

Vero Beach Police Department



Traffic Homicide Investigation

Prepared By: PO4 David Farquharson
Law Enforcement Investigator

Case No: 2020-113

TRAFFIC HOMICIDE INVESTIGATION

IDENTIFICATION

This crash occurred at the intersection of Indian River Blvd and SR60 (western base of the Merrill Barber Bridge). The crash occurred at 7:26 AM on Wednesday 1/15/2020. It was a crash that involved a 2020 Ford Transit 350 (V1) and a 2005 Dodge 2500 pickup truck (V2). It was an angular crash that occurred when V1 turned left from southbound Indian River Blvd and entered the path of travel for V2, which was being driven northbound in the inside lane of Indian River Blvd. V2 impacted with V1 at the passenger side front fender of V1 and the two vehicles came to full engagement in the area of the front seat passenger. The two vehicles then began to separate and V2 came to final rest approximately 15 feet from the point of impact, facing to the SE. V1 exited the impact to the NE and travelled approximately 60 feet until it came to final rest on the curb at the NE corner of the intersection. The crash resulted in the death of the front seat passenger of V1.

AMBIENCE

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NOAA

Weather observations for the past three days

Vero Beach, Vero Beach Municipal Airport

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Date	Time (est)	Wind (mph)	Vis. (mi.)	Weather	Sky Cond.	Temperature (°F)				Relative Humidity	Wind Chill (°F)	Heat Index (°F)	Pressure		Precipitation (in.)		
						Air	Dwppt	6 hour					altimeter (in)	sea level (mb)	1 hr	3 hr	6 hr
								Max.	Min.								
15	09:53	SW 6	10.00	Fair	CLR	75	66			74%	NA	NA	30.25	NA			
15	08:53	W 5	10.00	Fair	CLR	72	66			83%	NA	NA	30.25	NA			
15	07:53	Calm	5.00	Fog/Mist	CLR	64	64			100%	NA	NA	30.24	NA			
15	06:53	Calm	10.00	Mostly Cloudy	FEW028 BKN048	64	63			94%	NA	NA	30.24	NA			

HIGHWAY

Indian River Blvd is a well maintained asphalt roadway that runs north and south as it intersects with the Merrill Barber Bridge (SR60). SR 60 (Merrill Barber Bridge) is a well maintained asphalt roadway

that runs east and west at the intersection with Indian River Blvd. Westbound traffic for the Barber Bridge terminates at the intersection with Indian River Blvd. The north and southbound lanes of Indian River Blvd at the intersection with the Merrill Barber Bridge are straight with minimal super elevation. Indian River Blvd has six lanes of travel at the intersection with the Merrill Barber Bridge. The northbound side of Indian River Blvd has two straight lanes dedicated to northbound traffic and one dedicated turn lane for eastbound traffic over the bridge. The southbound side of Indian River Blvd has two straight lanes dedicated to southbound traffic and one dedicated turn lane for eastbound traffic over the bridge. The western base of the Merrill Barber Bridge (SR60) is five lanes at the intersection with Indian River Blvd. Two dedicated southbound turn lanes and one dedicated northbound turn lane onto Indian River Blvd. There are also two eastbound lanes of travel on the Merrill Barber Bridge (SR60) from Indian River Blvd.

TRAFFIC CONTROL

The intersection is controlled by traffic lights that, according to a report from Janie Hollingsworth of the traffic engineering division with Indian River County, were functioning properly at the time of the crash. The report indicated that there were no signal events during the time period of 6:00am – 8:00am on 1/15/20. The report also stated that the lights were operating as “coordination active”. This means that the timing of the lights and how quickly they may cycle is coordinated with the traffic lights at a nearby intersection, which in this case is at Indian River Blvd and Royal Palm Place. The following information describes the lights that control traffic at this intersection: the traffic entering the intersection from the Barber Bridge has three lights that control the flow of traffic (two left turn arrows and one right turn arrow). Northbound traffic on Indian River Blvd has two lights that control the flow of traffic through the intersection. Southbound traffic has three lights that control the flow of traffic through the intersection. One of those three lights also controls traffic heading east over the Barber Bridge. That particular set of lights sequences in the following manner: a circular red light to a green left turn arrow, which turns to a yellow left turn arrow and then changes to a circular green indicator for the remainder of the cycle. At the end of the cycle, it turns back to red. The other two traffic lights for southbound traffic are circular traffic lights.

