



Columbia Missouri Police Department

600 East Walnut Street ▪ Columbia, MO 65201

(573) 874-7652 ▪ www.GoColumbiaMo.com

Media Release

(Columbia, MO June 17, 2009)

Contact: Officer Jessie Haden
(573) 874-7448

Contact: Sergeant Shelley Jones
(573) 874-7278

Accident Investigation Completed

Columbia Police investigators have completed the investigation of accident report number 2009058666 / incident report number 2009-00675.

On March 28, 2009. at approximately 11:00 p.m., a Columbia Police patrol vehicle was involved in an accident near the intersection of Clark Lane and Lambeth Drive, in Columbia. At the time, the patrol vehicle was traveling westbound on Clark Lane approaching the intersection of Lambeth Drive. The patrol vehicle struck a pedestrian. The pedestrian was lying in the westbound lane when struck.

Officer Alan Mitchell was driving the patrol car that struck the pedestrian, who was identified as Jeremy Setzer, 24, of Columbia. Setzer was pronounced dead at the scene.

A summary of the incident is attached, as well as the accident report and the Reconstruction Report. Appendices are available upon request. CD's containing the video captured from the patrol car's in-car video system are available at the front desk of the police department for members of the news media.

Do not reply to this e-mail address.

On Saturday, March 28, 2009, at approximately 11:00 p.m., Columbia Police patrol vehicle 1157, driven by Officer Alan Mitchell, struck a pedestrian while traveling on westbound Clark Lane, in Columbia, just east of Lambeth Drive. The pedestrian was identified as 24 year old Jeremy Setzer, and he was pronounced dead at the scene. At the time of the accident, Setzer was lying in the westbound lane of Clark Lane.

Columbia Police Officer Alan Hulett investigated the accident. Hulett is an accident reconstructionist with the department's Traffic Unit. The incident was also assigned to the Major Crimes Unit and investigated by Detective Bryan Liebhart. The investigation into this incident is complete.

Details of the incident and the investigation:

- Officer Mitchell was on routine patrol and driving westbound on Clark Lane
- Jeremy Setzer was lying in the westbound lane of Clark Lane
- Mitchell was not on the phone at the time of the accident
- The roadway was wet and it was lightly snowing
- There was no external light source
 - Closest street light is 150 feet northwest of accident scene
- Mitchell pulled over immediately and radioed for assistance
- Setzer's wife was nearby during the accident
 - She advised that Jeremy Setzer stepped out in the middle of the road and fell backward before the accident occurred
- Two passersby later provided investigators with information
 - One advised that she was driving west on Clark Lane and saw a male lying face down on Lambeth Drive, wearing the same type of clothing that Jeremy Setzer was
 - One advised that he was driving west on Clark Lane and saw a vehicle on the shoulder with its hazard lights on, with an individual with blond hair sitting in the driver's seat, leaning on the steering wheel
- Officer Alan Hulett investigated the accident
 - Photographs and preliminary investigation of the vehicles, roadway, area where deceased lay, and the deceased were conducted beginning at approximately midnight
 - The rest positions of the deceased, and the vehicles, were marked and measured
 - The vehicles were towed to the Columbia Police Department
 - The following morning, additional photos were taken
 - Laser Technology Quick Mapping System was used to map the scene
 - Diagram was prepared using CAD Zone diagramming software
 - Roadway was examined using Macklenburg-Duncan smart tool
- The Jefferson City Police Department reviewed the accident investigation
- The Professional Standards Unit conducted a Mandatory Review of the accident and determined it was non-preventable
- The speed limit is 30 mph at the accident location and Officer Mitchell was traveling 40 mph. While this had no effect on his ability to prevent the accident, an internal investigation was conducted, and Officer Mitchell was disciplined.

SPACE USED FOR BARCODE	1 - AGENCY NAME AND ORI Columbia Police Dept. Columbia Missouri 65201 ORI : MO0100200
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LEFT THE SCENE <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	CLEARED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	ACCIDENT CLASSIFICATION	PROPERTY DAMAGE ONLY <input type="checkbox"/>	NUMBER INJURED 0	NUMBER KILLED 1	REPORT / CASE / INCIDENT NUMBER 2009058666/2009-00675
NUMBER OF VEHICLES INVOLVED 1	ACCIDENT DATE 03-28-2009	ACCIDENT TIME (MIL.) 23:00	TIME NOTIFIED (MIL.) 23:15	TIME ARRIVED (MIL.) 23:52	INVESTIGATION DATE 03-28-2009	

2 - LOCATION

COUNTY Boone	MUNICIPALITY Columbia	BEAT / ZONE N/A	TRP / DIST / PCT N/A	INVESTIGATED AT SCENE <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
ON CST CLARK LN W		DISTANCE FROM 133 FEET	LOCATION <input type="checkbox"/> AFTER <input checked="" type="checkbox"/> BEFORE <input type="checkbox"/> AT	INTERSECTING STREET OR ROADWAY CST LAMBETH DR (N)
ROADWAY DIRECTION West	SPEED LIMIT 30	MILES	SPEED LIMIT 30	GEO - CODE NIA

ROAD MAINTAINED BY 1. STATE 2. COUNTY 3. MUNICIPAL 4. PRIVATE PROPERTY 5. OTHER

3 - DAMAGE TO PROPERTY OTHER THAN VEHICLES NONE

GIVE OWNER'S NAME AND ADDRESS, DESCRIPTION OF PROPERTY, AND DAMAGE.
 MoDOT **NIA**

4. DRIVER'S FULL NAME (LAST, FIRST, MI) **MITCHELL, ALAN R II** ADDRESS (STREET, CITY, STATE, ZIP) **600 WALNUT ST E-CO, COLUMBIA, MO 65201**

DRIVER LICENSE NUMBER STATE MO TYPE OF LICENSE 1. OPERATOR CLASS **F** 3. PERMIT 5. MC ONLY MC ENDORSEMENT YES NO NA

1. PROOF OF INSURANCE YES NO NOT REQUIRED INSURANCE COMPANY **ST PAUL FIRE & MARINE** POLICY NUMBER **GP06301913**

VEHICLE YEAR **2007** MAKE **FORD** MODEL **CROWN VICT** COLOR **BLACK / WHITE**

LIC. PLATE NO. **1157** STATE **O-** VIN **2 F A F P 7 1 W 6 7 X 1 5 0 0 0 4** TOTAL NO. OF OCCUPANTS **1**

VEHICLE OWNER NAME (LAST, FIRST, MI) / COMMERCIAL CARRIER **CITY OF COLUMBIA** ADDRESS (STREET, CITY, STATE, ZIP) **800 CHERRY ST-CO, COLUMBIA, MO 65201**

VEHICLE DAMAGE (Circle all damaged areas) NONE

INITIAL IMPACT NO. <input type="checkbox"/> NA 2	<table border="1" style="width:100%; border-collapse: collapse;"> <tr><td>2</td><td>3</td><td>4</td><td>5</td><td>6</td><td>7</td></tr> <tr><td>1</td><td>15</td><td>16</td><td>17</td><td>8</td><td></td></tr> <tr><td>14</td><td>13</td><td>12</td><td>11</td><td>10</td><td>9</td></tr> </table>	2	3	4	5	6	7	1	15	16	17	8		14	13	12	11	10	9	REAR 18 - Undercarriage 19 - Windshield 20 - Burned 21 - Towed Unit 22 - Cargo	TOWED FROM SCENE <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	TOW CO. INFORMATION NIA
2	3	4	5	6	7																	
1	15	16	17	8																		
14	13	12	11	10	9																	

