

1. Agency K3 TROOP K - ZONE 3	2. Div/Precedet K311	3. ORI NY1590200	5. Case No.	6. Incident No. 3121691
7,8,9. Date Reported (Day, Date, Time) SUNDAY 07/26/2009 13:35		10,11,12. Occurred On/From (Day, Date, Time) SUNDAY 07/26/2009 13:35		13,14,15. Occurred To (Day, Date, Time)
16. Incident Type ACCIDENT-FATAL			17. Business Name	
19. Incident Address (Street Name, Bldg, No., Apt. No.) 4.1 N TACONIC STATE PKY				
20. City/State/Zip MT PLEASANT NEW YORK				
21. Location Code (TSLED) MOUNT PLEASANT TOWN 6057	23. No. of Victims 0	24. No. of Suspects 0	26. Victim also Complainant? NO	
Location Type STREET				

ASSOCIATED PERSONS

Relationship	Name (Last, First, Middle Inital)	DOB	City, State, Zip	Phone
LAWYER	BARBARA, DOMINICK	[REDACTED]	[REDACTED]	[REDACTED]
NEXT OF KIN	HANCE, WARREN	[REDACTED]	[REDACTED]	[REDACTED]
NEXT OF KIN	LONGO, JOSEPH	[REDACTED]	[REDACTED]	[REDACTED]
NEXT OF KIN	SCHULER, DANIEL	[REDACTED]	[REDACTED]	[REDACTED]
NEXT OF KIN	NICOTINA, JOSEPH	[REDACTED]	[REDACTED]	[REDACTED]
PERSON INTERVIEWED	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
VICTIM	SCHULER, DIANE	[REDACTED]	[REDACTED]	[REDACTED]
VICTIM	HANCE, EMMA	[REDACTED]	[REDACTED]	[REDACTED]
VICTIM	HANCE, KATE	[REDACTED]	[REDACTED]	[REDACTED]
VICTIM	SCHULER, ERIN	[REDACTED]	[REDACTED]	[REDACTED]
VICTIM	BASTARDI, GUY, T	[REDACTED]	[REDACTED]	[REDACTED]
VICTIM	SCHULER, BRYAN	[REDACTED]	[REDACTED]	[REDACTED]
VICTIM	HANCE, ALYSON	[REDACTED]	[REDACTED]	[REDACTED]
VICTIM	BASTARDI, MICHAEL, A	[REDACTED]	[REDACTED]	[REDACTED]
VICTIM	LONGO, DANIEL	[REDACTED]	[REDACTED]	[REDACTED]
VICTIM	TALLARICO, ANGELA	[REDACTED]	[REDACTED]	[REDACTED]
VICTIM	TALLARICO, DEAN	[REDACTED]	[REDACTED]	[REDACTED]
WITNESS	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
WITNESS	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
WITNESS	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

WITNESS	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
WITNESS	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
WITNESS	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
WITNESS	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
WITNESS	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
WITNESS	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
WITNESS	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
WITNESS	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
WITNESS	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
WITNESS	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
WITNESS	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
WITNESS	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
WITNESS	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
WITNESS	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
WITNESS	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

VICTIM

Name SCHULER, DIANE	27. DOB 11/13/1972	28. Age 36	29. Gender FEMALE	30. Race WHITE	31. Ethnicity	32. Handicap	33. Residence
Name HANCE, EMMA	27. DOB 09/09/2000	28. Age 08	29. Gender FEMALE	30. Race WHITE	31. Ethnicity	32. Handicap	33. Residence
Name HANCE, KATE	27. DOB 02/19/2004	28. Age 05	29. Gender	30. Race	31. Ethnicity	32. Handicap	33. Residence
Name SCHULER, ERIN	27. DOB 06/08/2007	28. Age 02	29. Gender FEMALE	30. Race WHITE	31. Ethnicity	32. Handicap	33. Residence
Name BASTARDI, GUY, T	27. DOB 03/20/1960	28. Age 49	29. Gender MALE	30. Race WHITE	31. Ethnicity	32. Handicap	33. Residence
Name BASTARDI, MICHAEL, A	27. DOB 06/13/1928	28. Age 81	29. Gender MALE	30. Race WHITE	31. Ethnicity	32. Handicap	33. Residence
Name LONGO, DANIEL	27. DOB 04/20/1935	28. Age 74	29. Gender MALE	30. Race WHITE	31. Ethnicity	32. Handicap	33. Residence
Name TALLARICO, ANGELA	27. DOB [REDACTED]	28. Age 51	29. Gender FEMALE	30. Race WHITE	31. Ethnicity	32. Handicap	33. Residence

Name TALLARICO, DEAN	27. DOB [REDACTED]	28. Age 50	29. Gender MALE	30. Race WHITE	31. Ethnicity	32. Handicap	33. Residence
Name HANCE, ALYSON	27. DOB 12/20/2001	28. Age 07	29. Gender FEMALE	30. Race	31. Ethnicity	32. Handicap	33. Residence
Name SCHULER, BRYAN	27. DOB 05/10/2004	28. Age 05	29. Gender MALE	30. Race	31. Ethnicity	32. Handicap	33. Residence

PROPERTY

58. Name SCHULER, DIANE	Property Status RECOVERED
Property Type	Make or Model / Drug VERIZON
Serial No.	Qty/Measure Value
Description Verizon cell phone belonging to Diane Schuler, phone was turned over to the Westchester County District Attorney's Office	
58. Name SCHULER, DIANE	Property Status
Property Type	Make or Model / Drug
Serial No.	Qty/Measure Value
Description CD of phone calls made to SP Tarrytown on 07/26/09, relative to Diane Schuler	
58. Name SCHULER, DIANE	Property Status
Property Type	Make or Model / Drug
Serial No.	Qty/Measure Value
Description DVD created by the Liberty McDonald's, showing Diane Schuler and five children at the restaurant.	
58. Name SCHULER, DIANE	Property Status
Property Type	Make or Model / Drug
Serial No.	Qty/Measure Value
Description DVD obtained by Private Investigator Thomas Ruskin, showing Diane Schuler at the Sunoco gas station in Liberty NY	

58. Name SCHULER, DIANE	Property Status	
Property Type	Make or Model / Drug	
Serial No.	Qty/Measure	Value
Description DVD from the McDonald's on 187 in Rockland County N.Y. Diane Schuler is not seen on this video.		

