



**Rochester Technical Review**  
**Party Agreement and Technical**  
**Review Letters**

**Rochester, Indiana**  
**HWY19MH003**

(26 pages)

I acknowledge that I am participating in the above-referenced accident or incident investigation, on behalf of my employer who has been named a party to the National Transportation Safety Board (NTSB) safety investigation, for the purpose of providing technical assistance to the NTSB's evidence documentation and fact-finding activities. I understand that as a party participant, I and my organization shall be responsive to the direction of NTSB personnel and may lose party status for conduct that is prejudicial to the investigation or inconsistent with NTSB policies or instructions. No information pertaining to the accident, or in any manner relevant to the investigation, may be withheld from the NTSB by any party or party participant.

I further acknowledge that I have familiarized myself with the attached copies of the revised NTSB Accident/Incident Investigation Procedures (49 C.F.R. Part 831) and "Information and Guidance for Parties to NTSB Accident and Incident Investigations." and will comply, and, if the party coordinator for my party, take all reasonable steps to ensure that the employees and participants of my organization comply, with these requirements. This includes, but is not limited to, the provisions of 49 C.F.R. §§ 831.11 and 831.13, which, respectively, specify certain criteria for participation in NTSB investigations and limitations on the dissemination of investigation information.

No party coordinator or representative may occupy a legal position or be a person who also represents claimants or insurers. I certify that my participation is not on behalf of either claimants or insurers, and that, although factual information obtained as a result of participating in the NTSB investigation may ultimately be used in litigation (at the appropriate time, and in a manner that is not inconsistent with the provisions of 49 C.F.R. § 831.13 and 49 U.S.C. § 1154), my participation is to assist the NTSB safety investigation and not for the purposes of preparing for litigation. I also certify that, after the NTSB Investigator-in-Charge (IIC) releases the parties and party participants from the restrictions on dissemination of investigative information specified in 49 C.F.R. § 831.13, neither I nor my party's organization will in any way assert in civil litigation arising out of the accident any claim of privilege for information or records received as a result of my participation in the NTSB investigation.

Date \_\_\_\_\_

Tyngsboro Valley School Corporation  
Party Organization/Employer

<sup>1</sup> In aviation investigations this form may also be referred to as "Statement of Party Representatives to NTSB Investigation."

**From:** [Harley Sheryl](#)  
**To:** [Blaine Conley](#)  
**Subject:** Technical Review  
**Date:** Wednesday, July 31, 2019 1:57:00 PM  
**Attachments:** [Tech Review Letter-Sup. Conley TVSC.docx](#)

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Good Afternoon,

As we previously discussed, part of our process to ensure accuracy is to give our party members the chance to review our reports prior to finalizing them and placing them into the public docket. We would appreciate it if you could take a few minutes to review these reports and make revisions where the information is not factually accurate. To simplify the review process, we added spacing and line numbers to the reports. Whether you choose to place the edits into the document and send it back or just email any comments and revisions citing page and line numbers, is up to you. The attached letter outlines how to access the Tech Review Folder and the documents contained within for review. We are performing the Technical Review process in two parts. The second part which will include the Highway Group Chairman, Technical Reconstruction and the Medical Officer's reports will follow in approximately two weeks. For this first part, I would like to have your comments back by August 16<sup>th</sup>. Once I have loaded the second half into Accellion, I will notify you and you will have an additional two weeks to review that portion. Thank you.

Sheryl



# **National Transportation Safety Board**

Washington, D.C. 20594

**Office of Highway Safety**

July 31, 2019

Mr. Blaine Conley, Superintendent  
Tippecanoe Valley School Corporation  
8343 State Route  
Akron, Indiana 46910

Re: Fatal Pedestrian School Transportation Related Collision, Rochester, Indiana

Superintendent Conley,

The NTSB's draft factual reports and attachments for the above referenced investigation are ready for your technical review and comment. The purpose of the technical review is to verify the accuracy and completeness of the factual information. As a party to the investigation, please review the documents and ensure that the information contained within is accurate to the best of your knowledge. In addition to any comment you may have on the draft reports, please also indicate whether you believe any additional information is needed to complete the factual record.

