



To: Milan Police Department
Cc: Thomas Popovich, Esq.
From: Dora A. Villarreal, Rock Island County State's Attorney *dv*

RE: Richard Rich, Pedestrian Death Milan Inv. No. 2021-010528

Summary of Facts

On Wednesday October 27, 2021 at approximately 6:02am, Milan police responded to a vehicle versus pedestrian traffic crash at the intersection of the Rock Island Milan Parkway and Deere Drive. Upon arrival, officers rendered aid to a male victim laying on the road of the intersection, that was surrounded by subjects attempting to give CPR. Upon further review of the scene, officers spoke with a driver of a gray Ford Transit XLT Van, parked along the right shoulder of the southwest corner of the intersection. The van had hazard and headlights on, were but the driver's side headlight was inoperable, determined to be from the crash.

Officers spoke with the driver of the Ford Transit, who had provided a copy of his insurance information and a driver's license. The driver was operating his employer's car and appeared to be in shock, but was still cooperative and answered all of law enforcement questions. The driver informed officers he worked for a medical transport company and was on his way to pick up a patient while driving southbound on the Rock Island-Milan Parkway. He estimated traveling at approximately 55 to 60 miles per hour when he struck something and pulled over. It was not until he stepped out of his vehicle that he saw a person laying on the road.

The driver stated that he had a green traffic light and that he did not see a pedestrian crossing the road until after the crash. He advised that his seatbelt was on and no airbags deployed, which the officers at the scene confirmed. The driver showed no indication of impairment and stated he did not drink any alcoholic beverage nor is he on any medications.



He stated he was drinking a coconut juice beverage while on his way to his first appointment that morning.

No illegal substances nor any odors of any alcoholic beverages or drugs of any kind were observed in the Ford Transit. The damages to the Ford Transit are on the driver's side front quarter panel and driver's side A pillar and windshield on the driver side. The driver stated that there had been no damages to the vehicle prior to this morning's incidents. Officers took photographs from the scene and of the Ford Transit. An ambulance was requested for the driver of the vehicle and EMT took him for an evaluation due to his emotional state after the accident.

Witness Statements

Milan officers assisted with traffic control, and crash reconstruction investigators had arrived at the scene and several interviews were conducted that same morning.

The Milan police department spoke with witness A, a 27 year old female driver regarding her observations. Witness A was driving behind the Ford Transit prior to the collision. She stated that she stopped onto the west shoulder of the Rock Island Parkway (Parkway) upon seeing an accident and "sparks flying." She had pulled over onto the West shoulder of the Parkway south of the intersection just ahead of the Ford Transit. She had been driving approximately four car lengths behind the Ford Transit prior to the accident. She was in the inner lane to go straight through the intersection and explained she was not distracted by anything and was fully aware of her surroundings. She was sure that the Ford Transit had the green light to go through intersection. She estimated her speed to be about 55 miles per hour, the posted speed limit. She believed that the Ford Transit was driving possibly about 60 miles per hour. She did not view any pedestrians in the roadway and did not realize that a pedestrian was struck until saw people in the intersection doing a CPR. She initially believed that another vehicle had turned in front of the Ford Transit causing the crash; she called the police and stayed parked by the Ford Transit until the interview was concluded.

Witness B was also interviewed that day. B was walking with a group including the victim, across the Intersection. B stated that he and another individual were a few steps ahead of two others in the



group and they were crossing the road from the corner of the Parkway and Deere Drive in Milan, Illinois early that morning. He recalled seeing traffic coming towards them while trying to get across the intersection and then running towards the median. When B got to the median, he heard the accident (a loud "pop" sound) and looked back seeing the victim land on the ground. Witness C, who was running alongside with B across the intersection, recalled the same events occur. Both witnesses B and C were asked if the Ford Transit driver had a green light, and to the best of their recollection, the traffic lights were green when they were crossing the Parkway.

Witness D was interviewed and stated that she was in the group with the victim that had started walking across the road towards their vehicles. She stated the light was red as the group started walking, but the victim was behind the rest of the group. She heard the accident and looked back to see victim on the ground. Witness D could not identify the traffic light at the time of impact or as victim crossed intersection.

Witness E was also with the group crossing the intersection to reach their parked vehicles. E stated the victim was a few feet behind her as they were crossing Parkway and advised they saw the vehicle later identified as the Ford Transit coming southbound and they started to hurry up to get to the middle of median. She advised that several from the group were already standing at the middle median and when she looked behind her that the victim had been struck. Witness E was not paying attention to the color of the traffic light was only watching for cars crossing the road.

