



**HIGHWAY ACCIDENT BRIEF**

**Attachment 2 – Wisconsin State Patrol Supplemental Reports  
and Scene Diagram**

**Town of Geneva, Wisconsin**

**HWY16SH022**

(9 pages)

# TECHNICAL RECONSTRUCTION REPORT SUPPLEMENT

**CASE NUMBER: 2016-274-SER**

**REPORTING RECONSTRUCTIONIST:** Tpr. Ryan J. Zukowski

**CRASH TYPE:** Class I



On the early morning of August 17, 2016 shortly after midnight, I was contacted by the Southeast Region Communications Center and requested to respond to the Town of Geneva to assist in the reconstruction of a pedestrian fatality crash. Trooper Matthew Johnson of the Technical Reconstruction Unit was also responding. I was on duty at the time of the call and responded from Interstate 94 near Johnson Creek in Jefferson County. The crash location was provided as eastbound STH 50 east of Chapin Road in the Town of Geneva, Walworth County.

I arrived on scene shortly after Trooper Johnson at approximately 1:12 a.m. on August 17, 2016. Upon my arrival, I met with Trooper Johnson who provided me with a summary of the preliminary investigation completed by the Township of Geneva officers. Trooper Johnson and I walked the scene and identified items of evidentiary value. There were numerous small pieces of maroon car paint on the roadway that appeared to match the paint from the striking vehicle, identified as a maroon 2001 Ford Expedition bearing Wisconsin registration plate of [REDACTED]. The debris was largely contained within the right lane of eastbound STH 50 traffic. Near the terminus of the eastbound debris field, a tire mark was observed within the right lane of STH 50.

A deceased female victim was still present at the crash scene at the time of our arrival but had been placed into a bag by the medical examiner. The bag remained at the final rest location of the pedestrian. A representative of the medical examiner's office opened the bag for Trooper Johnson and me to observe the victim. The female victim was barefoot and no shoes were observed at the crash scene. Trooper Johnson and I examined the feet of the victim and did not observe any notable abrasions on the pads of the feet.

The striking vehicle was identified as a maroon 2001 Ford Expedition that remained parked on the right shoulder of the eastbound lanes of STH 50 east of the victim. The contact damage was concentrated near the center of the Ford to the passenger side and consistent with an impact with an upright pedestrian. According to the operator of the Ford and the operator of a vehicle following the Ford, the female victim entered the traffic lane immediately prior to impact.

Trooper Johnson and I worked to identify each item in the debris field, a majority of which were small paint chips in addition to a couple pieces of gray plastic. We circled each piece of debris with light-colored chalk. Trooper Johnson photographed the crash scene. I set up the Trimble S6 for mapping the crash scene. I mapped the eastbound lanes of STH 50 from Chapin Road to the parked position of the Ford Expedition. I mapped the roadway edges, pavement markings, debris, pedestrian final rest, and the parked position of the Ford.

There was no ambient lighting near the crash scene. The crash occurred during hours of darkness. There was no adverse weather conditions at the time of the collision. Preliminary facts support that the pedestrian was struck within the eastbound traffic lane. Once complete, Trooper Johnson and I cleared the scene.

## August 24, 2016

On the morning of August 24, 2016, I met with Investigator Steven Prouty of the National Transportation Safety Board (NTSB) at the Hampton Inn located at 40 W. Hidden Trail in Elkhorn, WI. Investigator Prouty and I discussed the case under investigation. I contacted Christopher Robistow, the operator of the Ford, at [REDACTED]. Mr. Robistow agreed to meet with us at his residence at 11:45 a.m. Investigator Prouty and I arrived at [REDACTED], Genoa City, WI to interview Mr. Robistow. We were invited into his home and Mr. Robistow agreed to be recorded during the interview. Investigator Prouty (NTSB) activated a digital recording device (see digital recording for complete interview).

The following paragraphs are a summary of the interview with Mr. Robistow:

Mr. Robistow stated that he left his place of employment a little after 11:00 p.m. Mr. Robistow stated he was traveling in the right lane when he caught a movement out of the corner of his eye to the right. Mr. Robistow stated the impact happened quickly but saw a person up on the hood that went up and over his vehicle. Mr. Robistow stated he stopped and ran back to the victim. Mr. Robistow stated that there were no mechanical problems with the Ford Expedition prior to the crash. Mr. Robistow stated that he had his seatbelt on, was not listening to the radio or using a phone, and was not smoking at the time of the crash. Mr. Robistow stated he was travelling 55 mph without cruise control. Mr. Robistow stated there was nothing that interfered with his visibility inside or outside the vehicle.