Your technical review should focus on the factual comments only, and not analysis of the case. After the technical review, you may send in a party submission where you can offer your analysis, including proposed conclusions, probable cause, and recommendations, if you so choose. When you submit your technical review comments please notify me if you plan to have a party submission.

To access the documents, login to the [National Transportation Safety Board Secure File Sharing](#) website using your email and establish a password. Navigate to the "Tech Review" folder where there are (4) separate Group Chairman subfolders and the Crash Summary report. Within each of the subfolders is the Group Chairman's Factual Report of the Investigation, corresponding attachments and photographs. A summary of the documents is provided on the following page.

Sincerely,

Sheryl Harley, IIC

1. Crash Summary Report
2. Human Performance Group Chairman Factual Report
  - Human Performance Attachments (3)
3. Motor Carrier Factors Group Chairman Factual Report
  - Motor Carrier Attachments (3)
4. Survival Factors Group Chairman's Factual Report
  - Survival Factors Attachments (10)
  - Survival Factors Photographs
5. Vehicle Factors Group Chairman's Factual Report
  - Vehicle Factors Attachments (1)
  - Vehicle Factors Photographs



Office of Highway Safety

## National Transportation Safety Board

Washington, D.C. 20594

October 30, 2019

Mr. Blaine Conley, Superintendent  
Tippecanoe Valley School Corporation  
8343 State Route  
Akron, Indiana 46910

Re: Fatal Pedestrian School Transportation Related Collision, Rochester, Indiana

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Sheryl Harley, IIC

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  - (3) Attachments
2. Technical Reconstruction Factual Report (11 pages)
  - No Attachments
3. Medical Officer Factual Report (2 pages)
  - No Attachments

**From:** [Blaine Conley](#)  
**To:** [Harley Sheryl](#)  
**Subject:** RE: Technical Review  
**Date:** Thursday, August 1, 2019 7:15:56 AM

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Sheryl,

Thank you. We will have comments back to you by August 16<sup>th</sup>.

Sincerely,

Blaine Conley, Ed.S.  
Superintendent  
Tippecanoe Valley School Corporation

**Student Success Through Leadership, Literacy and Character Education**

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**From:** Harley Sheryl [REDACTED]  
**Sent:** Wednesday, July 31, 2019 1:58 PM  
**To:** Blaine Conley [REDACTED]  
**Subject:** Technical Review

Good Afternoon,

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Sheryl

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recipient of this message, please notify the original sender immediately by forwarding what you received and then delete all copies of the correspondence and attachments from your computer system. Any use, distribution, or disclosure of this message by unintended recipients is not authorized and may be unlawful.

**From:** [Harley Sheryl](#)  
**To:** [Kelly, Jeremy](#); [Maller, Joshua S.](#)  
**Subject:** Technical Review  
**Date:** Wednesday, July 31, 2019 1:39:00 PM  
**Attachments:** [Tech Review Letter-Lt Kelly ISP.docx](#)

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Sheryl



# National Transportation Safety Board

Washington, D.C. 20594

Office of Highway Safety

July 31, 2019

Lt. Jeremy Kelly  
District Commander  
Indiana State Police-District 16  
1451 N. Eel River Cemetery Road  
Peru, Indiana 46970

Re: Fatal Pedestrian School Transportation Related Crash Rochester, Indiana

Lt. Kelly,

The NTSB's draft factual reports and attachments for the above referenced investigation are ready for your technical review and comment. The purpose of the technical review is to verify the accuracy and completeness of the factual information. As a party to the investigation, please review the documents and ensure that the information contained within is accurate to the best of your knowledge. In addition to any comment you may have on the draft reports, please also indicate whether you believe any additional information is needed to complete the factual record.