The victim was treated by witnesses, officers and then EMT, but was unfortunately pronounced deceased at the scene by the Rock Island County Coroner.

Dr. Mark Peters conducted an autopsy the same day of death in Peoria County and a report was prepared and finalized on 12/27/2021. The cause of death was blunt force trauma to the chest and a motor vehicle collision.

Surveillance Video

Three different video recorders were obtained through search warrants: one from IH Mississippi Valley Credit Union, Stern Beverage, and another from Nature's Treatment Center,



All near the scene of the collision. Stern and Mississippi Valley were unable to show any relevant footage. The video from nature's Nature Treatment was further away and blurry, but captured traffic going through the Parkway intersection. A well-lit intersection can be seen with light to medium traffic traveling through its various directions. The video shows cars traveling southbound on a green light, when one car stops and pulls off the road, a few seconds after that, another car is seen pulling off the road in front of the first stopped vehicle.

This appears to be the driver of the Ford Transit and then witness A' s car. The video does show both these cars traveling through green lights prior to pulling off the road, and pulling over very close to one another. Although a blurry and faraway video, this does appear to corroborate all of the witness statements, including the driver



Traffic Crash Reconstruction Report

Traffic Reconstruction was conducted by Sergeant Russell and Officer Wells from the Moline Police Department, they arrived to perform a traffic reconstruction report at approximately 7:21 a.m. The scene had been completely shut down thereafter and all vehicles unrelated to this incident were removed from the intersection and a walkthrough of the scene was conducted. Southbound Rock Island Milan-Parkway consists of two lanes for southbound traffic on the south side of the intersection for southbound lanes are two lanes and an eastbound right turn lane that merges from eastbound John Deere Road into the southbound lane. A raised concrete curb divider separates the southbound lanes from the northbound lanes of the Parkway both on the north side and on south side of the intersection.

On the north side of the intersection for northbound lanes are two lanes in a westbound right turn lane that merges from westbound Deere Road into the northbound or right lane. For eastbound Deere there are two lanes the right lane is designated for traffic no to turn right south. Continue straight or turn left North at the intersection of Parkway. The eastbound left lane is designated for left turn only onto the Parkway. There is a double yellow line separating the East westbound lanes west of the intersection with one westbound lane. On the east side of the intersection there's one eastbound lane and a single yellow line which separates one westbound lane the paint for the yellow line was very faint in appearance and difficult to see. There is no designated crosswalk anywhere within the intersection.

A small pool of blood is where the pedestrian came to rest. A small debris field consisted of clear plastic headlight pieces were in the middle of the intersection in line with the inside southbound lane. A thorough walkthrough of the intersection did not reveal any evidence of an area of impact as roadway did not have any signs of freshest scuffs, tire impressions, gouges, etc. The area of impact was undetermined.

The gray Ford XLT Van was secured and towed by Quad City towing. All modern vehicles are equipped with airbag control modules (ACM) that have an event data recorder function (EDR), the EDR is the actual part of the ACM which records crash data when a vehicle is involved in the collision. A deployment occurs when the vehicle's supplemental restraint system is deployed during a collision and the involved vehicle writes pre-crash data within the EDR, which cannot be overwritten.



Non-deployment refers to a collision significant enough to cause the vehicle to evaluate the developing crash pulse but not deemed substantial enough to deploy the vehicle supplemental restraint system. If a vehicle does not receive a significant enough crash pulse, no events or pre-crash data will be recorded on the ACM. After a search warrant was executed, officers performed a search and download of the data on the ACM of the Ford Transit.

Officers were able to connect directly into the DLC port and download the crash data retrieval from the Ford vehicle. The report indicated there was no events recorded from the crash, which means there was no pre-crash data stored from the accident.

Opinion

At this time, there is insufficient evidence to charge the driver of the Ford Transit with any traffic or felony charges. There is no significant evidence that he was driving recklessly, under the influence or in any way intentionally caused this accident to occur. The driver did not flee from the scene, was cooperative with law enforcement and his statements were corroborated by other witness accounts.

There was speculation by the driver and one witness that he may have been driving 60 mph in 55 mph zone, however, this speculation is not sufficient to sustain a conviction for speeding. His speed was not observed by a trained law enforcement officer or by any enforcement device. There is no clear video of the collision between the Ford Transit and victim, but witness statements and the only video showing traffic, corroborated that the driver did have a green light while driving through the Parkway intersection.

If further evidence is discovered, this office will review it carefully, however, at this time there will be no charges filed in connection with the pedestrian collision on October 27, 2021. Our deepest condolences are with the victim's family and friends after this very tragic accident.

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