5. DRIVER'S FULL NAME (LAST, FIRST, MI) ADDRESS (STREET, CITY, STATE, ZIP)

DRIVERS LICENSE NUMBER / ID NUMBER STATE TYPE OF LICENSE 1. OPERATOR CLASS 3. PERMIT 5. MC ONLY MC ENDORSEMENT YES NO NA

PROOF OF INSURANCE YES NO NOT REQUIRED INSURANCE COMPANY POLICY NUMBER

VEHICLE YEAR MAKE MODEL COLOR

LIC. PLATE NO. STATE YEAR VIN TOTAL NO. OF OCCUPANTS

VEHICLE OWNER NAME (LAST, FIRST, MI) / COMMERCIAL CARRIER ADDRESS (STREET, CITY, STATE, ZIP) SAME AS DRIVER

VEHICLE DAMAGE (Circle all damaged areas) NONE

INITIAL IMPACT NO. <input type="checkbox"/> NA	<table border="1" style="width:100%; border-collapse: collapse;"> <tr><td>2</td><td>3</td><td>4</td><td>5</td><td>6</td><td>7</td></tr> <tr><td>1</td><td>15</td><td>16</td><td>17</td><td>8</td><td></td></tr> <tr><td>14</td><td>13</td><td>12</td><td>11</td><td>10</td><td>9</td></tr> </table>	2	3	4	5	6	7	1	15	16	17	8		14	13	12	11	10	9	REAR 18 - Undercarriage 19 - Windshield 20 - Burned 21 - Towed Unit 22 - Cargo	TOWED FROM SCENE <input type="checkbox"/> YES <input type="checkbox"/> NO	TOW CO. INFORMATION
2	3	4	5	6	7																	
1	15	16	17	8																		
14	13	12	11	10	9																	

6 - WITNESS NONE IDENTIFIED

NAME OF WITNESS	ADDRESS (STREET, CITY, STATE, ZIP)	TELEPHONE NO.

7. COLLISION DIAGRAM

Direction Prior to Impact (circle one)

V1 N E S W

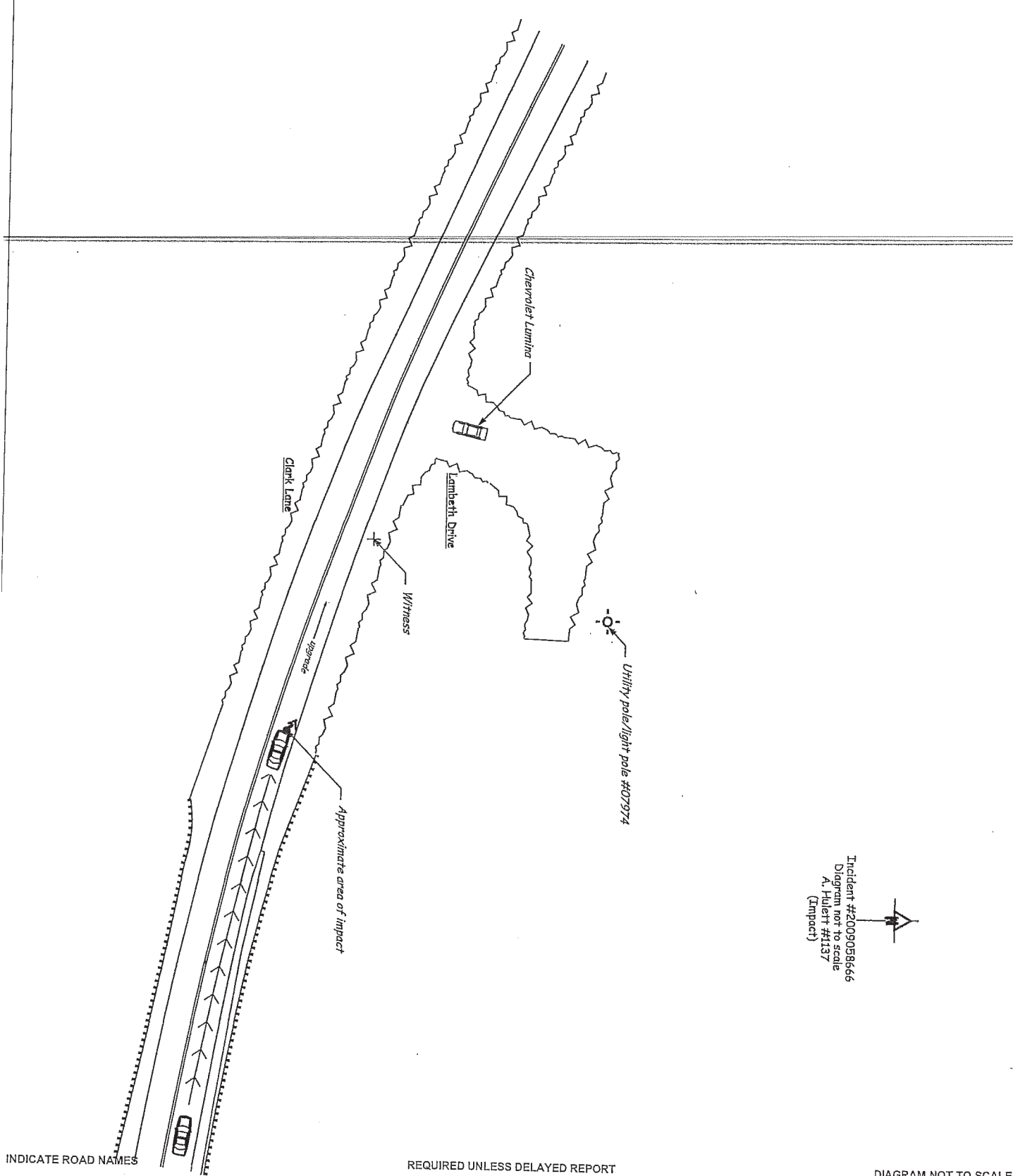
N E S W

N E S W

N E S W

Est. Speed - Fatals Only V1 40

INDICATE NORTH



INDICATE ROAD NAMES

REQUIRED UNLESS DELAYED REPORT

DIAGRAM NOT TO SCALE

Incident #2009058666
Diagram not to scale
A. Hulett #4137
(Impact)