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Office of Highway Safety

## National Transportation Safety Board

Washington, D.C. 20594

October 30, 2019

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**From:** [Harley Sheryl](#)  
**To:** [Maller, Joshua S.](#)  
**Subject:** Rochester Technical Review  
**Date:** Saturday, August 24, 2019 3:59:00 PM

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Good Afternoon,

Just checking in with you. I know that you wanted to confer with the prosecutor and others in ISP before responding. I was checking to see if you believe that there would be comments and revisions to the Factual reports you received for Tech Review. Though we are trying to finalize these reports, they will not be made available to the public until sometime next year when the final Board report will be completed. As I explained earlier, there are three additional reports that will be made available to you. These reports will cover the Highway Factors, the Technical Reconstruction and the Medical Officer's report. I am expecting to provide those reports to you in the next few weeks. Thank you.

Sheryl

**From:** [Harley Sheryl](#)  
**To:** [\[REDACTED\]](#) [Travis Heishman](#)  
**Subject:** Technical Review  
**Date:** Wednesday, July 31, 2019 1:49:00 PM  
**Attachments:** [Tech Review Letter-Sheriff Sailors FCSO.docx](#)

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Sheryl





## National Transportation Safety Board

Washington, D.C. 20594

Office of Highway Safety

July 31, 2019

Sheriff Chris Sailors  
Fulton County Sheriff's Office  
200 E. 8<sup>th</sup> Street  
Rochester, Indiana 46975

Re: Fatal Pedestrian School Transportation Related Crash Rochester, Indiana

Sheriff Sailors,

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Office of Highway Safety

## National Transportation Safety Board

Washington, D.C. 20594

October 30, 2019

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Fulton County Sheriff's Office  
200 E. 8<sup>th</sup> Street  
Rochester, Indiana 46975

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**From:** [Harley Sheryl](#)  
**To:** [REDACTED]  
**Subject:** Technical Review  
**Date:** Wednesday, July 31, 2019 1:55:00 PM  
**Attachments:** [Tech Review Letter-Huang Diamler.docx](#)

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## National Transportation Safety Board

Washington, D.C. 20594

Office of Highway Safety

July 31, 2019

Mr. Ritchie Huang, Manager  
Engineering and Product Safety Compliance and Regulatory Affairs  
Daimler Trucks North America  
1717 Pennsylvania Avenue N.W.  
Washington, D.C. 20006

Re: Fatal Pedestrian School Transportation Related Crash, Rochester, Indiana

Mr. Huang,

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## **National Transportation Safety Board**

Washington, D.C. 20594

**Office of Highway Safety**

October 30, 2019

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Engineering and Product Safety Compliance and Regulatory Affairs  
Daimler Trucks North America  
1717 Pennsylvania Avenue N.W.  
Washington, D.C. 20006

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**From:** [Harley Sheryl](#)  
**To:** [REDACTED]  
**Subject:** NTSB Rochester Investigation Technical Review  
**Date:** Friday, November 8, 2019 3:12:00 PM  
**Attachments:** [Highway Factors Group Factual Report-Rochester IN Draft-v5.docx](#)  
[Technical Reconstruction Factual Report Rochester, IN Draft-v3.docx](#)

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Good Afternoon Mr. Steckler,

My name is Sheryl Harley and I am the Investigator-in-Charge for the Rochester, Indiana crash investigation. I know that you have been dealing with Senior Investigator, Robert Squire, who was the Technical Reconstructionist on this investigation. During the Technical Review process, the NTSB invites involved parties to review and comment on the initial drafts of our factual reports on the investigation. Investigator Squire has asked that you be permitted to review the drafts of the Highway Factors Factual report and the Technical Reconstruction Factual report (see attached). We welcome your comments or suggestions pertaining to possible revisions to these reports. Since the reports are in draft form and have not been vetted for complete accuracy as of yet, we ask all parties not to share the draft reports with the public or within their agency with individuals that are not on a need to know basis. Once the reports have been found to be factually accurate, they will be made available to the public at the end of our investigation. We would appreciate it if you could have your comments back to us by the close of business on Monday, November 25, 2019. Thank you.

Sheryl Harley  
Investigator-in-Charge  
Office of Highway Safety  
NTSB  
490 L'Enfant Plaza S.W.  
Washington, D.C. 20594

[REDACTED]