The sequence of the lights at this intersection goes as follows: the two lights for vehicles turning left from the Barber Bridge onto southbound Indian River Blvd, transition from green to red. The arrow for vehicles turning right (northbound) onto Indian River Blvd stays green while the lights for vehicles on southbound Indian River Blvd all turn green. At this time there is also a green left turn indicator for vehicles turning left onto the Barber Bridge. This green left turn arrow, turns to a yellow left turn arrow and then changes to a circular green indicator for the remainder of its' cycle. Once the left turn arrow for traffic going east over the Barber Bridge becomes a solid green light; the right turn arrow from the Barber Bridge onto northbound Indian River Blvd turns red and the traffic lights for northbound travel on Indian River Blvd turn to green. The lights for both north and southbound traffic on Indian River Blvd at the Barber Bridge stay green and then transition to red at the same time. At this time the lights for traffic entering the intersection from the Barber Bridge turn green and the sequence repeats itself.

In my observations of the lights and how they cycle; I found that, depending upon traffic being present or not, the left hand turn arrow from southbound Indian River Blvd to the Barber Bridge may not even illuminate and instead goes directly to a solid green light. The timing of how long the various lights stayed active was also dependent on the amount of traffic present at the intersection.

VEHICLE V-1

V1 is a silver in color 2020 Ford Transit 350 XL van. The VIN for V1 is 1FBAX2Y82LKA10080 with an affixed FL tag of AEY-H25. V1 has a 3.5L six cylinder engine with an automatic rear wheel drive transmission, 4 wheel ABS disk brakes, and a curb weight of 6144 pounds. V1 was equipped with airbags which deployed upon impact. The frontal and side airbags deployed for both the driver and front seat passenger. The side curtain airbags deployed down both sides of the rear passenger area. The mileage for V1 could not be determined due to the extensive damage to the dash.

The registered owner of V1 is PV Holding Corp (Avis/Budget) at 8600 Hangar Blvd, Orlando Florida, 32827. When V1 was rented from Budget, the collision damage waiver insurance was selected for the rental period. V1 is self-insured by Avis/Budget.

VEHICLE V-2

V2 is a red in color 2005 Dodge Ram 2500 pick up truck. The VIN for V2 is 1D7KS28D75J635097 with an affixed FL tag of WS301. V2 has a 5.7L eight cylinder engine with an automatic four wheel drive transmission, 4 wheel disk brakes, and a curb weight of 5918 pounds. V2 was equipped with frontal airbags, which deployed from the driver's steering wheel and passenger side glove compartment. The mileage for V2 was 267747 (the mileage was recorded at the scene prior to the vehicle being towed).

The registered owner of V2 is Ronald Edward Wolf Jr. of 444 23rd Street SE, Vero Beach 32962. V2 is insured by Geico under policy number 6007513291.

OCCUPANT / DRIVER INFORMATION

Driver V1: Patrick J. Diggins (55 year old white male), 26 Britnney Drive, Holden, Massachusetts 01520. Mr. Diggins possessed a valid Class D drivers license from the State of Massachusetts with no known restrictions or endorsements at the time of the crash.

Driver V2: Ronald E. Wolf Jr. (55 year old white male), 444 23rd Street SE, Vero Beach 32962. Mr. Wolf possessed a valid Class E drivers license from the State of Florida with no known restrictions or endorsements at the time of the crash.

Occupant V1 (front right passenger): Grace M Rett (20 year old white female), 78 Hecla St, Uxbridge, MA 01569 (Died as a result of injuries sustained in the crash)

Occupant V1 (1st row behind driver and passenger): Margaret K. Oleary, (18 year old white female) 58 Daltonwood Drive, Waterbury CT 06708

Occupant V1 (1st row behind driver and passenger): Anne C Comcowich (19 year old white female) 9 Pike St, Hopkinton MA 01748

Occupant V1 (1st row behind driver and passenger): Hannah O Strom (19 year old white female) 12 Pitcher St, Marion MA 02738

Occupant V1 (2nd row behind driver and passenger): Sidney S Kirby (19 year old white female) 1868 Pheasant Rd, Long Grove IL 60047

Occupant V1 (2nd row behind driver and passenger): Paige M Cohen (20 year old white female) 4894 Leeds Ct, Dunwoody GA 30338

Occupant V1 (2nd row behind driver and passenger): Bianca W McIver (20 year old white female) 111 Lee Rd, Scarsdale NY 10583

Occupant V1 (3rd row behind driver and passenger): Maegan A Moriarty (22 year old white female) 53 Browns Lane, Old Lyme CT 06371

Occupant V1 (3rd row behind driver and passenger): Lauren E Colby (19 year old white female) 7 Edgar Walker Ct, Hingham MA 02043