1. EVIDENTIARY PHOTOS TAKEN

YES NO BY WHOM HULETT/JONES

AVAILABLE FROM

2. RECONSTRUCTION - Includes Narrative, Diagram, & Photo(s)

YES NO BY WHOM HULETT

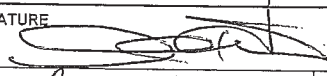

18. PROBABLE CONTRIBUTING CIRCUMSTANCES V1 <input type="checkbox"/> <input type="checkbox"/> 1. Vehicle Defects (explain) <input type="checkbox"/> <input type="checkbox"/> 2. Traffic Control Inoperable or Missing <input type="checkbox"/> <input type="checkbox"/> 3. Improperly Stopped on Roadway <input type="checkbox"/> <input type="checkbox"/> 4. Speed - Exceeded Limit <input type="checkbox"/> <input type="checkbox"/> 5. Too Fast for Conditions <input type="checkbox"/> <input type="checkbox"/> 6. Improper Passing <input type="checkbox"/> <input type="checkbox"/> 7. Violation Signal / Sign <input type="checkbox"/> <input type="checkbox"/> 8. Wrong Side (not passing) <input type="checkbox"/> <input type="checkbox"/> 9. Following Too Close <input type="checkbox"/> <input type="checkbox"/> 10. Improper Signal <input type="checkbox"/> <input type="checkbox"/> 11. Improper Backing <input type="checkbox"/> <input type="checkbox"/> 12. Improper Turn <input type="checkbox"/> <input type="checkbox"/> 13. Improper Lane Usage / Change <input type="checkbox"/> <input type="checkbox"/> 14. Wrong Way (One-Way) <input type="checkbox"/> <input type="checkbox"/> 15. Improper Start From Park <input type="checkbox"/> <input type="checkbox"/> 16. Improperly Parked <input type="checkbox"/> <input type="checkbox"/> 17. Failed to Yield <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> 18. Alcohol <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> 19. Drugs <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> 20. Physical Impairment (explain) <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> 21. Inattention (explain) <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> 22. None	19. PEDESTRIAN INVOLVEMENT <input type="checkbox"/> NA P1 <input type="checkbox"/> <input type="checkbox"/> 1. At Intersection <input checked="" type="checkbox"/> <input type="checkbox"/> 2. Not At Intersection CROSSING ROAD <input type="checkbox"/> <input type="checkbox"/> 3. With Signal <input type="checkbox"/> <input type="checkbox"/> 4. Against Signal <input type="checkbox"/> <input type="checkbox"/> 5. No Signal <input type="checkbox"/> <input type="checkbox"/> 6. Diagonally <input type="checkbox"/> <input type="checkbox"/> 7. Within Crosswalk <input type="checkbox"/> <input type="checkbox"/> 8. Within Marked Crosswalk <input type="checkbox"/> <input type="checkbox"/> 9. Behind / In Front of Parked Car <input type="checkbox"/> <input type="checkbox"/> 10. With Traffic <input type="checkbox"/> <input type="checkbox"/> 11. Against Traffic <input type="checkbox"/> <input type="checkbox"/> 12. Getting On / Off Vehicle <input checked="" type="checkbox"/> <input type="checkbox"/> 13. Standing / Lying / Sitting on Road <input type="checkbox"/> <input type="checkbox"/> 14. Pushing / Working on Vehicle <input type="checkbox"/> <input type="checkbox"/> 15. Other Working <input type="checkbox"/> <input type="checkbox"/> 16. Playing on Road <input type="checkbox"/> <input type="checkbox"/> 17. Off Roadway 26. ROAD SURFACE <input checked="" type="checkbox"/> 1. Concrete <input type="checkbox"/> 3. Brick <input type="checkbox"/> 5. Dirt / Sand <input type="checkbox"/> 2. Asphalt <input type="checkbox"/> 4. Gravel <input type="checkbox"/> 6. Multi-Surface	20. VISION OBSCURED V1 <input type="checkbox"/> <input type="checkbox"/> 1. Windshield <input type="checkbox"/> <input type="checkbox"/> 2. Load on Vehicle <input type="checkbox"/> <input type="checkbox"/> 3. Trees / Brush <input type="checkbox"/> <input type="checkbox"/> 4. Building <input type="checkbox"/> <input type="checkbox"/> 5. Embankment <input type="checkbox"/> <input type="checkbox"/> 6. Signboards <input type="checkbox"/> <input type="checkbox"/> 7. Hillcrest <input type="checkbox"/> <input type="checkbox"/> 8. Parked Cars <input type="checkbox"/> <input type="checkbox"/> 9. Moving Cars <input type="checkbox"/> <input type="checkbox"/> 10. Glare <input type="checkbox"/> <input type="checkbox"/> 11. Other (explain) <input checked="" type="checkbox"/> <input type="checkbox"/> 12. Not Obscured 23. LIGHT CONDITION <input type="checkbox"/> 1. Daylight <input type="checkbox"/> 2. Dark with Street Lights On <input type="checkbox"/> 3. Dark with Street Lights Off <input checked="" type="checkbox"/> 4. Dark - No Street Lights <input type="checkbox"/> 5. Indeterminate (explain)	21. TRAFFIC CONTROL V1 <input type="checkbox"/> <input type="checkbox"/> 1. Construction Zone <input type="checkbox"/> <input type="checkbox"/> 2. Other Work Zone <input type="checkbox"/> <input type="checkbox"/> 3. School Zone <input type="checkbox"/> <input type="checkbox"/> 4. Stop Sign <input type="checkbox"/> <input type="checkbox"/> 5. Electric Signal <input type="checkbox"/> <input type="checkbox"/> 6. RR Signal / Gate <input type="checkbox"/> <input type="checkbox"/> 7. Yield Sign <input type="checkbox"/> <input type="checkbox"/> 8. Officer / Flagman <input type="checkbox"/> <input type="checkbox"/> 9. No Passing Zone <input type="checkbox"/> <input type="checkbox"/> 10. Turn Restricted <input type="checkbox"/> <input type="checkbox"/> 11. Signal on School Bus <input checked="" type="checkbox"/> <input type="checkbox"/> 12. None 24. WEATHER CONDITION <input type="checkbox"/> 1. Clear <input type="checkbox"/> 2. Cloudy <input type="checkbox"/> 3. Rain <input checked="" type="checkbox"/> 4. Snow <input type="checkbox"/> 5. Sleet <input type="checkbox"/> 6. Freezing (temp.) <input type="checkbox"/> 7. Fog / Mist <input type="checkbox"/> 8. Indeterminate (explain)	22. ROAD CHARACTER ALIGNMENT <input type="checkbox"/> 1. Straight <input checked="" type="checkbox"/> 2. Curve PROFILE <input type="checkbox"/> 1. Level <input checked="" type="checkbox"/> 2. Grade <input type="checkbox"/> 3. Hillcrest 25. ROAD CONDITION <input type="checkbox"/> 1. Dry <input checked="" type="checkbox"/> 2. Wet <input type="checkbox"/> 3. Snow <input type="checkbox"/> 4. Ice <input type="checkbox"/> 5. Slush <input type="checkbox"/> 6. Mud <input type="checkbox"/> 7. Standing Water <input type="checkbox"/> 8. Moving Water <input type="checkbox"/> 9. Other (explain)
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27 - COMMERCIAL MOTOR VEHICLE (Complete for each commercial vehicle involved.)

A. CMV CRITERIA Answer the following to determine if this section should be completed. 1. Does this accident involve any of the following: 1. a person fatally injured; or 2. a person transported for medical attention; or 3. a vehicle towed from the scene of the accident <input type="checkbox"/> NO - DO NOT COMPLETE <input checked="" type="checkbox"/> YES - GO TO NUMBER 2 2. Examine each vehicle to determine if it is a commercial vehicle based on the following: 1. a truck with GCVWR of more than 10,000 lbs. and engaged in commerce; or 2. a bus or school bus (9 or more including driver); or 3. a vehicle with a hazardous materials placard <input checked="" type="checkbox"/> NO - DO NOT COMPLETE <input type="checkbox"/> YES - COMPLETE SECTIONS B - E	B. CARRIER ID NUMBER ICC NO. MC _____ USDOT NO. _____ ICC NO. MC _____ USDOT NO. _____ C. HAZARDOUS MATERIAL PLACARD NUMBER <input type="checkbox"/> NA 4-Digit Placard Number from Diamond / Box _____ Number From Bottom of Diamond _____ 4-Digit Placard Number from Diamond / Box _____ Number From Bottom of Diamond _____ D. TRAFFICWAY <input type="checkbox"/> 1. Two-Way; Not Divided <input type="checkbox"/> 2. Two-Way; Divided; Unprotected Median <input type="checkbox"/> 3. Two-Way; Divided; Positive Median Barrier <input type="checkbox"/> 4. One-Way; Not Divided	E. CARGO BODY TYPE <input type="checkbox"/> <input type="checkbox"/> 1. Enclosed Box <input type="checkbox"/> <input type="checkbox"/> 2. Cargo Tank <input type="checkbox"/> <input type="checkbox"/> 3. Flatbed <input type="checkbox"/> <input type="checkbox"/> 4. Dump <input type="checkbox"/> <input type="checkbox"/> 5. Concrete Mixer <input type="checkbox"/> <input type="checkbox"/> 6. Auto Transporter <input type="checkbox"/> <input type="checkbox"/> 7. Garbage / Refuse <input type="checkbox"/> <input type="checkbox"/> 8. Grain, Chip, Gravel <input type="checkbox"/> <input type="checkbox"/> 9. Pole Trailer <input type="checkbox"/> <input type="checkbox"/> 10. Other
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28 - NARRATIVE / STATEMENTS (If additional room is necessary, attach a separate sheet.)

