

*RCMD 11/30/2021
Due 12/9/2021*

Melissa G. Rasner

#21-674

From: coleen lewis <opra+request-27302-@>
Sent: Tuesday, November 30, 2021 12:50 P.m.
To: Melissa G. Rasner
Subject: OPRA request - Please send full investigation report for MVA 21-30229

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Ocean City,

This is a request for public records made under OPRA and the common law right of access. I am not required to fill out an official form. Please acknowledge receipt of this message.

Records requested: Please send the entire MVA investigation report for 21-30229. My insured is Wilfredo Latimer and the accident happened on 8/11/21

Yours faithfully,

coleen lewis
1200 howard blvd
suite 110
mt laurel, NJ 08054

Please use deliver records electronically via email to the below UNIQUE address for all replies to this request:
opra+request-27302-e3e99994@requests.opramachine.com

Is mbovera@ocnj.us the wrong address for OPRA requests to Ocean City? If so, please contact us using this form:
https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fopramachine.com%2fchange_request%2fnew%3fbody%3docean_city&c=E,1,Ta7Y2xGP211P3MYY2ZZJokMq1b1DR3yA7gO7NW35ncdJrEaPFZJ5PZdaXo05BBUOrl1BD3qGvko-sNKJkh1PXejZHpt_nwnUsRYnaVoXoN1bVWvNBYYY1A,&typo=1

Disclaimer: This message and any reply that you make will be published on the Internet. Our privacy and copyright policies:

https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fopramachine.com%2fhelp%2fofficers&c=E,1,JUcx8_8D8d5Y90YUhCp8CStaP4Xvp9nR1tmhaWQMftatS9qFtNmFYUuBX1k77K05UOscju0kOFu4JN_rH8ZGDvvy-BXvFLwXI26cXxprp1&typo=1

View this OPRA request & responses online:

https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fopramachine.com%2frequest%2fplease_send_full_investigation_r&c=E,1,aXNm07lwX_DI137MZvppoABa5oqvDrgSyPmc1VGEtUTkYsJxvmObKv4A9cZ91SS8ouxCevo7zePUcFGwpePaRiOJxplmI85JynOquikkeStqLYDJIRLNKusT0309&typo=1

Please note that in some cases publication of requests and responses will be delayed.

If you find this service useful as an OPRA custodian, please ask your web manager to link to us from your organisation's website.

Margaret P. Coggins
12-6-21

96	PAGE 1 OF 5										☒ Fatal										New Jersey Police Crash Investigation Report										☒ Reportable										☐ Non-Reportable										☐ Change Report																																																																																																																																																																																																							
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New Jersey Police Crash Investigation Report

Police Dept: OCEAN CITY PD Code: 01
 Station: - Case No: PD-21-30229

(Refer to vehicle by number)

	Veh Occ	Pos In/On	Eject	Phys Cond	Age	Sex	Loc Inj	Type Inj	Ref Med	Equip Avail	Equip Used	Bag Dept	Hosp Code	Names & Addresses of Occupants - If Deceased, Date & Time of Death
ALL INVOLVED	83	84	85	86	87	88	89	90	91	92	93	94	95	

144 Crash Diagram (NOT TO SCALE)

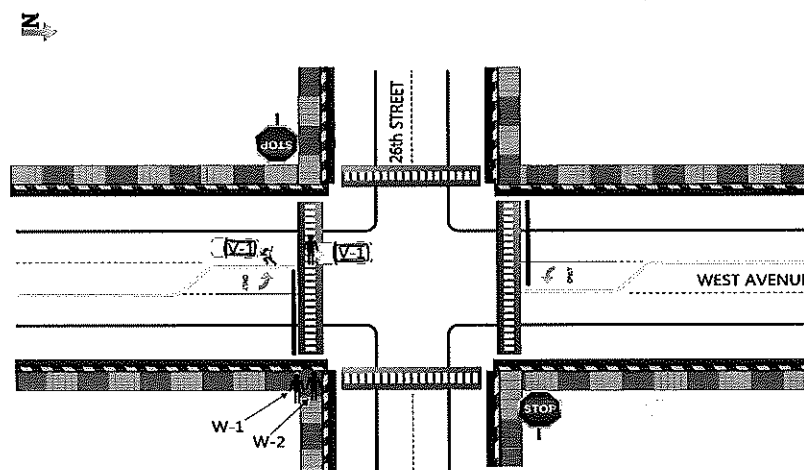


Diagram Drawn Not To Scale

145 Crash Description/Narrative

146 Officer's Signature
KARL W. RUF

147 Badge #
298

148 Reviewer
REICHANEK

Badge #
296

149 Case Status
☐ Pending ☒ Complete

New Jersey Police Crash Investigation Report
Motor Vehicle Crash DescriptionPolice Dept: OCEAN CITY PD Code: 01
Station: - Case No: PD-21-30229

