

Incident Investigations

Checklists for:

- ***Slip/Trip/Fall***
- ***Stairways***
- ***Parking Lots & Roadways***
- ***Automobile Incidents***
- ***Vehicle/Pedestrian/Bicycle***

The Expert Approach

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INVESTIGATION POINTERS FOR INCIDENTS

INTRODUCTION

Consulting Engineers & Scientists, Inc. is available to assist you in many engineering and scientific fields. When investigating a litigation matter there is certain information that the attorney should attempt to discover/preserve. To assist you in obtaining this information, we have compiled the following general list:

SLIP / TRIP / FALL

1. Identify the incident location. Request that each witness marks a legible photograph.
2. Was the incident a slip, trip or fall? How did the witness or plaintiff define the incident as such?
3. If the incident was a trip, what was the height or depth of the contended walking surface defect?
4. Which foot was the pedestrian stepping with? Which foot slipped/tripped?
5. What direction did the pedestrian fall? What part of their body hit the ground first?
6. Describe the pedestrian's clothing. Were they carrying anything? If so, what?
7. Describe their footwear. Height, sole material, heel material and style. Is the footwear available? Has it been worn after the incident date? Is the footwear available for examination?
8. What were the floor/ground conditions? Wet/dry/foreign materials? If the conditions were wet, what was the source of the moisture? When was this moisture identified?
9. Where was the pedestrian looking before and when the incident occurred? What did they see?
10. Did the pedestrian have any disabilities?
11. Was anyone in front or behind the pedestrian? If so, who, how many and where/how close?
12. On the incident date what was the pedestrians height and weight.
13. What were the weather conditions?
14. What were the lighting conditions?
15. In depositions, when a witness is pointing to a photo or sketch, please request the witness to mark the exhibit. Exhibits should be attached to depositions provided to the experts

STAIRWAYS

1. Did the incident occur while the pedestrian was ascending or descending?
2. What was the stairway approach route used by the pedestrian? How fast was the plaintiff moving?
3. Was handrail present? Did the plaintiff use the handrail? When during travel was the handrail used? If the handrail was used, where was their hand before, during and at completion of the fall?
4. What were the lighting conditions?
5. Where was the plaintiff looking before the fall?
6. Was a foreign substance on the stairway?
7. Did the plaintiff fall forward, backward or to a side? What part of their body contacted the stair/floor first? What was the subsequent movement of the body?
8. Describe the footwear? What was the age of the footwear? Is the footwear available for examination? Describe the clothing and carried items.
9. Did the plaintiff have any disabilities?
10. What were the weather conditions?
11. Where was the fall location? Identify the tread and mark a photograph.
12. Did the plaintiff use this stairway before? Frequency? What was different on the incident date?

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PARKING LOTS & ROADWAYS

1. Where was the depression located? Be as exact as possible.
2. What were the dimensions of the depression, including depth?
3. What were the incident weather and lighting conditions?
4. Was there water, snow, or ice in the depression?
5. Was the pavement broken? Was it a pothole? Describe the pavement condition.
6. What was the parking lot/roadway slope or grade?
7. What was the history of this depression? How long was the depression there?
8. What were drainage paths?
9. Where were drainage inlets located?

AUTOMOBILE INCIDENT

1. How fast were the vehicles traveling?
2. Have the drivers determine where they were located at different points in time leading to contact between the vehicles/obstacles. Determine the location where an initial observation occurred, where the brakes were applied, the point of contact, and where the vehicle came to rest.
3. For distances use feet, yards, or if necessary car lengths. If car lengths are used, what car model do they use to estimate car length i.e. a Lincoln Town Car? Also, use site objects such as a building door or corner, utility pole or other fixed permanent object.
4. Did the driver apply the vehicle's brakes? If so, how far from contact were the brakes applied? Did the driver pump the brakes? Did the vehicle skid? Did the driver steer the vehicle during the skid?
5. Where was the driver looking? Were there any visual obstructions? Where was the driver's foot? Brake, acceleration, or between?
6. What did the drivers hear? Were horns sounded?
7. Were air bags deployed?
8. Were seat belts worn?
9. Are photographs available? If so, original prints are preferred. Are the vehicles available for examination?
10. Were there special or unusual roadway conditions?
11. What direction were they traveling?
12. What is year, make and model of the vehicles?
13. Did they spin, if so which way?
14. In depositions, when a witness is pointing to a photo or sketch, please request the witness to mark the exhibit. Exhibits should be attached to depositions provided to the experts.
15. Were the vehicle head lights, turn signals, or emergency flashers operable? Were any of these turned on at the time of the incident? Preserve all light bulbs.
16. If available, the crash-event black box data recorder should be preserved.
17. What were the weather conditions?
18. What were the lighting conditions?