This crash occurred as vehicle 1 was traveling west on Clark Lane near Lambeth Drive. A pedestrian was lying on his back on the main traveled portion of the road. The right front tire of vehicle 1 struck the pedestrian, rolling over his body. The pedestrian was found lying partially on the shoulder and partially on the road after the collision. The pedestrian was pronounced dead at the scene. Input Typist: HULETT, ALAN Narrative typed by: HULETT, ALAN

29. REPORTING OFFICER SIGNATURE HULETT, ALAN 	DSN / BADGE NO. 1137	BEAT / ZONE	TROOP / DIST / PCT
REVIEWING OFFICER 1 SIGNATURE JONES, SHELLEY 	DSN / BADGE NO. 1057	REVIEWING OFFICER 2 SIGNATURE	DSN / BADGE NO.

NARRATIVE / STATEMENTS		<input checked="" type="checkbox"/> CONTINUATION <input type="checkbox"/> SUPPLEMENT	AGENCY NAME AND ORI
ORIGINAL REPORT / CASE / INCIDENT NUMBER 2009058666/2009-00675	ADDITIONAL SUPPLEMENT NO.	Columbia Police Dept. Columbia Missouri 65201 ORI : MO0100200	

SUPPLEMENTAL REPORT DATE	ACCIDENT DATE 03/28/2009	TRP / DIST / PCT N/A	COUNTY Boone
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REPORTING OFFICER SIGNATURE HULETT, ALAN 	DSN / BADGE NO. 1137	SUPPLEMENTAL REVIEWING OFFICER SIGNATURE JONES, SHELLEY 	DSN / BADGE NO. 100
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Driver 1 stated he was traveling west on Clark Lane approaching Lambeth Drive.
 Driver 1 stated he felt a bump on the right side of his vehicle. Driver 1
 stated he gradually pulled over to the shoulder of the roadway. Driver 1
 stated he exited his vehicle and walked towards the east. Driver 1 stated he
~~subsequently realized he had stuck a person and called for emergency~~

assistance.

The witness, _____ spoke to other officers at the scene.
 _____ was transported from the scene prior to my arrival.

The following is a short paraphrasing of w/ _____ said to other
 officers:

_____ was walking eastbound on Clark Lane with
 dog. _____ stated he tripped and fell down as the vehicle approached.
 _____ stated the vehicle struck _____ as he fell.

For further information refer to accident reconstruction report #2009058666 and
 offense report 2009-003825.

Printed On: 5/26/2009 2:49:26 PM

Columbia Police Department



*Reconstruction Report
Accident #2009058666
Case #2009-003825*

Columbia Police Department
Reconstruction report
Accident #2009058666

County: Boone

Date: Saturday, March 28, 2009

Time: 2300 hours

Location: Clark Lane (W), 133 feet east of
Lambeth Lane (N)

Original Investigator: Officer Alan Hulett #1137

Accident Reconstructionist: Officer Alan Hulett #1137

Assisting Agencies: Jefferson City Police

Date of Report: May 1, 2009

Columbia Police Department
Reconstruction Report
Accident #2009058666

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Appendix VIII	CDR Report

Synopsis

On Saturday, March 28, 2009, at approximately 2300 hours a Columbia Police Department patrol vehicle was involved in an accident near the intersection of Clark Lane and Lambeth Drive. At the time the patrol vehicle was traveling westbound on Clark Lane approaching the intersection of Lambeth Drive. The patrol vehicle struck a pedestrian. The pedestrian was lying in the westbound lane when struck.

On the above date and time I was the on-call traffic accident investigator. I received a telephone call at my residence at approximately 2315 hours from Sergeant Bruce Houston. Sergeant Houston stated a patrol vehicle had struck a pedestrian and requested I respond to the scene. I arrived on scene at approximately 2352 hours.

As I traveled to the scene via Interstate 70 to Highway 63 Connector I noticed there was moderate snow falling in the area. As I began to travel west on Clark Lane from the Connector I observed a patrol vehicle blocking westbound vehicular traffic. Officer Kevin Purdy was preventing vehicles from entering the area of the accident from the east. After passing Officer Purdy I positioned my patrol vehicle on Clark Lane, east of the scene. I observed a second patrol vehicle blocking eastbound Clark Lane traffic, west of the accident scene.

I observed several Columbia Police Officers on scene during the investigation as well as Columbia Fire Department personnel. Captain Stephen Monticelli, Sergeant Shelley Jones, Sergeant Bruce Houston and Sergeant John Gordon were present as well as officers Brian Tate, Scott Sargent, and Detective Geoff Jones. Prior to my arrival some of these officers were obtaining information and investigating the scene. While speaking with these officers I learned the following information:

- Officer Mitchell was traveling west on Clark Lane when he struck the pedestrian.
- Officer Mitchell's vehicle was still present at the scene where he parked it after the accident.
- The pedestrian was pronounced dead at the scene.
- The pedestrian's wife was present during the accident.
- The vehicle that the pedestrian arrived in prior to the accident was parked on Lambeth Drive near Clark Lane.
- This vehicle, a 2001 Chevrolet Lumina, Missouri registration MC1-T1P, had damage that was consistent with a pedestrian strike and that there was a possibility that the pedestrian had been stuck by the Lumina prior to being struck by the patrol vehicle.
- The pedestrian's wife had been transported to the Columbia Police Department by Officer Keisha Edwards and would be interviewed by a detective.
- Officer Mitchell had been transported to the Columbia Police Department.

Scene Investigation

As I walked through the scene I made several observations. I observed a male lying in the westbound lane of Clark Lane, approximately 133 feet east of Lambeth Drive. The male was lying in a supine position with both arms outstretched away from the sides of the body and arms straight. The right leg was crossed over the left leg with the right leg bent at the knee and left leg straight. The body was positioned perpendicular to the roadway. The body's midsection was lying on the fog line with the chest and head lying on the shoulder of the roadway and the legs/feet lying on the main traveled portion of the roadway. The left tennis shoe was lying on the fog line next to the right side of the body. The right tennis shoe was still attached to the right foot. The shoes were blue, black, grey and white in color. The male was wearing a brown, black and tan colored, long sleeved, camouflage patterned coveralls. The male appeared to have on several layers of clothing underneath the coveralls, to include blue jeans, gray shirt and a dark colored shirt. The male also had on white socks.

The coveralls appeared to have been cut and the bare chest was exposed. There were medical equipment leads attached to the chest. There was a medical type plastic bag lying next to the left shoe. There was a pool of blood next to the left side of the head. There appeared to be a laceration to the left side of the head. There was blood on the mouth, ears, and nose.

Looking to the west, from the area of body, I observed a teal colored Chevrolet Lumina parked on Lambeth Drive. The vehicle was parked in the southbound lane of Lambeth Drive just north of Clark Lane. The vehicle was facing south. The vehicle was partially covered in snow. I observed several areas of damage on the vehicle. The right front headlight was damaged. A portion of the right headlight lens was missing. The portion of the headlamp that contains the turn signal was also shattered with loose pieces of the lens scattered in and around the assembly housing. The damage appeared to be recent. There was a splattering of mud just above the damaged headlight assembly on the hood of the vehicle, again indicating a recent event. There were some scratches on the hood of the vehicle. There were small pieces of an unknown substance located near the area where windshield wipers come to rest on the bottom portion of the front windshield. The substance was tan and maroon colored. There was a large indentation in the top left portion of the windshield. The damage was consistent with an object hitting the windshield with significant force. There were spider web type cracks in the windshield around this indentation. There were also straight line cracks in the windshield emanating from the area of the indentation.

All the damage described above is consistent with a vehicle striking a pedestrian. Depending on the speed of the vehicle and the positioning of a pedestrian when struck, the head of the pedestrian routinely impacts and leaves an indentation on the windshield.

To the west of Lambeth Drive I observed the black and white patrol vehicle parked on the north side of the roadway. The vehicle was facing west and parked on the shoulder. The vehicle was partially covered in snow.

