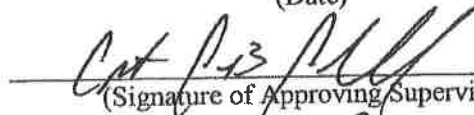

(Signature of Reviewing Supervisor)

SGT. OWEN T. KEEN

(Reviewing Supervisor's Name – Typed/Printed)

7-19-13

(Date)


(Signature of Approving Supervisor)

Corporal B. Canowor
(Approving Supervisor's Name – Typed/Printed)

07-19-13

(Date)

FLORIDA HIGHWAY PATROL



TRAFFIC HOMICIDE INVESTIGATION

PREPARED BY: Jeff M. Rongish, Corporal

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Investigation Conducted by: Corporal Jeff Rongish 07/05/13
Traffic Homicide Investigator Date

Investigation Reviewed by: SGT. J. KEEN 7-19-12
Supervisor Date

Investigation Reviewed by: Clt PR / JLL / canover 7-19-13
Captain / Designee Date

Case Number FHP713-18-011

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INVESTIGATIVE REPORT

ASSIGNMENT

This crash occurred on March 3, 2013, at approximately 9:29 a.m., on State Road 80 (Palm Beach Boulevard), within the intersection of Mississippi Avenue, in Lee County, Florida. This was a two vehicle traffic crash, involving a passenger vehicle versus a marked law enforcement vehicle, in an angular-type collision, that resulted in one non-incapacitating injury and two fatal injuries. I was notified of this crash at 9:47 a.m. I arrived at the crash scene at 10:03 a.m., and assumed the role of Traffic Homicide Investigator. Trooper Joseph Bowers, the Traffic Crash Investigator, completed a Florida Traffic Crash Report in conjunction with this investigation, which was filed under case number: FHPF13OFF011430.

ROADWAY

State Road 80 (Palm Beach Boulevard) was a divided, four-lane, business roadway, which displayed a southwest/northeast orientation within the area of the crash scene. The roadway surface was constructed of an asphalt material that was in moderate condition.

The scene began at the south edge of State Road 80 where a concrete curb adjoined a sidewalk. To the north of the curb was a paved apron that measured 2 feet 0 inches wide. A solid, white-painted, outside edge line divided the apron from the outside eastbound lane, which measured 11 feet 6 inches wide. The outside eastbound lane was divided from the inside eastbound lane by a broken, white-painted, center line with inset reflectors. This lane measured 10 feet 10 inches wide. The inside eastbound lane was framed to the north by a solid, white-painted, inside edge line, which transitioned to a broken, yellow-painted, line through the intersection of Mississippi Avenue. Located on the west side of the Mississippi Avenue intersection, was a dedicated,

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eastbound left turn lane that measured 9 feet 4 inches wide that was framed to the north by a solid, yellow-painted inside edge line. The median consisted of a 6 inch wide paved apron, followed by a raised, 4 foot 11 inch wide concrete island with tapered edges and a westbound inside paved apron that measured 2 feet 0 inches wide. The median ended at a solid, yellow-painted inside edge line that transitioned to a broken, yellow-painted line that extended through the intersection of Mississippi Avenue. The inside westbound lane measured 10 feet 8 inches wide and was divided from the outside westbound lane by a broken, white-painted, center line with inset reflectors. The outside westbound lane measured 11 feet 8 inches wide and adjoined a paved apron that measured 2 feet 6 inches wide. The lane and apron were divided by a solid, white-painted outside edge line. The paved apron adjoined a curb to the north, located east and west of the intersection and a driveway entrance across from Mississippi Avenue. State Road 80 measured 65 feet 11 inches wide and displayed no discernable grade or superelevation.

The eastbound lanes of State Road 80 were governed by an electronic traffic control signal, located at the intersection of New York Drive (0.3 mile west of the crash scene) as well as a 45 mile per hour speed limit sign installed on the south shoulder, located 0.5 mile west of the crash scene. The posted speed limit sign for the westbound lanes was not relevant to this crash. There were no roadway defects or visual obstructions found that would have contributed to this crash.

Within the south portion of this crash scene was the intersection of Mississippi Avenue, an undivided, two-lane, business and residential roadway, which displayed a northwest/southeast orientation. The roadway surface was constructed of an asphalt material that was in moderate condition. Mississippi Avenue began on the west side of the road where a curb adjoined a grass shoulder. The southbound lane of Mississippi Avenue measured 10 feet 2 inches wide and was

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divided from the northbound lane by a solid, double, yellow-painted, center lane divider. The northbound lane measured 9 feet 2 inches wide and was framed to the east by another curb. Mississippi Avenue measured 19 feet 4 inches wide and displayed no discernable grade or superelevation.

The northbound lane of Mississippi Avenue was governed by two traffic control devices; a stop sign was posted on the east shoulder, south of State Road 80 and a solid, white-painted stop bar was installed across the end of the lane, south of the intersection. The northbound lane of Mississippi Avenue was not equipped with any posted speed limit signs.

This crash occurred at approximately 9:29 a.m. According to the United States Naval Observatory, located on the internet at <http://www.usno.navy.mil>, sunrise for Lee County, Florida, occurred at 6:49 a.m. The sun was not low enough on the eastern horizon to create a sun-glare hazard for traffic in the eastbound lanes of State Road 80.

According to WeatherUnderground, located on the internet at <http://www.wunderground.com>, the temperature was approximately 46 degrees Fahrenheit. There were cloudy skies with 10 miles visibility and no precipitation or other significant environmental factors which contributed to this crash.

There was no evidence that the design of the roadway, its construction, maintenance, or traffic control devices contributed to this traffic crash.

VEHICLE: V-1

Vehicle-1, hereafter referred to as V-1, was a white, 2003 Cadillac, DeVille, passenger automobile, bearing VIN plate: 1G6KD54Y93U229058. V-1 was registered on May 24, 2012,

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to John Steffen who resided seasonally at 5324 Country Field Circle Southeast, Fort Myers, Florida 33905. Florida vehicle registration tag: K776UU was assigned to and properly attached to the vehicle. V-1 was equipped with an automatic transmission, power assisted steering and hydraulic assisted front and rear disk brakes. V-1 was equipped with a Type-2 occupant restraint device (combined manual lap belt and shoulder harness) for the driver and each passenger position as well as dual front air bags and side curtain air bags. Only the left side curtain air bag deployed. There was no evidence of mechanical failure on V-1.

Occupant: V-1: Driver: D-1: The driver of V-1, hereafter referred to as D-1 (Driver-1), was identified as John Israel Steffen, an 84 year old, white, male, who resided at 5324 Country Field Circle Southeast, Fort Myers, Florida 33905. D-1 possessed a valid Florida Class "E" Driver License, issued on June 25, 2012, with no restrictions. D-1 had one endorsement allowing motorcycle operation.

D-1 was reported to be in good health with no known physical conditions that might have contributed to this crash. D-1 was familiar with V-1 which he had first registered on October 30, 2003. D-1 had been a part-time resident of Lee County since 1987 according to Driver License records, so it was determined that he was also familiar with the environment where he was driving.

D-1 had been driving V-1 north on Mississippi Avenue at the time of the crash, en route to New Wine Worship Center, located at 541 Evergreen Road, North Fort Myers, Florida 33903. D-1 had one passenger in V-1, his wife, identified as Marilyn Steffen (O-1 of V-1), who was sitting in the right front passenger seat.

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D-1 had been using V-1's installed occupant restraint device. D-1 received fatal injuries and was pronounced deceased at 9:29 a.m., by Lieutenant Jay Bridenthal of Lee County Emergency Medical Services. A post-mortem toxicological analysis was completed on a blood specimen collected during the autopsy of D-1. D-1's blood showed no ethyl alcohol content or content of controlled substances.

Occupant: V-1: Front Right: O-1: The front right passenger of V-1, hereafter referred to as O-1 of V-1 (Occupant-1 of Vehicle-1), was identified as Marilyn Jane Steffen, a 77 year old, white, female, who resided seasonally at 5324 Country Field Circle Southeast, Fort Myers, Florida 33905.

O-1 of V-1 was reported to be in good health with no known physical conditions that might have contributed to the crash. O-1 of V-1 was traveling with D-1 north on Mississippi Avenue at the time of the crash, en route to New Wine Worship Center, located at 541 Evergreen Road, North Fort Myers, Florida 33903.

O-1 of V-1 had been using V-1's installed occupant restraint device. O-1 of V-1 received life-threatening injuries and was transported by Lee County Emergency Medical Services from the crash scene to Lee Memorial Hospital, located at 2776 Cleveland Avenue, Fort Myers, Florida 33901. O-1 of V-1 was pronounced deceased upon arrival, at 9:59 a.m., by Doctor Juan Diaz of Lee Memorial Hospital. A post-mortem toxicological analysis was completed on a blood specimen collected during the autopsy of O-1 of V-1 which showed no ethyl alcohol content or content of controlled substances.

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VEHICLE: V-2

Vehicle-2, hereafter referred to as V-2, was a white, 2008 Ford, Crown Victoria, Police Interceptor, passenger automobile, bearing VIN plate: 2FAHP71V38X141472. V-2 was assigned a permanent registration issued to the Lee County Sheriff's Office, located at 14750 Six Mile Cypress Parkway, Fort Myers, Florida 33912. Florida vehicle registration tag: SHERF49980 was assigned to and properly attached to the vehicle. V-2 was equipped with green and gold reflective decals that identified it as a Lee County Sheriff's Office patrol vehicle. V-2 was equipped with an overhead emergency light bar, audible siren, automatic transmission, power assisted steering and hydraulic assisted front and rear disk brakes. V-2 was equipped with a Type-2 occupant restraint device (combined manual lap belt and shoulder harness) for the driver and each passenger position as well as dual front air bags. The front driver side air bag had deployed. There was no evidence of mechanical failure on V-2.

Occupant: V-2: Driver: D-2: The driver of V-2, hereafter referred to as D-2 (Driver-2), was identified as Roberto Torres, a 28 year old, white, male, whose residential address was withheld due to the nature of his employment as an active duty law enforcement officer. D-2 was identified as a Sheriff's Deputy for the Lee County Sheriff's Office, located at 14750 Six Mile Cypress Parkway, Fort Myers, Florida 33912. D-2 possessed a valid Florida Class "E" Driver License, with no restrictions or endorsements.

D-2 provided his own background information and trip plan. D-2 stated that he was in good health with no known physical conditions that might have contributed to this crash. D-2 was

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familiar with V-2, his assigned patrol vehicle for the approximate previous three years. D-2 was familiar with the area where the crash occurred which was within his normal patrol zone, where he had worked for approximately eight years.

D-2 had been driving V-2 east in the outside eastbound lane of State Road 80 at the time of the crash. D-2 was en route to 6055 Laurelwood Drive, Fort Myers, Florida 33905, in reference to a 911 hang-up telephone call. D-2 had no passengers. D-2 was being escorted by Sheriff's Deputy Greg Barker, who was traveling behind D-2 in a second marked Lee County Sheriff's Office patrol vehicle.

D-2 had been using V-2's installed occupant restraint device. D-2 received minor injuries and was transported to Lee Memorial Hospital by Lee County Sheriff's Office staff. There was no evidence that D-2 was under the influence of alcoholic beverage(s) or controlled substances at the time of the crash.

INVESTIGATION

On March 3, 2013, at 9:25 a.m., the Lee County Sheriff's Office received a 911 telephone call from 239-204-4194, which originated at 6055 Laurelwood Drive, Fort Myers, Florida 33905, in the Buckingham community of Lee County. A male child asked for, "A cop and a fire truck." The caller verified the address then disconnected. Attempts by Lee County Sheriff's Office dispatchers to call the phone number back were unsuccessful. Additional 911 calls were received from the same telephone number at 9:26 a.m., 9:27 a.m., and 10:09 a.m. There was no voice contact during these additional calls.

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On March 3, 2013, at 9:25 a.m., Deputy Greg Barker of the Lee County Sheriff's Office, hereafter referred to as W-1 (Witness-1), was dispatched to 6055 Laurelwood Drive to investigate the 911 call. The dispatcher notified W-1 that the call had been made by a child and that a previous 911 call had been received from the same address in December, 2012, in reference to a domestic violence incident. D-2 and W-1 began responding from the area of Seminole Avenue and Van Buren Avenue, Fort Myers, Florida, located approximately one mile west of Mississippi Avenue, where they had just completed a call for service. D-2 led in V-2 and was followed by W-1 as both patrol vehicles traveled east on State Road 80.