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19. Intersections:

- a) Did the drivers see the traffic signal?
- b) What did the drivers see? Red, yellow, green, a combination, nothing? Arrows?
- c) How did the drivers react to the traffic signal?
- d) After observing the signal where were the vehicles located? Where was the drivers foot? Brake, accelerator, between?
- e) Under normal driving conditions, when the driver approaches an intersection with a green traffic light, what do they normally do? i.e., look left/right? Slow down? Brake?
- f) Were there special or unusual roadway conditions?
- g) Was the driver familiar with the road? Intersection?
- h) What was the sight distance? Were there any buildings, shrubs or trees in the way? Did anything in/or around the intersection impair either drivers site lines?
- i) Lighting, visibility, street lights, bright or dark illumination.
- j) How far from the light were the drivers when it changed to green, yellow and red. What were their speeds at those locations?
- k) What was their intended route through intersection? i.e., left, right, straight on?
- l) Was the traffic light cycling normally?
- m) Were any signal heads blocked, turned, or broken?
- n) Were any traffic signal lights or street lights not operating?
- o) Also review our Highway and Bridge Brochures.

VEHICLE / PEDESTRIAN ACCIDENTS

1. Did the pedestrian see the vehicle?
2. Did the driver see the pedestrian?
3. What did the pedestrian hear? What did the pedestrian see?
4. Can the pedestrian estimate the vehicle speed?
5. If the incident did not occur at a crosswalk, why weren't they crossing at a crosswalk?
6. Were the vehicle's lights illuminated? Turn signal?
7. What is the weight of the pedestrian?
8. What is the pedestrian's height?
9. How far were they thrown?
10. Did they go over or under the vehicle?
11. Where did they end up relative to landmarks, curb, road markings, vehicle?
12. Were there skid marks?
13. Did the pedestrian hear tires squealing?
14. What part of vehicle hit them?
15. What type of clothing were they wearing? Color, bright, dull, slippery, rubbery?
16. Was the pedestrian running, walking, jogging, etc.?
17. What path did the pedestrian take prior to the incident?
18. What direction was the pedestrian going in at impact? Straight across? Diagonal?
19. What part of the pedestrian's body was contact? Right, left, front, back, ankle, knee, thigh, etc.?
20. What were the weather conditions?
21. What were the lighting conditions?

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PEDESTRIAN / BICYCLIST AND BICYCLE / BICYCLE INCIDENTS

Refer to questions similar to Auto Accidents regarding time, distance, locations, speed, lighting and weather.

1. Pedestrians and bicycles sometimes occupy the same pathway. Did they sound any audible approach warnings? Which side of the roadway and travel lane were they on? Which side did they pass on?
2. Was the bicyclist racing? Was the rider's head up or down?
3. Was the bicyclist racing? Was the bicyclist familiar with the rules for obeying traffic controls? Safe driving?
4. Did the bicycle rider fall to the left, right, or forward? Which direction did the bicycle fall? Secure the bicycle for evidence of fall mechanics and bicycle speed.
5. Did any other pedestrians or bicyclists pose sight obstructions to the incident pedestrian/bicyclist?

The information presented in this booklet is intended only to be used as a guide in assisting clients concerned with or involved in the legal process where litigation or potential litigation is an issue. The information is further intended to inform clients that Consulting Engineers & Scientists, Inc. has both the expertise and the capability to provide direction and guidance in the specific disciplines and areas presented in this booklet. It is important to note that the information also is general and is not intended to completely cover the specific nuances of a particular matter. If there are any questions concerning this information, please feel free to contact us.