

MFR/PRVLBR NOTIFIED

- No Comments made
- Comments attached
- Excisions/Revisions
- Firm has not requested further notice

6042

61237

MEDICAL EXAMINER'S/CORONER'S REPORTING FORM

Date of accident 12/29/87 Date of death 12/29/87

Type of consumer product involved R. B. Crown

Manufacturer, Model, Brand name, and Serial No. of product Driving, Thermo C. 2cc R. B. Crown

Is product available for examination? yes no. If yes, where?

Brief description of accident sequence: (PLEASE INCLUDE THE AGE AND SEX OF THE VICTIM(S) AND THE CITY AND STATE IN WHICH THE ACCIDENT OCCURRED)

A 141-xxxxxx Ford was killed while driving with propane with a friend. The friend fell out to the back and shot himself in the chest.

Case # 87-1146 45 MC - 813-272-6577

Police - ph: 813-225-5200

Contact Information: Please include the name, address and telephone number of any state/local personnel who investigated the accident. **EPDS**

EPDS

JAN 4 1988

Medical Examiner's/Coroner's Case No.

Reporter's Name S. G. Hall Date Reported 12/31

Reporter's Off. (incl. city, county, and state) Tampa FL

Medical Examiner's/Coroner's Name Dr. Peter Kardinal

To report a case by telephone, call (toll free) 1-800-638-8095. Say "THIS IS A MECAP REPORT." You will then be placed in contact with the MECAP Project Manager, who will ask for the information noted above.

For processing at CPSC: Report recd. by: Tina Wright

Chief Med. Exam. Rpt. Copy for MECAP News ()
Regular MECAP Document No.

Assignment Task No.

MFR/PRVLBR NOTIFIED
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 Excisions/Revisions
 Firm has not requested further notice

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No comments made
 Comments attached
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15

MFR/PRVLR NOTIFIED

No Comments made
Comments attached
Excisions/Revisions
Firm has not requested
further notice

10/5/90

32

MEDICAL EXAMINER'S CORONER'S REPORT FORM

10 73655 A

Date of accident 7-22-90 Date of death 7-22-90

Type of consumer product involved BB gun (1237)

Manufacturer, Model, Brand name, and Serial No. of product

Daisy

Is product available for examination? yes no. If yes, where?

Brief description of accident sequence: (PLEASE INCLUDE THE AGE AND SEX OF THE VICTIM(S) AND THE CITY AND STATE IN WHICH THE ACCIDENT OCCURRED)

A 5 year old boy was accidentally shot with a BB-gun. His 9 year old brother was trying to quiet a noisy dog, and the 5 year old ran in his line of fire. The BB entered the child's temple and travelled across his brain, killing him.
Boxelder County, Utah

Contact Information: Please include the name, address and telephone number of any state/local personnel who investigated the accident.

Medical Examiner's/Coroner's Case No.

Reporter's Name Rudi Diet Date Reported 7-27-90

Reporter's Off. (incl. city, county, and state) Salt Lake City, Utah

Medical Examiner's/Coroner's Name Dr. Todd Grey

To report a case by telephone, call (toll free) 1-800-618-3095. Say "THIS IS A WECAP REPORT". You will then be placed in contact with the WECAP Project Manager, who will ask for the information noted above.

For processing at WSC:

Report sent by: KHW

Chief Med. Exam. Exp. Regular WECAP

Copy for WECAP News Document No.

AUG 1 1990
AUG 1 1990
FPDS

Assign

TC
#10

(15)

