

City of Burlington Police (BUPD)**Continuation**

Incident Report Number

20-005370

Incident Location:

3108 Bieneman Rd, Burlington, WI, 53105

Incident Date:

05/15/2020

Body Worn Camera Used

NARRATIVE

On 05-15-2020 at approximately 6:14pm I, Sergeant Wasilevich, along with Officer Talbert and Officer Romano were dispatched to the area of W. Chestnut Street and Bieneman Road for a report of a unknown accident. Dispatch further advised officers a complainant, later identified as Eric Villiard, witnessed a small plane crash near the river. Lieutenant Zmudzinski and Investigator Seils also advised they will respond to this location.

While en route, witnesses explained the crash occurred near a bridge located on Bieneman Road. I am familiar with this location as the bridge belongs to the property of 3801 Bieneman Road. Upon my arrival, Officer Romano further advised officers the crash is located across the Fox River into a dense area of woods.

I drove my squad car across the bridge onto the property of 3801 Bieneman Road, exited my squad car and ran west into the wood line in an attempt to locate the crash. Approximately 500 yards into the wood line I observed a small white airplane, facing west/northwest direction, on the ground with disabling damage. I announced, "police department" and attempted to check for any signs of life. I approached the wreckage and observed a sole male occupant, later identified as David L. Schmutzler, sitting in the operator's seat of the aircraft. He appeared to have suffered a traumatic head injury with blood surrounding his head, but was conscious and breathing when I arrived.

I asked David to tell me his name and he told me, "Dave." I told David I want him to remain calm and still as I will attempt to remove him from the aircraft. Due to the severity of the crash and the disabling damage, I was unable to make contact with David. The damage to the wings of the aircraft, dense foliage and thick glass around the cockpit prevented any access to him and restricted any type of movement. Therefore, I relayed to Lt. Zmudzinski extrication will be needed to gain access to the patient.

Upon City of Burlington, Town of Burlington and other Fire and Rescue squads' arrival, they conducted an extrication process and were able to remove David from the aircraft. I was advised by Officer Talbert he located a secondary route, the property of 3502 S. Honey Lake Road, for the use of an extraction route. See his supplemental report for further details.

When the scene was secure, I met with City of Burlington and Town of Burlington Fire Command Staff on the property of 3502 S. Honey Lake Road. Here, I contacted the Federal Aviation Administration and spoke to Joseph G. Saunders of the City of Milwaukee Office. As Joseph was already aware of the ongoing situation, I provided him with details of the crash and other information in which he

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Wasilevich, Scott B.

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requested. Shortly after, Joseph contacted Jason A. Aguilera, who is employed by the National Transportation Safety Board. I spoke with both of them simultaneously in a conference call setting.

The guidance that Joseph and Jason requested me to do was to secure the airplane crash site with marked police tape and to also take photographs of the inside and outside of the airplane. Jason specifically requested me to send him approximately four or five photos to the phone number he provided. I asked Jason once the scene is secure with marked police tape, should I have anyone to stand by? He told me no. Officer Talbert secured the scene as I took multiple photographs of the crash. These photographs have been uploaded to Evidence.com.

Below is the airplane's information that was provided to me by dispatch:

TXTAircraft Description: N1JA is AssignedSerial Number : P21000082Type
Registration : CorporationManufacturer Name : CESSNACertificate Issue Date :
05/11/1982Model : P210NStatus : StatusType Aircraft : Fixed Wing
Single-EnginePending Number Change : NoneDealer : NoDate Change Authorized :
NoneMode S Code : 50000313MFR Year : 1978Fractional Owner : NORegistered OwnerName
: JADAIR INTERNATIONAL INCStreet : PO BOX 89City : PORT WASHINGTONState :
WISCONSINCounty : OZAUKEEZip : 53074-0089AirworthinessEngine Manufacturer : CONT
MOTORClassification : StandardEngine Model : TSI0-520 SERCategory : NoneA/W Date :
08/01/1978Other Owner NamesTemporary CertificateFuel ModificationsAdditional pages
are available online at <http://registry.faa.gov>.

I confirmed the crash scene was secure and departed the area. I was also notified David has been transported to Froedert Hospital to receive medical treatment. Shortly after, my shift ended and I departed the police department.

The next day, I was notified by Sergeant Aron, via email, that Medical Examiner Peterson responded to Froedert Hospital as David passed away.

