

Railway Alert Network (RAN) Situational Awareness Message: Initial Review – Two Chicago Police Department Officers Struck and Killed by Commuter Train

December 20, 2018

Executive Summary:

Tragically, two Chicago Police Department officers were killed on Monday evening, December 17, while on Metra commuter railroad track pursuing a suspect in a reported shooting incident.



The officers had responded to a report of shots fired. They identified and pursued the suspected shooter, who fled toward and onto the commuter railroad's property.

A southbound express train struck and killed both officers shortly after 6:00 pm Central time. Video recorded by cameras on this train, and another operating in the opposite direction, indicates that officers were aware of the northbound train but not the southbound one.

No notification had been made to Metra of police activity on the tracks in that area. Nor had the officers alerted their dispatcher with Chicago Police.

Metra maintains an exceptional working relationship with the Chicago Police Department, including training of recruit classes on communications and officer safety when at or near train operations, railroad tracks, and other infrastructure.

- These training and awareness initiatives are illustrative of similar efforts maintained by freight and passenger railroads in the United States and Canada with police departments and law enforcement jurisdictions in which they operate.

A series of factors, detailed below, aligned to contribute to this tragedy.

Guidelines for safe activity by local, state, and federal law enforcement officers at and near railroad property are delineated below.

The Railway Alert Network (RAN) will disseminate this advisory widely for access and use by police departments throughout the United States and Canada.

Detailed Discussion:

Shortly after 6:00 pm Central time on Monday evening, December 17, 2018, two Chicago Police Department officers, in pursuit of a suspected shooter fleeing toward and onto railroad property, were struck and killed by a Metra commuter train.

The outbound South Shore train, operating on Metra Electric District tracks, struck the officers near 103rd Street and Dauphin Avenue.

Speaking at a press conference, Police Superintendent Eddie Johnson identified the deceased officers as Conrad Gary, 31, and Eduardo Marmolejo, 37.



- At the same news media briefing, Mayor Rahm Emanuel stated that both officers were fathers with “young families.”
- “This holiday will never be the same for those two families,” the Mayor expressed. “And while our hearts are with them, we lost people who answered the call to make Chicago a better place.”
- Both officers were relatively new to the force. Officer Gary had served one and a half years and Marmolejo two and a half years

As the investigation proceeded on Tuesday, December 18, Chief Joseph Perez of the Metra Police Department provided initial observations to the Railway Alert Network (RAN) and then on a joint teleconference hosted by the Transportation Security Administration (TSA) with representatives of the Department of Homeland Security’s Cyber Security and Infrastructure Security Agency and the Federal Bureau of Investigation (FBI) as well as members of the industry’s Rail Security Working Committee.

In summary, Chief Perez conveyed the following observations from the review of the incident, including video footage recorded by cameras on two commuter trains, and his department’s interactions with the Chicago Police Department:

- The working relationship between Metra and the Chicago Police Department is exceptional.
- Metra Police Department maintains an extensive training program with the Chicago Police Department.
- This program includes instruction at every Chicago Police Department officer recruit class on actions to assure safety when operating near or on railroad tracks and other infrastructure and property.



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- The Chicago Police Department consistently alerts Metra when officers need to access the railroad's right-of-way.
 - In this case, the officers, in hot pursuit on foot of a likely armed suspect in a shots-fired call, did not notify Metra of their need to access, or presence on, the commuter railroad's tracks.
 - Nor did the officers inform their dispatcher that the pursuit of the suspect had necessitated their entry on to the elevated tracks used by Metra in the area.
 - Additionally, the officers did not enter the Metra right-of-way by a standard means for public access. In pursuing the suspect, they apparently climbed a stairwell intended for use by maintenance workers and emerged between the north and southbound tracks.
- When the incident occurred, northbound and southbound Metra commuter trains were approaching this area at the same time, though at different rates of speed.
 - As an express train, the southbound train operated at the higher speed.
- Review of recorded video footage captured by cameras on each train indicates the following:
 - The two Chicago Police officers, positioned on the southbound track, observed the northbound train.
 - They frantically waved flashlights to ensure the engineer of the northbound train had awareness of their presence.
 - However, when that train, consistent with requirements of safety regulation, dimmed its headlights for the approaching southbound Metra train, the officers appear to have mistaken that action as indication of recognition by the engineer.
 - The southbound train had dimmed its headlights as well, again consistent with safety regulation, removing the prospect of brightening lights indicating the approach of a train on the track where they were positioned.
- As noted earlier, this portion of Metra's commuter rail network is the Electric District. The electric trains are remarkably quiet, narrowing chances of hearing an approach from behind.

The confluence of factors – focus on pursuit of a suspected shooter, lack of notification to the railroad, apparent misinterpretation of the meaning of dimming headlights by the northbound train, quiet running of the electric trains – appears to have contributed substantially to this tragic outcome.