Total Property Value : \$00

VEHICLE

59. Vehicle Status BURNED	60. License Plate No. BDR1916	61. State NY	62. Exp. Yr.	64. Value
63. Plate Type PASSENGER AUTOMOBILE (REGULAR PLATES)	65. Year 2003	66. Make 67. Model FORD WINDSTAR		
68. Style UTILITY	69. VIN 2FMDAS8483BA41641		70. Color(s) RED	
71a. Towed By STILOSKYS	71b. Towed To STILOSKYS			
72. Vehicle Notes				
59. Vehicle Status DESTROYED/DAMAGED/VANDALIZED	60. License Plate No. BHP3898	61. State NY	62. Exp. Yr.	64. Value
63. Plate Type PASSENGER AUTOMOBILE (REGULAR PLATES)	65. Year 2004	66. Make 67. Model CHEVROLET TRAIL BLAZER		
68. Style UTILITY	69. VIN 1GNDT13SX42324862		70. Color(s) GRAY	
71a. Towed By STILOSKYS	71b. Towed To STILOSKYS			
72. Vehicle Notes				
59. Vehicle Status DESTROYED/DAMAGED/VANDALIZED	60. License Plate No. CLU6799	61. State NY	62. Exp. Yr.	64. Value
63. Plate Type PASSENGER AUTOMOBILE (REGULAR PLATES)	65. Year 2002	66. Make 67. Model CHEVROLET TRACKER		
68. Style UTILITY	69. VIN 2CNBJ13CS26911223		70. Color(s) GRAY	
71a. Towed By STILOSKYS	71b. Towed To STILOSKYS			
72. Vehicle Notes				

NARRATIVE

Date of Action	Date Written	Officer Name & Rank
07/26/2009	07/26/2009	ROSENTHAL, MICHAEL (IPF)
Narrative		
<p>On 07-26-09 at approximately 1:35pm I was dispatched to a wrong way driver traveling southbound in the northbound lanes of the Taconic State Parkway from the Pleasantville Rd exit. Case turned over to BCL As I patrolled southbound with lights and sirens from mile post 7.5, T/Mt Pleasant, I was notified by TMC Dispatch that there was an accident northbound on the Taconic State Parkway near Mile Post 4.1, T/Mt Pleasant. I arrived at scene within 2 minutes of the original call to find what appeared to be a red mini van engulfed in flames in the median of the Taconic State Parkway. I was then approached by a motorist who stated that there were multiple fatalities, some involving children. I then radioed TMC for additional EMS and Fire advising fatalities at scene. I then grabbed the AED in 3k10 and worked on 2 female girls at scene. Tpr Kirkland was at scene, along with Tpr Gonzalez and Tpr Delancy. I then observed a gray Chevy Trail Blazer in the northbound lanes of the Taconic State Parkway, with three deceased males. I then spoke with the operator and passenger of a gray Chevy Tracker, ANGELA and DEAN TALLARICO, who were also involved in the fatal, sustaining minor injuries. Inv Boyle, Inv Becerra, and Inv Morgan at scene. Sgt Muller and Sgt/SC Kranik at scene. I then assisted with scene security and obtaining witness statements. Inv Boyle Inv Boyle.</p>		

Date of Action	Date Written	Officer Name & Rank
07/27/2009	07/27/2009	BOYLE, JAMES (INV)

Narrative

1. 07/26/09, at approximately 1:35 PM, Hudson Valley TMC advised me of a motor vehicle accident on the Taconic State Parkway at mile post marker 4.2, resulting in multiple fatalities. I advised acting Senior Investigator David Lydon by telephone. At approximately 1:50 PM I arrived on scene and interviewed Troopers Michael Rosenthal and Sergeant James Kranik. The scene is described as:

Taconic State Parkway northbound is shut down by the State Police. A 2003 Ford Windstar is down a hill in the median. The vehicle was completely burned. In the right northbound lane is a 2004 Trailblazer, which is facing south. The vehicle has extensive damage and is occupied by three deceased males. The males were identified by NYS drivers licenses as:

- Michael Bartardi - front passenger.
- Guy Bastardi - driver.
- Daniel Longo - back seat passenger.

Also to the right of the northbound lanes was a 2002 Chevy Tracker with front end damage. This vehicle was unoccupied. I was advised by Trooper Rosenthal that the female driver and male passenger received minor injuries and were taken to Phelps Memorial Hospital. The occupants were:

- Angela Tallarico - driver.
- Dean Tallarico - front seat passenger.

The scene was photographed by Inv Boyle. A genl 34 and the photos are attached as an Enclosure.

2. 07/26/09, Investigator Jennifer Hall responded to Phelps Memorial Hospital, where she interviewed Angela and Dean Tallarico. A copy of these statements are attached as Enclosures.

3. 07/26/09, I was advised by Sgt Kranik that a female, later identified as Kate Hance, was taken to Phelps Memorial where she was pronounced dead. I was also advised that a male, later identified as Bryan Schuler was taken to Westchester Medical Center.

4. 07/26/09, At 3:00 P.M. I responded to the Westchester Medical Center, where I was advised that Brian was in stable condition. At the hospital, I met with Warren Hance, who was aware that Brian was at the hospital but did not know the whereabouts of his sister, Diane Schuler, his three children and his niece. At this time I made the death notification to Warren. At the hospital Warren advised his wife, Jackie, by phone. He also notified Daniel Schuler, who is the father of Erin and Bryan as well as the husband of Diane Schuler.

5. 07/26/09, I returned to the scene and observed Westchester County Medical Examiner's Office, Investigator Michael Messinger on scene along with other members of his department who, removed Michael Bastardi, Guy Bastardi & Daniel Longo from the scene.

The M.E. Investigators then approached the 2004 Windstar, where an adult female was deceased laying on the ground under a blanket west of the vehicle. This female was later identified as Diane Schuler. To the south of the vehicle were two female children also deceased. These females were later identified as Erin Schuler and Alyson Hance. Further south of the vehicle was a female later identified as Emma Hance. These females were removed by the M.E.'s office investigators.

6. 07/26/09, NYSP Troop K Collision Reconstruction Unit Members, Inv Shannon Alpert and Sgt Larry Muller were on scene and began their investigation. A copy of Inv Alpert's report once completed will be attached as an Enclosure.

7. 07/26/09, Trooper Christopher Raohok and I responded to 25 Lori Lane to notify the families of Michael and Guy Bastardi. At this time no one was home. Neighborhood interviews revealed that Michael and Guy lived there alone. A vehicle in the driveway was registered to Daniel Longo. Inv Boyle and Raohok entered the residence through an unlocked garage. While inside of the residence I observed numerous recent missed phone calls from [REDACTED]. From the residence I phoned this number, which belonged to Joseph Nicotina. When I identified myself to Nicotina, he asked me if his father in law was involved in the accident on T.V. At this time I confirmed what he had asked. I then asked him for his address. At 6:00 PM I responded to 145 Chester Pl. Yonkers N.Y., where I further notified his wife Margaret Nicotina, who is the daughter of Michael and the sister of Guy.

8. 07/26/09, at approximately 8:05 PM I spoke with Joseph Longo who is the brother of Daniel Longo. Joseph stated that he would be the next of kin for his brother.

9. 07/26/09, Investigator David Lydon sent file 3 ADS message # AMSQR54000003. A copy of the message is attached as an Enclosure.