CONSUMER PRODUCT INCIDENT REPORT

NOV -9 1993

1. NAME OF RESPONDENT [REDACTED]		2. TELEPHONE NO. [REDACTED] (Work)	
3. STREET ADDRESS [REDACTED]		CITY STATE ZIP Little Rock AR 72201	
4. DESCRIBE ACCIDENT SITUATION OR HAZARD, INCLUDING DATA ON INJURIES. (Use second page if necessary.) This attys 7yo male client was paralyzed when he was shot by a BB rifle laying on a bed where 2 other boys (ages 9-8) played with the gun - The boys [REDACTED] was shot in the heart - they (the boys) thought the gun [REDACTED]			
5. DATE OF INCIDENT(S) 1/3/92	7. IF INJURY OR NEAR MISS, OBTAIN AGE <u>7</u> SEX <u>M</u> AND DESCRIBE INJURY <u>SHOT IN HEART</u>	8. IF VICTIM DIFFERENT FROM RESPONDENT, PROVIDE NAME [REDACTED] RELATIONSHIP <u>CLIENT</u>	
9. DESCRIPTION OF PRODUCT DAISY 880 Powerline BB Rifle		10. BRAND NAME DAISY	
11. MANUFACTURER/DISTRIBUTOR NAME, ADDRESS & PHONE DAISY MFG. CO. Rogers, AR.		12. MODEL, SERIAL NO.'S 880 BB Rifle Powerline	
13. DEALER'S NAME, ADDRESS & PHONE K-MART SERVICE Merchandise Store		14. WAS THE PRODUCT DAMAGED, REPAIRED OR MODIFIED? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> IF YES, BEFORE OR AFTER THE INCIDENT? Describe <u>N/A</u>	
15. PRODUCT PURCHASED NEW <input checked="" type="checkbox"/> USED <input type="checkbox"/> DATE PURCHASED <u>10/91</u> AGE <u>Two Year</u>		16. DOES PRODUCT HAVE WARNING LABELS? IF SO, NOTE: _____	
17. HAVE YOU CONTACTED THE MANUFACTURER? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> IF NOT, DO YOU PLAN TO CONTACT THEM? YES <input type="checkbox"/> NO <input type="checkbox"/> OTHER _____	18. IS THE PRODUCT STILL AVAILABLE? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> IF NOT, ITS DISPOSITION _____	19. MAY WE USE YOUR NAME WITH THIS REPORT? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	
FOR ADMINISTRATION USE			
20. DATE RECEIVED 11/2/93	21. RECEIVED BY (Name & Office) DE MARCO, CO, CECLA.	22. DOCUMENT NO. X3B0883	
23. FOLLOW-UP ACTION F/U IDE pls. w/ atty!		24. PRODUCT CODE(S) 1237	
25. DISTRIBUTION		26. ENDORSEER'S NAME & TITLE	

CPSC FORM 175 (8/89)

MFR/PRVLR NOTIFIED 4/2/98

No Comments made

Comments attached

Excisions/Revisions

Firm has not requested further notice

was empty. They could not see a
BB in the firing Chamber.

DEC 20 1993

8

If you have any changes, additions, or comments you wish to make concerning your attached report, please make them in the space below.

I confirm that the information in the attached report (including any changes, additions, or comments I have made) is accurate to the best of my knowledge and belief.



5/31/94
Date

I request that you do not release my name.

You may release my name to the manufacturer but I request that you not release it to the general public.

You may release my name to the manufacturer and to the public.

X3B0883
Issue 6
1237

B-40
10-21 cd

CONSUMER PRODUCT INCIDENT REPORT

7 AUG 1991

1. NAME OF RESPONDENT Claudia Quinn		2. TELEPHONE NO. (Home) (Work) (415) <u>952-7224</u> <u>761-0506</u> <u>415-615-9950</u>	
3. STREET ADDRESS 6 Los Flores		4. CITY STATE ZIP CODE South San Francisco, CA 94080	
5. DESCRIBE ACCIDENT SITUATION OR HAZARD, INCLUDING DATA ON INJURIES. (Use second page if necessary.) Respondent's son was struck in eye by BB or pellet from air rifle as he was walking to a baseball game. South San Francisco Police investigated the incident and have information on the air rifle and incident scenario. Police Report # 91-01-28-032.			
6. DATE OF INCIDENT(S) 1-28-91	7. IF INJURY OR NEAR MISS, OBTAIN AGE <u>15</u> SEX <u>Male</u> AND DESCRIBE INJURY <u>eye</u>	8. IF VICTIM DIFFERENT FROM RESPONDENT, PROVIDE NAME <u>Eric Fagundes</u> FAGUNDES RELATIONSHIP <u>son</u>	
9. DESCRIPTION OF PRODUCT Air Rifle		10. BRAND NAME Daisy	
11. MANUFACTURER/DISTRIBUTOR NAME, ADDRESS & PHONE Unknown		12. MODEL, SERIAL NO.'S Unknown	
		13. DEALER'S NAME, ADDRESS & PHONE Unknown	
14. WAS THE PRODUCT DAMAGED, REPAIRED OR MODIFIED? YES ___ NO <u>N/A</u> IF YES, BEFORE OR AFTER THE INCIDENT? <u>N/A</u> Describe _____		15. PRODUCT PURCHASED NEW ___ USED ___ DATE PURCHASED <u>Unknown</u> AGE <u>Unknown</u>	
		16. DOES PRODUCT HAVE WARNING LABELS? IF SO, NOTE: _____	
17. HAVE YOU CONTACTED THE MANUFACTURER? YES ___ NO <u>X</u> IF NOT, DO YOU PLAN TO CONTACT THEM? YES ___ NO ___ OTHER _____	18. IS THE PRODUCT STILL AVAILABLE? YES ___ NO <u>X</u> IF NOT, ITS DISPOSITION <u>Police</u>	19. MAY WE USE YOUR NAME WITH THIS REPORT? YES <u>X</u> NO ___	
FOR ADMINISTRATION USE			
20. DATE RECEIVED June 14, 1991	21. RECEIVED BY (Name & Office) Larry Cornell, FOWR		22. DOCUMENT NO. F160124
23. FOLLOW-UP ACTION IDI		24. PRODUCT CODE(S) 1237	
25. DISTRIBUTION O: EPDS cc: FOWR		26. ENDORSER'S NAME & TITLE Larry Cornell, Program Officer	