Mr. Robistow is a second shift machinist at SPX Flow Inc. in Delevan, WI. Mr. Robistow stated there was nothing unusual about his 3:00 p.m. to 11:00 p.m. shift. He stated he was alert and that his job requires 100% focus. Mr. Robistow stated he had between two and three cups of coffee at work and smoked some cigarettes on his breaks. Mr. Robistow stated that he probably had one cigarette after work but finished it before the crash.

Mr. Robistow stated that he is prescribed Hydrocodone for back pain. He stated that he took one pill Monday evening August 15, 2016 before bed and one pill Tuesday morning August 16, 2016 before work. Mr. Robistow stated that he wasn't sure if he took another pill during his Tuesday shift but stated that there is a good chance he did. Mr. Robistow provided me his pill bottle and I took photographs of the container.

After reviewing reports from the Township of Geneva Police Department, I knew that Mr. Robistow gave statements that he is a marijuana user. Mr. Robistow stated to me that he uses marijuana for pain management in the privacy of his own home. I asked Mr. Robistow if he used marijuana the day of the crash and he stated he took two or three hits from his one-hitter on Tuesday morning August 16, 2016 before work. Mr. Robistow stated that he does not smoke marijuana in the car or at work. Mr. Robistow stated that Hydrocodone does not make him drowsy, but has the opposite effect like coffee.

Mr. Robistow described the pre-impact movement of the pedestrian as "running out of the darkness". Mr. Robistow stated that his headlights were on dim setting at the time of impact. Mr. Robistow clarified that he did not see the victim "running" but concludes that she must have been running for her to have appeared in front of his truck from the darkness of the right edge. Mr. Robistow stated that the victim went up and over his vehicle. Mr. Robistow stated that he applied his brakes after impact but did not "slam" on the brakes. Mr. Robistow stated he pulled off to the shoulder before exiting to check on the victim. Mr. Robistow stated that he never moved the Ford after stopping on the shoulder. Mr. Robistow's cell phone number is [REDACTED]. Mr. Robistow provided me his phone. I reviewed his call log and text message log. I did not observe any phone use that would have been associated with the impact. This is consistent with his statement that his phone was inside a zipped front pocket of his backpack on the front seat of the Ford. I took several photos of the call log, text log, and backpack described in the interview. We ended our interview at 12:51 p.m.

I next contacted Eluid T. Ladouceur on the telephone. Mr. Ladouceur agreed to meet Investigator Prouty and me at his place of employment prior to his 3:00 p.m. shift. Investigator Prouty and I travelled to SPX Flow Inc. located at 611 Sugar Creek Road in Delevan, WI. Mr. Ladouceur arrived for work and we sat together at a picnic table outside the entrance to the manufacturing facility around 2:30 p.m. After introductions, Mr. Ladouceur stated that he goes by the name "Teddy." With Teddy's permission, Investigator Prouty activated a digital recording device for the interview (see digital recording for complete interview).

The following paragraphs are a summary of the interview with Mr. Ladouceur (Teddy):

Teddy stated that at the time of the crash, Chris (Robistow) was operating in the right lane travelling east on STH 50. Teddy stated that he saw police vehicles and reduced his speed to 45 mph while Chris maintained a speed of approximately 55 mph. About a half-mile up the road as Teddy began to close again on Chris, Teddy saw that Chris hit the brakes which made Teddy wonder if Chris hit a deer. Teddy stated that he was approximately 300 feet behind with Chris in the right lane and Teddy in the left lane at the time of the crash.

Teddy stated that he saw something fall and hit the ground right behind the sport utility vehicle. Teddy was certain that the person came over the top of the vehicle. Teddy stated that Chris made a statement that the person "jumped out" or "leaped out" and that Chris had no time to do anything. Teddy stated that Chris was driving normally. Teddy stated that there was no swerve or deviation prior to impact on behalf of Chris. Teddy stated Chris's demeanor at work was normal. Lastly, Teddy stated that he was wearing his glasses at the time of his observations of the crash. We ended the interview before the start of his 3:00 p.m. shift.

During the interview, Chris Robistow was arriving for work at SPX Flow Inc. as well. I stepped away from the interview with Teddy to speak briefly again with Mr. Robistow. Mr. Robistow was visibly upset and he stated that he was not going to stay for his work shift. I asked Mr. Robistow if he would consent to a download of his Ford Expedition's airbag control module and he agreed. Mr. Robistow signed the consent form I had prepared in advance.