10. 07/26/09, NYSP Hawthorne, Trooper Rosenthal provided me with a genl 4 statement taken from [REDACTED]. A copy of his statement is attached as an Enclosure.

11. 07/26/09, I interviewed [REDACTED], Who stated that he was travelling north on the TSP. He then exited at the Pleasantville Rd. Exit and observed the red minivan enter though the same exit ramp. He stated that he honked his horn and waved at this vehicle but was ignored. He stated that the driver did not appear to be swerving in the road. [REDACTED] wife [REDACTED] was also the car with him and confirmed all of his statements.

12. 07/27/09, At SP Hawthorne, I interviewed witness, [REDACTED]. A genl.4 statement was taken and is attached as an Enclosure

13. 07/27/09, I interviewed [REDACTED] who stated that he observed the red minivan roll over down the median, he stated that all of the windows were smashed during the roll over. He stated that he got out of his car, which was travelling south on the TSP and assisted in removing the occupants from the vehicle. He observed the female driver being removed. He observed three children in the third row of the vehicle, including a 2 YO in a car seat on the right side. He was unable to account for the other two children.

14. 07/27/09, Trooper Christine Lopez notified the National Transportation Safety Board (NTSB) at 202-314-6430 and notified Bruce MacGeadry of the accident.

15. 07/27/09, I interviewed NYSP, Troop T, Zone Sergeant, Kenneth Cano who stated that on 07/26/09 at 1:40 PM, Jackie Hance called SP Tarrytown to report a possible medical emergency with Diane Schuler. Jackie Hance described the vehicle and advised that there were 5 children in the vehicle. At 1:43 PM, he put out the description of the van over the air. At 2:12 PM, he call Jackie Hance back to confirm the last known location of the van and whether Diane has any known medical problems. At 2:13 PM, he call Diane Schuler's cell phone several times but it went to voice mail each time.

On 07/28/09, Captain Michael Realmuto sent me an e-mail. Attached to this e-mail is five (5) recordings from the SP Tarrytown phones. These phone calls were made by the Hance family to report Diane Schuler being missing. On 08/18/09 a CD of these recordings was made and is being held as evidence, item #2.

Date of Action	Date Written	Officer Name & Rank
07/27/2009	07/27/2009	BECERRA, JOSEPH (INV)

Narrative

16. On 07/26/09 I, Investigator JOSEPH BECERRA, interviewed witness; [REDACTED] who stated that he was northbound on the Taconic State Parkway and was exiting at the Pleasantville Rd exit. [REDACTED] noticed a red mini van coming at him from approximately 100 yards away going the wrong way on the exit ramp. The vehicle stayed in the lane of travel and [REDACTED] stated that he and his wife honked their car horn and waved at the vehicle in an attempt to get the drivers attention to no avail. [REDACTED] stated that he swerved his car onto the shoulder to avoid a collision. He stated that other cars also exiting at Pleasantville Rd had to swerve to the right to avoid striking the red mini van. [REDACTED] stated that he observed the vehicle continue around the bend onto the parkway. Approximately one minute later he stated that he observed a large plume of smoke in the area where the vehicle was headed.

17. On 07/26/09 I, Investigator JOSEPH BECERRA, interviewed witness; [REDACTED] who stated that he was driving north on the Taconic Parkway in the center lane when he observed a red mini van coming towards him in the left lane (the right lane for the mini van). [REDACTED] stated that the vehicle appeared to be travelling at a high rate of speed. [REDACTED] stated that he did not see the vehicle after it had passed him nor did he notice anything about the driver.

18. On 07/27/09 I interviewed witness; [REDACTED] dob [REDACTED] of [REDACTED]. who stated that on Sunday 07/26/09 he was driving north on the Taconic State Parkway in the right lane when he observed a red mini van travelling south in the northbound lanes of traffic. He stated that the mini van appeared to be travelling at a high rate of speed. [REDACTED] stated that as soon as the vehicle passed him, he called 911 to report this. A deposition was later obtained from [REDACTED] and is attached as an Enclosure.

19. On 07/30/09 I interviewed witness; [REDACTED] dob [REDACTED] of [REDACTED] stated that on Sunday afternoon he was northbound on the Taconic Parkway in the left lane about a mile south of Pleasantville Rd when he observed a red mini van coming at him in the same lane. [REDACTED] stated that the vehicle was staying perfectly in the lane and was travelling approximately 70 mph. [REDACTED] stated that he swerved two lanes into the right lane and immediately called 911.

20. On 07/30/09 I interviewed witness; [REDACTED] dob [REDACTED] of [REDACTED] who stated that on Sunday 07/26/09 at approximately 1:30 pm he was driving northbound on the Taconic Parkway in the left lane just passing the Route 117 exit when he observed a red mini van coming at him. He stated that the vehicle was travelling fast and that it appeared as though the vehicle was 3/4 in the left lane and 1/4 on the shoulder. He stated that he switched to the the center lane shortly before the vehicle passed him. A deposition was later obtained from [REDACTED] and is attached as an Enclosure.

21. On 07/30/09 I interviewed witness; [REDACTED] dob [REDACTED] of [REDACTED] who stated that on Sunday 07/26/09 she was travelling north on the Taconic Parkway in the left lane just north of Route 117 when she observed a red mini van coming towards her at a high rate of speed. [REDACTED] stated that as the vehicle passed her she noticed that the female driver had a panic look on her face and both hands on the steering wheel. A deposition was later obtained from [REDACTED] and is attached as an Enclosure.

Date of Action	Date Written	Officer Name & Rank
07/29/2009	07/29/2009	BOYLE, JAMES (INV)

Narrative

22. On 07/27/09 I received eight Medical Examiner Reports from the the Westchester County Medical Examiner's Office. These eight reports were for:

- Diane Schuler
- Emma Hance
- Alyson Hance
- Kate Hance
- Erin Schuler
- Guy T. Bastardi
- Michael A. Bastardi
- Daniel Longo

These eight reports are attached as seperate Enclosures.

23. 07/27/09, Inv Shawn Houck, from Troop F Major Crimes, interviewed [REDACTED] who is the owner/manager of Hunter Lake Camp Ground in Parksville N.Y. This is where Diane Schuler and the five children spent the weekend along with Schuler's husband, Daniel Schuler. [REDACTED] stated that she saw the victims the morning of the incident and that all was well. A copy of the e-mail sent by Inv Houck is attached as an Enclosure.

24. 07/29/09, I interviewed [REDACTED] who stated that at approximately 1:35 PM, she was travelling north in the right lane of the TSP. At this time she noticed a red minivan travelling south in the passing lane. She stated that the driver was not swerving and appeared oblivious to the oncoming traffic. This occurred just north of the Rte 117 exit. [REDACTED] did not observe the collision. A deposition was later taken and is attached as an Enclosure.