MFR/PR NOTIFIED 8/12/91
No Comments made
Excisions/Revisions
Firm has not requested further notice

5 - JUL 1991

3

If you have any changes, additions, or comments you wish to make concerning your attached report, please make them in the space below.

I confirm that the information in the attached report (including any changes, additions, or comments I have made) is accurate to the best of my knowledge and belief.

Claudia Querin 8-13-91
Signature Date

I request that you do not release my name.

You may release my name to the manufacturer but I request that you not release it to the general public.

You may release my name to the manufacturer and to the public.

7 AUG 1991

DI 2 11 1 1

JUL 17 1996

CONSUMER PRODUCT INCIDENT REPORT

1. NAME OF RESPONDENT <i>Mike Riley</i> <i>Atterbury Riley + Luebke SC</i>		2. TELEPHONE NO. (Home) (Work) <i>(608) 257-4715</i>	
3. STREET ADDRESS <i>700 Regent St. Ste 201</i>		4. CITY STATE ZIP CODE <i>Madison WI 53715</i>	
5. DESCRIBE ACCIDENT SITUATION OR HAZARD, INCLUDING DATA ON INJURIES. (Use second page if necessary.) <i>11 year old boy was cocking the BB gun. It slipped and discharged. He did not touch the trigger. The safety was on. The boy's father was supervising at the time, + saw the accident.</i>			
6. DATE OF INCIDENT(S) <i>5/96</i>	7. IF INJURY OR NEAR MISS, OBTAIN AGE <u><i>11</i></u> SEX <u><i>M</i></u> AND DESCRIBE INJURY <u><i>tear to the eye</i></u>	8. IF VICTIM DIFFERENT FROM RESPONDENT, PROVIDE NAME RELATIONSHIP <u><i>client</i></u>	
9. DESCRIPTION OF PRODUCT <i>BB gun</i> <i>Daisy Air Rifle -- Red Ryder</i>		10. BRAND NAME <i>Daisy</i>	
11. MANUFACTURER/DISTRIBUTOR NAME, ADDRESS & PHONE <i>Daisy Manufacturing</i> <i>(address + phone currently unknown)</i>		12. MODEL, SERIAL NO.'S <i>Red Ryder</i>	
14. WAS THE PRODUCT DAMAGED, REPAIRED OR MODIFIED? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> IF YES, BEFORE OR AFTER THE INCIDENT? Describe _____		13. DEALER'S NAME, ADDRESS & PHONE <i>Shopko</i> <i>2101 W. Broadway</i> <i>Monona, WI 53713</i> <i>(608) 222-6010</i>	
15. PRODUCT PURCHASED NEW <input checked="" type="checkbox"/> USED <input type="checkbox"/> DATE PURCHASED <u><i>7/9/95</i></u> AGE _____		16. DOES PRODUCT HAVE WARNING LABELS? IF SO, NOTE: <u><i>Not addressing this situation</i></u>	
17. HAVE YOU CONTACTED THE MANUFACTURER? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> IF NOT, DO YOU PLAN TO CONTACT THEM? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> OTHER _____	18. IS THE PRODUCT STILL AVAILABLE? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> IF NOT, ITS DISPOSITION _____	19. MAY WE USE YOUR NAME WITH THIS REPORT? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	
FOR ADMINISTRATION USE			
20. DATE RECEIVED	21. RECEIVED BY (Name & Office)	22. DOCUMENT NO.	
23. FOLLOW-UP ACTION		24. PRODUCT CODE(S) <i>1237</i>	
25. DISTRIBUTION		26. ENDORSER'S NAME & TITLE	