Occupant V1 (3rd row behind driver and passenger): Olivia G. Evans (18 year old white female) 111 Alden St, Duxbury MA 02332

Occupant V1 (3rd row behind driver and passenger): Josie E Ascione (18 year old white female) 4655 Signature Dr, Middleton WI 53562

PRE-CRASH

V1: The driver of V1, Patrick J. Diggins, was driving eleven female members of his crew team from The College of the Holy Cross from their hotel at Dodgertown of Vero Beach to a boat house located at McWilliams Park in Vero Beach, Florida. He could not recall the route that he had driven to get him to the location of the crash, but said that he had loaded the destination into a GPS device installed in the rental vehicle. He said that that he had not made any stops, other than for a train, on the route from Dodgertown. Just prior to the crash, V1 was being driven south on Indian River Blvd in the left hand turn lane to proceed east over the Merrill Barber Bridge. The typical route from Dodgertown to the boathouse would be east on Aviation, then north on US-1 to 37th Street, then east to Indian River Blvd, then south to the Merrill Barber Bridge, then east to Indian River Drive East, then north to Acacia and a left hand turn into the park. The route is 5.1 miles long and takes approximately 12 minutes to drive in normal traffic.

V2: The driver of V2, Ronald E. Wolf Jr., had left his home at 444 23rd Street SE, Vero Beach at approximately 7:05am to head to a 7:30am appointment at Hope Imaging located at 1850 37th St #101, Vero Beach, FL 32960. The route is 8.5 miles long using US-1 to Indian River Blvd and takes

approximately 16 minutes in normal traffic. The crash location is 1.7 miles from the destination and should take approximately 3 minutes to drive with normal traffic.

AT CRASH

On 1/15/20 at approximately 7:29am, I responded to a crash at the intersection of Indian River Blvd and the Merrill Barber Bridge (SR60) which involved a 2020 Ford Transit 350 (V1) and a 2005 Dodge Ram 2500 pickup truck (V2). I arrived on scene at approximately 7:31am and observed V1 at final rest on the NE corner of the intersection and V2 facing to the SE in front of the westbound lanes of the Barber Bridge. I placed my patrol vehicle in a position which blocked northbound traffic on Indian River Blvd and requested that additional units respond due to the size of the crash scene. I made my way to the passenger side of V1, which had sustained a substantial amount of damage and observed that the front seat passenger appeared to be trapped inside of the vehicle due to the damage. I saw a white male, later identified as Patrick Diggins, who appeared to be rendering aid to at least one person within the passenger side of V1 behind the front passenger seat. I went around to the driver side of the vehicle and found the driver's seat to be unoccupied. I climbed onto the driver's seat in an attempt to determine the level of injury to the front seat passenger. I found the front seat passenger unresponsive, but still breathing. I could also hear several passengers in the rear of the vehicle asking for help due to their injuries. At this time, I alerted dispatch to have EMS step up their response due to the condition of the passengers of V1. At this time other officers began to arrive at the scene and render aid. I repeatedly looked for ways to try and provide aid to the front seat passenger, but due to the extent of the damage to V1, all I could do was provide limited physical support and verbal reassurance that people were working on helping her. Once Indian River County Fire Rescue arrived and began to treat the injured parties, I looked for the driver of V1. I made contact with the driver of V1, Patrick Diggins. During the time that I was with him and prior to asking him anything about the crash; he was making statements like "I thought I had a green arrow.....goddammit" "Did I not have a green arrow?" "Did I have....we don't know if I had?" usually followed by an explicative remark. He then began to receive treatment by EMS. I then spoke with the driver of the van that was directly behind V1. The driver of the trailing van, Stephanie Ricker, told me that she only saw a green light over the turn lane and that she believed that Patrick violated the truck's (V2) right of way. She said that she was behind V1 and preparing to stop to wait for traffic when the crash occurred.

I next made my way over to V2 to check on that vehicle and made contact with the occupants. V2 was occupied by a solo driver who was complaining of shortness of breath and general pain. I asked for EMS to check on his condition. I then made contact with Cpl Kmetz and asked him to assign the long form crash report to a member of his shift while I began a traffic homicide investigation due to the nature of the injuries. I asked Cpl Kmetz to take some preliminary photographs of the scene and to notify crime scene to respond to take additional photographs and help with any evidence collection.