OFFICER DISPOSITION

The fatal airplane crash of David L. Schmutzler is ongoing. Any information received will be documented accordingly within a supplemental report.

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Wasilevich, Scott B.

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NARRATIVE

On May 16, 2020 I was advised via email from Lieutenant Zmudzinski to notify the Federal Aviation Administration (FAA) of the passing of David Schmutzler and to contact Shane Schmutzler, the son, to coordinate a time for him to come to the crash site to gather belongings.

I located the phone number listed in the call log for the FAA and spoke to Janette Hodge. She stated I needed to contact the National Transportation Safety Board (NTSB) in Washington D.C. and notify them.

I spoke to Chris at NTSB who put me in contact with Jason Aguilera. I advised Jason of the situation and the passing of David. Jason stated he would be in contact with a local FAA and NTSB representative and one of them would call me back. I asked Jason if a member of the family could retrieve personal belongings from the aircraft. He stated it would be okay as long as I documented what was removed and the mechanical aspects of the aircraft were not compromised.

I contacted Shane and advised him he was cleared to enter the crash site. We coordinated a time and location to meet.

I received a phone call from Joseph Saunders from FAA. I provided information about the crash based on what I learned from the call notes and advised him of David's passing. Joe stated an inspector would be calling me and they were going to expedite the inspection. He also requested the name of the medical examiner in charge of this case because he has a test kit for them. I passed that information onto Joseph.

I received a phone call from Mike Pieczynski from FAA. He stated he was the inspector assigned to investigate the crash. I provided him with location information.

I met with Mike at the crash site. He became concerned with the strong odor of fuel in the air. He requested I notify the Department of Natural Resources (DNR) of the spill of fuel. He estimated the amount to be around 15 to 20 gallons. I requested Racine County Communications (RCC) notify DNR. Mike Herschbeck responded to the crash site to evaluate the fuel contamination.

Shane arrived on scene and I introduced him to Mike Pieczynski. I asked Mike Pieczynski if he needed me to document the items Shane was retrieving, he stated I did not.

Shane began to question if there was any conversation with David about how he crashed. I made contact with Officer Talbert who stated when he and other officers arrived on scene, David was talking and complaining of head, back, and leg pain.

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Krusemark, Jeremy J.

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Officer Talbert stated there was no conversation about how the crash happened. This information was relayed to Shane.

I passed along the report number to Mike Pieczynski and asked him if he needed anything else. He said Meyers Aviation would be recovering the aircraft on Monday and they would make arrangements with the property owners.

OFFICER DISPOSITION

The information contained in this supplemental report is to be forwarded to Sergeant Wasilevich as he is the investigating officer for this case.

Reporting Officer(s):

Krusemark, Jeremy J.

Payroll Number:

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City of Burlington Police (BUPD)**Supplemental Report**

Incident Report Number: 20-005370	Incident Location: 3108 Bieneman Rd, Burlington, WI, 53105	Incident Date: 05/15/2020
New Incident:	Original CFS Code - 1: 5407	New CFS Code - 1 : New CFS Code - 2:

Body Worn Camera Used

NARRATIVE

On 05-15-20 at 6:14 pm, I, Officer Talbert, along with Sgt. Wasilevich and Officer Romano were dispatched to 3108 Bieneman Road for a report of an accident unknown. Dispatch advised a small airplane had crashed near the Fox River.

As Sgt. Wasilevich and I had just turned northbound on Bieneman Road from West Chestnut Street, Officer Romano who was slightly ahead of us, advised a witness informed him the airplane was down in a wooded lot on the east side of the Fox River. Sgt. Wasilevich and I proceeded to that location. See Sgt. Wasilevich's report for more information.

Sgt. Wasilevich and I were able to cross the Fox River by using an access bridge belonging to the resident of 3108 Bieneman Road. There we left our squad cars and proceeded through the woods, following the river bed north.

After roughly a two-minute hike through rough terrain, Sgt. Wasilevich and I were able to locate the airplane. Upon doing so, I observed an elderly male, whom would later be identified by his pilot's license as, David Schmutzler.

While David was conscious and alert, it was apparent he had suffered a substantial head injury as he was visibly bleeding from the top of his head. Unfortunately, Sgt. Wasilevich and I were unable to provide immediate medical treatment to David, as the airplane's door had suffered significant damage and therefore, we were unable to open it. Sgt. Wasilevich immediately relayed this information to the City of Burlington Fire Department advising them David would need to be extracted from the airplane.