On March 3, 2013, at 9:29 a.m., W-1 reported to Lee County Sheriff's Office Dispatch via radio, that D-2 had been involved in a traffic crash within the intersection of State Road 80 and Mississippi Avenue. W-1 requested Emergency Medical Services and advised that there were injuries involved. V-1 and V-2 had been involved in a two-vehicle traffic crash within the intersection. W-1 continued a short distance past the crash scene and stopped within the inside eastbound lane.

On March 3, 2013, at 9:35 a.m., the Fort Myers Regional Communications Center of the Florida Highway Patrol (10041 Daniels Parkway, Fort Myers, Florida 33913) was notified of this crash by the Lee County Sheriff's Office. It was reported that there was one confirmed fatality, one life-threatening injury and one non-incapacitating injury. Trooper Joseph Bowers arrived at the crash scene at 9:53 a.m., to assume the role of Traffic Crash Investigator. Sergeant James McPherson, the Crash Scene Supervisor, arrived at the crash scene at 9:56 a.m. I, Corporal Jeff Rongish, arrived at the crash scene at 10:03 a.m., to conduct a Traffic Homicide Investigation.

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State Road 80 was closed to through traffic to the east and west of the intersection of Mississippi Avenue, by Lee County Sheriff's Office personnel. I met with Trooper Bowers who reported that V-2 had been traveling east in the outside lane of State Road 80 when V-1 entered its path from Mississippi Avenue. The front center of V-2 had collided with the left center of V-1. V-1 was redirected to the northeast corner of the intersection and V-2 was redirected toward the median at the east edge of the intersection. D-1 had been pronounced deceased at the scene while O-1 of V-1 and D-2 had both been transported from the scene for medical attention. There was no evidence that any other vehicles or participants were involved in this incident. Three witnesses were identified: Deputy Greg Barker, Eddie Rivera and Robert Walker.

I conducted a walkthrough of the crash scene, beginning in the eastbound lanes of State Road 80 and walking toward the east. It was a clear day and there were no apparent environmental contributors to this crash. I observed no skid marks or other roadway evidence visible on the road surface prior to the area of collision. The area of collision was identified by a linear gouge on the roadway which began near the center of the inside eastbound lane and extended approximately 2 feet 6 inches toward the northeast. Multiple minor scrapes paralleled this gouge and also extended toward the northeast. The debris field from this collision included plastics, glass, metal parts and fluid debris which extended primarily toward the northeast from the area of collision.

A single tire mark from the left front tire of V-2 became visible on the broken inside lane line and extended in an arc toward the north then east and lead to V-2. V-2 was at final rest facing west in the paved median, approximately 45 feet northeast of the area of collision. V-2 displayed crush damage to the front of the vehicle with a primary direction of force applied toward the six

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o'clock position. The battery cable of V-2 had been cut by Fire Department personnel. The driver side steering column air bag had deployed and the driver side seat belt showed evidence of being in use at the time of collision. The siren control console appeared to be set to the off position; however, the emergency lights control console was set to the on position.

I observed scuff from V-1's right front tire which began approximately 15 feet northeast of the area of collision. This tire scuff was approximately 10 feet in length and ended at the inside lane line of the inside westbound lane. There was a short void in roadway evidence from V-1 that resumed within the inside westbound lane as two left side rotational tire marks, located north of V-2's final rest position. The front left tire mark was characterized by intermittent gouging from the radial edge of the tire rim biting into the asphalt surface. These arcing tire marks and gouges extended east then north and led to V-1's final rest location on the north sidewalk at the east end of the scene. V-1 was facing northeast, approximately 75 feet from the area of collision.

V-1 displayed crush damage to the left side of the vehicle with a primary direction of force applied toward the three o'clock position. V-1 also had no power. Only the left side curtain air bag had deployed and both front seat belts showed evidence of being in use at the time of collision. D-1 was lying in a supine position in the outside westbound lane, next to V-1's open right front door, covered by a blue plastic sheet, with his head toward the south and his feet toward the north.

I photographed the area and collected physical measurements from the crash scene. All measurements were made using the zero point and reference line method and were later used to produce the attached reconstruction diagram. A zero point was established on the reference line, located 9 feet 5 inches south of telephone pole #5-6120-8104, which was installed in the

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shoulder at the northwest corner of the intersection. The reference line was designated as the westbound outside edge of State Road 80. Refer to the legend sheet attached to the reconstruction diagram for specific measurements.

At the conclusion of the scene investigation, W-1 was released to Lee County Sheriff's Office supervisors. D-1 was removed from the scene by Transcon Professional Services for transport to the District 21 Medical Examiner's Office, located at 70 Danley Drive, Fort Myers, Florida 33907. Alley Cat Towing and Alligator Towing responded to the crash scene to collect V-1 and V-2 respectively. An evidentiary hold was placed on V-1 and V-2, pending a post-collision inspection. Trooper Lucy Papp had responded to the crash scene to assist Trooper Bowers and while completing a vehicle inventory of V-1, she found O-1 of V-1's purse on the right floorboard of V-1. The purse and its contents were secured by Trooper Papp and later submitted to the Florida Highway Patrol Evidence Section, located at 10041 Daniels Parkway, Fort Myers, Florida 33913, for safekeeping. Trooper Papp escorted V-1 and V-2 from the scene to the Florida Highway Patrol station, where they were secured within the Vehicle Impound Facility by Sergeant McPherson. Trooper Papp completed an Offense Report, which was filed under case number: FHPF13OFF011430, to document the details of the temporary custody of V-1, V-2 and O-1 of V-1's purse and contents.

Deputy Dean Bardes of the Lee County Sheriff's Office had obtained written statements from the two remaining witnesses: Eddie Rivera, hereafter referred to as W-2 (Witness-2) and Robert Walker, hereafter referred to as W-3 (Witness-3). Both statements were forwarded to me before the Lee County Sheriff's Office personnel departed the scene. W-2 and W-3 both described V-2

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and W-1's patrol car as traveling on State Road 80, toward Mississippi Avenue, with their emergency lights turned on, when the crash occurred. No sirens were heard.

On March 3, 2013, at 12:45 p.m., I obtained a sworn witness statement from W-2 (Eddie Rivera), who stated that he was the passenger in an eastbound vehicle driven by W-3 (Robert Walker). W-2 stated that the windows of their vehicle were down and their radio was turned off so the two could have a conversation. W-2 stated that W-3 made a reference to seeing police lights then W-3 slowed and nearly stopped in the outside lane, near the intersection of Tyrone Avenue, located one block west of Mississippi Avenue. W-2 then observed two marked Lee County Sheriff's Office patrol vehicles pass them in the inside eastbound lane. W-2 stated, "The Sheriff's cars were speeding – they had the lights on but there was no siren. When we pulled back onto the road, the white Cadillac was pulling out from Mississippi [Avenue]." W-2 stated, "The first Sheriff's car swerved out of the way and the second one was the one that hit the Cadillac." W-2 was unable to estimate the speeds of the patrol cars prior to collision, nor to estimate the distances between V-1 and V-2 when V-1 entered State Road 80. W-2 observed the brake lamps illuminate from both Lee County Sheriff's Office vehicles; however, he was unable to provide more detail about how the collision occurred other than to state, "Like a T-bone." This interview was concluded at 12:58 p.m.

On March 3, 2013, at 1:06 p.m., I obtained a sworn witness statement from W-3 (Robert Walker), who stated that he was the driver of a vehicle that had been traveling east in the outside lane of State Road 80 when, "I looked in my rear-view mirror and saw two patrol cars with their lights on, coming up behind me – I thought I was being pulled over." W-3 stated that both patrol vehicles moved rapidly from the outside eastbound lane to the inside lane, passed by and,

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"Swerved to the right lane. There was no siren on, just the lights was on." W-2 stated that he continued east on State Road 80 and then observed, "The first patrol officer swerved and the second patrol officer had ran into the white Cadillac. The white Cadillac was already out from Mississippi [Avenue]... making a left turn." W-3 estimated that he saw V-1 enter the intersection from one-half block away but was unable to estimate the distance between vehicles when V-1 entered the intersection. W-3 stated he observed brake lamps illuminate only on the first patrol vehicle as that patrol vehicle swerved toward the left. The second patrol vehicle made no evasive action and did not brake. W-3 stated that he observed V-1's left turn signal flashing as V-1 entered the intersection. I asked W-3 to point to the final rest position of the patrol car that had collided with V-1. W-3 pointed to where V-2 had come to rest in the median near the westbound left turn lane. W-3 pointed to V-1's final rest on the north sidewalk at the east end of the intersection. The interview was concluded at 1:29 p.m.

On March 3, 2013, at 4:27 p.m., Corporal John Benton obtained a sworn witness statement via telephone from Rodrick Lee Green, Senior, hereafter referred to as W-4 (Witness-4), who stated, "I saw the deputy's car T-bone the white Cadillac that came out of Mississippi Avenue." W-4 stated that he was leaving the parking lot of McDonald's, located at 4280 Palm Beach Blvd, Fort Myers, Florida 33905 (approximately 0.5 mile west of Mississippi Avenue) when, "Two officers passed at a high rate of speed with their lights and their sirens blasting." W-4 completed a right turn to travel east on State Road 80. W-4 stated, "When the officers passed Tice Street and Palm Beach Boulevard, they turned their lights and sirens off. They were still traveling at high speed but their lights and sirens were off. Just as they approached the Mississippi [Avenue] corner, the Cadillac came out and the officer that was on the left T-boned the Cadillac..." W-4 described

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the roadway as being three lanes wide on the eastbound side of State Road 80. W-4 explained that the crash occurred in the center lane (which would have been accurate if the left turn lane were considered a left through lane). W-4 stated, "The officer T-boned the Cadillac and knocked the Cadillac over to the opposite side of the roadway, which would have been the westbound side of Palm Beach Boulevard." W-4 described the second patrol vehicle as following behind and to the right of V-1, with only one or two vehicles ahead of them. "There was very little traffic on the road." W-4 stated that prior to the collision, V-2 had been traveling on the right portion of the inside eastbound lane. V-1 had entered the intersection at an average speed from a stop according to W-4. The interview was concluded at 4:27 p.m.

On March 4, 2013, at 8:47 a.m., I received a voice message from Mark Leissring, hereafter referred to as W-5 (Witness-5), who stated that he had information pertinent to this crash. I returned W-5's call but it went to voice mail. This occurred multiple times during the next few days.

On March 4, 2013, at 9:30 a.m., Doctor Wendolyn Sneed of the District 21 Medical Examiner's Office, conducted an autopsy of D-1 and determined his cause of death to be, "Multiple blunt trauma with internal decapitation due to motor vehicle crash."

On March 4, 2013, at 11:00 a.m., Doctor Wendolyn Sneed conducted an autopsy of O-1 of V-1 and determined her cause of death to be, "Blunt trauma of head and chest due to motor vehicle crash."

On March 6, 2013, at 11:25 a.m., I arrived at the Lee County Sheriff's Office Headquarters, located at 14750 Six Mile Cypress Parkway, Fort Myers, Florida 33913, where I obtained a

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completed Authorization for Retrieval of Electronic Data form which had been signed by Lee County Sheriff Mike Scott, authorizing the downloading of electronic data from V-2.

On March 6, 2013, at 12:45 a.m., I arrived at Maxx Foods, a grocery store located at 4610 Palm Beach Boulevard (State Road 80), Fort Myers, Florida 33905. I had noted that one of the exterior cameras mounted along the front of the business appeared to be aimed toward the intersection where the crash occurred. I met with the manager of the business who advised that he did not have access to the security system, but stated that Security Manager Robert Carcamo would be in the business the following day. I then walked two blocks toward the west, checking the businesses on the north and south sides of State Road 80 for any witnesses or video evidence. None was found.

On March 7, 2013, at 9:45 a.m., Corporal David Brunner and I entered the Vehicle Impound Facility at the Florida Highway Patrol station, in order to download the electronic data from V-2. It was necessary to restore electrical power to V-2 in order to attempt the download. Immediately upon providing power to V-2, its emergency lights began to flash. I photographed the lights working. Corporal Brunner successfully downloaded the Powertrain Control Module and the Airbag Control Module from V-2. Both downloaded reports are included in the Field Note Packet for this case and a summary of their content is included toward the end of this report.

On March 7, 2013, at 12:00 p.m., I contacted Mrs. Kimberly Cramer (next-of-kin to D-1 and O-1 of V-1), by telephone, to request access to D-1's electronic data. I was advised that Attorney Chad Tuschman had been retained to represent the family and all future contact was to be through his office. I immediately contacted Attorney Tuschman's office but he was unavailable.