25. 07/29/09, I interviewed [REDACTED] who stated that on 07/26/09 at approximately 3:40 PM, he stopped in the pull off of Rte 87, just south of the Tappan Zee Bridge, southbound. While at this location, he located a cell phone sitting neatly on the Jersey Barrier. At this time [REDACTED] attempted to return the phone to it's rightful owner by calling the "home" number. After dialing this number he realized that the phone was somehow related to the traffic accident. On 07/27/09, [REDACTED] surrendered the phone to the New Jersey Palisades Parkway Police. On 07/27/09, Trooper John Kakavis picked up the phone and brought it to SP Hawthorne. The phones incoming and outgoing phone calls will be reviewed pending a subpoena or consent from Daniel Schuler. On 08/05/09, the phone was turned over to the Westchester County District Attorney's Office for review. A copy of the Palisades Interstate Parkway Police Department, Incident Report is attached as an Enclosure.

On 08/04/09, the phone was turned over to the Westchester County District Attorney's Office to be examined by them. A separate Genl.2 Evidence Record was completed for this and submitted, Item #1.

26. 07/29/09, I interviewed [REDACTED] who stated that he was at the campground at the same time as the Schuler family. He states that he saw Diane and Daniel Schuler at approximately 9:30 AM on the morning of the incident. He stated that everyone was in good spirits. He further stated that Daniel Schuler left around the same time in his pickup truck with all of the luggage and the dog. A deposition was later taken and is attached as an Enclosure.

27. 07/29/09, I interviewed [REDACTED] who stated that he and [REDACTED] were travelling south on I87 in Rockland County, where he observed a red Ford minivan being operated by a wife female. This minivan was being driven in an "aggressive manor". The vehicle was straddling the right and middle lane and cutting in and out of traffic. He stated that she appeared to be driving "skillfully". He stated that at one point he did see 4 or 5 children in the car. The children did not appear to be acting unusual. He described her facial expression as normal. He further stated that she appeared to be wearing glasses, possibly sun glasses. He stated that she had both hands on the wheel and [REDACTED] was cutting in and out of traffic, she appeared to be doing so skillfully. [REDACTED] stated that he went through the Harriman toll between 12:00 - 12:15 PM. A deposition was later taken and is attached as an

Enclosure.

28. 07/29/09, I interviewed [REDACTED], who stated that he was travelling on TSP northbound in the middle lane. As he approached the exit ramp for the Pleasantville Rd. Exit, he observed a red minivan come up the ramp in the wrong direction. The van then drove southbound in the right lane and passed [REDACTED]. After this vehicle did pass him, he observed in the rear view mirror, the vehicle jump from the right lane to the left. [REDACTED] was unable to determine if it was a male or female driver, but did indicate that they were wearing glasses and appeared to be focused, with their hands in the 10 & 2 o'clock position. A deposition was later taken and is attached as an Enclosure.

29. 07/29/09, I interviewed [REDACTED], who stated that he was driving north on the TSP in the right lane when he observed a red minivan travelling south in the passing lane. The driver appeared to be looking straight ahead. As the vehicle passed him, he looked back and observed a silver vehicle travelling north in the passing lane. This vehicle swerved to the right as the minivan continued to travel south in the passing lane. On 08/03/09 [REDACTED] faxed a signed deposition, which is attached as an Enclosure.

30. 07/29/09, I interviewed [REDACTED] who stated that he was travelling north on the TSP in the middle lane and observed a red minivan travelling in the fast lane coming towards him. This vehicle was travelling straight in it's lane. [REDACTED] stated that he believes this occurred in the Briarcliff Manor area. He did not witness the accident. A deposition was later taken and is attached as an Enclosure.

31. 07/29/09, Inv Shannon Morrison interviewed [REDACTED], who stated that he was travelling north on the TSP in the passing lane. While doing so, he noticed a red minivan travelling south in the driving lane. The vehicles then passed each other. [REDACTED] believes that this occurred in the area of the Rte 117. A deposition was later taken and is attached as an Enclosure.

32. On 07/30/09, I asked Investigator Daniel Quinones, SP Liberty, to go to the McDonald's in the Village of Liberty and try to obtain any video of Diane and the children at this location. This request was made because Warren Hance previously stated that the Diane Schuler and the children were planning to get breakfast on their way home. On 07/31/09 Investigators William Young and Daniel Quinones arrived at the McDonald's in Liberty N.Y. At this location, they reviewed the video for July 26, 2009. On this video they observed Diane and the five children enter at 9:56 AM and then leave at 10:33 AM. While at McDonald's they were seen ordering food and later playing in the play area. On this date McDonald's employees were unable to burn a DVD of the incident. On 08/07/09, I received a copy of the DVD, I reviewed it and secured it in the BCI Evidence Locker. A separate Genl.2 was completed. Evidence Item #3.

33. 07/30/09, I interviewed [REDACTED] who stated that he is a volunteer firefighter who saw the smoke from the accident, he then responded to the scene of the minivan. He along with 6-7 other passer bys, pulled the adult female from the vehicle and then removed the 5 children. [REDACTED] stated that all 5 children were seat belted.

34. 07/30/09, I interviewed [REDACTED] who stated that she saw the van come to rest in the median, she then pulled over and removed a CPR mask from her vehicle. She observed the adult female being removed from the vehicle first and then two of the children, one of whom was Bryan, being removed from the rear of the vehicle. The other three children were removed from the side of the vehicle. She stated that some of the passer bys were giving CPR to the female children. Brian was not given CPR. She confirmed that all children were seat belted.

35. 07/30/09, I interviewed [REDACTED] who stated that he was travelling with [REDACTED] in the left lane northbound on the TSP in the area of Pace University. At approximately 1:35 PM, he observed a red minivan coming towards him. This van was partially in the lane and partially on the shoulder. [REDACTED] stated that he moved to the center lane to avoid a head on collision. He further stated that the van kept coming straight as if he was not even there.
On 08/03/09, Inv Morrison took a deposition from [REDACTED] the deposition is attached as an Enclosure.

36. 07/30/09, I interviewed [REDACTED] who stated that he was driving north on TSP, in the left lane, in the area of Mile Post Marker 5.0. At approximately 1:35 PM, he observed a red minivan coming towards him. The van was half in the passing lane and half on the shoulder. [REDACTED] quickly moved his car into the center lane as the van kept coming towards him. When [REDACTED] looked at the driver, she appeared as though nothing was wrong and just kept driving. A deposition was later taken and is attached as an Enclosure.

37. 07/30/09, I interviewed [REDACTED] who stated that she was a passenger in a vehicle travelling north in the left lane on the TSP. At approximately 1:35 PM, she observed a red van coming towards her vehicle. This van was travelling south in the n/b passing lane. The van was half in the lane and half on the shoulder. She stated that she was fortunate that the driver of her vehicle was able to jump into the middle lane and avoid a head on collision. She then called cellular 911 at exactly 1:35 PM.
On 08/03/09, [REDACTED] faxed a signed deposition, which is attached as an Enclosure.