I then when back to make contact with the driver of V2, Ronald Wolf. I asked Mr. Wolf what he recalled from the crash and he provided me with the following information: he said that he was driving north and approaching the intersection when he saw the van (V1) at the intersection. He said that it appeared to him that the van was not in the process of turning. He said that at the last second; the van turned left right in front of him and he did not have time to react at all. I then briefly spoke with a witness who had been attending to Mr. Wolf. This witness, Erik Jordan, said that he was driving south on Indian River Blvd and saw the vehicles just as they impacted each other. He said that he could only tell me that his light for southbound Indian River Blvd was green.

I then began to walk thru the scene and made the following observations: V2 had been travelling north in the inside lane of Indian River Blvd when it struck V1 on the passenger side just in front of the wheel well, as V1 was turning left in front of it. V1 was then sent off to the NE where it came to final rest, with the front half of the vehicle sitting on the grass shoulder, 60 feet from the point of impact. V2 rotated in a counter clockwise direction and came to rest 15 feet from the point of impact. There were several gouge marks in the roadway where the inside northbound lane of Indian River Blvd and the left hand turn lane from southbound Indian River Blvd meet. One of the gouge marks had a semicircular shape with a smaller gouge mark located just in front of it. This was determined to be the point of impact. A large gouge mark tracked away from this location off to the NE caused by the exposed underside of the chassis on V1. A smaller gouge mark left from the passenger side front tire of V1, tracked in the same direction. Black marks from the driver's side tires of V1 tracked back from V1's final rest towards the area of impact. The final rest positions of V1 and V2, the gouge marks, tire marks, furrow marks in the grass shoulder, and the final rest location of the passenger side front tire assembly from V1 were all marked with orange paint. The entire scene was photographed by CSI Gasbarrini. THI Ooley and I utilized a thirty pound drag sled to obtain a coefficient of friction for the roadway at .66 and the grass shoulder at .50. Dan Rodriguez, an employee with the City of Vero Beach engineering department, came out to the scene and marked the evidence that I identified to him with a Spectra Precision Promark 220. The data from this piece of equipment will be used to aid in the creation of a proportional crash diagram.

I created tow sheets for both vehicles indicating that they were to be held for law enforcement purposes. Collison's Automotive then arrived on scene and removed both vehicles and transported them to 1756 Commerce Ave where they were placed in an indoor storage facility.

POST CRASH

Upon leaving the crash scene, I went to Lawnwood Regional Medical Hospital and spoke with the following people: Patrick Diggins (driver of V1), Ronald Wolf (driver of V2), Margaret O'Leary (occupant in V1), and Meagan Moriarty (occupant in V1). The following is a summary of those interviews. All of these interviews were recorded and later downloaded to a secure server at the Vero Beach Police Department.

Patrick Diggins: Mr. Diggins was in a room at the hospital and was present with his son. I introduced myself to him and informed him that Grace had died as a result of the crash. He said that this was his

first visit to Vero Beach and that the team was staying at Dodgertown. When it came to his recollection of the crash, he said that just prior to the crash, he was looking at the screen, on the dashboard, with the map on it and then looked up and saw that he had a green turn arrow to proceed over the bridge. He said that he recalled seeing a brown car that he believed was stopped across the intersection from him, when he proceeded to turn left. He said that he did not see the other vehicle approaching until just before they were struck. He did not recall stopping at any time prior to turning left. He did tell me that he remembered hearing someone scream as he turned left. Mr. Diggins was asked for consent to download the data from the vehicle's EDR (event data recorder), which he provided to me.

Margaret O'Leary: I introduced myself to Ms. O'Leary and asked her for her name, address, and date of birth. After providing me with that information, she provided me with the following information that she remembered from the events leading up to the crash. She said that after the team left the Jackie Robinson facility, that they had not stopped anywhere prior to the crash, except when they were waiting for a train to pass. She said that she was seated right behind Mr. Diggins. She said that she had been looking out the window and did not have any real recollection of the crash itself. She then began to try and tell us where the other girls were sitting inside of the van. She also said that she did not think that she had been wearing a seatbelt. I did not observe any injuries on her that would have been indicative of seatbelt use.

Maegan Moriarty: Ms. Moriarty provided me with her name, address, and date of birth. She also provided me with the following information about the crash. She said that this was going to be the second time that they had been to the boathouse since arriving in Vero Beach on Tuesday 1/14/20. The first visit had been on Tuesday afternoon. She said that she was sitting in the last row of the van on the driver's side and that the van was being driven by their coach, Patrick. She did not have any recollection of the crash itself.