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On March 7, 2013, at 1:00 p.m., I returned to the crash scene to obtain line-of-sight measurements. I stopped my patrol vehicle in the northbound lane of Mississippi Avenue, behind the painted stop bar, located south of State Road 80. Using Laser Atlanta: Speedlaser unit number: 24565, I measured the line-of-sight distance to approaching eastbound traffic in both lanes of State Road 80 from a seated position within my vehicle, which was approximately the same size as V-1. I repeated the process after moving forward such that I was positioned directly over the stop bar with the front of my patrol vehicle was positioned immediately south of the intersection. The maximum unobstructed line-of-sight distance recorded to the center of the inside eastbound lane was 357 feet, while the maximum distance to the center of the outside lane measured 219 feet, measured from on top of the stop bar. Line of sight further toward the west was intermittently obstructed by a lamp post, a business sign and some shrubbery, located south of State Road 80.

On March 7, 2013, at 4:00 p.m., I obtained a digital copy of a surveillance video from Security Manager Robert Carcamo of Maxx Foods. The video showed that D-1 drove V-1 north on Mississippi Avenue and stopped V-1 in the northbound lane, over the top of the painted stop bar, but south of State Road 80. V-1 made a complete stop and was stationary for approximately 30 seconds before accelerating into the intersection and beginning a left turn toward the west, crossing the path of V-2. From the camera's perspective, V-2 came into view immediately after V-1 started forward. V-2 had been traveling east in the outside eastbound lane of State Road 80, approaching the intersection of Mississippi Avenue. V-2 was visibly traveling faster than previous traffic in the video frame. It was unclear in the video whether V-2's emergency lights were engaged while approaching the intersection. D-2 steered V-2 into the inside eastbound lane

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in an evasive maneuver; however the front center portion of V-2 collided into the center left portion of V-1. Both vehicles rotated counter-clockwise toward final rest. There was no audio attached to the video recording.

On March 9, 2013, at 11:30 a.m., I arrived at 5850 Buckingham Road, Fort Myers, Florida 33905, where I met with Firefighter Adam Dowdy of Tice Fire Department, who had responded to the 911 call from 6055 Laurelwood Drive, Fort Myers, Florida 33905. Firefighter Dowdy stated that when he arrived at the residence, he was met by a woman and a young child. The woman had told him that she didn't know anything about a 911 call being made and explained that the child had been playing with a mobile telephone. Tice Fire Department cancelled the call for service once it was determined there was no need for additional emergency responders, thus no replacement deputies were dispatched by the Lee County Sheriff's Office.

On March 9, 2013, at 11:45 a.m., I arrived at 6055 Laurelwood Drive, Fort Myers, Florida 33905. As I pulled into the driveway, I observed a young male child, a man (who promptly disappeared) and a woman in an open garage. I was approached by the woman who introduced herself as Brook Potter. I explained that I was there to investigate the 911 call made on March 3, 2013.

Mrs. Potter was cooperative and explained that she and her husband, Patrick Potter had been inside their house on that morning and their 5 year old son, Keagen Potter, was playing in his bedroom by himself. Mrs. Potter stated that they had given Keagen an old mobile telephone to play with and it was in the room with him. There were no known independent witnesses to support or contradict that claim. Mrs. Potter stated that a neighbor came to the house to tell her that Tice Fire Department was in the front yard. Mrs. Potter stated that she was told by Fire

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Department personnel that a 911 call had been placed from a mobile telephone at her residence. Mrs. Potter stated that she had not known about it and also that she had not been aware that a mobile telephone with no contracted service could still dial 911.

I informed Mrs. Potter of the traffic crash and the two fatalities that occurred during the emergency response to the 911 call. Mrs. Potter brought the mobile telephone out for me to look at. It was an LG Galaxy touchscreen phone and the call log showed a very long series of numbers (one sequential string) dialed on March 3, 2013, beginning at about 9:20 a.m. Embedded within the number string was several 911 series. I placed a test-call to 911 using the LG telephone to verify that the number for the incoming call matched this particular device. Lee County Sheriff's Office dispatch verified the number matched the 911 calls from March 3, 2013.

On March 9, 2013, at 12:55 p.m., I obtained a sworn witness statement from W-5 (Mark Leissring), who stated that at 9:26 a.m., on March 3, 2013, he had been driving his vehicle through the parking lot of a Burger King restaurant, located at 4060 Palm Beach Boulevard, Fort Myers, Florida 33905 (0.9 mile west of the crash scene). W-5 stopped his vehicle at the exit and as he prepared to turn right onto State Road 80, "Two squad cars went by me at an excessive speed, without lights or sirens." W-5 stated the lead vehicle was a Ford Crown Victoria and the following vehicle was of an unknown smaller make vehicle. W-5 stated both patrol vehicles were in the outside eastbound lane, traveling between 80 – 90 miles per hour. W-5 stated that he saw no other traffic in the area but had observed multiple pedestrians near the roadway toward the east. W-5 did not witness the traffic crash. The interview was concluded at 1:15 p.m.

On March 9, 2013, at 1:45 p.m., I responded to the Burger King restaurant which W-5 had referred to. I met with the shift manager who provided to me access to the security system for

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the business. The security cameras recorded onto a hard drive set to a loop pattern, so that when the available storage space was depleted, the oldest data would be recorded over by new data. The oldest data available at that time was from March 5, 2013. Any recorded data that may have shown the two patrol cars traveling east on State Road 80 was lost.

On March 10, 2013, at 11:15 a.m., I sent a facsimile to Attorney Tuschman, requesting authorization to download the electronic data from V-1. This request was made following a telephone conversation I had with Attorney Tuschman regarding the purpose for and method by which an electronic download might be completed. To date, no authorization has been received from Attorney Tuschman to download V-1's electronic data.

On March 12, 2013, at 11:54 a.m., I received an email correspondence from Detective Roman Serrano of the Lee County Sheriff's Office. Detective Edward Sommers and Detective Serrano had completed an electronic data download of W-1's patrol car. This download information was being provided to me by the Lee County Sheriff's Office along with a global positioning system report for both V-2 and W-1's patrol vehicle for the time leading up to the crash. These reports are included in the Field Note Packet for this case and a summary of their content is included toward the end of this report.

On March 15, 2013, at 8:08 a.m., I obtained a sworn statement from D-2 (Deputy Roberto Torres), following an advice of his rights. D-2 stated that he understood his rights and consented to the interview. D-2, a Lee County Deputy Sheriff assigned to patrol the area of State Road 80 for the previous eight years, stated that he had been operating V-2, a marked, Lee County Sheriff's Office patrol vehicle at the time of the crash. D-2 reported no vehicle deficiencies to V-2. D-2's shift began at 5:30 a.m., and he was not fatigued or distracted.

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D-2 stated that at approximately 9:25 a.m., he was in the area of Veronica Shoemaker Boulevard and State Road 80, when he was dispatched to, "A 911 hang-up. A child called 911 saying that he needed a police officer and a fireman at his house -- in the Buckingham area." D-2 stated he was advised by his dispatcher that there had been a previous domestic violence-related call for service from the same address he was responding to. D-2 turned left onto State Road 80 and began traveling east. Neither V-2's emergency lights nor siren were turned on during this time. D-2 stated, "I got up to an intersection [identified by D-2 as New York Drive] with a red light and due to the call, I activated my emergency equipment on my vehicle to safely cross the intersection." D-2 stated that he steered V-2 into the outside lane after crossing the intersection but D-2 was uncertain whether he had left the emergency lights and siren on or turned them off. D-2 stated he saw, "A white Cadillac at the stop sign at the Mississippi [Avenue] and Palm Beach Boulevard. He -- it looked like he tried to gas the vehicle like he was trying to beat me across. I attempted to avoid the accident by swerving to the left." D-2 was uncertain if he had braked and stated there was insufficient time for any other evasive maneuvers. D-2 could not recall if V-1 was stationary or moving when he first observed it nor how much distance was between V-1 and V-2 when he first recognized V-1 as a potential hazard. D-2 stated that he was not using the mobile computer in the vehicle and was not using a mobile telephone at that time. D-2 did not recall V-2's speed at that time and was not able to estimate V-1's speed upon crossing V-2's path. D-2 was uncertain of the events following the crash. He did indicate there were no environmental contributors to the crash and no other vehicles involved. The interview was concluded at 8:44 a.m.

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On March 15, 2013, at 9:04 a.m., I obtained a sworn witness statement from W-1 (Deputy Greg Barker of the Lee County Sheriff's Office), who stated that he was in the area of Veronica Shoemaker Boulevard and State Road 80 when he was assigned to the 911 call. W-1 and D-2 had just finished another call for service together and so began responding together to this new call for service. W-1 stated he was traveling east on State Road 80, behind V-2. W-2 stated that upon reaching the intersection of State Road 80 and New York Avenue, "The light was red and there were vehicles in front of us. There was nobody in the [left] turn lane. We slowed down and entered the turning lane." W-1 stated that the traffic signal changed to green when the patrol vehicles were approximately half way down the length of the left turn lane. Both patrol vehicles slowed but did not stop before entering the intersection, "We activated our lights and sirens to clear the intersection and once we exited that, we turned off our sirens."

W-1 followed V-2 into the outside eastbound lane and continued traveling east. W-1 kept his vehicle's emergency lights turned on but he could not recall if V-2's lights remained on or not. W-1 did not know at what speed he and D-2 were driving because he did not look at the speedometer of his vehicle. As V-2 approached the intersection of Mississippi, W-1 saw, "A Cadillac come out and make like it was going to make a stop – kind of in the road – then it bolted right out in front of us. I'd seen him pull right out in front of [Deputy] Torres and knew there was no way he was going to miss him." I asked if V-1 was stopped or moving when W-1 first saw it. W-1 stated, "It never stopped, it never came to a complete stop, it was in motion the whole time." W-1 stated that V-2, which he knew to then have emergency lights on, made an evasive maneuver toward the left; however, V-1's path toward the north kept V-1 centered within V-2's evasive path. W-1 stated that his siren was turned off but his emergency lights

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were still on. W-1 observed V-2's emergency lights but did not hear a siren from V-2. W-1 stated that there had been no other eastbound traffic in the area of the two patrol vehicles when V-1 entered the intersection. "The front of his vehicle collided with the driver side door of the Cadillac." W-1 stated that the vehicles rotated to final rest within the median and north shoulder. W-1 brought his patrol vehicle to a controlled stop within the inside eastbound lane, east of V-2, then notified the Lee County Sheriff's Office that the crash had occurred and responded to check the welfare of all occupants. This interview was concluded at 9:26 a.m.

On March 15, 2013, at 10:00 a.m., I met with Assistant State Attorney Adreas Gardiner of the State Attorney's Office for the 20th Judicial Circuit, to determine whether any criminal charges would be pursued against Mr. and Mrs. Potter in reference to the false 911 call. I presented to him a written summary of the events beginning with the 911 call and leading through to the resulting fatal traffic crash. Attorney Gardiner's conclusion was that there was insufficient evidence of negligence or intent to pursue charges against the Potter's.

On March 22, 2013, at 3:00 p.m., I met with Corporal Benton at the Florida Highway Patrol Vehicle Impound Facility where we conducted a post collision inspection of V-1 and V-2. V-1 displayed evidence of a single, near-perpendicular collision to the center of its left side with a primary direction of force applied toward the three o'clock position. The damage to V-1 included but was not limited to the following. There was contact damage to the left side of V-1, located between the left "A" pillar and the left "C" pillar that measured approximately 7 feet 8 inches across, with a displayed crush depth of 2 feet 6 inches. The crush damage was most pronounced below 2 feet 0 inches. Bright white flakes of paint transfer, green decal transfer, and an arced tire rubber transfer from V-2 were visible throughout the contact area. Induced damage

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was visible around the remainder of the car which buckled toward the left, around the contact area. V-1's windshield, both left side windows, the front right window and the rear window were broken. The glass from the right rear windows was intact.

A 7 inch section of the outside radial edge of V-1's left front tire had been crushed inward and had broken away causing the tire to deflate. Scour marks were visible on the broken edge of the rim which was consistent with roadway contact. V-1's remaining tires were in proper working order and all the tires had adequate tread depth. All of the tires displayed lateral scuffing caused by vehicle rotation.

Both D-1's and O-1 of V-1's seat belts were locked in the extended positions, which indicated they had been in use at the time of the collision. Blood staining was present on both vertical portions of the belt material. There was no tearing or deformity to either latch plate or latch plate receiver. I did not see any evidence of stretching or loading of the belt fabric.

The only air bag to deploy in V-1 was the left side "B" pillar air bag. The left side of the dashboard had broken apart as the components were pushed toward the right. The steering wheel was pushed up and right. V-1's key was wedged within the ignition port. I observed no witness marks on V-1's gauge assembly. The driver's floorboard was inaccessible due to the driver's door being crushed inward toward the right. The driver's seat had tilted back and toward the right (due to floor buckling) so that the headrest was partially behind the front passenger seat. The left side "B" pillar had been pushed in so that it measured 11 inches from the left edge of the front passenger seat.