38. 07/30/09, I interviewed [REDACTED] who stated that he was travelling north on the TSP and exited at the Pleasantville Rd. exit. He stated that he is the first of four cars on the ramp, when he observed a red minivan coming straight towards him. [REDACTED] described the exit ramp as a sing lane. [REDACTED] pulled his vehicle all the way to the right to avoid striking this vehicle. He then looked in his rear view mirror and observed all of the cars behind him do the same. He stated that the minivan made no effort to avoid striking the other vehicles. He noted that at no time did he see brake lights being used by the van. [REDACTED] was in the vehicle with him and confirmed what he had said. A deposition was later taken and is attached as an Enclosure.

39. 07/30/09, I interviewed [REDACTED] who stated that at approximately 1:15 PM, he was travelling north on the TSP, just north of the Sprain Brook Parkway, when he was cut off by a red minivan travelling north with a female operator. He believes that that this is the vehicle involved in the MVA. He stated that the female was not wearing glasses and could not tell if there were any children in the van. [REDACTED] stated that he later saw a picture of Diane Schuler and believes that it was her that was operating this vehicle.

40. 07/30/09, I interviewed [REDACTED] who stated that she was travelling south on the TSP, when she saw the vehicles in front of her come to a stop. She further observed several people get out of their cars and run towards the median. [REDACTED] also pulled over and ran towards the minivan that was already on fire. She observed multiple children inside of the vehicle and confirmed that at least two were in child seats. She removed one child from the vehicle and moved her up the hill and south of the scene.

41. 07/30/09, I interviewed [REDACTED], who stated that on 07/26/09 he was travelling East on Rte 17 in Orange County N.Y. When he observed a red minivan was driving aggressively. This minivan was straddling the two lanes, tail gating and flashing it's headlights. This vehicle then continued ahead of [REDACTED] stated that he checked his EZ Pass records, which indicated that he went through the Harriman tolls at 12:14 PM. After going through the tolls, he continued south on Interstate 87. While travelling south on the I87 he and [REDACTED] observed this minivan pulled over to the right side of the road, just north of the Ramapo rest area. He and his wife observed a female outside of the vehicle, sitting on the guide rail who appeared to be ill. He described the female as wearing beige pants. A deposition was later taken and is attached as an Enclosure.

42. 07/30/09, I interviewed [REDACTED] who stated that he was travelling south on I87 on 07/26/09, when he observed a red minivan pulled over on the right side of the road. After he passed this vehicle, he observed this van get back into traffic and begin driving behind him in the right lane. This minivan then begins to tail gate him and tried to pass him on the shoulder. This van then begins to use it's horn and continues to do so for approximately one mile. [REDACTED] then pulled into the Ramapo rest area and drove towards the McDonald's. As he pulled in he observed the minivan also pull in and drive towards the area of the truck parking. He further stated that this van drove across the grass. This is the last time he saw the vehicle. [REDACTED] was in the car with him and confirmed his statements. A deposition was later taken both [REDACTED] and [REDACTED] and are attached as an Enclosure.

43. 07/31/09, I interviewed [REDACTED], who stated that she was travelling north on the TSP, in the middle lane, when she saw a red minivan travelling south in the northbound passing lane. This van was half in the lane and half on the shoulder. She estimates the speed to be 70 MPH. She stated that the vehicle was driving straight and not swerving. [REDACTED] did not get a look at the driver. A deposition was later taken and is attached as an Enclosure.

44. 07/31/09, I interviewed [REDACTED] who is a paramedic. [REDACTED] stated that he was travelling south on the TSP, when he observed a vehicle in the median engulfed in flames. He exited his vehicle and observed the adult female who was deceased. He then observed two female children believed to be Kate Hance and Erin Shuler laying on the ground west of the vehicle. He stated that these two girls were also deceased. He then traveled up the hill and further south of the scene where he saw a female believed to be Emma Hance. He stated that Emma was also deceased. He stated that the young boy (Brian Shuler) was conscious and taken by ambulance. He then saw a female (Alison Hance) also taken by ambulance. He then checked on the three males in vehicle #2 and stated that all three were deceased.

45. 07/31/09, I interviewed [REDACTED] who stated that on 07/26/09, she was travelling south on the TSP, where she observed a vehicle rolling down the hill of the center median. When she pulled over she observed several people removing children from the vehicle. [REDACTED] then assisted with traffic control.

46. 07/31/09, I arrived at 25 Lori Lane Yonkers NY and met with members of Bastardi family. At this time I had Ms. Guzzo sign a consent form to search the electronic vehicle recording device. The form was forwarded to Inv Shanon Alpert.

47. 07/31/09, Inv Gary Bedel (Troop L) and I arrived at [REDACTED] for the purpose of interviewing Warren and Jackie Hance. We were met at the door by off duty NYPD detective Anthony DiCarlo. I asked DiCarlo if I could speak to Warren and Jackie. DiCarlo stated that Warren was on his way to the [REDACTED] Medical Center to visit Bryan Schuler. I then advised Inv Joseph Becerra, who said he will meet Warren at the hospital. I asked DiCarlo if I could briefly speak to Jackie.

DiCarlo advised that she did not wish to speak to the Police. I then advised him that I did not wish to ask her any questions, I just wanted to provide her with some information. DiCarlo then entered the house. When he returned he stated that Jackie did not wish to see us.

48. 08/03/09, I interviewed [REDACTED] who stated that on 07/26/09 she was travelling east on Pleasantville Rd. At approximately 1:27 - 1:30 PM, she saw a red van drive up the wrong way on the exit ramp of the TSP. She stated that she believes the van may have made a right onto the ramp, but is not positive.

49. 08/03/09, I interviewed [REDACTED] and [REDACTED]. [REDACTED] stated that on 07/26/09 (unsure of the time), he was travelling north in the center lane of the TSP. At this time he saw a red minivan travelling south in the passing lane. This van was partially in the lane and partially on the shoulder. He further stated that the Trailblazer (Vehicle #2) was travelling in the left lane approximately 12 feet in front of the [REDACTED]. He stated that the minivan struck the Trailblazer head on, in the passing lane. [REDACTED] then sped up, to avoid the accident. He did not see Vehicle #3 being struck. [REDACTED] concurred the statements made by her husband.

50. 08/03/09, I interviewed [REDACTED] who stated that on 07/26/09 at approximately 1:30 PM, he was travelling north in the left lane of the TSP. He stated that a red minivan was travelling south in the north bound passing lane. He stated that he moved into the center lane and saw that the minivan struck the vehicle behind him [REDACTED] was driving a black GMC.