MFR/PRVLR NOTIFIED
 No Comments made
 Comments attached
 Excisions/Revisions
 Firm has not requested
 further notice

114
CPH65623



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ATTORNEYS AT LAW

ET105/AR
C 9665023

TL

CPSC/OFC OF THE SECRETARY
FREEDOM OF INFORMATION ACT
1976 JUN 17 P 3:10

15

[REDACTED]

AIS

1300

JUL 9 1996

Jay

June 14, 1996

Consumer Product Safety Commission
Office of the Secretary
Washington, D.C. 20207

RE: Daisy Air Rifle

To Whom it May Concern:

1237

We are looking for any information that pertains to problems with Daisy air rifles discharging without the trigger being pulled. Our client's Daisy air rifle discharged when the lever slipped after the gun was cocked; the safety was on at the time.

TC,
EXC,

Any information regarding this product and this or similar problems would be helpful.

Thank You,
Becky Orvick
Becky Orvick

~~5-6060104~~
606105

CALLS TO LAWYERS

IDENTIFICATION C9665023

CITY/STATE MADISON, WI

DATE OF INCIDENT 5/96

TYPE OF INJURY TEAR TO THE EYE

AGE/SEX 11 / MALE

SCENARIO (1 sentence) Victim air rifle discharged when the lever slipped after the gun was cocked, the safety latch was on at the time.

(NO ADDITIONAL INFO)

Am

If you have any changes, additions, or comments you wish to make concerning your attached report, please make them in the space below.

I confirm that the information in the attached report (including any changes, additions, or comments I have made) is accurate to the best of my knowledge and belief.

Rebecca Owick 7/23/96
Signature Date

- I request that you do not release my name.
- You may release my name to the manufacturer but I request that you not release it to the general public.
- You may release my name to the manufacturer and to the public.

I.41
C 9465023

1. CASE NO. 960723CCN1577		2. INVESTIGATOR'S ID 8919		3. OFFICE CODE 830		EPIDEMIOLOGIC INVESTIGATION REPORT	
4. DATE OF INCIDENT YR MO DAY [9][6][0][6][1][8]		5. DATE INVESTIGATION INITIATED YR MO DAY [9][6][0][7][2][5]					
6. SYNOPSIS OF INCIDENT OR COMPLAINT : An 11 year old boy was shot in the eye when his friend, who was holding a BB gun, accidentally bumped the gun against a wall. The victim did not suffer loss of vision.							
7. LOCATION (Home, school, etc.) Home [1][0]			8. CITY Union			9. STATE MI	
10A. FIRST PRODUCT BB Gun [1][2][3][7]			1A. TRADE/BRAND NAME, MODEL NUMBER, MANUFACTURER & ADDRESS Daisy Powerline 860 Point Sight Daisy Manufacturing Co., 2111 S. 8th St., Rogers, AR 72757				
10B. SECOND PRODUCT N/A [0][0][0][0]			11B. TRADE/BRAND NAME, MODEL NUMBER, MANUFACTURER & ADDRESS N/A				
12. AGE OF VICTIM [0][1][1]		13. SEX (USE NUMERICAL CODE) MALE - 1 FEMALE - 2 [1] UNKNOWN - 3		14. DISPOSITION [4]		15. INJURY DIAGNOSIS [5][6]	
16. BODY PART [7][7]		17. RESPONDENT(S) (Mother, Friend) [3]			18. TYPE INVESTIGATION ON SITE - 1 TELEPHONE - 2 [2] OTHER - 3		19. TIME SPENT [0] [1].[5]
20. *ATTACHMENTS [9]		21. CASE SOURCE [0][5]		22. REVIEWED BY YR MO DAY [8][1][3][0] [9][6][0][8][1][4]			
23. PERMISSION TO DISCLOSE NAMES (NON-NEISS CASES ONLY) CPSC MAY DISCLOSE MY NAME [] CPSC MAY NOT DISCLOSE MY NAME [X]							
24. NARRATIVE (See instructions on Page 2)					25. REGIONAL OFFICE DIRECTOR REVIEW DATE		

MFR/PRYLBR NOTIFIED *[Signature]*
 No Comments made
 Comments attached
 Excisions/Revisions
 Firm has not requested further notice

(USE ADDITIONAL SHEETS IF NECESSARY)

960723CCN1577

SYNOPSIS:

An 11 year old boy was shot in the eye when a BB gun was bumped against a wall.