Investigator Prouty and I next travelled to the Town of Geneva Police Department. We were provided access to the secure impound facility by a patrol officer. The crash data retrieval system was connected to the diagnostic link connector and a successful download was completed. A non-deployment file was recovered and preserved in the digital case file. Investigator Prouty and I took additional photography of contact damage observed on the passenger side roof area that extended from the top of the windshield to the rail of the roof rack. I checked the headlamps in both the low-beam and high-beam settings. All lights were operational. Additional photographs of the functioning low and high beams were taken.

After the vehicle inspection, I called and spoke to Eugene Rowell. Mr. Rowell stated that he was willing to meet with me and Investigator Prouty the following day at 11:00 a.m. at his residence in Chicago, IL.

### **August 25, 2016**

On the morning of August 25, 2016 at approximately 11:00 a.m., Investigator Prouty and I arrived at [REDACTED] in Chicago. Eugene Rowell was waiting outside his home. We were invited into the home and sat around the dining room table. We were joined by Juliann Sloyan, the sister of the victim and well as Eugene's mother. Mr. Rowell agreed for the interview to be recorded. Investigator Prouty activated the digital recorder (see digital recording for complete interview).

The following paragraphs are a summary of the interview with Mr. Rowell:

Mr. Rowell stated that he and Jeanne came up to Walworth County in advance of an annual golf outing to spend some time together. They arrived between 6:00 p.m. and 7:00 p.m. on the evening of August 16, 2016. Mr. Rowell stated that they had dinner at the Mars Restaurant. Mr. Rowell stated that Jeanne was drinking socially and drinking margaritas or long island iced tea. Mr. Rowell did not describe her as being intoxicated, but rather stated she was "being happy." Mr. Rowell stated they left the restaurant to travel back to The Ridge where they had an argument about some things on her phone. Mr. Rowell stated that he broke her phone. Mr. Rowell stated that the argument was not physical and that Mr. Rowell put everything in car for them to leave and go home.

Mr. Rowell stated he tried to carry Jeanne into the car but she refused to leave with him and walked east out of the resort. Mr. Rowell told an employee to call the police. Mr. Rowell stated that Jeanne did not take any illegal or prescription drugs. Mr. Rowell stated that Jeanne was not suicidal and there was no history of domestic violence in their relationship. We ended our interview at approximately 12:30 p.m.

### **December 8, 2016**

On December 8, 2016, I received a copy of the toxicology report from the Wisconsin State Laboratory of Hygiene on a blood sample taken from Christopher Robistow. The toxicology report showed evidence of recent marijuana use as well as hydrocodone in his system. I also received the autopsy protocol and toxicology report for Jeanne Mulville-Rowell. The toxicology report indicates a reported percent blood-alcohol concentration of 0.232.

This is the end of this supplement report written on today's date December 12, 2016.

Respectfully submitted,



Trooper Ryan J. Zukowski  
Accredited Crash Reconstruction Specialist, ACTAR #1427  
Wisconsin State Patrol – Technical Reconstruction Unit

# TECHNICAL RECONSTRUCTION REPORT SUPPLEMENT

CASE NUMBER: **2016-274-SER**

REPORTING RECONSTRUCTIONIST: Tpr. Ryan J. Zukowski

CRASH TYPE: Class I



## Summary

The injuries documented in the autopsy protocol support that Ms. Mulville-Rowell was an upright pedestrian at the time of impact. This is consistent with the physical evidence at the scene, contact damage to the Ford, and witness statements describing the collision event. Ms. Mulville-Rowell sustained significant injuries, including bilateral fractures of the posterior ribs, a complete transection of the spinal cord at T11-T12, in addition to other fractures, lacerations, and abrasions. The injuries tend to support that Ms. Mulville-Rowell was struck by a motor vehicle from the rear.

The impact area has been defined within the outside lane of eastbound STH 50. The cone of debris places the impact area within the traffic lane and the post-impact tire mark evidence supports that Mr. Robistow was operating within his traffic lane at the time of impact. Ms. Mulville-Rowell was barefooted and wearing dark blue jeans with a black and white sleeveless shirt at the time she was struck.

In light of the toxicology report of Mr. Robistow demonstrating recent use of marijuana at the time of the collision, an analysis of his response to the pedestrian hazard was performed. The sight distance for a vehicle with low beam headlamps in the 85<sup>th</sup> percentile is 150 feet based on published research. Studies also indicate that the average night time driver response time is between 1.6 and 2.0 seconds. Interactive Driver Response Research (iDRR) software was used to determine the average perception-response time based on inputs specific to the crash under investigation. The software calculated a perception-response time of 1.9 seconds, assuming 150 feet of sight distance, zero eccentricity of the pedestrian, and an approach speed of 55 mph. The software did not predict any pre-impact maneuver in this case given the time needed to perceive and respond to the hazard and the relative closing speed of the motor vehicle and the victim.