There was a small dent and scratch on the right side of the vehicle on the bottom of the rear passenger door. There was no other obvious damage to the vehicle.

I inspected the roadway both east and west of resting position of the body. I did not locate any tire marks, scrub marks, or pavement "cleaning". I did not locate any additional marks on the shoulder or on the roadway near the body.

The rest position of the body, the Chevrolet Lumina and patrol vehicle #1157 were marked and measured so that they could be placed on a diagram. I prepared a rough sketch of the scene. I took photographs of the scene.

Evidence technician Detective Geoff Jones was also on scene and took photographs. Detective Jones also took samples of the tan and maroon colored substance that was found on the Chevrolet Lumina.

Dori Burke, an employee of the Boone County Medical Examiner's Office responded to the scene and took custody of the body. The body was transported to the Medical Examiner's office, located at #1 Hospital Drive, for autopsy.

The patrol vehicle was towed from the scene by I-70 Towing and Recovery. The vehicle was placed on a rollback and towed to the Columbia Police Department garage located at 600 East Walnut. The patrol vehicle was subsequently transported to a secured indoor facility located at 2501 Paris Road. On or about April 2, 2009, the patrol vehicle was towed to another secured indoor facility located in the 3500 block of Route E. The patrol vehicle remained at this location until the completion of the investigation. The Chevrolet Lumina was towed from the scene by Slate Towing and was also towed to the garage at the Columbia Police Department for further investigation. Detective Jones and I took additional photographs of both vehicles while they were parked inside the garage.

On 03-29-09 I returned to the accident site and took additional photographs during daylight hours.

On 03-30-09 Officer Brian Tate and I returned to the accident site. We used a Laser Technology Quick Mapping System to map the scene. A scale diagram of the scene was prepared using the mapping information. The diagram was prepared using CAD Zone diagramming software, version 7.5.

Environmental Factors

This accident occurred on Clark Lane between the Highway 63 southbound overpass and Lambeth Drive. Clark Lane is an east/west roadway that parallels Interstate 70 between Highway 63 Connector and Route B (Paris Road). The roadway consists of one eastbound lane and one westbound lane. The eastbound lane and westbound lane were separated by a double yellow line. In the area of the accident the roadway is curved. The driver of a westbound vehicle would need to steer right to maintain the vehicle in the westbound lane. The traveled portion of both lanes, in the area of the

accident, was grooved concrete. Both shoulders were constructed of asphalt and gravel. The main traveled portion of the road and the shoulders were separated by a white fog line.

The main traveled portion of Clark Lane measured approximately 23'5" wide. The westbound lane was approximately 11'2" wide and the eastbound lane was approximately 12'3" wide. Both shoulders were approximately 11' wide.

The grade and super-elevation of the roadway was measured using a Macklenburg-Duncan smart tool. The grade of the westbound lane was measured to be approximately 2.1 percent uphill. The super-elevation of the roadway measured approximately 4.7 percent (downward slope from south edge of roadway to north edge of roadway).

The roadway condition at the time of the accident was wet due to the falling rain and snow. The coefficient of friction of the roadway was not measured the night of the accident. On 04-10-09 at approximately 1030 hours I used a Vericom 3000 braking computer to measure the friction of the roadway. The computer was attached to the front windshield of patrol vehicle #1140. The roadway was wet and there was light rain falling in the area. The temperature was approximately 45 degrees. I conducted three test runs in the westbound lane near the area just prior to the accident scene. The results are listed in the table below:

Test	Speed	Stop Distance	Time	Drag Factor (f)
#1	25.0 mph	34.1 feet	1.93 seconds	.62
#2	27.7 mph	37.3 feet	1.84 seconds	.68
#3	31.0 mph	48.6 feet	2.13 seconds	.66

The speed limit of the roadway is defined by City Ordinance 14-223. There is a speed limit sign posted for westbound traffic on Clark Lane just west of Highway 63 Connector. The speed limit is 30 miles per hour.

There was no evidence to indicate that a vision obstruction was present that might have contributed to the accident. There were no permanent or temporary vision obstructions discovered in the area of the accident.

The weather underground reported the following weather conditions at the Columbia Regional Airport on 03-28-09 at approximately 10:54 pm: temperature 34 degrees, dewpoint 32 degrees, humidity 92%, barometric pressure 29.51 inches, visibility 9 miles, northwest wind at 16.1 mph, 0.03 inches of precipitation.

There were no external light sources on Clark Lane in the area of the accident. The closest source of light was a street light located approximately 150 feet to the northwest of the accident scene. The utility pole was marked with City of Columbia Water and Light #07974.

Human Factors

Driver 1 was Officer Alan Mitchell III. Officer Mitchell has been employed as a Columbia Police Officer for approximately six years. Officer Mitchell had a valid, Missouri, Class F license. Officer Mitchell was familiar with the roadway and the area of the crash.

There was no evidence to indicate Officer Mitchell was under the influence of intoxicants or controlled substances at the time of the accident. There was no evidence to indicate Officer Mitchell had a medical condition that contributed to the accident. Officer Mitchell provided a breath sample that showed no alcohol present. Officer Mitchell also provided a urine sample. Toxicology results on the urine sample are pending.

The pedestrian was identified as Jeremy W. Setzer. Mr. Setzer was 24 years old and resided at 5101 Bonne Femme Church Road, #10, Columbia, Missouri. It is unknown if Mr. Setzer had a medical condition that could have contributed to this accident. It is unknown if Mr. Setzer was familiar with the roadway and the area of this crash.

The autopsy report is on file with the Boone County Medical Examiner's Office. The toxicology results indicated the presence of alcohol and THC (marijuana) in Mr. Setzer's body.

Driver Statement

(Driver Statement redacted)

Witness Statements

One witness was identified as (redacted). (redacted) was not on the scene during my investigation. (redacted) was transported to the Columbia Police department by Officer Keisha Edwards.

During Officer Edwards contact with (redacted) a digital recording was recorded onto Officer Edwards in-car recording system. The recording has been saved and entered into evidence at the Columbia Police Department.

(redacted) was interviewed at the Columbia Police Department by Detective Bryan Liebhart. The interview was recorded on digital video. The video has been entered into evidence at the Columbia Police Department.

The following is a paraphrase of Officer Edwards and Detective Liebhart's contact with (redacted).

(redacted) stated they left work together around 1630 hours and drove to (redacted). (redacted) stated they were at the house from approximately 1700 hours until 2300 hours. (redacted) stated she was driving their vehicle as they left the house and traveled south on Lambeth Drive to the intersection of Lambeth Drive and Clark Lane. (redacted) stated she stopped at the intersection and Jeremy got out of the passenger side of the vehicle with the dog. (redacted) stated she stayed in the vehicle for a short time and then exited the vehicle to walk the dog with Jeremy. (redacted) stated Jeremy was walking the dog on Clark Lane towards the bridge (eastbound). (redacted) stated as the patrol vehicle was coming down Clark Lane Jeremy stepped out into the middle of the road and then fell backwards. (redacted) stated Jeremy fell into the police vehicle (redacted) stated after the vehicle struck Jeremy the officer pulled over to the side of the road and turned on his emergency lights. (redacted) stated she put the dog back in her vehicle. (redacted) stated she picked up one of Jeremy's shoes and took it back to Jeremy.

Regarding the damage to her vehicle, (redacted) stated the windshield was damaged approximately one month earlier when Jeremy punched the window two times with his fist. ...information redacted... (redacted) stated the damage to the headlight was caused by a roommate hitting the headlight with a bat approximately one year earlier.

(redacted) told detective Liebhart that Jeremy had not been drinking alcohol during the evening as far as she knew.

Officer Edwards had a conversation with (redacted) on scene shortly after the accident. (redacted) was obviously upset and crying. (redacted) stated they had been at Jeremy's parents house and were on their way home. (redacted) stated Jeremy was walking the dog when the patrol vehicle struck him. When asked if Jeremy was taking any type of medication (redacted) stated no but that he had been drinking.