V-2 displayed evidence of a single, in-line collision to the front end with a primary direction of force applied toward the six or seven o'clock position. The damage to V-2 included but was not

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limited to the following. There was contact damage across the width of V-2's front end which measured approximately 5 feet 0 inches across, with a maximum crush depth of approximately 1 foot 2 inches. Pale white flakes of paint transfer from V-1 were visible throughout the contact area. Induced damage was evident across the engine hood and rearward, down the length of both front fenders, ending at the left and right side "A" pillars. V-2's windshield was broken due to articles within the vehicle striking the glass. All other glass was intact. I observed no other crash-related damage to the remaining exterior of V-2.

V-2's front left wheel-well had collapsed rearward onto the leading edge of V-2's left front tire. The front right wheel-well had similarly collapsed toward the rear; however there was only minor contact with the tire. The front right tire displayed scuffing on its exterior sidewall, consistent with the arced contact transfer visible on V-1's left side. In addition, there was minor crush damage to the right front tire rim with several flakes of white paint attached to the rim. The integrity of both tires front remained uncompromised. In-line scuffing due to heavy braking was visible on all four tires, as was lateral scuffing from vehicle rotation. V-2's tires were all in proper working order and had adequate tread depth.

D-2's seat belt was in an extended position. The belt material spooled out easily when pulled but would not fully retract. There was no tearing or deformity to either latch plate or latch plate receiver; however, there was obvious evidence of loading on the belt fabric. In addition, the plastic casing of the D-ring displayed obvious burning consistent with seat belt use at the time of collision. The only air bag to deploy in V-2 was from the steering column.

The dashboard had deformed slightly at the edges but was otherwise intact. I observed no witness marks on V-2's gauge assembly. I noted that the headlamp switch was set to the on

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position. V-2's siren control was set to the off position. I had moved the emergency lights control to the off position during the downloading of V-2's electronic data to minimize electrical shorts by leaving the system activated.

Corporal Benton collected a series of photogrammetry images for V-1 and V-2 (a photographic measurement system based on triangulation concepts) which he later used to produce a linear perimeter model of each vehicle. These models were applied to the attached reconstruction diagram.

On March 24, 2013, at 11:15 a.m., following a tip provided by Attorney Tuschman, I attempted to contact a possible witness named Chris Cruz. Cruz' mother answered the telephone call but would not provide her name or address. She stated that Cruz did not reside with her and she didn't know his address or another telephone number where he could be contacted. I have left several messages for Cruz to contact me; however, to date, I've received no response from him.

On April 3, 2013, at 3:24 p.m., I received the autopsy report for D-1 from the District 21 Medical Examiner's Office. Attached to the report was a toxicological report prepared by Wuesthoff Reference Laboratory, detailing the analysis of a blood specimen collected from D-1 during the autopsy. D-1's blood specimen was negative for ethyl alcohol content and controlled substances content.

On June 7, 2013, at 8:50 a.m., I spoke by telephone, with Pastor Grover Barron of New Wine Worship Center, located 541 Evergreen Road, North Fort Myers, Florida 33903. Pastor Barron provided to me the trip plan of D-1 and O-1 of V-1, both of whom were long-time members of his church, which had been their destination at the time of the crash. Pastor Barron stated that both D-1 and O-1 of V-1 had been in good health at the time. Pastor Barron provided to me the

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name of a potential witness as well, identified as Reverend Anthony Shipe of Morningstar Baptist Church, located at 5160 Richmond Avenue, Fort Myers, Florida 33905.

On June 9, 2013, at 12:05 p.m., I obtained a sworn witness statement from Reverend Anthony Shipe, hereafter referred to as W-6 (Witness-6), who stated that he had been driving east on State Road 80, a short distance east of Adams Avenue (0.5 mile west of the crash scene) when, "I heard sirens from two Lee County Sheriff's patrol cars that were approaching me from behind, so I got to the right and allowed them to pass. They passed at great speed." W-6 stated that he did not recall seeing any emergency lights on either patrol vehicle, but after hearing the sirens and looking in his mirror, he recognized the white vehicles overtaking him as Sheriff's Office vehicles.

W-6 stated that as the patrol vehicles approached, "I witnessed a white Cadillac pull out onto Palm Beach Boulevard from Mississippi Avenue." W-6 stated that the lead patrol vehicle swerved and avoided the collision but the second patrol car was unable to do so and collided with V-1. "Both cars made complete turns in the intersection – completely spun around." W-6 stopped in the Maxx Foods grocery store parking lot and responded to V-2 as D-2 was exiting. D-2 appeared to have a hand injury and was in shock. W-6 then went to V-1 where he found D-1 and O-1 of V-1 unresponsive within. W-6 observed D-1 and O-1 of V-1 were wearing seat belts. The interview was concluded at 12:27 p.m.

On June 28, 2013, at 4:50 p.m., I spoke with Captain Michael Runk of Tice Fire Department. Captain Runk provided to me the names of the Tice Fire Department responders, of which he was one. I asked Captain Runk if V-2's emergency lights and siren were turned on when he

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arrived, prior to V-2's power being cut. Captain Runk stated, "The emergency lights were on, the siren was not." Tice Fire Department arrived at the crash scene at 9:35 a.m.

According to the National Highway Traffic Safety Administration (NHTSA), Office of Defects Investigation and Recall Database located on the internet at <http://www-odi.nhtsa.dot.gov>, there were no potential safety recalls for V-1 or V-2 which may have contributed to this crash.

A traffic crash reconstruction was completed using accepted reconstruction practices which focused primarily on momentum analysis. The true weights of each vehicle were estimated based on curb weight as stated by each vehicle manufacturer as well as occupant weights and estimated cargo weights. In addition, due to a lack of physical roadway evidence prior to collision, (ie. skid marks, yaw marks, etc.), I was unable to calculate V-2's initial speed. Video evidence showed V-1's initial speed to be 0 miles per hour, prior to entering the intersection. I calculated V-1's collision speed to be 8.71 miles per hour and V-2's collision speed to be 54.49 miles per hour.

The download report for V-2's Powertrain Control Module showed that V-2's brake switch was activated at 76 miles per hour, remained active for 5.5 seconds (during which 22 data points were recorded at a rate of four per second) and ended with a collision speed of 59 miles per hour. Preceding V-2's brake switch being activated, V-2's report showed a deceleration that lasted 2.25 seconds (9 data points) during which V-2's speed was reduced from 78 miles per hour (7.75 seconds prior to collision) to 76 miles per hour. V-2's recorded data prior to 78 miles per hour was not available. In addition, V-2's Powertrain Control Module did not receive a deployment signal from the Restraint Device Signal.

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Similarly, the Global Positioning System data for V-2, as provided by the Lee County Sheriff's Office, showed V-2's speed at 9:28 a.m., to be 79 miles per hour, followed by a final recorded speed of 59 miles per hour at 9:29 a.m.

INVESTIGATIVE SUMMARY

Based on the available evidence (physical, electronic and video) as well as witness statements obtained during the investigation, I have concluded that this traffic crash occurred in the following manner:

D-1 (John Israel Steffen), an 84 year old, male, was the owner and operator of V-1, a white, 2003, Cadillac, DeVille, automobile, bearing Florida vehicle registration tag: K776UU. D-1 was en route to New Wine Worship Center, located 541 Evergreen Road, North Fort Myers, Florida 33903, and was accompanied by his wife, Marilyn Jane Steffen, a 77 year old, female, who was the right front passenger (O-1 of V-1). Both D-1 and O-1 of V-1 were using V-1's installed occupant restraint devices.

D-2 (Roberto Torres), a 28 year old, male, was the operator of V-2, a white, 2008 Ford, Crown Victoria, Police Interceptor, law enforcement marked and equipped automobile, owned by the Lee County Sheriff's Office and bearing Florida vehicle registration tag: SHERF49980. D-2 was en route to 6055 Laurelwood Drive, Fort Myers, Florida 33905, in reference to a 911 telephone call where a child asked for law enforcement and fire department response before disconnecting. There was no answer to return calls. D-2 had no passengers and was using V-2's installed occupant restraint device.

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At approximately 9:29 a.m., D-1 drove V-1 north in the single northbound lane of Mississippi Avenue and stopped at the intersection of State Road 80, past the painted stop bar and stop sign. D-1 waited for approximately 30 seconds prior to accelerating V-1 into the intersection, beginning a left turn and thereby violating V-2's right-of-way. V-2 had been eastbound in the outside, eastbound lane of State Road 80, approaching the intersection of Mississippi Avenue. V-2 had been traveling in excess of the posted 45 mile per hour speed limit with its emergency lights activated and intermittently using an audible siren. V-2's Powertrain Control Module reported a pre-braking speed of 78 miles per hour.

D-2 swerved left as D-1 continued steering left, causing V-1 to remain within V-2's evasive path. A collision occurred within the inside, eastbound lane of State Road 80 when the front center of V-2 collided with the left center of V-1. V-1 was redirected toward the northeast, rotated counter-clockwise and arrived at final rest 73 feet 8 inches from the area of collision. V-2 was not redirected but instead, rotated counter-clockwise in-line with its evasive path and arrived at final rest 38 feet 8 inches northeast of the area of collision. I calculated V-1's collision speed to be 8.71 miles per hour and V-2's collision speed to be 54.49 miles per hour (59 miles per hour per the Powertrain Control Module and Global Positioning System).

D-1 received fatal injuries and was pronounced deceased at 9:29 a.m., by Lieutenant Jay Bridenthal of Lee County Emergency Medical Services. O-1 of V-1 received life-threatening injuries and was transported by Lee County Emergency Medical Services from the crash scene to Lee Memorial Hospital, located at 2776 Cleveland Avenue, Fort Myers, Florida 33901. O-1 of V-1 was pronounced deceased upon arrival, at 9:59 a.m., by Doctor Juan Diaz of Lee Memorial Hospital. D-2 received minor injuries and was transported to Lee Memorial Hospital by Lee

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County Sheriff's Office staff. There was no evidence that either D-1 or D-2 were under the influence of alcoholic beverage(s) or controlled substances at the time of the crash.

There was no evidence that a mechanical failure from V-1 or V-2 contributed to this crash. No road hazards, physical obstructions or visual obstructions were identified which may have contributed to this crash.

I find D-1 (John Israel Steffen), by operating a motor vehicle (V-1) upon the highways within the State of Florida and after stopping at a stop sign controlled intersection, failing to yield the right-of-way to traffic approaching the intersection (V-2), to be in violation of **Florida State Statute 316.123(2)(a): Vehicles entering stop or yield intersections**, which stated in part, "After having stopped, the driver shall yield the right-of-way to any vehicle which has entered the intersection from another highway or which is approaching so closely on said highway as to constitute an immediate hazard during the time when the driver is moving across or within the intersection.."

I find D-2 (Roberto Torres), in violation of no Florida State Statutes.

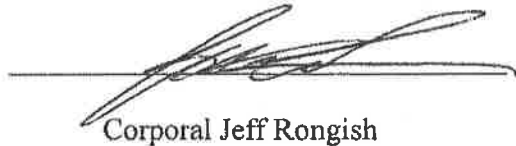
INVESTIGATIVE REPORT

Case Closing Status

By Deceased Person - The investigation is complete and no charges will be filed because the at-fault person expired as a result of the crash

Sworn to and Subscribed Before Me

This 19th Day of July, 2013.



Corporal Jeff Rongish

Traffic Homicide Investigator

FHP – Fort Myers District



Sergeant Owen Keen

Sergeant Owen Keen

Notary Public / L.E.O.