Ronald Wolf: Mr. Wolf was being treated in the ER at Lawnwood, his daughter was present with him. He said that he had left his home at 444 23rd Street SE, Vero Beach at approximately 7:05am to head to a 7:30am appointment at Hope Imaging located at 1850 37th St #101, Vero Beach, FL 32960. He was driving north on Indian River Blvd, approaching the intersection with a green light, when he observed V1 across the intersection from him. He said that he did not recall any other vehicles being around him as he was approaching the intersection. As he got close to the intersection, he looked at the driver of V1 and observed him looking down at something. At that point, he thought that he might have even taken his foot off of the gas, because the driver of the other vehicle was not looking in his direction and he was worried that he might turn left in front of him. He said that at the last moment, the driver of V1 turned left, in front of him, and he did not have time to react. I asked him how fast he thought that he was driving at the time of the crash. Mr. Wolf said that he always drives slowly thru intersections and that he felt that he was driving under the speed limit (approximately 35mph). I asked him for consent to pull the EDR (event data recorder) from his vehicle and download the data from it. He initially consented to allow me to pull it, but then later that day, he changed his mind and withdrew his consent (via a voicemail). He then, through his attorney, invoked his 5th Amendment right to remain silent and told us that we did not have his permission to enter his vehicle.

I then went out to Dodgertown to speak with the other passengers in the van (V1) before they left to go back home. I spoke with the following passengers on the afternoon of 1/15/20: Sidney Kirby, Josie Ascione, Olivia Evans, Lauren Colby, Jamie Mainez.

Sidney Kirby provided the following information: She assisted me with helping to identify where the other passengers were sitting in the van at the time of the crash. Her only recollection of the crash was that someone gasped just before the impact (she believed that it might have been Lauren) and she looked up, from her phone, to see a red vehicle coming towards the van. She said that was the only car that she saw. She also said that she did not see the traffic light as they approached the intersection. When I asked her about seatbelts; she said that no one was wearing a seatbelt.

Josie Ascione provided the following information: She confirmed that she was seated in the last row on the passenger side of V1. She said that she was not paying attention to anything prior to the crash. She heard someone gasp and looked to her right and saw the red truck approaching. She also confirmed that she was not wearing a seatbelt at the time of the crash.

Olivia Evans provided the following information: She confirmed that she was seated between Lauren and Josie in the last row of the van. She also helped to confirm the location of the other occupants inside the van. She said that they had been stopped for a train and were heading toward the boathouse when she heard Lauren gasp. She felt that their vehicle might have been slowing down prior to being hit. She believed that she saw the other vehicle coming towards them prior to the crash. She did not recall seeing any other vehicles.

Lauren Colby provided the following information: She confirmed that she was in the last row, seated next to Olivia and that seatbelts were not being worn. She said that she typically pays attention while others are driving and she saw the truck approaching as they turned left and believed that the red truck was moving quickly prior to striking their van. She did not see the color of the traffic light as they approached the intersection and she didn't know how fast their vehicle was moving at the time of the crash, but felt that the van's speed was normal for the roadway.

Jamie Mainez provided the following information: She was the front seat passenger of the van following behind V1. They left the hotel (Dodgertown) at 7:15am and they had not stopped anywhere prior to the crash. They were right behind V1 just before the crash but she did not see what caused the crash or the status of the lights, because she was looking down at her phone. She became aware of the crash when she heard the collision. She said that their vehicle was approaching the line (stop bar) when the crash occurred.

On the morning of 1/16/20 I met with Stephanie Ricker at the Dodgertown facility. She provided the following information about the crash: Ms. Ricker was driving the van that was following V1. She believed that they left Dodgertown at 7:16am and were planning on taking 30 minutes to get there. She said that Patrick and she had been to the boathouse facility (located in McWilliams Park) three times before this trip. She said that she and Patrick went to the boathouse twice on Monday and once on Tuesday afternoon. She was not sure if they had taken the same route from the hotel each time. On the day of the crash they had driven east on 37th Street and turned right onto Indian River

Blvd and were in the left hand turn lane to head east over the bridge. She said that she was about 5 to 6 car lengths behind Patrick (V1) without any other vehicles between them when they approached the intersection. When I asked her if she saw the traffic lights as she was approaching the intersection; she said that she did and that the light for the turn lane was green, but there was not a green arrow. She said that she was familiar with that light and how the green arrow works from their previous trips thru the intersection, and she did not see a green arrow for them to turn left. She said that Patrick was slowing behind another vehicle in front of him. She then saw that vehicle turn left, when a gap in traffic occurred, and Patrick followed that vehicle thru the intersection. She said that she felt Patrick was being aggressive by trying to get the van thru the intersection within that same gap and she cringed, because she thought that Patrick was pushing it, to get his van (V1) thru the gap behind the other vehicle. She didn't feel that Patrick was driving aggressively per se, but she did not know why Patrick tried to follow that other car thru the intersection. She said that she saw the red truck (V2) approaching when Patrick made the left hand turn in front of it. She felt that the truck was driving a bit fast but that she clearly saw the truck approaching in a straight line when Patrick turned left in front of it.