145 Crash Description

FATAL PEDESTRIAN MOTOR VEHICLE CRASH:**LOCATION:**

INTERSECTION 26th STREET AND WEST AVENUE

WEATHER CONDITIONS:

NIGHT, SEVENTY SIX DEGREES, CLEAR

PEDESTRIAN (VICTIM):KATHARINE ANNE LUX, 05/03/2000, WHITE FEMALE, 5'-05" BROWN EYES
9 GREAT HILLS ROAD; NEW HOPE, PA 18938 (257) 567-5343**V-1 DRIVER:**WILFREDO LATIMER, 2502 SPRUCE AVENUE; EGG HARBOR TOWNSHIP, NJ 08234
10-29-1976**VEHICLE-1 DESCRIPTION (V-1):**2008 TOYOTA HIGHLANDER, WHITE, NEW JERSEY REGISTRATION- ZCS50B
VIN# JTEES42A7820338228**WITNESSES:****ON SCENE POLICE PERSONNEL:**CAPTAIN CLINT HELPHENSTINE- OCEAN CITY POLICE DEPARTMENT
LIEUTENANT DAVID ROWLAND- OCEAN CITY POLICE DEPARTMENT
LIEUTENANT STEPHEN SCHAFER- OCEAN CITY POLICE DEPARTMENT
LIEUTENANT ROBERT REICHANEK- OCEAN CITY POLICE DEPARTMENT
DETECTIVE SERGEANT DANIEL LANCASTER- OCEAN CITY POLICE DEPARTMENT
DETECTIVE COLBY MELOY- OCEAN CITY POLICE DEPARTMENT
OFFICER THOMAS MULLINEAUX- OCEAN CITY POLICE DEPARTMENT
OFFICER ANTHONY FIORENTINO- OCEAN CITY POLICE DEPARTMENT
OFFICER ANTHONY MILLEVOI- OCEAN CITY POLICE DEPARTMENT
OFFICER STEPHEN SCHMIDT- OCEAN CITY POLICE DEPARTMENT
SLEO II OFFICER BRANDON GAROFALO- OCEAN CITY POLICE DEPARTMENT
OFFICER PAUL STRYKER- OCEAN CITY POLICE DEPARTMENT
DETECTIVE JENNIFER FALCIANI- CAPE MAY COUNTY PROSECUTOR'S OFFICER**ON SCENE FIRE DEPARTMENT PERSONNEL:**E-2 FIRE TRUCK
CAPTAIN MICHAEL REGANATO- OCEAN CITY FIRE DEPARTMENT
FIREFIGHTER DRIVER- THOMAS TILLIS- OCEAN CITY FIRE DEPARTMENT
AMBULANCE
FIREFIGHTER / E.M.T. BRYAN MCCLLOUD- OCEAN CITY FIRE DEPARTMENT
FIREFIGHTER / E.M.T. GEOFFREY DUFFY- OCEAN CITY FIRE DEPARTMENT**ENROUTE TO SCENE:**

On 08-11-2021 at approximately 9:05p.m., I received a call from Lieutenant Reichanek stating a pedestrian was struck by a motor vehicle. Lieutenant Reichanek asked me to respond to the intersection of 26th Street and West Avenue to investigate the motor vehicle crash. While en-route to the crash scene, the weather was cool, in the mid seventies and clear.

ARRIVAL ON SCENE:

Upon my arrival at the scene, I observed Officers from the Ocean City Police Department had secured the scene with caution tape. Lieutenant Rowland and Lieutenant Schaffer advised me the pedestrian was transported to Shore Medical Center with life threatening injuries. Lieutenant Schaffer stated the pedestrian was found unconscious laying on the roadway with head injuries and a possible right broken femur. Lieutenant Rowland advised me witness statements and contact information was being collected by Detective Sergeant Lancaster and Detective Meloy. Lieutenant Reichanek arrived at the scene and stated Jennifer Falciani from Cape May County Prosecutor's Office was notified and is responding to the scene.

CRASH SCENE OBSERVATIONS:

A walk through of the scene was conducted and I made the following observations. The intersection was dark with no street lights on for the westbound lane on West Avenue. V-1 was parked unoccupied in the southbound lane of West Avenue approximately fifty three feet south of 26th Street not running and no lights on. The driver of V-1 was at police headquarters and Detective Meloy was interviewing him about the crash.

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I observed that there were no illegally parked vehicles or other physical obstructions in the area leading up to, within or after the point of first contact.

The solid white pedestrian crosswalk lines are painted on the roadway at the intersection across West Avenue for eastbound and westbound pedestrian traffic only. No painted pedestrian crosswalks are present for northbound and southbound pedestrian traffic. During my walk through of the scene, I observed no other damage, defective or obstructed traffic signs. (SEE ATTACHED PHOTOGRAPHS AND DIAGRAMS) taken by the Cape May County Prosecutor's Office.