Training for recruit classes and safety awareness initiatives with the Chicago Police Department and other law enforcement jurisdictions will reinforce the meaning and significance of dimming headlights by operating commuter trains – an indication of an approaching train, not recognition of persons on the track.



Safety Awareness for Law Enforcement:

The training and outreach so thoroughly, and continuously, applied by Metra are illustrative of similar initiatives by freight and passenger railroads in the United States and Canada.

Key, and consistent, themes in guidelines to local, state, and federal law enforcement officers to assure their safety at or near train operations and railroad infrastructure follow:

- 1) **Always** expect a train or other railroad equipment to be moving from either direction on any track, at any time.

- 2) **Identify the railroads** that operate and maintain infrastructure in the jurisdiction or area of operations for the law enforcement organization.
 - a. The Federal Railroad Administration (FRA) maintains an interactive map of the rail network in the United States at: <https://fragis.fra.dot.gov/GISFRASafety/>.
 - b. The Railway Association of Canada maintains a similar system for the Canadian rail network at: <https://rac.jmaponline.net/canadianrailatlas/>.
 - c. With both capabilities, zooming in provides indication of the railroad that owns track segments.



- 3) **Coordinate with railroads** that operate in the law enforcement department’s jurisdiction or areas of responsibility **in advance**.
 - a. **Define the procedures for notification** of law enforcement activity at or near train operations and railroad infrastructure.
 - b. Ensure **contact telephone numbers and email addresses for notifications are periodically tested, reviewed, and updated**, as warranted.
 - c. **Follow the procedures in all cases of police activity** approaching train operations, railroad track, and other rail infrastructure – for investigative work, patrol activity, and pursuit of suspects.

- 4) **Communication is critical** – when approaching railroad tracks, bridges, tunnels, or other infrastructure, before entering these areas, notify the railroad that owns or operates on that track.
 - a. Toll-free emergency contact numbers for the Class I railroads and for the Association of American Railroads (AAR) are depicted at right.

<u>AMTRAK</u>	1-800-331-0008
<u>BNSF</u>	1-800-832-5452
<u>Canadian National</u>	1-800-465-9239
<u>Canadian Pacific</u>	1-800-716-9132
<u>CSX</u>	1-800-232-0144
<u>Kansas City Southern</u>	1-877-527-9464
<u>Norfolk Southern</u>	1-800-453-2530
<u>Union Pacific</u>	1-888-877-7267
<u>AAR</u>	1-866-494-4353

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- b. A complementary brief will include 24/7 contact numbers for additional railroads.

5) **Understand how to identify and report location at railroad property to the police dispatcher for notification of the railroad or directly to the railroad.**

- a. Grade crossing inventory numbers are posted on signal masts with gates and with lights only.
- b. Additionally, a crossing inventory number may be affixed to a signal bungalow or relay house, building structures positioned near tracks and along rights-of-way.
- c. Mile post markers are placed at 1-mile intervals along railroad track – providing another means of identifying location.
- d. Placards at crossings provide the toll-free emergency contact number for the railroad that owns and operates that segment of track.



6) **Do not park police or other emergency response vehicles on or close to railroad tracks.**

- a. Position vehicles at least 15 feet from railroad track.

7) **Look in both directions** when approaching and accessing tracks.

8) **Never step or walk on the rails.**

- a. Switches on main line track are controlled remotely and can open and close within 1 to 5 seconds.



9) **Maintain visibility** when on railroad track through use of flashlights or reflective vests.

10) **Integrate training on safety awareness, train operations, railroad infrastructure, and notification procedures for safe access** into law enforcement officer recruit training and academy programs and into recurring roll call or pre-shift briefings for police.

11) **Notify the railroad when police activity has ended** to enable resumption of safe train operations in the area – again, using the communications procedures set by coordination between the law enforcement organization and the railroad.

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The Railway Alert Network (RAN) will produce and disseminate a complementary product presenting these guidelines in content and format amenable for use in roll call briefs or posting in police work areas.

Acknowledgment: The RAN gratefully acknowledges the insights provided by Metra's Chief of Police and the range of materials on law enforcement officer safety awareness offered by railroads represented in the Rail Security Working Committee.

Some of these references apply or draw upon materials developed and promoted by the [Operation Lifesaver Inc \(OLI\)](https://oli.org), the nonprofit, public safety education and awareness organization, supported by the railroad industry in the United States, that is dedicated to reducing collisions, fatalities, and injuries at highway-rail crossings and trespassing on or near railroad tracks. OLI maintains a dedicated site for information on safety training and awareness for the law enforcement community at: <https://oli.org/training/law-enforcement-community>.

Distribution: Please feel free to disseminate this message widely – in your railroads and industry organizations and to police departments and other law enforcement organizations in your areas of operations – for purposes of assuring awareness of available information on the tragic incident in Chicago and understanding and use of proven effective practices to assure safety of officers engaged in activity near and at train operations and railroad infrastructure.

Association of American Railroads

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202-639-2910 Emergency

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202-639-2950 Non-Emergency

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