I asked her how she would describe Patrick as a driver. She did not describe Patrick as an aggressive driver, but said that she felt that he is almost too relaxed and flippant as a driver. She wanted me to know that Patrick is mindful when driving his students, but she added that he often texted her while driving and that it did not surprise her to hear that Patrick may have been looking down at something just before the crash occurred.

On 1/17/20 I conducted interviews with the following occupants of V1: Anne Comcowich, Bianca McIver, Paige Cohen, and Patrick Diggins

Anne Comcowich provided the following information: Anne did not have any memory of the crash. She only remembered getting into the van and then waking up in the hospital.

Bianca McIver provided the following information: Bianca said that they left the hotel and were stuck for a train prior to getting to the road where the crash occurred. She said that she was seated in the second row on the passenger side of the van behind Anne. She said that as they turned left, she saw the red pickup truck coming towards them just before the crash. She said that she felt that the truck was going very fast as it was coming towards them. Bianca said that she did not know the status of any of the lights at the time of the crash.

Paige Cohen provided the following information: Paige said that they were heading to the Vero Beach training center from the hotel at Dodgertown. She said that she was in the second row of the van and saw the vehicle approaching as they turned left and knew that they were not going to make the turn. She did not have any idea of what the status of the traffic lights was as they made the turn.

Patrick Diggins: I confirmed with Patrick that he had selected the collision damage waiver insurance from Budget when they rented the van. I also confirmed his address and other personal information. When I went to follow up with him about his recollection of the crash; I was informed that the family

had retained an attorney and that they would prefer for us to reach out to him before Patrick makes any further statements.

I then met with Ronald Wolf to let him know that I had been made aware of the fact that he had an attorney and to ask him for the insurance information for the truck. The insurance information was later provided to me by his wife. While we were standing in the hospital room, Mr. Wolf commented on the possibility that the other driver did not see him because of a possible glare from the sun coming up. He then continued to comment that the other driver might have been texting or using his phone just before the crash, because he remembers him looking down just before he pulled in front of him.

On the afternoon and evening of 1/17/20 I conducted interviews with the following witnesses: Eric Jordan, John Colontrelle, Kate Olea and her children Ty and Cassidy, and Ann Lane.

Eric Jordan was interviewed at his place of employment and provided the following information: He was driving south on Indian River Blvd towards a green light when he saw the immediate aftermath of the crash. He immediately pulled over and went over to assist the driver of the pickup truck (V2). He did not recall seeing either of the vans prior to the crash and did not see if the left hand turn light was illuminated. He only saw brake lights come on in front of him and saw the immediate aftermath of the collision.

John Colontrelle was interviewed at his home and provided the following information: He was stopped for a red light at the western base of the Barber Bridge waiting to turn left (south) onto Indian River Blvd. He was behind another vehicle in the (outside) left hand turn lane. He said that as he approached the intersection, the light was green and turned red as he approached it. He believed that he was stopped at the red light for about 15 seconds prior to the crash. He remembered seeing traffic travelling south on Indian River Blvd prior to the crash, but did not see any traffic travelling to the north. He then saw the red truck (V2) approaching from his left and then seeing the crash happen. He did not recall seeing the van (V1) prior to the crash.

Kate Olea was interviewed at her home and provided the following information: She was stopped, behind a school bus, at the western base of the Barber Bridge waiting to turn right and head north on Indian River Blvd. She said that she was stopped for a red arrow to turn right onto Indian River Blvd. She did not recall if she saw any other traffic travelling north on Indian River Blvd before the crash occurred. Her children, Ty and Cassidy, were also interviewed at the home. Ty was in the front right seat passenger seat and said that they were behind a school bus, waiting to turn right, when the crash occurred. He did not recall seeing the traffic light prior to the crash. He did not see the red truck (V2) before the crash. Cassidy was sitting behind her brother. She did not see the crash happen. She only saw the van moving across the roadway after the crash. She did not know what the color of the traffic light was for her mom.

Ann Lane was interviewed at the Cleveland Clinic Indian River Hospital, where she was visiting a family member. She was stopped in the right hand turn lane, waiting to turn right onto Indian River Blvd. She was several vehicles back from the traffic light. She did not recall seeing the traffic light, but said that she was stopped behind three vehicles and had been stopped prior to the crash happening.