51. 08/03/09, I interviewed [REDACTED] who stated that he is not too familiar with the area but did see a red minivan travelling south in the northbound passing lane of the TSP. He stated that he saw this vehicle pass a U-turn, where she had plenty of room to pull off of the road. He stated that numerous drivers were honking their horns and flashing their headlights, but this driver just kept going as if nothing was wrong. At no time this this vehicle attempt to avoid oncoming cars.

52. 08/03/09, I interviewed [REDACTED], who stated that on 07/26/09 she was a passenger in a black Dodge Caravan travelling north in the left lane of the TSP. She stated that she observed a red minivan travelling south in the northbound passing lane, partially driving in the median. She stated that the minivan came very close to striking her vehicle. She further stated that the driver of the minivan made no attempt to avoid a collision. She also stated that the driver had the opportunity to pull into the median, but did not.

53. 08/03/09, I interviewed [REDACTED] who stated that on 07/26/09 he was travelling south on the TSP, when he saw traffic come to a stop and saw people getting out of their cars and running towards the median. He then saw a vehicle in the median that was on fire. He approached the vehicle and heard people yelling "there are kids inside". He tried to open the back door of the vehicle, but it was locked, so he went back to his car and retrieved a tool which he used to break the back window. Once the back door was opened, he removed a child, he believed to be Alyson. He then helped assist with the removal of Bryan.

54. 08/03/09, I interviewed [REDACTED], who was off duty on 07/26/09, when he was travelling south on the TSP. At approximately 1:30 PM he arrived on the scene of the minivan in the center median. He observed an adult female laying outside of the vehicle, who appeared to be deceased. He then stated that he assisted in providing resouce breathing on one of the female children.

Date of Action	Date Written	Officer Name & Rank
07/31/2009	07/31/2009	BECERRA, JOSEPH (INV)

Narrative

55. On 07/31/09 at approximately 10:00am Inv JAMES BOYLE and I arrived at the Westchester County Medical Center in Valhalla and met with DANIEL SCHULER. I interviewed Mr SCHULER regarding the weekend of 07/25 and 07/26/09 and his camping trip with his family. Mr SCHULER stated the following: He drove up to the camp ground on Thursday 07/24/09 with his dog. He drove his Toyota Tundra. His wife; DIANE and kids along with their nieces arrived Friday 07/25/09. He said that Friday evening after dinner he drank a couple of beers and his wife had two strawberry daquiris. He stated that on Saturday, he and his wife took the kids to an amusement/water park nearby. They were at the camp Saturday evening and everyone was having a great time. He said that on Saturday evening they stayed by the campsite. He added that neither he nor his wife drank on Saturday evening. The children went to bed around 9:00pm and he and his wife went to sleep at 11:30pm. Mr SCHULER stated that he woke up at approximately 5:00am on Sunday and the rest of the family got up around 8:00am. Mr SCHULER stated that he and his family left the camp site between 9:00am - 10:00am. He in his truck with the dog and she in her brothers mini van with the kids. He stated that his wife was going to take the kids to a McDonalds in Monticello N.Y. for breakfast. Mr SCHULER stated he and his wife usually took the same route home to Long Island which was Route 17 to Interstate 87 to Interstate 287 to Interstate 95 to the Throgs Neck Bridge. He said he did not speak to his wife on his way home and that he received a phone call from his brother-in-law WARREN HANCE stating that his sister (SCHULER'S wife DIANE) was in an accident with the kids. Mr SCHULER stated that his wife had no medical issues and was in good health. He stated that she did not have a primary physician and she use any type of medications. Mr SCHULER stated that his wife drank very little alcohol. I advised him of the preliminary toxicology results regarding the presence of alcohol and marihuana to which Mr SCHULER replied that he did not see

her drink on Sunday and that she smoked marihuana once in a while to relieve the stress of work and the kids. he added that she is in charge of credit collections at Cablevision. Mr SCHULER stated that he is employed by the Nassau County Police Department as a security guard and works the 4:00pm to 12:00am shift. He stated that there were no problems in the marriage and that his wife was in good spirits. He also stated that he and his wife have been together for 13 years and have been married 6 or 7 years. They have been going camping approximately 11 years.

56. On 07/31/09 at 3:30 pm Inv SHANNON MORRISON and I arrived at the Westchester County Medical Center and interviewed WARREN HANCE and JOAN SCHULER (sister-in-law of DANIEL SCHULER). Mr HANCE stated that on 07/26/09 he received a call from his daughter EMMA sometime in the late morning. EMMA stated that they were on their way home from the camp ground and should be home at about 1:00pm. Mr HANCE stated that everything appeared fine and that he received this call while at his office which is located a few blocks from his home. Shortly after he received another call from EMMA stating that they would be home closer to 1:30pm. 20 minutes later Mr HANCE arrived home and his wife JACKIE told him that she just got off the phone with DIANE (SCHULER) and that something was wrong with her. She also stated that the kids were crying in the background. Mr HANCE called his sister DIANE who appeared to have problems communicating. She appeared to be disoriented, had problems talking, and called Mr HANCE "DANNY". Mr HANCE stated that his sister wasn't herself on the phone. Mr HANCE had his sister put EMMA on the phone. EMMA said they were okay and that they were stopped. Mr HANCE asked his daughter if she could see any road signs and EMMA said there were signs which said Sleepy Hollow and Tarrytown. Mr HANCE told them to stay where they are and that he was coming to get them. Mr HANCE had his wife JACKIE contact the Tarrytown and Sleepy Hollow Police and Mr HANCE went to get his father WARREN HANCE Sr who lives nearby and could drive one of the vehicles back. Mr HANCE and his father stopped at SP Tarrytown and asked the Troopers to look for his sister DIANE SCHULER and the kids, describing the vehicle and that there may be some type of problem or medical condition. He stated that he also asked for an Amber Alert on the vehicle. Mr HANCE and his father continued driving around looking for DIANE and the kids. He stated that he called his sisters cell phone continually from the time he left his home in Long Island. Mr HANCE stated that he eventually went back to SP Tarrytown and was met by two Troopers who told him to go to the Westchester Medical Center. Mr HANCE stated that his sister drank only socially and would normally drink pina colodas and daiquiris. Mr HANCE stated that this was the first time this season that his kids went camping with his sister and brother-in-law and that they went once last year. He also stated that this was the first year they stayed at this particular campground and years past would camp in the Adirondacks. JOAN SCHULER stated that her sister-in-law DIANE smoked marihuana on a regular basis. She stated that DIANE didn't believe in medicine and used marihuana to relax. She usually would smoke at night after the kids would go to bed. Both WARREN HANCE and JOAN SCHULER stated that DIANE SCHULER was in excellent health and had no medical conditions.

Date of Action	Date Written	Officer Name & Rank
08/04/2009	08/04/2009	BOYLE, JAMES (INV)

Narrative

57. 08/03/09, Inv James Browne interviewed witness [REDACTED] A deposition was taken and is attached as an Enclosure.