On Officers Edwards in-car video a male is seen standing in the middle of the roadway directing traffic. The male was identified as (redacted). I spoke with (redacted) on 04-01-09 at approximately 1650 hours. (redacted) stated he had been traveling east on Clark Lane from Sylvan Lane when he saw a patrol vehicle parked on the side of the road with emergency lights flashing. (redacted) stated as he continued traveling eastbound he saw an officer walking back towards a body lying in the road. (redacted) stated there was a woman with a dog on a leash standing next to the body screaming. (redacted) stated he helped direct traffic until other officers arrived.

I telephoned (redacted) on 04-01-09 after learning she might have information related to this incident. (redacted) stated she had been in the area of Clark Lane and Lambeth Drive on the evening of March 28, 2009. (redacted) stated as she was operating a vehicle, traveling west on Clark Lane near Lambeth Drive, she observed a male lying face down on Lambeth Drive. (redacted) stated the male was lying in close proximity to westbound lane of Clark Lane. (redacted) stated the male was wearing some type of camouflage clothing. (redacted) stated she saw a vehicle on Lambeth Lane facing south

at the same time with headlights on. (redacted) stated she was not sure how close the vehicle was to Clark Lane. (redacted) stated the male was lying with his head closest to Clark Lane and the feet to the north. (redacted) stated she circled around to check on the male. Ms. Turner stated as she drove to the intersection of Sylvan Lane and Clark Lane she observed a police vehicle's lights flashing. (redacted) stated she felt the officer was taking care of the incident and she left the area. (redacted) stated she called a friend on her cell phone as this was happening. (redacted) stated the time was approximately 2305 hours.

Detective Liebhart had additional contact with (redacted) and prepared a report. That report is on file at the Columbia Police Department.

Detective Liebhart also spoke with (redacted). (redacted) stated he had been in the area of the accident at approximately 2215 hours. (redacted) stated he was driving his vehicle west on Clark Lane near the intersection of Lambeth Lane when he saw a dark colored compact vehicle parked on the westbound shoulder of Clark Lane. (redacted) stated there was a person with blond hair sitting in the driver's seat. (redacted) stated the person was leaning on the steering wheel as if he was sick or sleeping. (redacted) stated the vehicle's hazard lights were flashing. Detective Liebhart completed a report on his contact with (redacted).

Mechanical Factors

Vehicle #1

Vehicle #1 was a black and white, 2007, Ford Crown Victoria, four-door sedan police vehicle. Vehicle #1 displayed a City of Columbia government plate, #1157. The Vehicle Identification Number was 2FAFP71W67X150004. Vehicle #1 odometer showed 35629.5 miles driven. The following chart shows the tire configuration on Vehicle #1 as it appeared after the crash.

<i>Tire</i>	<i>Make</i>	<i>Size</i>	<i>Tread Depth outer/middle/inner</i>	<i>Air Pressure</i>
Left front	Goodyear Eagle	P235/55R17	8/32" 9/32" 9/32" 8/32"	35psi
Left rear	Goodyear Eagle	P235/55R17	6/32" 8/32" 7/32" 6/32"	36psi
Right front	Goodyear Eagle	P235/55R17	9/32" 10/32" 10/32" 9/32"	36psi
Right rear	Goodyear Eagle	P235/55R17	6/32" 7/32" 6/32" 6/32"	35psi

Vehicle #1 was inspected for damage related to the accident on 03-28-09. A dent and scratch was noted on the right rear door near the bottom of the frame. It was not known if in fact this damage was related to the accident or was there prior to the accident. No other significant damage was noted on or under the vehicle. There were "buff" marks located on several areas of the vehicle. These marks are further described as an area where dirt and grime had been cleaned or wiped away. One mark was located on the right front portion of the bumper. Another was located behind the right front tire on the

lower frame of the vehicle. On the undercarriage of the vehicle several other “buff” marks were located. Three separate marks were located in the left front wheel well area. Another was located on the right side of the lower control arm.

Vehicle #1 was inspected on 04-09-09 by mechanics employed by Joe Machens Ford, 1911 West Worley Street, Columbia, Missouri, telephone number (573)445-4411. (redacted), a State of Missouri motor vehicle inspector, stated the vehicle passed his inspection. A Ford certified mechanic, (redacted), also inspected the vehicle. Of particular emphasis was inspection of the brakes, tires, headlight projection, and steering function as well as wiper blade condition and operation. (redacted) stated these systems were functioning normal and passed inspection. The inspection papers and report are attached to this report. Maintenance records for police vehicle #1157 were obtained from Rob Millard, fleet operations supervisor for the Columbia Police Department. These records were placed into evidence at the Columbia Police Department.

Event Data Recorder

A Crash Data Retrieval system manufactured by Vetronix Corporation was utilized in an attempt to analyze any crash data stored on the patrol vehicle’s Airbag Control Module. This data may or may not be recorded as this accident was a non-airbag deployment event.

A request was forwarded to the Jefferson City Missouri Police Department for assistance in retrieving and analyzing possible data. (redacted), traveled to Columbia on 4-03-09 to assist the investigation. (redacted) attempted to download information relevant to this accident. (redacted) report is attached to this report.

Video Evidence

Patrol vehicle #1157 was equipped with a digital video recording system manufactured by L3 Communications, Mobile-Vision Inc. The system consists of a wide angle digital camera and DVD recorder control box. The system continuously records as long as the system is turned on. It is standard policy of the Columbia Police Department for the recording system to be turned on during regular patrol duties.

The camera was mounted to the upper portion of the windshield, to the right of the attached rearview mirror. The camera hung down from the mount and was positioned above driver eye level. The camera was positioned to look forward of the patrol vehicle’s direction of travel.

A video recording of this accident was captured with this system on the evening of the accident. When Officer Mitchell activated his emergency lights the recording system archived 20 seconds prior to the activation and continued recording the events until the recording was stopped by Sergeant John Gordon.

To assist me in the investigation of this accident I received a certified copy, #3341, of the recording on a DVD disc from information specialist Skip Jenkins. I viewed the disk using AVD viewer software, version 6.0.1.16. I viewed the recording on a Hewlett-Packard desktop computer DVD drive. The viewing screen was a Princeton, 17" color monitor. The recording was not enhanced or modified prior to or during my observation.

The video footage was approximately 1 hour and 2 minutes in length. The displayed time and the actual time is approximately one hour off. The accident actually occurred at approximately 23:00 hours, not 2200 hours. It appeared that the internal clock on the video system was not updated after the last time change from standard time to daylight savings time.

As the report continues the time will be referred to as the time actually displayed on the video recording.

The video started at approximately 22:00:30 and ended at approximately 23:02:37. At the beginning of the recording at 22:00:30 the longitude reading was 92.2939 and the latitude reading was 38.9633. The view of the camera showed the patrol vehicle positioned a short distance east of the Highway 63 overpasses.

Over the next eight seconds the camera view showed the patrol vehicle continuing to travel westbound on Clark Lane, in the snow and rain, with windshield wipers activated and headlights on. The patrol vehicle approached and traveled past an eastbound vehicle at approximately 22:00:35. The patrol vehicle entered a right curved portion of the roadway.

Between approximately 22:00:38 and 22:00:39 the camera began to show an object in westbound lane. By 22:00:39 the camera view showed the object more clearly and appeared to be a body. Between 22:00:39 and 22:00:40 the camera view showed body motion. At approximately 22:00:40 the camera view shows impact with the body.

At approximately 22:00:50 the patrol vehicle was completely stationary on the shoulder of the roadway and the emergency lights were activated. It was at this time that the audio portion of the recording is activated.