On 1/22/20 I interviewed witness, Robert Greco, at his residence in Vero Beach. Mr. Greco had been working at the Riverside Park tennis complex and was stopped for a red light at the western base of the Barber Bridge waiting to turn left onto Indian River Blvd. He was stopped in the outside, left hand turn lane. He believed that he had been at the red light for about 15 seconds prior to the crash occurring. He did not recall if the light turned red for him as he approached the intersection, but he said that he was the first car in line at the traffic light. He also did not recall if there was any traffic travelling north on Indian River Blvd prior to the truck entering the intersection. Regarding the crash, he saw the van (V1) turn left in front of the red truck (V2). His thought was that the truck did not have the opportunity to do anything to avoid hitting the van (V1).

On 1/23/20 I interviewed witness, Calen Moore, at the bus loop of Oslo Middle School in unincorporated Vero Beach. Ms. Moore was the bus driver for route #67 for Indian River County, Florida on the morning of the crash. She had been driving west on the Barber Bridge and was preparing to stop for a red light to turn right onto Indian River Blvd when the crash occurred. She did not see the crash happen and did not see either vehicle prior to the crash.

After conducting the interview of Ms. Moore, I went to Collison's Automotive to meet with THI Ooley and Master Mechanic Steve Holman with the City of Vero Beach fleet management group. While THI Ooley and the mechanic conducted the inspections of both vehicles, I searched through the van (V1) for some missing personal items belonging to the students as well as a search through the barrels that contained all of the debris collected from the scene.

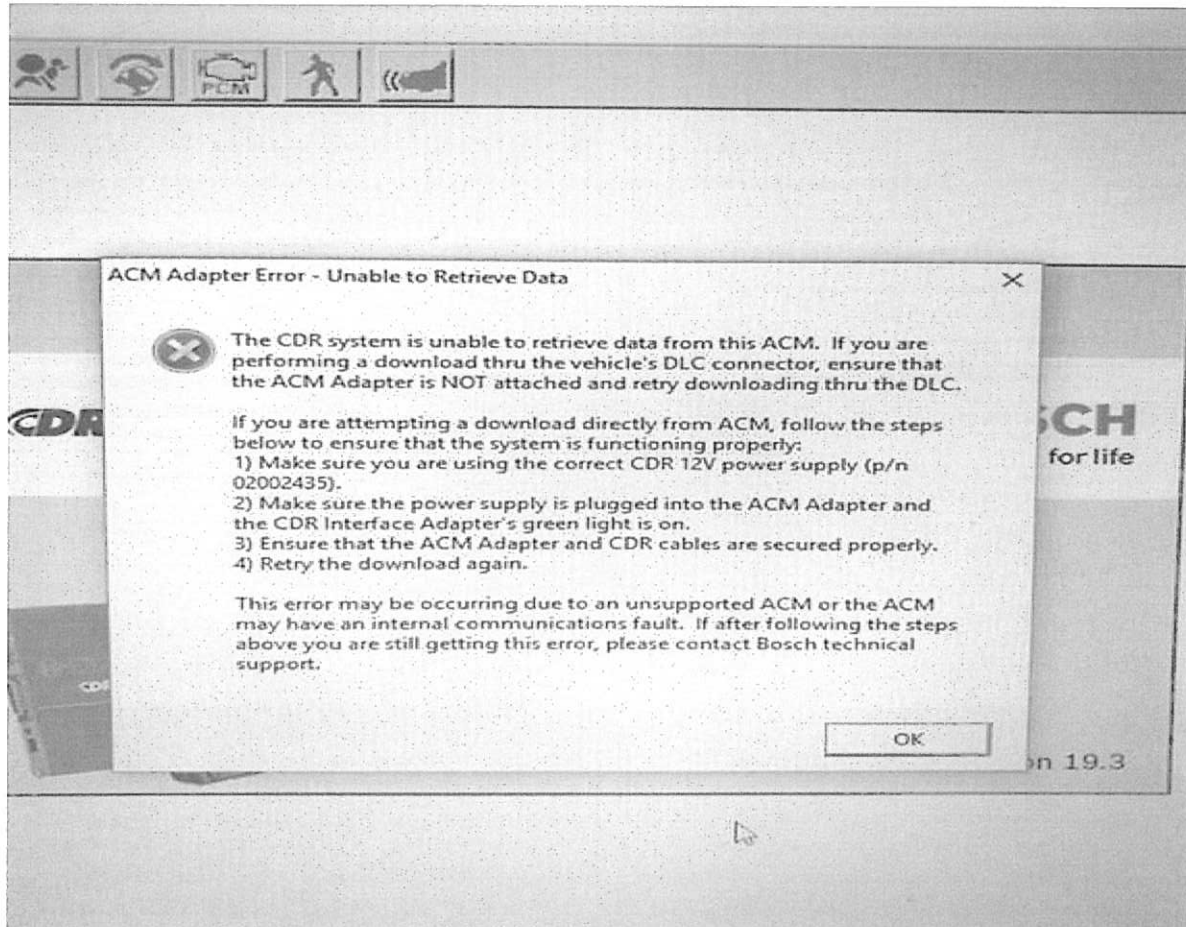
All interviews were audio recorded and downloaded to the digital case file