While waiting for the fire department to arrive, I located a residence closer to the crash site than the route Sgt. Wasilevich and I had taken to the crash site. There I spoke with the homeowners, [REDACTED]. I immediately informed dispatch of the residence location and requested all incoming personal use their residence for access, specifically the ambulance, who would be transporting David for medical treatment.

After the Burlington Fire Department successfully removed David from the airplane, and while prepping him for movement to the Village of Rochester Ambulance, I noticed David's condition had worsened. David was continuously moaning and no longer speaking.

Reporting Officer(s): Talbert, Corey M.	Payroll Number : 134	Report Date: 05/16/2020
Reviewed by: Barrows, Matthew M.	Payroll Number : 117	Copy To: Page: 1 of 2

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While David was being loaded in the ambulance, I was able to locate his pilot's license as well as his medical emergency card in a wallet laying in the floorboard of the airplane. Deputy Ortiz of the Racine County Sheriff's Department delivered the medical emergency card to the Rochester Fire Department.

I then spoke with Jason and Mina Miley, both of whom were verbally identified. I asked if either of them had witnessed the plane crash. Mina stated she only heard the impact, while David informed me he neither heard nor saw the crash as he had his headphones on at the time. Both were added to the call for service as witnesses.

After all personal cleared the crash site, I placed police tape around the surrounding area of the crash site.

OFFICER DISPOSITON

The information contained in this report will be forwarded to Sgt. Wasilevich to be included with incident report as he is the lead investigator for this case.

Reporting Officer(s):

Talbert, Corey M.

Payroll Number:

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New Incident:	Original CFS Code - 1: 5407	New CFS Code -1 :	New CFS Code - 2:
Body Worn Camera Used NARRATIVE On 5-15-2020 at approximately 18:17 HRS I, Officer Romano along with Sergeant Wasilevich and Officer Talbert were dispatched to a plane crash near the Burlington Airport. Upon arrival to Bieneman Road I observed a male waving me down while on is cell phone. I drove my squad car next to him and asked "where is the plane?". The male, later identified as Eric D. Villiard, stated "right in those trees" as he pointed across the river. I was unable to see the plane until I drove further on Bieneman Road. I observed through heavy dense foliage a white plane which appeared to be heavily damaged. I confirmed to dispatch a plane was down and I directed responding units to cross the bridge (first bridge on the east side of the road on Bieneman Rd.) to make the scene of the crash. I then parked my squad car, set up cones, and blocked the road way to allow rescue personnel to stage on Bieneman Road. As I observed a fire truck approaching the scene I attempted to stop them by waving my left hand as the bridge did not appear able to support the weight of the truck. The operator of the fire truck failed to see me and drove on the bridge. This caused the bridge to sway and I observed the rear right tires penetrate the bridge. The operator of the fire truck accelerated and successfully crossed the bridge. I advised dispatch via my portable radio to contact all the emergency departments responding and advise them to take the alternative route (Honey Lake Rd.) as the bridge is now unusable. I met with Eric and asked him what he observed. Eric stated he was planning on fishing near the bridge on Bieneman Road all day. While waiting for fish to take his line he was watching the planes land and take off. He observed one plane that appeared to be flying to low. The plane attempted to pull up but the tail struck the tops of the tree line causing it to crash. Eric stated "I thought I just watched someone die, I was waiting for an explosion until I snapped out of it and called 911." Eric stated we arrived shortly after and he was able to direct us to the crash. After speaking with Eric, I inspected the bridge and observed an approximate six foot long by three foot wide hole above the water. I used police investigation tape to block off both entrances to the bridge. Per Lieutenant Zumdzinski, I remained at the bridge entrance until City of Burlington Department of Public Works (DPW) arrived on scene with barricades.			
Reporting Officer(s): Romano, Anthony J.		Payroll Number : 139	Report Date: 05/16/2020
Reviewed by: Barrows, Matthew M.	Payroll Number : 117	Copy To:	Page: 1 of 2

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The entrance was later barricaded off by DPW.

OFFICERS DISPOSITION

The information contained in this supplemental report will be forward to Sergeant Wasilevich as he is the lead investigating officer.

Reporting Officer(s):

Romano, Anthony J.

Payroll Number:

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