SUMMARY:

This telephone IDI was initiated from a newspaper clipping. The respondents in this IDI are the owners of the BB gun and the police chief of the New Buffalo, Michigan Police Department.

The mother of the boy who shot the victim stated that 4-5 years ago her husband purchased a BB gun for their son. She said her son, who is now 11, was instructed in the use and operation of the gun by his father. The respondent stated that her son only shot the BB gun at a target purchased for use with the gun and that he used the BB gun responsibly. The respondent said that her son had never had any problems with the BB gun prior to this incident.

The respondent stated that on June 18, 1996, her son's 11 year old friend had come over to their home and was playing with her son in the house. She said her 11 year old son reportedly walked over to a closet in the family room where the BB gun was kept and pulled the gun out of its case. The respondent said that her son did not know that the BB gun had been put away loaded and cocked by another child. The respondent said the boys were not playing with the BB gun and that her son had just taken it out to look at it. The respondent said after her son had looked at the gun, he walked back over to the closet with the gun, intending to put it away. The respondent said her son bumped the gun on the wall near the closet and the gun went off, discharging a BB that hit her son's friend in the eye.

The mother of the boy who shot the victim did not have any information about the make or model of the gun. She stated that the gun was in the possession of the New Buffalo, MI Police and said they could provide information as to the make and model of the gun.

Discussion with the Chief of the New Buffalo Police disclosed that the BB gun involved in this accidental shooting was a Daisy Powerline 860 BB Gun, Lot No. 5C15730. The Police Chief stated that the gun was a .177 BB Rifle. He stated that the rifle had a safety. The police chief said that his department had not conducted any testing of the rifle for defects or mechanical malfunctions. He said he believed the BB gun's trigger was bumped during the incident and that caused it to discharge.

SUMMARY CONT.:

The police chief stated that the owner's of the gun/parents of the boy who shot his friend are being sued and that he would not release the gun or copies of their police reports filed in connection with this case due to pending litigation. The officer did agree to take photographs of the BB gun involved in this incident and these photos have been included to this report as Attachment 3.

The mother of the boy who shot the victim stated that the victim had been released from the hospital, however, she said the BB had damaged the victim's sinuses and that he was readmitted to the hospital due to complications related to his sinuses. The victim also suffered slight paralysis of his left side as a result of this incident. She stated that the victim was still hospitalized at the time of this investigation on July 25, 1996. A supplemental newsclip covering this incident revealed that the victim did not suffer loss of vision as a result of this incident. See supplemental newsclip in Attachment 2.

ATTACHMENTS:

- Attachment 1 - Assignment/Newspaper clipping
- Attachment 2 - Supplemental Newsclip
- Attachment 3 - Photographs

ID # 960723CCN1577

G67 0168A



MICHIGAN PRESS
READING SERVICE
126 S. Putman, Williamston, Mich. 48895

HARBOR COUNTY NEWS
NEW BUFFALO, MICH
W-CIRC. 9,495

JUNE 27 1966

Support sought for Julian

NEW BUFFALO — An account of the death of a 11-year-old boy, Julian Snyder, who died in the hospital here last week, is being published in the Harbor County News.

The Union Pier, Mich. area, is the home of the family. The boy was born in Chicago, Ill., and was in the hospital here last week.

The boy was born in Chicago, Ill., and was in the hospital here last week. He was a member of our family as well as a member of our family.

Donations can be made to the Julian Snyder Memorial Fund, c/o Harbor County News, P.O. Box 100, New Buffalo, Mich. 48153.

Julian's parents, Mr. and Mrs. Snyder, are both members of the Harbor County News staff.

Julian's death was a great loss to his family and to the community.

Julian's death was a great loss to his family and to the community.

JRV
BB GUN
CAT: SECT 15
MIS: 32626



MICHIGAN PRESS
READING SERVICE

126 S. Putman, Williamston, Mich. 48895

HARBOR COUNTY NEWS
NEW BUFFALO, MICH
W-CIRC. 9,495

JULY 4 1996

Julian released from hospital

By Rhonda E. Sebecki
News staff writer

CHICAGO — Julian Snyder is home.

The 11-year-old Union Pier boy had been at the University of Chicago Hospital since June 18, after he was accidentally shot in the eye with a BB gun.

He was released from the hospital Monday, July 1.

As little as a week ago, Julian was in a drug-induced coma, his body temperature lowered to 94 degrees, with massive brain swelling threatening his life.