At the conclusion of the inspections, it did not appear that either of the vehicles had any type of mechanical malfunction or tire/wheel issue that would have been a contributing factor to the crash. The inspection was limited on both vehicles due to the extensive physical damage to V1 and our inability to enter V2 to verify and test items on the inspection check list that required being inside of the truck. The owner of V2 had withdrawn his consent to enter his vehicle after initially providing verbal consent to do so while being interviewed at the hospital.

On 2/3/20 I extracted the event data recorder from between the two front seats of the Ford Transit 350 (V1). This was done pursuant to signed consent forms that were provided to me by all parties with an interest in the van. These parties include: John Ortega, the Avis Budget Group Regional Security Manager, and Patrick Diggins thru his attorney Christopher Lyons.

The owner of V2 declined to provide consent to extract/download the event data recorder from his vehicle

On 2/4/20 I attempted to have the event data recorder from V-1 downloaded at FHP Troop L in Fort Pierce, Florida. Cpl. Rudd with FHP was unable to download the data from the device due to a communication error.



On 2/10/20 I met with Sgt Eastty of the Pinellas County SO at his office in Largo, Florida. Sgt Eastty attempted to download the event data recorder, but obtained the same communication error message that Cpl. Rudd received from the EDR device. Sgt Eastty spoke with the crash data group and determined that a new adapter needed to be ordered in order to read the data from the 2020 vehicle (V1). A part was ordered that day. On 2/19/20 Sgt Eastty attempted to download the EDR using the new adapter, but received the same communication error.

On 2/21/20 I picked up the EDR from Sgt Eastty and placed it back into its original location within V1.

During the course of the post-crash investigation, I used measurements taken from the scene, approximate weights of the vehicles (to include occupants and cargo) and the proportional diagram to perform angular momentum calculations in order to try and determine the approximate speeds of both V-1 and V-2 at impact. Based upon my level of training and the evidence available to me, I

estimate that V-1 was travelling at 22mph when it was impacted by V-2, at an estimated impact speed of 43mph.

CONCLUSION

Based upon my investigation, which included the following: an examination of the physical evidence at the scene, witness statements, post-crash vehicle inspections of V1 and V2, speed calculations, and the observation of how the traffic lights cycle at the intersection; the following facts have been concluded: D-1 was driving V-1 southbound on Indian River Blvd when V-1 entered the left hand turn lane to proceed east over the Barber Bridge. Upon reaching the intersection with the Barber Bridge, D-1 turned left while only having a green light indicator and not a green turn arrow. D-1 drove V-1 directly into the path of V-2 which was driving north in the inside lane of Indian River Blvd with a green light. Subsequently, the front of V-2 struck the passenger side front of V-1 at ninety eight feet north of the stop bar within the inside lane of northbound Indian River Blvd. The driver of V-1 thus failed to yield the right of way to V-2. The violation of right of way by D-1 against V-2 was determined to be the cause of the crash. The crash resulted in property damage to V-1 and V-2, serious injuries to both the drivers and six occupants of V-1, along with the untimely death of the front seat passenger of V-1.

D-1 violated Florida State Statute 316.122. This statute states: "the driver of a vehicle intending to turn left within an intersection or into an alley, private road, or driveway shall yield the right-of-way to any vehicle approaching from the opposite direction, or vehicles lawfully passing on the left of the turning vehicle, which is within the intersection or so close thereto as to constitute an immediate hazard." D-1 violated this statute by turning V-1 left within the intersection while V-2 had a green light for northbound travel. This violated the right-of-way for V-2, which was so close, that it posed an immediate hazard.

This case is CLOSED with the issuance of a uniform traffic citation to the driver of V-1, Patrick Diggins, for a violation of FSS 316.122.