Based on published research of night time driver response times and software-based adjustments for inputs specific to the collision under investigation, the crash would have likely occurred regardless of Mr. Robistow's reported toxicology levels.

This is the end of this supplement report written on today's date January 26, 2017.

Respectfully submitted,



Trooper Ryan J. Zukowski  
Accredited Crash Reconstruction Specialist, ACTAR #1427  
Wisconsin State Patrol – Technical Reconstruction Unit

# SUPPLEMENT RECONSTRUCTION REPORT

**CASE NUMBER:** 2016-274-SER

**REPORTING RECONSTRUCTIONIST:** Trooper Matthew Johnson

**CRASH TYPE:** Class II- Fatal Motor Vehicle Crash



(800) 375-7302  
August 16, 2016

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On the night of August 16, 2016, at approximately 11:56 p.m., I was contacted on my work cellular phone by Wisconsin State Patrol- Southeast Dispatch; they requested that I respond to the scene of a motor vehicle crash on Highway 50 near Chapin Road in the Town of Geneva, Walworth County. Police Dispatch stated that the crash was severe and resulted in at least one fatal injury. I responded to the scene from my residence.

Upon arriving on the scene, I observed the crash location was in the eastbound lanes of State Highway 50 just east of Chapin Road. This section of State Highway 50 is a four-lane divided roadway with two lanes dedicated for each direction of travel. The east and westbound traffic lanes are separated by a grass median. The eastbound traffic lanes are separated by a dashed centerline and contained by solid yellow and white fog lines near the roadway edges. The roadway itself is comprised of asphalt and is in relatively good condition. State Highway 50 is relatively straight and has a downward slope of approximately 0.6% for eastbound traffic near the crash scene. There are no sidewalks on this section of State Highway 50. The posted speed limit on STH 50 is 55 mph. I noted traffic on STH 50 has no traffic control in the area of the crash. Traffic lanes maintain a fairly uniform width of approximately 12 feet. Weather conditions at the time of the collision were reported as clear with a dry road surface condition.

I met with Trooper Ryan Zukowski and officers from the Geneva Township Police Department, who were already at the scene and had been briefed on the circumstances surrounding the crash. I was informed that a maroon colored Ford Expedition had been eastbound on STH 50. At the same time, a white female was walking east on State Highway 50. According to the driver of the Ford, the female was located in the right lane of eastbound traffic. The driver stated that he was unable to avoid striking the female. The driver of the Ford Expedition was identified as Christopher S. Robistow (REDACTED). The female pedestrian was identified as Jeanne K. Mulville-Rowell (REDACTED). ROWELL was pronounced deceased at the crash scene.

State Patrol Dispatch indicated that the marron-colored Ford Expedition was a 2001 model year. It was displaying Wisconsin Automobile Registration of (REDACTED) and had a Vehicle Identification Number of 1FMFU18L91L (REDACTED).

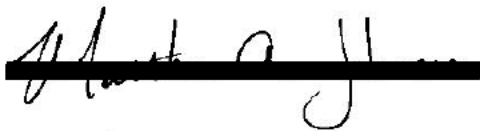
There was evidence of vehicle debris scattered about the right lane and south shoulder of eastbound STH 50. I observed a maroon Ford Expedition with front-end damage facing east on the south shoulder east of the impact area. To the west of the Ford, I observed ROWELL lying on the roadway partially on the south shoulder and right lane.

Evidence indicates that the initial area of impact was contained primarily in the eastbound right lane of STH 50. The area of impact was defined by the start of maroon paint chips from the Ford and tire marks upon the roadway. Following the impact, the Ford continued east until the operator stopped his vehicle on the south shoulder. The Ford's post-impact movement was defined by tire marks and vehicle debris left upon the roadway. I observed no evidence of pre-impact braking marks left by the Ford.

I began to take photographs of the scene with a Canon digital camera. Trooper Zukowski and I operated the Trimble S6 total station for data collection. The Trimble S6 total station is a robotic total station with prism and prismless capabilities, known as direct reflex technology. We collected the data points--including the roadway edges, pavement markings, signage, topography, and scene evidence. The three-dimensional positions of each point were captured electronically and later downloaded to complete a scaled diagram.

This is the end of this supplement report written December 1, 2016.

Respectfully submitted,



Trooper Matthew Johnson, ACTAR 2153  
Accredited Reconstruction Specialist  
TRU – Technical Reconstruction Unit







# 2016-274-SER

Location: EB STH 50 East of Chapin Road  
Town of Geneva, Walworth County

Crash Date: August 16, 2016  
Measured by: Tpr. R. Zukowski  
Drawn by: Tpr. R. Zukowski