The BB, shot from a Daisy Powerline 860 .177 BB rifle pump, entered through Julian's left eye, traveled through the right side of his brain and lodged in the soft tissue in the back of his skull, where it will remain. The boy was not blinded from the injury, his father reported Monday.

Julian was airlifted June 18 from St. Anthony Hospital in Michigan City, Ind., and flown to the University of Chicago Hospital where he was admitted to the pediatric intensive care unit.

His remarkable recovery has doctors confident that the Little League player can stay at home and undergo physical therapy



JULIAN SNYDER

...making a speedy recovery

on an out-patient basis.

On Friday, June 28, the Snyders were making plans to transfer Julian to a Grand Rapids rehabilitation center for physical therapy. But the boy's rapid recovery has changed those plans, said a tired but happy Scott Snyder in a phone interview from Chicago.

Because Julian's left side is somewhat paralyzed, he will

need weeks, perhaps months, of physical therapy, which may or may not restore his mobility to 100 percent, Snyder said.

"The doctors are amazed he's the same boy they saw last week," Snyder said. "But he's going to have to spend the rest of his summer in physical therapy. There won't be any carnival rides for Julian this summer and we're going to have to be very careful with his head.

"But he's doing incredible and his motor skills are improving," he said.

On Monday, Julian received a surprise visit from Benny the Bull, the Chicago Bulls' official mascot.

Benny, alias Dan LeMonnier, read about Julian's plight in the Harbor Country News and asked if the boy might like a visit from Benny the Bull.

When contacted by phone Monday, Scott Snyder said a visit from the big furry bull might be just what the doctor ordered.

And his timing couldn't be better, he said, for Julian's best friend, Jeremy Kimble, had spent the night with Julian and was at the hospital Monday when Benny arrived.

Supplemental Newsclip

960723CCN1577

Attachment 3



Photo #1 - Photograph of Daisy Powerline Point Sight 860 Rifle involved in this incident.

960723CCN1577

Attachment 3

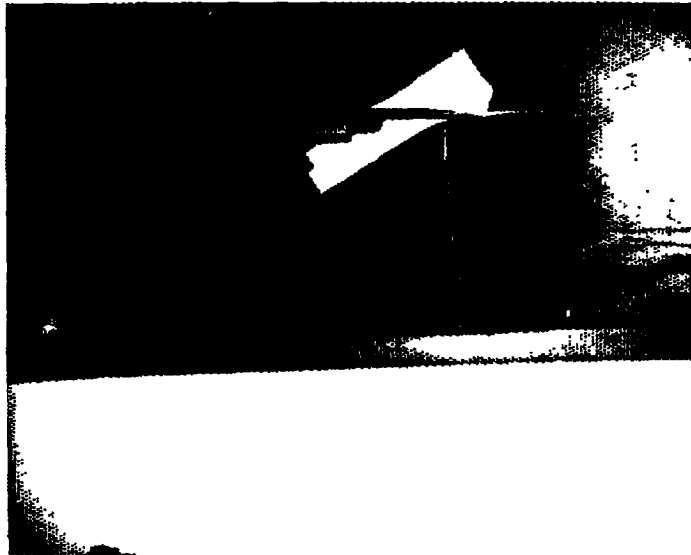


Photo #2 - Additional photo of BB rifle involved in this incident. *Photographs were provided by New Buffalo, MI Police Department.

1. CASE NUMBER 960424CWE5020		2. INVESTIGATOR'S ID 8320		EPIDEMIOLOGIC INVESTIGATION REPORT	
3. OFFICE CODE 860	4. DATE OF ACCIDENT 960223	5. DATE INITIATED 960424			
6. SYNOPSIS OF ACCIDENT OR COMPLAINT: A 15-year old boy permanently lost the sight of his right eye from the pellet of an air rifle that discharged at a range of about 20 feet. The victim and a friend of about the same age were hunting birds when the friend's BB gun accidentally discharged.					
7. LOCATION (Home, School, etc.) Back yard area, 11		8. CITY Blackhawk		9. STATE California, CA	
10A. FIRST PRODUCT Pellet gun, 1237		10B. TRADE/BRAND NAME Daisy Powerline		10C. MODEL NUMBER 900	
10D. MANUFACTURER NAME AND ADDRESS Daisy Mfg. Co., Inc. 2111-T S. 8th St., P.O. Box 220 Rogers, AR 72756					
11A. SECOND PRODUCT None		11B. TRADE/BRAND NAME N/A		11C. MODEL NUMBER N/A	
11D. MANUFACTURER NAME AND ADDRESS N/A					
12. AGE OF VICTIM 015	13. SEX Male, 1	14. DISPOSITION Treated and Transferred 3		15. INJURY DIAGNOSIS Puncture, 63	
16. BODY PART(S) INVOLVED Eyeball, 77	17. RESPONDENT Official documents, 3	18. TYPE OF INVESTIGATION Other, 3		19. TIME SPENT (Operational hours) 4.0 hours	
20. CATEGORY ID Sect 15 1996	21. CASE SOURCE Newspaper, F9645018A 05	22. SAMPLE COLLECTION NUMBER None			
23. PERMISSION TO DISCLOSE NAMES (Non Neiss Cases Only) YES [] NO [] There is no signed document regarding the release of name					
24. REVIEW DATE 960611	25. REVIEW BY 8101		26. REGIONAL OFFICE DIRECTOR		
27. DISTRIBUTION					