FHP – Fort Myers District

Reconstruction Diagram

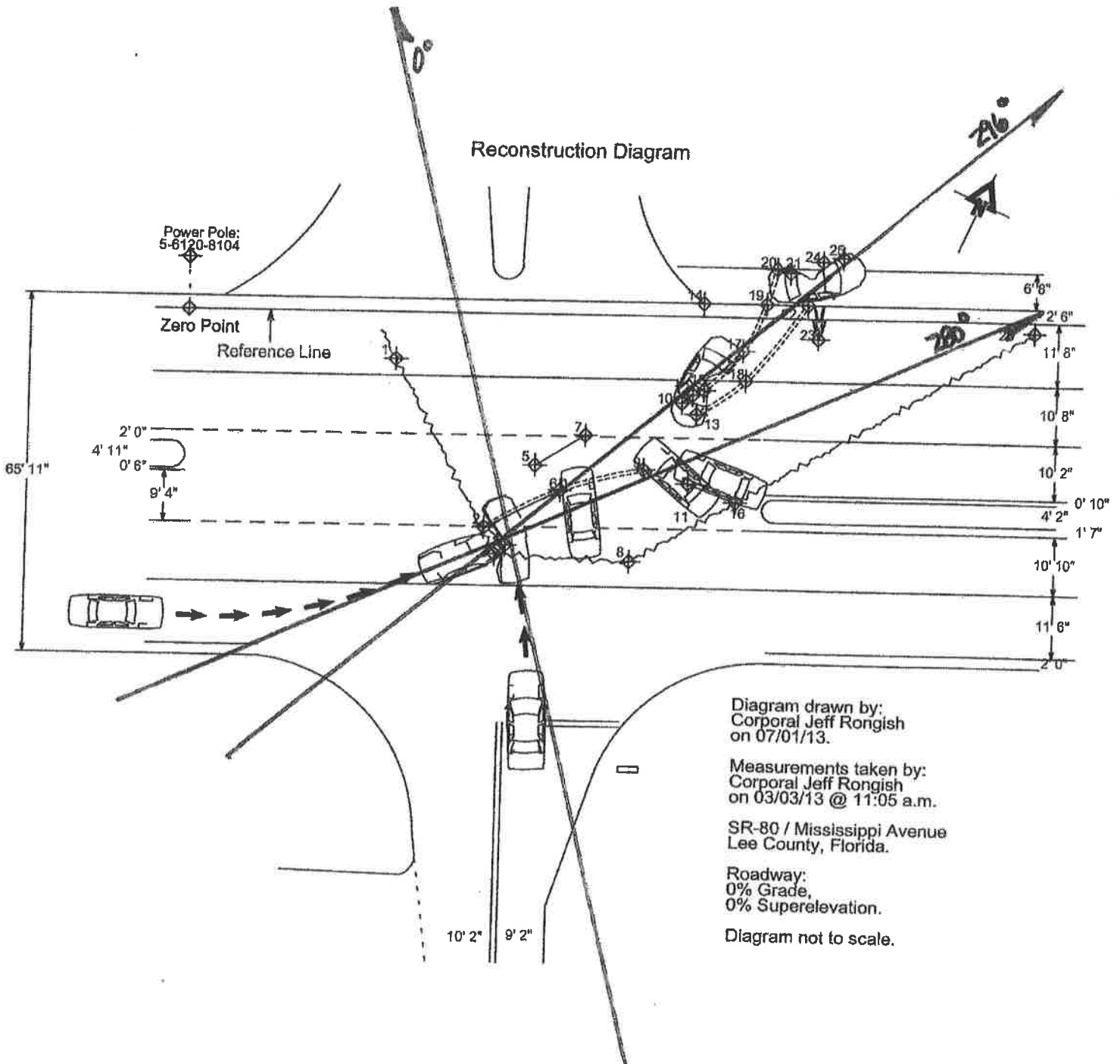


Diagram Legend Sheet

The diagram was drawn by Corporal Jeff Rongish. Corporal Jeff Rongish took these scene measurements on March 3, 2013 on State Road 80 at the intersection of Mississippi Avenue, in Lee County, Florida. The zero point was established on the reference line located 9 feet 5 inches south of power pole #5-6120-8104, located in the northwest shoulder of the intersection. The reference line was established as the westbound outside edge line of State Road 80.

- POINT 1: Plastic debris from V-1 marked the northwest corner of the primary debris field, located 37 feet 8 inches east of the zero point and 8 feet 8 inches south of the reference line.
- POINT 2: The beginning of a left front tire scuff from V-2 was located 54 feet 2 inches east of the zero point and 39 feet 3 inches south of the reference line.
- POINT 3: The area of collision was identified by the beginning of a gouge located 56 feet 2 inches east of the zero point, and 44 feet 2 inches south of the reference line.
- POINT 4: The end of the area of collision gouge was located 58 feet 1 inch east of the zero point and 42 feet 6 inches south of the reference line.
- POINT 5: The beginning of a right front tire scuff from V-1 was located 63 feet 1 inch east of the zero point and 27 feet 9 inches south of the reference line.
- POINT 6: The continuation of V-2's left front tire scuff was located 67 feet 9 inches east of the zero point and 32 feet 3 inches south of the reference line.

Diagram Legend Sheet

- POINT 7: The end of V-1's right front tire scuff was located 72 feet 3 inches east of the zero point and 22 feet 1 inch south of the reference line.
- POINT 8: Mirrored headlamp fragments marked the south corner of the primary debris field, located 80 feet 8 inches east of the zero point and 45 feet 2 inches south of the reference line.
- POINT 9: The end of V-2's left front tire scuff was located 82 feet 11 inches east of the zero point and 15 feet 11 inches south of the reference line.
- POINT 10: The beginning of a frame scuff from V-1 was located 89 feet 7 inches east of the zero point and 15 feet 11 inches south of the reference line.
- POINT 11: The left front axle of V-2, at final rest, was located 91 feet 0 inches east of the zero point and 30 feet 9 inches south of the reference line.
- POINT 12: The end of V-1's frame scuff was located 91 feet 6 inches east of the zero point and 14 feet 5 inches south of the reference line.
- POINT 13: The beginning of a continuous path of scuffing/gouging from V-1's left front tire/rim was located 92 feet 3 inches east of the zero point and 18 feet 0 inches south of the reference line.
- POINT 14: Plastic fragments marked the northern edge of the primary debris field, located 93 feet 2 inches east of the zero point and 2 feet 5 inches north of the reference line.
- POINT 15: The beginning of a left rear tire scuff from V-1 was located 93 feet 7 inches east of the zero point and 13 feet 6 inches south of the reference line.

Diagram Legend Sheet

- POINT 16: The left rear axle of V-2, at final rest, was located 99 feet 8 inches east of the zero point and 34 feet 0 inches south of the reference line.
- POINT 17: The continuation of V-1's left rear tire scuff was located 100 feet 5 inches east of the zero point and 6 feet 2 inches south of the reference line.
- POINT 18: The continuation of V-1's left front scuff/gouge was located 101 feet 0 inches east of the zero point and 11 feet 8 inches south of the reference line.
- POINT 19: The continuation of V-1's left rear tire scuff, at the curb, was located 104 feet 6 inches east of the zero point and 2 feet 6 inches north of the reference line.
- POINT 20: The end of V-1's left rear tire scuff was located 106 feet 3 inches east of the zero point and 9 feet 0 inches north of the reference line.
- POINT 21: The left rear axle of V-1, at final rest, was located 108 feet 9 inches east of the zero point and 8 feet 4 inches north of the reference line.
- POINT 22: A scrap on the curb edge from V-1's left front wheel was located 112 feet 1 inch east of the zero point and 2 feet 6 inches north of the reference line.
- POINT 23: D-1 (after being removed from V-1 by emergency responders) was located 114 feet 1 inch east of the zero point and 3 feet 9 inches south of the reference line.
- POINT 24: The area of maximum engagement into V-1 (as I was able to reach at the scene) was located 114 feet 8 inches east of the zero point and 10 feet 6 inches north of the reference line.

Diagram Legend Sheet

- POINT 25: The left front axle of V-1, at final rest, was located 118 feet 4 inches east of the zero point and 11 feet 3 inches north of the reference line.
- POINT 26: A white plastic fragment marked the east end of the primary debris field, located 153 feet 9 inches east of the zero point and 1 foot 11 inches south of the reference line.

WITNESS LIST

Name Deputy Roberto Torres (D-2) On Scene: Yes ☒ No ☐ Statement: Yes ☒ No ☐

Address N/A

Place of Employment Lee County Sheriff's Office

14750 Six Mile Cypress Parkway, Fort Myers, Florida 33912

Phone Numbers: Home: N/A Cell: N/A Work: 239-477-1000

Can Testify To: Involved in crash, pre-crash details, crash details, roadway and weather conditions.

* Recorded statement on file at Fort Myers District FHP Station. *

Name Deputy Greg Barker (W-1) On Scene: Yes ☒ No ☐ Statement: Yes ☒ No ☐

Address N/A

Place of Employment Lee County Sheriff's Office

14750 Six Mile Cypress Parkway, Fort Myers, Florida 33912

Phone Numbers: Home: N/A Cell: N/A Work: 239-477-1000

Can Testify To: Pre-crash details, crash details, roadway and weather conditions.

* Recorded statement on file at Fort Myers District FHP Station. *

Name Eddie Rivera (W-2) On Scene: Yes ☒ No ☐ Statement: Yes ☒ No ☐

Address 129 Madonna Drive, Fort Myers, Florida 33905

Place of Employment None

N/A

Phone Numbers: Home: N/A Cell: 239-321-9824 Work: N/A

Can Testify To: Pre-crash details, crash details, roadway and weather conditions.

* Written and recorded statements on file at Fort Myers District FHP Station. *

Name Robert Walker (W-3) On Scene: Yes ☒ No ☐ Statement: Yes ☒ No ☐

Address 303 Gilbert Avenue South, Lehigh Acres, Florida 33971

Place of Employment The Crossings of Cape Coral

1150 Hancock Creek South Boulevard, Cape Coral, Florida 33909

Phone Numbers: Home: 239-849-6902 Cell: 239-645-0685 Work: 239-772-2116

Can Testify To: Pre-crash details, crash details, roadway and weather conditions.

* Written and recorded statements on file at Fort Myers District FHP Station. *

WITNESS LIST

Name Rodrick Lee Green, Senior (W-4) On Scene: Yes ☐ No ☒ Statement: Yes ☒ No ☐

Address 620 Hope Circle, Immokalee, Florida 34142

Place of Employment None

N/A

Phone Numbers: Home: 239-657-4045 Cell: 239-333-7585 Work: N/A

Can Testify To: Pre-crash details, crash details, roadway and weather conditions.

* Recorded statement on file at Fort Myers District FHP Station. *

Name Mark Leissring (W-5) On Scene: Yes ☐ No ☒ Statement: Yes ☒ No ☐

Address 2311 Roosevelt Avenue, Alva, Florida 33920

Place of Employment Self employed.

N/A

Phone Numbers: Home: N/A Cell: 239-823-4793 Work: N/A

Can Testify To: Observed two patrol vehicles at high speed eastbound on State Road 80 prior to crash.

* Recorded statement on file at Fort Myers District FHP Station. *

Name Reverend Anthony Shipe (W-6) On Scene: Yes ☒ No ☐ Statement: Yes ☒ No ☐

Address 5241 Southwest 18th Avenue, Cape Coral, Florida 33914

Place of Employment Morningstar Baptist Church

5160 Richmond Avenue, Fort Myers, Florida 33905

Phone Numbers: Home: N/A Cell: 239-233-0988 Work: 239-694-1359

Can Testify To: Pre-crash details, crash details, roadway and weather conditions.

* Recorded statement on file at Fort Myers District FHP Station. *

Name Sergeant Bernard McPherson On Scene: Yes ☒ No ☐ Statement: Yes ☐ No ☒

Address N/A

Place of Employment Florida Highway Patrol

10041 Daniels Parkway, Fort Myers, Florida 33913

Phone Numbers: Home: N/A Cell: N/A Work: 239-344-1730

Can Testify To: Scene supervisor, weather conditions, road conditions, vehicle locations.

WITNESS LIST

Name Corporal Jeff Rongish On Scene: Yes ☒ No ☐ Statement: Yes ☐ No ☒

Address N/A

Place of Employment Florida Highway Patrol

10041 Daniels Parkway, Fort Myers, Florida 33913

Phone Numbers: Home: N/A Cell: N/A Work: 239-344-1730

Can Testify To: Assigned Traffic Homicide Investigator, processed scene, obtained crash related details, obtained witness statements.

Name Corporal John Benton On Scene: Yes ☐ No ☒ Statement: Yes ☐ No ☒

Address N/A

Place of Employment Florida Highway Patrol

10041 Daniels Parkway, Fort Myers, Florida 33913

Phone Numbers: Home: N/A Cell: N/A Work: 239-344-1730

Can Testify To: Aided Cpl. Rongish with witness interview, processing vehicles, Crashzone software momentum.

Name Corporal David Brunner On Scene: Yes ☐ No ☒ Statement: Yes ☐ No ☒

Address N/A

Place of Employment Florida Highway Patrol

5023 SR-70, Bradenton, Florida 34203

Phone Numbers: Home: N/A Cell: N/A Work: 941-751-8350

Can Testify To: Downloaded electronic data from V-2.

Name Trooper Joseph Bowers On Scene: Yes ☒ No ☐ Statement: Yes ☐ No ☒

Address N/A

Place of Employment Florida Highway Patrol

10041 Daniels Parkway, Fort Myers, Florida 33913

Phone Numbers: Home: N/A Cell: N/A Work: 239-344-1730

Can Testify To: Crash investigator, weather conditions, location of vehicles and occupants, witness identification.