There were two audio feeds recorded. The first was recorded audio from inside the patrol vehicle. That recording continued until the video system was turned off at approximately 23:03:37. The second audio feed was recorded from Officer Mitchell's microphone attached to his uniform. This recording continued until approximately 22:07:58.

Time Distance/Speed Analysis

Absent the video recording in this particular accident an accurate estimation of vehicle speed prior to and during impact would not be possible. The video recording

system installed in the patrol vehicle provides information that can be utilized to estimate vehicle speed.

The system was developed and manufactured by L3 Communications, Mobile-Vision Incorporated. Company information and system specifications have been attached to this report. The recording system uses a Global Positioning System to display vehicle location positions and vehicle speeds. The accuracy of position and speed, with the system installed in patrol vehicle #1157, was not known at the time this report was prepared.

There are limitations to position accuracy using GPS receivers. There are GPS errors that affect accuracy. The more sophisticated the receiver, the more accurate the information. The subsequent analysis is based upon the viewed video and displayed speeds contained within the recording system installed in the patrol vehicle. During the 10 seconds of video prior to the accident the vehicle speeds displayed varied between 34 miles per hour and 42 miles per hour.

To determine an approximate speed of the patrol vehicle prior to impact I used a simple time-distance formula. This formula provides an average speed. I measured the distance traveled by the vehicle from the west end of the concrete bridge to the approximate area of impact. The distance measured approximately 206.58'. The vehicle appears to have crossed the west end of the bridge at approximately 22:00:36 and impact at approximately 22:00:40. To get a more accurate time I used a stopwatch to identify the elapsed time. The stopwatch showed a more accurate time of approximately 3.48 seconds. By dividing the distance traveled by the time an approximate speed could be obtained. The formula showed that a vehicle would be traveling 59.36 feet per second to travel 206.58 feet in 3.48 seconds. A speed of 59.36 feet per second equals approximately 40 miles per hour.

Another way to determine the average speed of the patrol vehicle was to measure the total distance traveled from the beginning of the video to the approximate area of impact. The distance measured approximately 583 feet. The total elapsed time on the video recording showed the start time at 22:00:30 and the impact time at approximately 22:00:40. Again a stopwatch was used to obtain a more accurate time. The elapsed time was determined to be approximately 9.85 seconds. The formula showed a vehicle that traveled 583 feet in 9.85 seconds would be traveling 59.18 feet per second or approximately 40 miles per hour.

The camera mounted in the patrol vehicle showed Mr. Setzer lying in the westbound lane of Clark Lane. Mr. Setzer's body was oriented on the roadway with the feet lying closer to the center lines of the road and the head lying closer to the westbound white fog line, or shoulder of the road. Mr. Setzer was lying at an angle to the direction of travel of the patrol vehicle rather than perpendicular.

Reasons for why Officer Mitchell did not see Mr. Setzer are numerous. I have limited knowledge and training in this area. Simply stated night vision is not as effective

as day vision. In order to see objects at night there needs to be contrast. In this case the outer garment worn by Mr. Setzer, at the time of the accident, was a dark colored coverall with a camouflaged pattern. There was little contrast between the garment and the road as the vehicle approached. To complicate matters the weather was a rain and snow mix which can reduce the effectiveness of the headlights.

To avoid a hazard on the road while driving at day or night a driver must first perceive the hazard and then react. This is commonly referred to a perception-reaction time or driver response time. To make an appropriate response the driver must first detect that something is present and then make a decision on a course of action. The response to a hazard would be for the brain to tell the appropriate muscle groups to take some action, i.e. apply brakes, steering input, or both. Driver response times are complicated. There is not a consensus on what time value should be used for investigations. A common perception-reaction time used for average night time driving conditions with an average driver is 2.5 seconds. I decided to use 2.5 seconds perception-reaction time for the following computations even though the weather and lighting conditions were less than ideal. I also included "bracketing" computations in the attached mathematical calculations which show perception-reaction times of 2.0 seconds to 3.0 seconds. The computations are for a 100 percent full braking application.

To determine what the total stopping distance would be for a vehicle traveling at a constant speed of 58.64 feet per second (40 mph) I used a formula that states the stopping distance is equal to the speed squared divided by 30, times the drag factor. 30 is a mathematical constant. The drag factor was determined by averaging the drag factors measured on 04-03-09 (.65). The approximate stopping distance was determined to be 82.05 feet. This distance must be added to a perception-reaction distance to see what the total stopping distance would be. A vehicle traveling at 58.64 feet per second would travel 146.66 feet in 2.5 seconds (pre-determined perception-reaction time). Combining the two distances would give a total of 228.71 feet for the overall stopping distance. Therefore, Officer Mitchell would have had to start the perception-reaction process 228.71 feet prior to impact.

Using the same formulas and conditions as above, a vehicle traveling at 43.98 feet per second (30 mph) would require a total stopping distance of 156.15 feet.

Again assuming the vehicle is traveling at 58.64 feet per second (40 mph) the time required to bring the vehicle to a complete stop can be analyzed. The time to stop the vehicle can be found by multiplying 0.0455 times the original speed minus the final speed, divided by the drag factor. The time to stop a vehicle at a speed of 58.64 feet per second (40 mph) would be approximately 2.8 seconds. At 43.98 feet per second (30 mph) the time would be approximately 2.10 seconds. By adding the perception-reaction time to the above times a total stopping time can be shown. For 58.64 feet per second (40 mph) total stopping time would be 5.3 seconds, 43.98 feet per second (30 mph) would be 4.6 seconds.

According to the video recording Mr. Setzer became visible to the camera between the times of 22:00:38 and 22:00:39. The impact was at approximately 22:00:40. A stopwatch indicated the actual time was approximately 1.5 seconds from the time the camera shows Mr. Setzer to the impact time. Based upon a constant speed of 58.64 feet per second (40 mph) it can be said that the vehicle was approximately 87.96 feet from impact when Mr. Setzer became visible. The camera further shows Mr. Setzer may have attempted to move away from the path of the vehicle at between 22:00:39 and 22:00:40. A stopwatch showed a more accurate time of approximately .27 to .40 seconds. Therefore it could be said that the vehicle was approximately 15 to 23 feet away when Mr. Setzer began to move.

A vehicle traveling at 43.98 feet per second (30 mph) would travel 15 to 23 feet in .34 to .52 seconds.

As shown earlier the total distance traveled by the patrol vehicle was approximately 583 feet. The video showed the vehicle traveled that distance in 9.85 seconds, or at an average constant speed of 58.64 feet per second (40 mph). A vehicle traveling at a constant speed of 43.98 feet per second (30 mph) would travel 583 feet in 13.2 seconds.

Another formula that can be used to identify the distance required for a driver to avoid a hazard on the roadway is an emergency lane change formula. The distance is equal to 0.366 times speed, times the square root of the lateral distance moved, divided by the lateral acceleration factor. The lateral distance moved was measured from the middle of the lane to the middle of the road. The distance was determined to be approximately 5.58 feet. After applying the variables to the formula, the distance required to move a vehicle to the left of the hazard at 40 mph would be approximately 42.89 feet. After adding the perception-reaction distance the total distance required would be approximately 189.56 feet. At 30 mph the total distance required to avoid a hazard would be approximately 142.17 feet.

At these constant speeds the time required to perform the maneuver would be 3.23 seconds.

Event Analysis-Conclusion

This accident occurred as the patrol vehicle traveled west on Clark Lane near Lambeth Drive. The patrol vehicle struck a pedestrian. The pedestrian, Jeremy Setzer, was lying entirely within the main traveled portion of the westbound lane of Clark Lane. Mr. Setzer was lying on his back and at an angle to the path of the approaching vehicle. Mr. Setzer was wearing camouflaged clothing. Mr. Setzer was under the influence of alcohol. Mr. Setzer may also have been under the influence of marijuana.