MFR/PRVLR NOTIFIED
No Comments
Comments attached
Excisions/Revisions
Final has not requested
further notice

FIELD ACTIVITY COVERSHEET

1 Region/State FOWR/SFO	2 Operation (Check one) <input type="checkbox"/> Inspection <input type="checkbox"/> Establishment visit <input type="checkbox"/> Telephone contact <input checked="" type="checkbox"/> Investigation <input type="checkbox"/> Other:	3 Date 11 June 1966
		4 Number 960424CWE5020
5 Establishment Name: Daisy Mfg. Co., Inc. Address: 2111-T S. 8th St., P.O. Box 220 City: Rogers State: AZ Zip: 72756 Telephone		
6 Related firm <input type="checkbox"/> Parent <input type="checkbox"/> Headquarters <input type="checkbox"/> Subsidiary <input type="checkbox"/> Other Name: City: State:		
7 Products covered Pellet gun	8 Other consumer products	
9 Establishment Type <input checked="" type="checkbox"/> Manufacturer <input type="checkbox"/> Importer <input type="checkbox"/> Wholesaler <input type="checkbox"/> Own label distributor <input type="checkbox"/> Retailer <input type="checkbox"/> Repackager Other	10 Annual production Product covered \$ units: Other products \$ units:	
11 IS business ‡ received [] ‡ shipped []	12 Samples collected None	13 MIS code 32626
14 Hours Activity 4.0 Travel 0.0		
15 Reason for activity		
16 Announced <input type="checkbox"/> (Rationale for announced inspection) Unannounced <input type="checkbox"/>		
17 Employee's Name Laurel Spinazze	Title Investigator	Signature date
18 <input type="checkbox"/> Endorsement <input type="checkbox"/> Remarks <input type="checkbox"/> Summary <input type="checkbox"/> Other: IDI conducted in response to a newspaper account of an injury associated with an air rifle. A 15 year old boy was accidentally shot at close range by a 14 year old playmate. The boys were shooting birds in the backyard of the 14 year old who owned the air rifle. We were unable to examine the product. No further follow up.		
19 Reviewer's Name James P. DiGrazia	Title Supervisory Investigator	Signature
20 Review Date 960611	21 Distribution O: EHDS cc's: DAL-SO; SFRO cc c/s: LDB/LGC	

The contents of this report are based on the newspaper account, on official documents, and on a telephone conversation with the investigating police officer. The police department returned the pellet gun to the victim's parents; the parents refused me an interview.

PRE-INCIDENT:

Scene of the event is the back yard area of a single family residence located in a affluent subdivision within commuting distance of San Francisco. Two boys, one aged 14, the other 15, were in and about the back yard shooting birds. The younger boy lived in the home and owned an air rifle; the older, who was visiting, lived in a town some 30 miles from the subdivision.

INCIDENT:

The day was a Friday, the time about 7:00 pm. It was dusk and visibility was beginning to be poor. The victim was standing on the deck using a pool cleaning apparatus to flush birds out of a vine covered trellis. His friend was holding the subject BB rifle in his right hand, and walking somewhat backwards in a direction away from the trellis. The two boys were separated by about fifteen feet when the friend turned toward the victim, and all of a sudden the rifle discharged. The victim put his hand up to right eye and began to stagger. At first, the friend thought that the victim was joking. But he kept his eye closed, and soon it begin to swell and bleed, and the friend quickly realized that the victim was injured. Against the victim's wishes, the friend called 911 emergency. Police officers arrived, and a helicopter transported the victim to hospital emergency where he was diagnosed as being in serious condition.