WITNESS LIST

Name Trooper Lucy Papp On Scene: Yes ☒ No ☐ Statement: Yes ☐ No ☒

Address N/A

Place of Employment Florida Highway Patrol

10041 Daniels Parkway, Fort Myers, Florida 33913

Phone Numbers: Home: N/A Cell: N/A Work: 239-344-1730

Can Testify To: Assisted crash investigator, weather conditions, location of vehicles, vehicle inventory.

Name Lee County Sheriff's Office personnel On Scene: Yes ☒ No ☐ Statement: Yes ☐ No ☒

Address N/A

Place of Employment Lee County Sheriff's Office

14750 Six Mile Cypress Parkway, Fort Myers, Florida 33912

Phone Numbers: Home: N/A Cell: N/A Work: 239-477-1000

Can Testify To: First responders, supervisor staff, traffic control: weather conditions, location of vehicles.

Name Lee County EMS personnel On Scene: Yes ☒ No ☐ Statement: Yes ☐ No ☒

Address N/A

Place of Employment Lee County Emergency Medical Services

14752 Six Mile Cypress Pkwy, Fort Myers, Florida 33912

Phone Numbers: Home: N/A Cell: N/A Work: 239-337-2000

Can Testify To: First responders, aid to injured, weather conditions, location of vehicles.

Name Lieutenant Jay Bridenthal On Scene: Yes ☒ No ☐ Statement: Yes ☐ No ☒

Address N/A

Place of Employment Lee County Emergency Medical Services

14752 Six Mile Cypress Pkwy, Fort Myers, Florida 33912

Phone Numbers: Home: N/A Cell: N/A Work: 239-377-2000

Can Testify To: Pronounced D-1 deceased at the scene.

WITNESS LIST

Name Tice Fire Department personnel On Scene: Yes ☒ No ☐ Statement: Yes ☐ No ☒

Address N/A

Place of Employment Tice Fire Department

9351 Workmen Way, Fort Myers, Florida 33905

Phone Numbers: Home: N/A Cell: N/A Work: 239-694-2380

Can Testify To: First responders, aid to injured, weather conditions, location of vehicles.

Name Captain Michael Runk On Scene: Yes ☐ No ☒ Statement: Yes ☐ No ☒

Address N/A

Place of Employment Tice Fire Department

9351 Workmen Way, Fort Myers, Florida 33905

Phone Numbers: Home: N/A Cell: N/A Work: 239-694-2380

Can Testify To: First responders, aid to injured, weather conditions, location of vehicles. Also observed V-2's lights still flashing upon arrival.

Name Doctor Wendolyn Sneed On Scene: Yes ☐ No ☒ Statement: Yes ☐ No ☒

Address N/A

Place of Employment District 21 Medical Examiner's Office

70 Danley Drive, Fort Myers, Florida 33907

Phone Numbers: Home: N/A Cell: N/A Work: 239-277-5020

Can Testify To: Conducted autopsy on D-1 and O-1 of V-1.

* The Medical Examiner's Office maintains its own records and chain of custody. *

Name Robert Carcamo On Scene: Yes ☐ No ☒ Statement: Yes ☐ No ☒

Address N/A

Place of Employment Maxx Foods Security Agent

4610 Palm Beach Boulevard, Fort Myers, Florida 33905

Phone Numbers: Home: N/A Cell: N/A Work: 239-690-9829

Can Testify To: Provided security video which showed traffic crash.

* Video on file at Fort Myers District FHP Station. *

LEE COUNTY SHERIFF'S OFFICE
SWORN AFFIDAVIT

COUNTY OF LEE
STATE OF FLORIDA

LCSO CFS NO: _____

DATE: 3/3/13

NAME: Eddie Rivera HEIGHT: 5'9 WEIGHT: 220 HAIR: brw EYES: brw

DATE OF BIRTH: 5/8/78 PLACE OF BIRTH: Fort Myers

HOME ADDRESS: 129 Madonna Dr

HOME TELEPHONE NUMBER: 239-321-9824

WORK NAME AND ADDRESS: _____

WORK TELEPHONE NUMBER: _____

CELL /ALTERNATE PHONE NUMBER: _____

I Eddie Rivera NOW WISH TO MAKE THE FOLLOWING SWORN AFFIDAVIT TO
Deputy Barnes WHO I KNOW TO BE A DEPUTY SHERIFF, WITH THE LEE
COUNTY SHERIFF'S OFFICE, WHO IS EMPOWERED BY FLORIDA STATUTE TO TAKE SWORN TESTIMONY.

White Cadillac was pulling out of the corner of Mississippi
& palm Ben and there was 2 police cars with the
lights on w/no sirens on and one police car had
slammed into the Cadillac. It was to late for either
car to stop.

SWORN TO AND SUBSCRIBED BEFORE ME

THIS 03 DAY OF March 20 13

Dep Barnes
NOTARY PUBLIC/ DEPUTY SHERIFF

Eddie Rivera
SIGNED

LCSO Form 74 (August 07, 2008)

FHP 1305-011430

LEE COUNTY SHERIFF'S OFFICE
SWORN AFFIDAVIT

COUNTY OF LEE
STATE OF FLORIDA

LCSO CFS NO: _____

DATE: 3/3/13

NAME: Robert Walker HEIGHT: _____ WEIGHT: _____ HAIR: _____ EYES: _____
DATE OF BIRTH: 8/4/64 PLACE OF BIRTH: New York
HOME ADDRESS: 303 Gilbert Ave S Lehigh Acres FL 33971
HOME TELEPHONE NUMBER: N/A
WORK NAME AND ADDRESS: N/A
WORK TELEPHONE NUMBER: N/A
CELL /ALTERNATE PHONE NUMBER: 239 645-0685

I Robert Walker NOW WISH TO MAKE THE FOLLOWING SWORN AFFIDAVIT TO
Deputy Bardes WHO I KNOW TO BE A DEPUTY SHERIFF, WITH THE LEE
COUNTY SHERIFF'S OFFICE, WHO IS EMPOWERED BY FLORIDA STATUTE TO TAKE SWORN TESTIMONY.

I Robert Walker saw 2 patrol cars
coming East bound on Palm Beach Blvd with there
Roof lights on and no siren. I saw the white
Cadillac pulling out of Mississippi Ave. IT was to
late for the officers to stop or the Cadillac to stop.

Statement Taken + Written by Dep. Bardes
for Robert Walker x Robert Walker

SWORN TO AND SUBSCRIBED BEFORE ME

THIS 03 DAY OF March 2013

Dep Bardes 09413
NOTARY PUBLIC/ DEPUTY SHERIFF

Robert Walker
SIGNED

LCSO Form 74 (August 07, 2008)

FHP713-18-011430

**FLORIDA HIGHWAY PATROL
SWORN WITNESS INTERVIEW**

I, Cpl. Jeff Rongish, of the Florida Highway Patrol
am conducting a criminal investigation.

This interview is being conducted at SR-80/Mississippi Ave., Fort Myers.
(Location)

Today's date is 03/03/13 . The time is 12:45 ☐AM or ☒PM

Persons present at this interview are: Myself and Eddie Rivera

The name of the person being interviewed is: Eddie Rivera

Driver License/Identification Card Number: R160200781680 State: FL

This sworn interview is being taken in relation to case number: FHP713-18-011 .

OATH

This will be a sworn, recorded interview taken by a law enforcement officer pursuant to section 117.10 F.S.S. Please raise your right hand. Do you swear or affirm that the statement you are about to give will be the truth, the whole truth and nothing but the truth?

Yes, I so swear or affirm. /s/ Eddie Rivera

Please state your name: Eddie Rivera

Please state your address: 129 Madonna Dr., Ft. Myers, FL 33905

Please state your telephone number: Home: N/A Cell: 239-321-9824

Please state your work telephone number: N/A

Please state your place of employment: Unemployed

INTERVIEW

Time interview concluded 12:58 ☐AM or ☒PM

CERTIFICATION

The undersigned law enforcement officer acknowledges taking and being present during this interview.

This interview was recorded on: ☐Tape: Side N/A of tape N/A

☒Digital File: Eddie Rivera

Witnessing/Interviewing Officer /s/ Jeff Rongish
Cpl. Jeff Rongish

**FLORIDA HIGHWAY PATROL
SWORN WITNESS INTERVIEW**

I, Cpl. Jeff Rongish, of the Florida Highway Patrol
am conducting a criminal investigation.
This interview is being conducted at SR-80/Mississippi Ave., Fort Myers.

(Location)

Today's date is 03/03/13 . The time is 1:06 ☐AM or ☒PM

Persons present at this interview are: Myself and Robert Walker

The name of the person being interviewed is: Robert Walker

Driver License/Identification Card Number: W426760642840 State: FL

This sworn interview is being taken in relation to case number: FHP713-18-011 .

OATH

This will be a sworn, recorded interview taken by a law enforcement officer pursuant to section 117.10 F.S.S. Please raise your right hand. Do you swear or affirm that the statement you are about to give will be the truth, the whole truth and nothing but the truth?

Yes, I so swear or affirm. /s/ Robert Walker

Please state your name: Robert Walker

Please state your address: 303 Gilbert Ave. S., Lehigh Acres, FL 33971

Please state your telephone number: Home: 239-849-6902 Cell: 239-645-0685

Please state your work telephone number: 239-772-2116

Please state your place of employment: The Crossing at Cape Coral

1150 Hancock Creek South Blvd

Cape Coral, FL 33909

INTERVIEW

Time interview concluded 1:29 ☐AM or ☒PM

CERTIFICATION

The undersigned law enforcement officer acknowledges taking and being present during this interview.

This interview was recorded on: ☐Tape: Side N/A of tape N/A

☒Digital File: Robert Walker

Witnessing/Interviewing Officer /s/ Jeff Rongish

Cpl. Jeff Rongish

FLORIDA HIGHWAY PATROL
SWORN WITNESS INTERVIEW

I, Corporal John Benton of the Florida Highway Patrol
am conducting a criminal investigation.

This interview is being conducted at Via telephone

(Location)

Today's date is 3/3/13. The time is 4:10 p.m. ☐ AM or ☒ PM

Persons present at this interview are: Myself and Rodrick Green

The name of the person being interviewed is: Rodrick Green

Driver License/Identification Card Number: N/A State: N/A

This sworn interview is being taken in relation to case number: FHP713-18-011

OATH

This will be a sworn, recorded interview taken by a law enforcement officer pursuant to section 117.10 F.S.S. Please raise your right hand. Do you swear or affirm that the statement you are about to give will be the truth, the whole truth and nothing but the truth?

Yes, I so swear or affirm. Affirmed on tape

Please state your name: Rodrick Green

Please state your address: 620 Hope Circle, Immokalee, FL 34142

Please state your telephone number: Home: 239-657-4045 Cell: 239-333-7585

Please state your work telephone number: none

Please state your place of employment: Unemployed - disabled

INTERVIEW

Time interview concluded 4:27 p.m. ☐ AM ☒ PM

CERTIFICATION

The undersigned law enforcement officer acknowledges taking and being present during this interview.

This interview was recorded on: ☐ Tape: Side N/A of tape N/A

☒ Digital File: RodrickGreen 3-3-13

Interviewing Officer /s/ John Benton

Corporal John Benton

**FLORIDA HIGHWAY PATROL
SWORN WITNESS INTERVIEW**

I, Corporal Jeff Rongish, of the Florida Highway Patrol
am conducting a criminal investigation.

This interview is being conducted at 2311 Rossevelt Ave., Alva, FL 33920.

(Location)

Today's date is 03/09/13 . The time is 12:55 ☐AM or ☒PM

Persons present at this interview are: Myself and Mark Leissring

The name of the person being interviewed is: Mark Leissring

Driver License/Identification Card Number: L265-559-50-105-0 State: FL

This sworn interview is being taken in relation to case number: FHP713-18-011 .

OATH

This will be a sworn, recorded interview taken by a law enforcement officer pursuant to section 117.10 F.S.S. Please raise your right hand. Do you swear or affirm that the statement you are about to give will be the truth, the whole truth and nothing but the truth?

Yes, I so swear or affirm. /s/ Mark Leissring

Please state your name: Mark Leissring

Please state your address: 2311 Rossevelt Ave., Alva, FL 33920

Please state your telephone number: Home: N/A Cell: 239-823-4793

Please state your work telephone number: N/A

Please state your place of employment: Self Employed

INTERVIEW

Time interview concluded 1:15 ☐AM or ☒PM

CERTIFICATION

The undersigned law enforcement officer acknowledges taking and being present during this interview.

This interview was recorded on: ☐Tape: Side N/A of tape N/A

☒Digital File: Mark Leissring

Witnessing/Interviewing Officer /s/ Jeff Rongish
Corporal Jeff Rongish

FLORIDA HIGHWAY PATROL
CRIMINAL INVESTIGATIVE INTERVIEW AND ADVICE OF RIGHTS

I, Corporal Jeff Rongish, of the Florida Highway Patrol
am conducting a criminal investigation.