57. 08/04/09, I received the Toxicology Report from the Westchester County Laboratory. The report states that Diane Schuler had a blood alcohol content (BAC) of 0.19 g/110mL and a THC content of 113 ng/mL. A copy of the laboratory report is attached as an Enclosure.

58. 08/04/09, I asked Investigator Randall McGregor to check local liquor stores, to see if anyone recalls Diane Schuler purchasing liquor that weekend. He checked Village Wine and Liquors, 187 Mill St, Liberty, 845-292 0055, interviewed [REDACTED] with negative results. He then checked 52 East Wines and Liquors, 1951 east route 52, liberty, 845 292 7200, interviewed [REDACTED] with negative results. He then checked various liquor stores in the village of Monticello, all with negative results.

59. 08/04/09, I interviewed [REDACTED] who stated that on 07/26/09, they were traveling home to [REDACTED] from Delaware County. At approximately 11:45 AM (rough estimate), they were driving on State Rte 17 in Middletown. At this time traffic slowed down due to only one lane being open in that area. While driving in the area 184, [REDACTED] noticed a red minivan pulled over to the side of the road. They noticed an adult female outside of the vehicle with brown hair and possibly wearing blue knee length shorts, bent over with her hands on her knees as if throwing up. [REDACTED] then continued east on State Rte 17. When they got to the Chester area near Lowes, [REDACTED] was in the left of two lanes and saw a vehicle tail gating him and flashing it's headlights. He then moved into the right lane and allowed this vehicle to pass him. As it passed him, he and his wife verbally confirmed that this was the van that they passed on the side of the road. The red van then continued ahead of the [REDACTED] "zig zagging in and out of traffic", until the [REDACTED] lost sight of it. The [REDACTED] continued driving on Rte 17 east and then onto 187 south. When they got to the area north of the Ramapo rest stop, they saw this same van pulled over with the same woman outside of the van, again with her hands on her knees. [REDACTED] is confident that this woman is Diane Schuler, based on the family photo released to the media.

On today's date [REDACTED] announced that alcohol played a role in the accident [REDACTED] decided to [REDACTED] SP Hawthorne.

On 08/05/09, SP Haverstraw Investigator Michael Dewitt interviewed [REDACTED]. A deposition was taken and is attached as an Enclosure.

60. 08/05/09, I was contacted by Attorney Dominick Barbara, who stated that he represents Daniel Schuler, Barbara stated that on 08/06/09, he will be holding a press conference at 1:00 PM, at his office in Garden City, Nassau County, N.Y. He stated that I am invited to attend the conference and that Daniel Schuler will speak with me afterwards. Barbara further stated that Daniel Schuler will answer any questions I may have. I advised Barbara that I will be at the conference and would very much like to speak to Daniel.

On 08/06/09, Inv Shannon Morrison and I arrived at 401 Franklin Ave. Garden City N.Y. and watched the press conference given by Barbara and Daniel Schuler. After the conference, I introduced myself to Dominick Barbara, who stated that he and Daniel will talk to us soon. He then had Inv Morrison and I wait in a room for approximately 20 minutes before entering and stating that Daniel had to leave. On this date no interview was conducted with Daniel Schuler.

61. 08/06/09, Inv Morrison and I met with Warren Hance, Doug Hayden and Kenneth Pryor at Doug Hayden's office in Uniondale N.Y. At the meeting, I interviewed Warren Hance in Reference to the phone calls made to him on 07/26/09 from Diane Schuler. Hance stated that at approximately 9:00 AM, he received a call from Emma, who stated that they will be home by 1:00 PM and that everyone had a great time the weekend. He then received a second call at his office at approximately 11:30 AM. During this call Diane stated that they would probably be home at 1:30 PM, Diane sounded fine at this time. At approximately 1:00 PM, Diane called Warren's home phone and spoke with Jackie Hance, who is the wife of Warren. Jackie reported to Warren that Diane sounded "out of it" and heard kids crying in the background. Warren then telephoned Diane, who sounded incoherent. He asked Diane to put Emma on the phone, when Emma got on the phone she sounded upset and stated that she saw signs for Sleepy Hollow and Tarrytown. Warren then spoke to Diane and told her to pull over and he will come get her. Warren then called his father, Warren Hance Sr. and told him he was on his way to find Diane and to wait for him outside of his (the fathers) house. Warren Jr. and Warren Sr. then arrived at SP Tarrytown and requested assistance in locating his sister and children. At SP Tarrytown, Warren was taken to the Westchester Medical Center, where the death notification was made to him.

Warren was further interviewed about possible medical or psychological issues Diane may have. He stated that he was not aware of any, but did describe her as stubborn, not the type that would go to a doctor if she felt ill. Warren stated that approximately 2 - 3 weeks ago he spent time with his sister at a birthday party and everything appeared normal. He stated that the first time he ever heard of his sister using marijuana was when he was told by the State Police. Warren's statements were consistent with prior statements made by him throughout the past week.

62. On 08/09/09, I interviewed [REDACTED] who stated that on 07/26/09 he was traveling north on the TSP when traffic came to a halt. He then saw smoke coming from the median. He saw a Trooper on the scene along with civilians. [REDACTED] did not have any contact with the victims.

63. On 08/10/09, I received a phone call from attorney Dominick Barbara. Barbara stated that his client, Daniel Schuler would be available for interview on 08/14/09 at 9:30 AM, at SP Hawthorne. I advised Barbara that I will meet him and his client at the station on this date.

64. On 08/10/09, I received a deposition form [REDACTED]. [REDACTED] was previously interviewed by Inv Morrison. In her deposition she stated that she has a camp site at Hunter Lake Campgrounds. On Saturday 07/25/09, she saw both Daniel and Bryan Schuler and everything appeared fine. She again saw Daniel Schuler on 07/26/09 at approximately 6:00 AM. She did not see Diane Schuler this weekend. Sohl did not observe any suspicious activity. The deposition is attached as an Enclosure.

65. On 08/12/09, Investigator Randall McGregor advised me that he interviewed [REDACTED] is the McDonald's cashier who served Diane Schuler on 07/26/09. [REDACTED] stated that Diane did not appear to be intoxicated nor did he smell alcohol coming from her. He described her as a pleasant customer. A deposition was taken from [REDACTED] and is attached as an Enclosure.

66. On 08/12/09, I interviewed [REDACTED] who stated that she was traveling south on the TSP when she observed the vehicles in front of her come to a stop. She saw that they were pulling children from an automobile. She then exited her vehicle and assisted. She was asked by a male if she knew CPR to which she responded yes. She and an unidentified male checked the pulse of the two children which were laying together. These children are believed to be Erin Schuler and Kate Hance. She stated that she checked both of these children and discovered that neither one of them had a pulse. She then assisted the Fire Chief in covering the children with a blanket.