Officer Mitchell stated he did not see Mr. Setzer prior to the collision. This is a common occurrence in vehicle versus pedestrian accidents, particularly during inclement weather and nighttime driving conditions. Had Mr. Setzer been wearing light

colored or reflective clothing Officer Mitchell's attention may have been drawn toward Mr. Setzer prior to the collision. Whether or not Officer Mitchell could have avoided the collision would be dependent upon the distance and time the patrol vehicle was from Mr. Setzer at the time the perception-reaction process began. Time-distance analysis shows, at approximately 40 miles per hour, Officer Mitchell would have had to recognize a hazard on the road and stop the vehicle in approximately 228.71 feet, and 5.3 seconds from impact. At 30 miles per hour the distance would have been approximately 156.15 feet, and 4.6 seconds from impact. The video recording shows Mr. Setzer did not come into view of the camera until approximately 88 feet and 1.5 seconds prior to impact.

The emergency lane swerve scenario also shows that the collision would not be avoidable at these speeds.

(redacted) statements indicate that her husband was walking towards the east, on the shoulder of the road, just prior to the accident. For unknown reasons Mr. Setzer was lying in the roadway as the patrol vehicle approached. It is not known how long Mr. Setzer was lying in the roadway. The video recording showed Mr. Setzer moving his body at a fraction of a second prior to impact.

The video recording shows varying speeds of patrol vehicle #1157 prior to the collision. The speeds displayed on the recording are above the posted 30 mile per hour limit. The computed speed using time-distance analysis also showed the vehicle traveling in excess of the speed limit.

Based upon my experience, training, facts and circumstances known at the time of this report, Officer Mitchell could not have perceived and reacted in time to avoid this accident.

Additional Information

As discussed earlier in this report I observed damage to the right front headlight assembly of the Setzer vehicle on the evening of 03-28-09. The damage appeared to be "fresh" or recent. (redacted) stated the damage to the headlight area had occurred approximately one year earlier.

I compared photographs of the damaged headlight assembly taken on 03-28-09 to the photographs taken of the vehicle the previous month by Deputy(redacted). There was clearly additional damage. At the time of this report it has not been determined if the additional damage observed in the photographs is related in any way to the events of 03-28-09.

My observations, findings, and calculations are based on information and evidence that was available at the time this report was prepared. New information and evidence could alter these observations, findings, and calculations.

Photo Log

The following is a log of all photographs taken at the crash scene, crash site, police department garage, storage facilities, and inspection site.

The images are stored on a recording disc and may be obtained by contacting the Records Division of the Columbia Police Department, 600 East Walnut, Columbia, Missouri, 65201.

The first picture stored on the Secure Digital memory card associated with this accident was DSC_0045. The photographs were taken with a Nikon D60 digital camera.

Note: All digital images are prefixed DSC_00...The image number in the photo log corresponds to the image file number (45=DSC_0045.jpg, 46=DSC_0046.jpg, ...)

Digital images taken by Officer Alan Hulett:

- 45) Body with camera facing east
- 46) Body with camera facing north
- 47) Body with camera facing northwest
- 48) Body with camera facing west
- 49) Body with camera facing southwest
- 50) Body with camera facing southeast
- 51) Body with camera facing southeast
- 52) Body with camera facing north
- 53) Body with camera facing west
- 54) Scene with camera facing west
- 55) Scene with camera facing east
- 56) Front of Lumina
- 57) Right front of Lumina
- 58) Right rear of Lumina
- 59) Rear of Lumina
- 60) Scene with camera facing southeast
- 61) Left rear of Lumina

- 62) Left side of Lumina
- 63) Left front of Lumina
- 64) Front of Lumina
- 65) Right headlight assembly of Lumina
- 66) Right front of Lumina
- 67) Front of Lumina
- 68) Front of #1157
- 69) Right front of #1157
- 70) Right side of #1157
- 71) Right rear of #1157
- 72) Rear of #1157
- 73) Left rear of #1157
- 74) Windshield of #1157
- 75) Hood of #1157
- 76) Windshield of #1157
- 77) Scene with camera facing east near Lambeth
- 78) Windshield of Lumina
- 79) Lower windshield of Lumina
- 80) Lower windshield of Lumina
- 81) Windshield of Lumina
- 82) Windshield of Lumina
- 83) Left side of Lumina
- 84) Windshield of Lumina
- 85) Windshield of Lumina
- 86) Windshield of Lumina
- 87) Undercarriage of #1157
- 88) Scene with camera facing east
- 89) Front of #1157
- 90) Right front of #1157
- 91) Right rear side of #1157
- 92) Right side of #1157
- 93) Scene with camera facing east
- 94) Body with camera facing east
- 95) Body with camera facing west
- 96) Scene with camera facing east
- 97) Windshield of Lumina
- 98) Windshield of Lumina
- 99) Body with camera facing east
- 100) Body with camera facing east
- 101) Body with camera facing west
- 102) Body with camera facing north
- 103) Body with camera facing north
- 104) Body with camera facing northeast
- 105) Body with camera facing south
- 106) Body with camera facing south
- 107) Body with camera facing west

- 108) Front of #1157 (garage)
- 109) Front of #1157 (garage)
- 110) Right rear of #1157 (garage)
- 111) Right front of #1157 (garage)
- 112) Right front of #1157 (garage)
- 113) Windshield of Lumina (garage)
- 114) Windshield of Lumina (garage)
- 115) Windshield of Lumina (garage)
- 116) Windshield of Lumina (garage)
- 117) Windshield of Lumina (garage)
- 118) Right headlight assembly of Lumina (garage)
- 119) Right headlight assembly of Lumina (garage)
- 120) Right headlight assembly of Lumina (garage)
- 121) Front undercarriage of #1157 (garage)
- 122) Front undercarriage of #1157 (garage)
- 123) Front undercarriage of #1157 (garage)
- 124) Front undercarriage of #1157 (garage)
- 125) Front undercarriage of #1157 (garage)
- 126) Undercarriage of #1157 (garage)
- 127) Undercarriage of #1157 (garage)
- 128) Undercarriage of #1157 (garage)
- 129) Right front wheel well of #1157 (garage)
- 130) Right front wheel well of #1157 (garage)
- 131) Right front wheel well of #1157 (garage)
- 132) Front seat compartment of #1157 (garage)
- 133) Front seat compartment of #1157 (garage)
- 134) Front seat compartment of #1157 (garage)
- 135) Site with camera facing southwest
- 136) Site with camera facing southwest
- 137) Site with camera facing east
- 138) Site with camera facing southeast
- 139) Site with camera facing west
- 140) Site with camera facing west
- 141) Site with camera facing east
- 142) Site with camera facing east
- 143) Site with camera facing east
- 144) Site with camera facing east
- 145) Site with camera facing southeast
- 146) Site with camera facing southeast
- 147) Site with camera facing southwest
- 148) Site with camera facing southwest
- 149) Site with camera facing southwest
- 150) Site with camera facing southwest
- 151) Site with camera facing southwest
- 152) 152 through 179 - Autopsy
- 180) Undercarriage of #1157 (Joe Machens garage)

- 181) Undercarriage of 31157 (Joe Machens garage)
- 182) Right front of #1157 (Joe Machens garage)
- 183) Right front of #1157 (Joe Machens garage)
- 184) Right front of #1157 (Joe Machens garage)
- 185) Left front of #1157 (Joe Machens garage)
- 186) Right side rear door of #1157 (Joe Machens garage)
- 187) Right side rear door of #1157 (Joe Machens garage)
- 188) Right front wheel well of #1157 (Joe Machens garage)
- 189) Right front wheel well of #1157 (Joe Machens garage)
- 190) Right front wheel well of #1157 (Joe Machens garage)

Detective Geoff Jones placed additional photographs into evidence at the Columbia Police Department. Those photographs are numbered 001.jpg through 141.jpg.

On 05-07-09 I took additional photographs of patrol vehicle #1157. These photographs are numbered 199 through 225. These photographs show the condition of patrol vehicle #1157 at the conclusion of the investigation.