This interview is being conducted at State Road 80 / Orange River Boulevard, Lee County.
(Location)

Today's date is 03/15/13 . The time is 8:08 ☒AM or ☐PM

Persons present at this interview are: Myself and Dep. Roberto Torres

The name of the person being interviewed is: Roberto Torres

Driver License/Identification Card Number: T620-733-85-064-0 State: FL

This sworn interview is being taken in relation to case number: FHP713-18-011 .

At this time I am advising you of your Constitutional Rights.

You have the right to remain silent.

Anything you say can be used against you in court.

You have the right to talk to a lawyer for advice before I ask you any questions and to have him/her with you during questioning.

If you cannot afford a lawyer, one will be appointed for you, without cost, before any questioning, if you wish.

If you decide to answer questions now, without a lawyer present, you will still have the right to stop answering at any time. You also have the right to stop answering at any time to consult with a lawyer.

Do you understand each of the rights I have explained to you?

☒Yes ☐No

Have you previously advised a law enforcement officer that you would like to talk to a lawyer?

☐Yes ☒No

Having these rights in mind, do you wish to make any statements or answer questions at this time?

☒Yes ☐No

Signed: /s/ Roberto Torres

Roberto Torres

Date: 03/15/13

Time: 8:09 a.m.

Witnessing/Interviewing Officer: /s/ Jeff Rongish

Corporal Jeff Rongish

Page 1 of 2

Case Number: FHP713-18-011

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OATH

This will be a sworn, recorded interview taken by a law enforcement officer pursuant to section 117.10 F.S.S. Please raise your right hand. Do you swear or affirm that the statement you are about to give will be the truth, the whole truth and nothing but the truth?

Yes, I so swear or affirm. /s/ Roberto Torres

Please state your name: Roberto Torres
Please state your address: 14750 Six Mile Cypress Pkwy, Fort Myers, FL 33912
Please state your telephone number: Home: N/A Cell: N/A
Please state your work telephone number: 239-477-1000
Please state your place of employment: Lee County Sheriff's Office
14750 Six Mile Cypress Pkwy
Fort Myers, FL 33912

INTERVIEW

Time interview concluded 8:44 ☒AM or ☐PM

CERTIFICATION

The undersigned law enforcement officer acknowledges taking and being present during this interview.

This interview was recorded on: ☐Tape: Side N/A of tape N/A
☒Digital File: Roberto Torres

Witnessing/Interviewing Officer /s/ Jeff Rongish
Corporal Jeff Rongish

**FLORIDA HIGHWAY PATROL
SWORN WITNESS INTERVIEW**

I, Corporal Jeff Rongish, of the Florida Highway Patrol
am conducting a criminal investigation.

This interview is being conducted at State Road 80 / Orange River Blvd, Lee County.
(Location)

Today's date is 03/15/13 . The time is 9:04 ☒AM or ☐PM

Persons present at this interview are: Myself and Deputy Greg Barker

The name of the person being interviewed is: Greg Barker

Driver License/Identification Card Number: B626-292-70-167-0 State: FL

This sworn interview is being taken in relation to case number: FHP713-18-011 .

OATH

This will be a sworn, recorded interview taken by a law enforcement officer pursuant to section 117.10 F.S.S. Please raise your right hand. Do you swear or affirm that the statement you are about to give will be the truth, the whole truth and nothing but the truth?

Yes, I so swear or affirm. /s/ Greg Barker

Please state your name: Greg Barker

Please state your address: 14750 Six Mile Cypress Pkwy, Fort Myers, FL 33913

Please state your telephone number: Home: N/A Cell: N/A

Please state your work telephone number: 239-477-1000

Please state your place of employment: Lee County Sheriff's Office

14750 Six Mile Cypress Pkwy

Fort Myers, FL 33913

INTERVIEW

Time interview concluded 9:26 ☒AM or ☐PM

CERTIFICATION

The undersigned law enforcement officer acknowledges taking and being present during this interview.

This interview was recorded on: ☐Tape: Side N/A of tape N/A

☒Digital File: Greg Barker

Witnessing/Interviewing Officer /s/ Jeff Rongish

Corporal Jeff Rongish

**FLORIDA HIGHWAY PATROL
SWORN WITNESS INTERVIEW**

I, Corporal Jeff Rongish, of the Florida Highway Patrol
am conducting a criminal investigation.

This interview is being conducted at 5160 Richmond Ave., Fort Myers, Florida 33905.

(Location)

Today's date is 06/09/13 . The time is 12:05 ☐AM or ☒PM

Persons present at this interview are: Myself and Rev. Anthony Shipe

The name of the person being interviewed is: Rev. Anthony Shipe

Driver License/Identification Card Number: S100-002-71-220-0 State: FL

This sworn interview is being taken in relation to case number: FHP713-18-011 .

OATH

This will be a sworn, recorded interview taken by a law enforcement officer pursuant to section 117.10 F.S.S. Please raise your right hand. Do you swear or affirm that the statement you are about to give will be the truth, the whole truth and nothing but the truth?

Yes, I so swear or affirm. /s/ Anthony Shipe

Please state your name: Rev. Anthony Shipe

Please state your address: 5160 Richmond Ave., Fort Myers, Florida 33905

Please state your telephone number: Home: N/A Cell: 239-233-0988

Please state your work telephone number: 239-233-0988

Please state your place of employment: Morningstar Baptist Church

5160 Richmond Ave., Fort Myers, Florida 33905

INTERVIEW

Time interview concluded 12:27 ☐AM or ☒PM

CERTIFICATION

The undersigned law enforcement officer acknowledges taking and being present during this interview.

This interview was recorded on: ☐Tape: Side N/A of tape N/A

☒Digital File: Rev. Anthony Shipe

Witnessing/Interviewing Officer /s/ Jeff Rongish

Corporal Jeff Rongish

CHEMICAL TEST INFORMATION

Name: John I. Steffen ☐ Alive ☒ Deceased

Test offered: ☐ Breath ☒ Blood ☐ Urine ☐ Other _____

Was test refused: ☐ Yes ☒ No

BREATH TEST INFORMATION

Test requested by: _____ Date: _____ Time: _____ ☐ AM ☐ PM

Test given by: _____ Date: _____ Time: _____ ☐ AM ☐ PM

Location: _____

Instrument: _____

Test Results: _____

BLOOD TEST INFORMATION

Test requested by: N/A Date: N/A Time: N/A ☐ AM ☐ PM

Blood drawn by: Dist. 21 Medical Examiner Date: 03/04/13 Time: 9:30 ☒ AM ☐ PM

Title: Dist. 21 Medical Examiner Location: 70 Danley Drive, Fort Myers, Florida 33907

Analyzed by: Wuesthoff Reference Laboratory

Result of Analysis: Negative ethyl alcohol or controlled substances

CHAIN OF POSSESSION

Received from: Maintained by Dist. 21 Medical Examiner's Office

Received by: _____ Date: _____ Time: _____ ☐ AM ☐ PM

Received from: _____

Received by: _____ Date: _____ Time: _____ ☐ AM ☐ PM

Received from: _____

Received by: _____ Date: _____ Time: _____ ☐ AM ☐ PM

Received from: _____

Received by: _____ Date: _____ Time: _____ ☐ AM ☐ PM

ADDITIONAL COMMENTS

CHEMICAL TEST INFORMATION

Name: Marilyn Steffen ☐ Alive ☒ Deceased

Test offered: ☐ Breath ☒ Blood ☐ Urine ☐ Other

Was test refused: ☐ Yes ☒ No

BREATH TEST INFORMATION

Test requested by: _____ Date: _____ Time: _____ ☐ AM ☐ PM

Test given by: _____ Date: _____ Time: _____ ☐ AM ☐ PM

Location: _____

Instrument: _____

Test Results: _____

BLOOD TEST INFORMATION

Test requested by: N/A Date: N/A Time: N/A ☐ AM ☐ PM

Blood drawn by: Dist. 21 Medical Examiner Date: 03/04/13 Time: 11:00 ☒ AM ☐ PM

Title: Dist. 21 Medical Examiner Location: 70 Danley Drive, Fort Myers, Florida 33907

Analyzed by: Wuesthoff Reference Laboratory

Result of Analysis: Negative ethyl alcohol or controlled substances

CHAIN OF POSSESSION

Received from: Maintained by Dist. 21 Medical Examiner's Office

Received by: _____ Date: _____ Time: _____ ☐ AM ☐ PM

Received from: _____

Received by: _____ Date: _____ Time: _____ ☐ AM ☐ PM

Received from: _____

Received by: _____ Date: _____ Time: _____ ☐ AM ☐ PM

Received from: _____

Received by: _____ Date: _____ Time: _____ ☐ AM ☐ PM

ADDITIONAL COMMENTS

FLORIDA TRAFFIC CRASH REPORT

LONG FORM ☒ SHORT FORM ☐ UPDATE ☒

HIGHWAY SAFETY & MOTOR VEHICLES
TRAFFIC CRASH RECORDS
NEIL KIRKMAN BUILDING, TALLAHASSEE, FL 32399-0537

Crash Date 3/3/2013	Time of Crash 9:29 AM	Date of Report 7/2/2013	Reporting Agency FLORIDA HIGHWAY PATROL	Reporting Agency Case Number FHPF13OFF011430	HSMV Crash Report Number 83166093-05
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CRASH IDENTIFIERS

County Code 18	City Code 40	County of Crash LEE	Place or City of Crash FORT MYERS	Within City Limits NO	Reported Date/Time 3/3/2013 9:36 AM	Dispatched Date/Time 3/3/2013 9:38 AM
On Scene Date/Time 3/3/2013 9:53 AM	Cleared Scene Date/Time 3/3/2013 1:10 PM	Investigation Completed YES	Reason (if Investigation Not Complete)	Notified By LAW ENFORCEMENT AGENCY		

ROADWAY INFORMATION

Crash Occurred on Street, Road, Highway SR-80 (PALM BEACH BLVD)	At Street Address #	At Latitude N 28 40.3717	And Longitude W 81 49.1216
At Post	Or Mile	Direction	From Intersection With Street, Road, Highway MISSISSIPPI AVE
Road System Identifier STATE	Type of Shoulder CURB	Type of Intersection FOUR-WAY INTERSECTION	

CRASH INFORMATION

Light Condition DAYLIGHT	Weather Condition CLEAR	Roadway Surface Condition DRY	School Bus Related NO	Manner of Collision ANGLE
First Harmful Event Type COLLISION WITH PERSON, MOTOR VEHICLE, OR NON-FIXED OBJECT	First Harmful Event Detail MOTOR VEHICLE IN TRANSPORT	First Harmful Event Location ON ROADWAY	Within Interchange NO	First Harmful Event's Relation to Junction INTERSECTION
Contributing Circumstances: Road NONE		Contributing Circumstances: Road		Contributing Circumstances: Road
Contributing Circumstances: Environment NONE		Contributing Circumstances: Environment		Contributing Circumstances: Environment
Work Zone Related NO	Crash in Work Zone	Type of Work Zone	Workers in Work Zone	Law Enforcement in Work Zone

VEHICLE

Vehicle V01	Motor Vehicle Type MOTOR VEHICLE IN TRANSPORT	Hit & Run (by this vehicle) NO	License Number K776JUJ	State FL	Reg. Expires 7/3/2013	Permanent Reg. NO	VIN 1G6KD54Y93U229058
Year 2003	Make CADILLAC	Model DE VILLE	Style 4D	Color WHI	Extent of Damage DISABLING	Est. Damage 10,000	Towed Due to Damage YES
Insurance Company 21 ST CENTURY CENTENNIAL				Insurance Policy Number 3084422			
Name of Vehicle Owner JOHN ISRAEL STEFFEN		Business <input type="checkbox"/>	Current Address 108 G ST		City PANDORA	State Zip Code OH 45877-0001	Phone Number(s)
Trailer One	License Number	State	Reg. Expires	Permanent Reg. NO	VIN	Year	Make
Trailer Two	License Number	State	Reg. Expires	Permanent Reg. NO	VIN	Year	Make
Vehicle Traveling	Direction NORTH	On Street, Road, Highway MISSISSIPPI AVE				At Est. Speed 10	Posted Speed 30
CMV Configuration	Cargo Body Type	Area of Initial Impact		Most Damaged Area			
Comm GVWR/GCWR	Trailer Type (Trailer One)	Trailer Type (Trailer Two)	<input type="checkbox"/> Undercarriage <input type="checkbox"/> Overturn <input type="checkbox"/> Windshield <input checked="" type="checkbox"/> Trailer		<input type="checkbox"/> Undercarriage <input type="checkbox"/> Overturn <input type="checkbox"/> Windshield <input checked="" type="checkbox"/> Trailer		
Haz. Mat. Released	Haz. Mat. Placard	Haz. Mat. Number	Haz. Mat. Class	Motor Carrier Name US DOT Number			
Motor Carrier Address		Address Other		City	State	Zip Code	Phone Number
Comm/Non-Commercial	Vehicle Body Type PASSENGER CAR	Vehicle Defects (one) NONE	Vehicle Defects (two)	Emergency Vehicle Use NO		Special Function of MV NO SPECIAL FUNCTION	
Vehicle Maneuver Action TURNING LEFT	Trafficway TWO-WAY, NOT DIVIDED	Roadway Grade LEVEL	Roadway Alignment STRAIGHT	Most Harmful Event COLLISION NON-FIXED OBJECT		Most Harmful Event Detail MOTOR VEHICLE IN TRANSPORT	
Traffic Control Device for this Vehicle STOP SIGN	First (1) Sequence of Events COLLISION NON-FIXED OBJECT	Second (2) Sequence of Events COLLISION WITH FIXED OBJECT	Third (3) Sequence of Events	Fourth (4) Sequence of Events			
MOTOR VEHICLE IN TRANSPORT		CURB					