67. On 08/12/09, I interviewed [REDACTED], who stated that on 07/26/09 at approximately 1:35 PM, she was traveling north on the TSP in the middle lane. When she got to the [REDACTED] mile post marker 5, she observed a red minivan traveling south in the north bound passing lane. This vehicle was partially in the lane and partially in the median. She stated that, at that time there were no

other vehicles in the passing lane. She was unable to describe the driver, but stated that the vehicle was traveling in a straight line. [REDACTED] was unable to see where the vehicle entered the highway from.

68. On 08/12/09, I contacted the Tarrytown Police Department and spoke with Officer Budnar, who stated that he has no record of anyone looking for Diane Schuler on this date.

69. On 08/12/09, I contacted the Sleepy Hollow Police Department and spoke with Officer Hayes. Hayes stated that he had no record of anyone looking for Diane Schuler on this date.

70. On 08/14/09, I was contacted by Doug Hayden who stated to me that the Hance family was disturbed by an article in People magazine. In the article a subject made reference to Kate Hance. Warren Hance was disturbed by this article which implied that Kate Hance was alive and conscious for some time after the accident. I interviewed [REDACTED] in reference to Kate Hance's condition at the time of the accident. [REDACTED] who is a paramedic with 20 years of experience, was one of the first persons on scene. [REDACTED] stated that Kate was unconscious, had a faint heartbeat and was not breathing.

71. 08/14/09, Senior Investigator Bennett and I interviewed Daniel Schuler in the presence of his attorney. Schuler stated that on 07/24/09 he left his home in Long Island early in the morning to go to his camper in Sullivan County N.Y. He drove his pick up truck and took his dog with him. His wife Diane was to drive her car with Bryan and Erin to the Hance home, once there, Diane would take Warren Hance's Ford Windstar and drive all five children up to the campsite. On Sunday 07/26/09, Daniel Schuler packed up his truck while Diane put the children in the minivan. The Schulers left together in separate vehicles (as planned). Diane Schuler then took the children to McDonald's, while Daniel continued home.

During the interview, Private Investigator Thomas Ruskin stated that he obtained a video of Diane at a gas station in Liberty N.Y. Ruskin turned over a copy of this video which was secured in the BCI Evidence Locker. Evidence Item # 4.

Investigator Daniel Quinones later attempted to interview the clerk at the Sunoco. The clerk, [REDACTED] refused to speak to the State Police.

72. 08/17/09, Inv Skylar King provided me with a security DVD from the McDonald's on the Thruway in the Ramapo rest area. The video is from 07/26/09. A review of this video failed to show Diane entering the McDonald's. The DVD was secured in the BCI Evidence Locker. Evidence Item # 5.

73. 09/08/09, I received a copy of the Westchester County Medical Examiners, Autopsy Report. A copy of the 19 page report is attached as an Enclosure.

74. 09/23/09, Trooper Michael Rosenthal completed the MV104A and MV104D Accident Reports. These reports are attached as an Enclosure.

75. 09/23/09, Westchester County Assistant District Attorney Jonathan Strongin provided me with a copy of Diane Schuler's cell phone record which he had received by subpoena. These records are consistent with statements made by Warren Hance. A copy of the Verizon cell phone record (6 pages) is attached as an Enclosure.

On this same date, I received from ADA Strongin a copy of the EZ Pass records for Daniel Schuler's vehicle and the 2004 Windstar operated by Diane Schuler. These records are also consistent with this investigation as well as statements made by Daniel Schuler. A copy of these two records are attached as an Enclosure.

CONCLUSION:

Investigation into this matter by the New York State Police BCI, Uniform Force and the Collision Reconstruction Unit, along with the Westchester County District Attorney's Office, has concluded that this accident was caused by the actions of Diane Schuler, who drove the wrong way on the Taconic State Parkway with a blood alcohol level of .19% and marijuana in her blood. She alone is responsible for this accident.

An investigation into the actions of Daniel Schuler failed to reveal his knowledge of Diane Schuler's intoxication and therefore no criminal action will be brought against him.

EVIDENCE:

- 1) Diane Schuler's cell phone.
- 2) CD recording of phone calls to SP Tarrytown
- 3) DVD from McDonald's, Liberty NY
- 4) DVD from the Sunoco station, Liberty NY
- 5) DVD from the McDonald's, Ramapo NY

ENCLOSURES:

- 1) Genl. 34 Phot record and 15 photos.
- 2) Statement from Angela Tallarico.
- 3) Statement from Dean Tallarico.
- 4) Collision Reconstruction Report.
- 5) AMS Message # AMSQR54000003.
- 6) Statement of [REDACTED]
- 7) Statement of [REDACTED]
- 8) Statement of [REDACTED]
- 9) Statement of [REDACTED]
- 10) Statement of [REDACTED]
- 11) Autopsy Report for Diane Schuler.
- 12) Autopsy Report for Emma Hance.
- 13) Autopsy Report fo Alyson Hance.
- 14) Autopsy Report for Kate Hance.
- 15) Autopsy Report for Erin Schuler.
- 16) Autopsy Report for Guy Bastardi.
- 17) Autopsy Report for Michael Bastardi.
- 18) Autopsy Report for Daniel Longo.
- 19) E-Mail from Investigator Shawn Houck.
- 20) Statement from [REDACTED]
- 21) NJ Palisades Police Report.
- 22) Statement from [REDACTED]
- 23) Statement from [REDACTED]
- 24) Statement from [REDACTED]
- 25) Statement from [REDACTED]
- 26) Statement from [REDACTED]
- 27) Statement from [REDACTED]
- 28) Statement from [REDACTED]
- 29) Statement from [REDACTED]
- 30) Statement from [REDACTED]
- 31) Statement from [REDACTED]
- 32) Statement from [REDACTED]
- 33) Statement from [REDACTED]
- 34) Statement from [REDACTED]
- 35) Statment from [REDACTED]
- 36) Statement from [REDACTED]
- 37) Toxicology Report for Diane Schuler.
- 38) Statement from [REDACTED]
- 39) Statemat from [REDACTED]
- 40) Statement from [REDACTED]
- 41) Autopsy Report, including the Microscopic Examination for Diane Schuler, 19 pages.
- 42) MV104A and MV104D, Accident Reports.
- 43) Verizon cell phone records.
- 44) EZ Pass records for 2004 Windstar operated by Diane Schuler on 07/26/09.
- 45) EZ Pass records for pick up truck operated by Daniel Schuler on 07/26/09.

ADMINISTRATIVE

74. Inquiries DMV WW		75. NYSFIN Message No.		76. Complainant Signature	
77. Reporting Officer Signature (Include Rank) INV JAMES BOYLE <i>James Boyle</i>		78. ID No. 98	79. Supervisor Signature (Include Rank) SR INV ROBERT BENNETT		80. ID No. 3129
81. Status CLOSED BY INV - PPD		82. Status Date 07/26/2009		83. Notified/TOT	
					Solvability Total 0