V-1 DRIVER AND WITNESS STATEMENTS:

SEE DETECTIVE SERGEANT LANCASTER'S AND DETECTIVE MELOY'S SUPPLEMENTAL REPORTS

VEHICLE AND ROADWAY EVIDENCE:

The following physical evidence was photographed and mapped at the scene by the Cape May County Prosecutor's Office. Behind the final rest position of V-1. At approximately 9.6 feet from the rear bumper was a white colored ear bud wireless speaker. The ear bud speaker was marked "L" letter for the left side. At approximately 50.3 feet away from crosswalk, was a white colored ear bud wireless speaker. The ear bud was marked "R" for the right side. (SEE DETECTIVE JENNIFER FALCIANI'S REPORT FOR MEASUREMENTS AND PHOTOGRAPHS)

When I walked over to V-1, I observed large dents on the driver's side hood and driver's front fender with no fibers from the pedestrian's clothing. Inside V-1, I noticed the front passenger seat and rear passenger seats were missing. V-1 was processed at the scene and towed by Court House Towing to the Ocean City Impound Yard.

FOLLOW-UP INVESTIGATION AT SHORE MEDICAL CENTER:

After the scene was cleared, I went to police headquarters to meet with Detective Meloy and the Driver of V-1. At headquarters, I was told that V-1 driver, Wilfredo Latimer agreed to give consent to take his blood at Shore Medical Center. Latimer was placed in the back seat of Detective Meloy's vehicle and transported to Shore Medical Center. At no time while speaking to Latimer did I detect the odor of alcohol on his breath or any obvious signs of intoxication or impairment.

At Shore Medical Center, Latimer was read a Consent Form used by Law Enforcement Officers when requesting consent to draw and test blood. After the blood draw test consent form was read to Latimer, he signed, dated, and wrote the time as 10:52 p.m. I witnessed Latimer consent and sign off.

The blood kit was opened at approximately 11:04 p.m. Registered Nurse, Tammy Wallace, took two blood samples from Latimer. The samples were placed in the blood kit box and then sealed.

Before I left Shore Medical Center, I was advised by the Emergency Room Staff, that around 11:00 p.m., the pedestrian was transported to the Atlantic City Medical Center Trauma Unit.

Latimer was transported back to police headquarters and was later picked up by a family member.

The blood kit was placed in the patrol evidence room mini refrigerator and locked. A State of New Jersey Department of Law and Public Safety Division of State Police Lab Sheet was then filled out. Evidence Custodian Manley was emailed and was advised to lodge the blood kit as evidence.

INITIAL INVESTIGATION CONTINUED:

On August 12, 2021 at approximately 8:20 a.m., I called Atlantic City Medical Center Trauma ICU Unit and was advised the pedestrian had brain injuries and was on a ventilator.

On August 13, 2021 at approximately 2:30 p.m., New Jersey State Police Detective Jennifer Hall and Detective Jennifer Falciani arrived at the Ocean City Impound Yard to conduct a vehicle inspection on V-1. Detective Falciani processed V-1 and Detective Hall obtained data from the vehicle's air bag control module. (ACM) (SEE DETECTIVE JENNIFER HALL'S AND DETECTIVE FALCIANI'S REPORTS)

On August 13, 2021 at approximately 3:47 p.m., while at police headquarters, I received a call from Debra Rue from the Cape May County Medical Examiner's Office. Medical Examiner Rue stated Katharine Lux was pronounced dead at 3:15 p.m. and would advise me a time and location of the autopsy.

On August 15, 2021 at approximately 10:47 a.m, I received a call from Dr. Peter Mazard. Dr. Mazard requested that around 12:00 p.m., I meet with him and his staff at Shore Medical Center for the autopsy. At approximately 11:55 a.m., I arrived at Shore Medical Center for the autopsy of Katharine Anne Lux. The autopsy was conducted by Dr. Mazard and Forensic Nurse Colleen Greco of the Medical Examiner's Office at Shore Medical Center. Dr. Mazard determined that the cause of death was "Blunt Trauma to the Brain" and the manner of death "Accident". (SEE ATTACHED AUTOPSY REPORT)

At the conclusion of the autopsy, I returned to police headquarters and updated Lieutenant Reichanek by phone on the autopsy results, as well as the status of the investigation.

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CONCLUSION OF INITIAL INVESTIGATION:

On August 23, 2021, I completed the initial report of the fatal pedestrian motor vehicle crash investigation. The statements from the driver of V-1, witnesses and physical evidence at the scene indicate the following. The pedestrian ran out in traffic in a marked crosswalk located on the south side of the intersection at 26th Street and West Avenue. The pedestrian was struck by V-1's front bumper causing injuries to her right leg and brain. As of this date the driver of V-1 was found not at fault of the crash. The driver of V-1 and witnesses statements were formally recorded and are attached to this report. The motor vehicle crash reconstruction report attach to this report. (SEE CAPE MAY COUNTY PROSECUTOR'S DETECTIVE JENNIFER FALCIANI'S REPORT)

No further action was taken.**Officer Karl Ruf # 298****KARL W. RUF**

Officer's Signature

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Badge Number