VEHICLE

Vehicle V02	Motor Vehicle Type MOTOR VEHICLE IN TRANSPORT	Hit & Run (by this vehicle) NO	License Number SHERF499	State FL	Reg. Expires	Permanent Reg. YES	VIN 2FAHP71V38X141472
Year 2008	Make FORD	Model CROWN VICTOR	Style 4D	Color WHI	Extent of Damage DISABLING	Est. Damage 10,000	Towed Due to Damage YES
Insurance Company FLORIDA SHERIFFS RISK MANAGEMENT				Insurance Policy Number 13FSRMF35			
Name of Vehicle Owner OFFICE OF THE SHERIFF LEE COUN		Business <input checked="" type="checkbox"/>	Current Address 14750 SIX MILE CYPRESS PKWY		City FORT MYERS	State Zip Code FL 33912-0001	Phone Number(s)
Trailer One	License Number	State	Reg. Expires	Permanent Reg. NO	VIN	Year	Make
Trailer Two	License Number	State	Reg. Expires	Permanent Reg. NO	VIN	Year	Make
Vehicle Traveling	Direction EAST	On Street, Road, Highway SR-80 (PALM BEACH BLVD)				At Est. Speed 75	Posted Speed 45
						Total Lanes 4	

Crash Date 3/3/2013	Time of Crash 9:29 AM	Date of Report 7/2/2013	Reporting Agency FLORIDA HIGHWAY PATROL	Reporting Agency Case Number FHPF13OFF011430	HSMV Crash Report Number 83166093-05
CMV Configuration		Cargo Body Type		Area of Initial Impact	
Comm GVWR/GCWR		Trailer Type (Trailer One)		Trailer Type (Trailer Two)	
Haz. Mat. Release		Haz. Mat. Placard		Haz. Mat. Number	
Motor Carrier Name		US DOT Number		Haz. Mat. Class	
Motor Carrier Address		Address Other		City	
Comm/Non-Commercial		Vehicle Body Type PASSENGER CAR		Vehicle Defects (one) NONE	
Vehicle Maneuver Action STRAIGHT AHEAD		Trafficway TWO-WAY, DIVIDED, POSITIVE MEDIAN BARRIER		Roadway Grade LEVEL	
Traffic Control Device for this Vehicle NO CONTROLS		First (1) Sequence of Events COLLISION NON-FIXED OBJECT		Second (2) Sequence of Events	
		MOTOR VEHICLE IN TRANSPORT		Third (3) Sequence of Events	
				Fourth (4) Sequence of Events	

PERSON RECORD

#1	Person Type DRIVER	Vehicle # V01	Name JOHN ISRAEL STEFFEN	Injury Severity FATAL (WITHIN 30 DAYS)	Ejection NOT EJECTED	Driver ReExam NO
Date of Birth 07/03/1928	Sex M	Condition at Time of Crash APPARENTLY NORMAL	Address 108 G ST, PANDORA OH 45877		Phone Number	
Driver License Number S315469282430	State FL	Expires 07/03/2018	Type CLASS E / OPERATOR	Commercial Motor Vehicle Endorsements NO REQUIRED ENDORSEMENTS		
Restraint Systems SHOULDER AND LAP BELT USED		Air Bag Deployed DEPLOYED - SIDE		Helmet Use		Eye Protection NOT APPLICABLE
Motor Vehicle Seating Position: Row FRONT		Motor Vehicle Seating Position: Seat LEFT		Motor Vehicle Seating Position: Other NOT APPLICABLE		
Driver Distracted By NOT DISTRACTED		Driver Vision Obstructions VISION NOT OBSCURED		Driver Actions at Time of Crash 1 (based on judgement of investigation officer) FAILED TO YIELD RIGHT-OF-WAY		
				Driver Actions at Time of Crash 2 (based on judgement of investigation officer)		
				Driver Actions at Time of Crash 4 (based on judgement of investigation officer)		
Suspected Alcohol Use UNKNOWN	Alcohol Tested TEST GIVEN	Alcohol Test Type BLOOD	Alcohol Test Result COMPLETED	BAC .000	Suspected Drug Use UNKNOWN	Drug Tested TEST GIVEN
Source of Transport to Medical Facility NOT TRANSPORTED	EMS Agency Name or ID	EMS Run Number	Medical Facility Transported To			

PERSON RECORD

#2	Person Type PASSENGER	Vehicle # V01	Name MARILYN JANE STEFFEN	Injury Severity FATAL (WITHIN 30 DAYS)	Ejection NOT EJECTED	Driver ReExam NO
Date of Birth 01/08/1936	Sex F	Condition at Time of Crash APPARENTLY NORMAL	Address 5324 COUNTRY FIELD CIR SE, FT MYERS FL 33905-5101		Phone Number	
Driver License Number T820733850640	State FL	Expires 02/24/2014	Type CLASS E / OPERATOR	Commercial Motor Vehicle Endorsements NO REQUIRED ENDORSEMENTS		
Restraint Systems SHOULDER AND LAP BELT USED		Air Bag Deployed NOT DEPLOYED		Helmet Use		Eye Protection NOT APPLICABLE
Motor Vehicle Seating Position: Row FRONT		Motor Vehicle Seating Position: Seat RIGHT		Motor Vehicle Seating Position: Other NOT APPLICABLE		
Source of Transport to Medical Facility EMS		EMS Agency Name or ID LEE COUNTY EMS	EMS Run Number MLC130303018417	Medical Facility Transported To LEE MEMORIAL HOSPITAL		

PERSON RECORD

#3	Person Type DRIVER	Vehicle # V02	Name ROBERTO MANUEL TORRES	Injury Severity NON-INCAPACITATING	Ejection NOT EJECTED	Driver ReExam NO
Date of Birth 02/24/1985	Sex M	Condition at Time of Crash APPARENTLY NORMAL	Address 14750 SIX MILE CYPRESS PKY, FT MYERS FL 33916		Phone Number	
Driver License Number T820733850640	State FL	Expires 02/24/2014	Type CLASS E / OPERATOR	Commercial Motor Vehicle Endorsements NO REQUIRED ENDORSEMENTS		
Restraint Systems SHOULDER AND LAP BELT USED		Air Bag Deployed DEPLOYED - FRONT		Helmet Use		Eye Protection NOT APPLICABLE
Motor Vehicle Seating Position: Row FRONT		Motor Vehicle Seating Position: Seat LEFT		Motor Vehicle Seating Position: Other NOT APPLICABLE		
Driver Distracted By NOT DISTRACTED		Driver Vision Obstructions VISION NOT OBSCURED		Driver Actions at Time of Crash 1 (based on judgement of investigation officer) NO CONTRIBUTING ACTION		
				Driver Actions at Time of Crash 2 (based on judgement of investigation officer)		
				Driver Actions at Time of Crash 4 (based on judgement of investigation officer)		
Suspected Alcohol Use NO	Alcohol Tested TEST NOT GIVEN	Alcohol Test Type	Alcohol Test Result	BAC NO	Suspected Drug Use NO	Drug Tested TEST NOT GIVEN
Source of Transport to Medical Facility EMS	EMS Agency Name or ID LEE COUNTY EMS	EMS Run Number MLC130303018417	Medical Facility Transported To LEE MEMORIAL HOSPITAL			

WITNESS RECORD

#4	Name GREGORY BARKER	Address 14750 SIX MILE CYPRESS PKY, FT MYERS FL 33912	Phone Number
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WITNESS RECORD

#5	Name ROBERT WALKER	Address 303 GILBERT AVE S, LEHIGH ACRES FL 33971	Phone Number 2396450685
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WITNESS RECORD

#6	Name EDDIE RIVERA	Address 129 MADENNA DR, FT MYERS FL 33905	Phone Number 2393219824
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NARRATIVE

ID Number 2801	Rank TROOPER	Name J. BOWERS	Troop / Post F	Officer Agency FLORIDA HIGHWAY PATROL	Phone Number 239-344-1730
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A collision was investigated on SR-80 (Palm Beach Blvd), in the eastbound lanes of travel at the intersection of Mississippi Ave. Vehicle #1 (V01) was stopped north on Mississippi Ave., to turn left onto Palm Beach Blvd. Vehicle #2 (V02) was

Crash Date 3/3/2013	Time of Crash 9:23 AM	Date of Report 7/2/2013	Reporting Agency FLORIDA HIGHWAY PATROL	Reporting Agency Case Number FHPF13OFF011430	HSMV Crash Report Number 83166093-05
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traveling eastbound in the outside lane of travel, with emergency lights on, responding to a 911 call. V01 pulled out into the path of V02. V02 swerved to the left, inside lane of travel in an attempt to avoid V01. The left side, driver area of V01 was struck by the front of V02, in the inside, eastbound lane of travel. The impact deflected V01 in a northeast direction, across the westbound lanes of travel, over the curb. V01 came to rest on the sidewalk, facing eastward. V02 rotated counter-clockwise, approximately 180 degrees in a northeast direction, coming to rest, facing westward, in the westbound, left turn lane.

V02 was a marked Lee County Sheriff unit #8472.

Name of Decedent: John Israel Steffen
Date of Birth: 07-03-1928
Date of Death: 03-03-2013
Time of Death: 9:43 AM
Pronounced By: EMS Lt. Jay Bridenthal

Name of Decedent: Marilyn Jane Steffen
Date of Birth: 01-06-1936
Date of Death: 03-03-2013
Time of Death: 9:59 AM
Pronounced By: Dr. Juan Diaz

Traffic Homicide Investigator: Corporal Jeff Rongish #977
Photographs taken by: Corporal Jeff Rongish #977
THI Case number: FHP713-18-011

NARRATIVE

ID Number 2601	Rank TROOPER	Name J. BOWERS	Troop / Post F	Officer Agency FLORIDA HIGHWAY PATROL	Phone Number 239-344-1730
4-11-13 Still pending the results from the Medical Examiner Office.					

NARRATIVE

ID Number 2601	Rank SERGEANT	Name J.P. BOWERS	Troop / Post F	Officer Agency FLORIDA HIGHWAY PATROL	Phone Number 941-492-5850
5-6-13 Still pending the results from the Medical Examiner Office.					

NARRATIVE

ID Number 2601	Rank SERGEANT	Name J.P. BOWERS	Troop / Post F	Officer Agency FLORIDA HIGHWAY PATROL	Phone Number 941-492-5850
6-11-13 Still pending Medical Examiner report.					

NARRATIVE

ID Number 2601	Rank SERGEANT	Name J.P. BOWERS	Troop / Post F	Officer Agency FLORIDA HIGHWAY PATROL	Phone Number 941-492-5850
7-2-13 Results received from the Medical Examiner on D01 and passenger. All results were negative. Information added to report and report completed.					

REPORTING OFFICER

ID Number 2601	Rank SERGEANT	Name J.P. BOWERS	Troop / Post F	Officer Agency FLORIDA HIGHWAY PATROL	Phone Number 941-492-5850
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Crash Date 3/3/2013	Time of Crash 9:29 AM	Date of Report 7/2/2013	Reporting Agency FLORIDA HIGHWAY PATROL	Reporting Agency Case Number FHPF13OFF011430	HSMV Crash Report Number 83166093-05
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DIAGRAM OF CRASH

NOT TO SCALE
Illustration Only



**US Post Office
Entrance/Exit**

Area of Rest

**Area of Impact
with Sidewalk**

Sidewalk

SR-80 (Palm Beach Blvd)

**Area of Impact
Gouge Marks**

Mississippi Ave