POST INCIDENT:

At the time of the event, the rifle was being used in the pump mode (not CO2). When police investigators inspected the rifle, they found that eight pumps had been used up. Since the rifle is good for 10 pumps at a time, it was not at full power when the event occurred. The rifle did not appear to be brand new. The police removed one of the projectiles for inspection by a paramedic; it was a copper-coated BB.

The pellet went through the victim's right eye and crossed into the left side of his brain finally stopping against the skull in back of the brain. He has permanently lost the sight of his eye, and as of about a month after the event, his speech remains muddled. He is working to regain motion of this right side.

PRODUCT DESCRIPTION:

Product: Air rifle
Type: Both carbon dioxide and pump-up, 177 caliber. Dual pellet and BB. Good for 10 pumps at a time.
Model: Crossman Powerline 990
Lot Number: 95514176
Manufacturer: Daisy Mfg. Co., Inc
2111-T S. 8th Street, P.O. Box 220
Rogers, AR 72756

SAMPLES COLLECTED:

None

STANDARDS INFORMATION:

Whether the product complied with a standard remains unknown.

LIST OF EXHIBITS:

Police report (controlled document), 9 pages.

960424CWE5020

C6/26/96

1237

5 JUN 1966

FIELD ACTIVITY COVERSHEET

1 Region/State FOWR/SFO	2 Operation (Check one) <input type="checkbox"/> Inspection <input type="checkbox"/> Telephone contact <input checked="" type="checkbox"/> Other: <i>Addendum</i>	3 Date 11 June 1966
		4 Number 960424CWE5020

5 Establishment
 Name: Daisy Mfg. Co., Inc.
 Address: 2111-T S. 8th St., P.O. Box 220
 City: Rogers State: AZ Zip: 72756
 Telephone

6 Related firm Parent Headquarters Subsidiary Other
 Name: City: State:

7 Products covered Pellet gun	8 Other consumer products
----------------------------------	---------------------------

9 Establishment Type <input checked="" type="checkbox"/> Manufacturer <input type="checkbox"/> Importer <input type="checkbox"/> Wholesaler <input type="checkbox"/> Own label distributor <input type="checkbox"/> Retailer <input type="checkbox"/> Repackager <input type="checkbox"/> Other	10 Annual production Product covered \$ units: Other products \$ units:
---	---

11 IS business % received [] % shipped []	12 Samples collected None	13 MIS code 32626	14 Hours Activity 4.0 Travel 0.0
---	------------------------------	----------------------	--

15 Reason for activity

16 Announced (Rationale for announced inspection) Unannounced

17 Employee's Name Laurel Spinazze	Title Investigator	Signature date
---------------------------------------	-----------------------	----------------

18 Endorsement Remarks Summary Other:

IDI conducted in response to a newspaper account of an injury associated with an air rifle. A 15 year old boy was accidentally shot at close range by a 14 year old playmate. The boys were shooting birds in the backyard of the 14 year old who owned the air rifle. We were unable to examine the product. No further follow up.

19 Reviewer's Name James P. DiGrazia	Title Supervisory Investigator	Signature
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20 Review Date 960611	21 Distribution O: EHDS cc's: DAL-SO; SFRO cc c/s: LDB/LGC
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Page
Information
Optional

CONTRA COSTA COUNTY SHERIFF'S DEPARTMENT CA0070000
P.O. Box 391, Martinez, California 94553-0039

Best 13

MFO Arrest
CONTROLLED DOCUMENT

1. R No. 6-5146	2. City Code 142/83	3. Crime/Classification HOSPITALIZATION	4. Detail 1 1254 2 1254
5. Date / Time of Occurrence Fri 2-23-96 1916		7. Date / Time Reported 2-23-96 1916	8. Employee No. 2279X
9. Address / Location of Occurrence 5411 BLACKHAWK DR. BLACKHAWK		Released to San Jose Agency USCPSC	
Name (L, F, M) RUSSELL, BRANDON		13. Race / Sex / Age WM 19	14. DOB 8-1-81
Address 5411 BLACKHAWK DR. BLACKHAWK		17. Home Phone (510) 736-9264	
Employed By or School LAS CERRAS SCH. 8TH. DANVILLE		18. Work Phone ()	

Hair BRN	21. Eyes BRN	22. Ht. 5-8	23. Wt. 140	24. AKA / Maiden Name 	25. Social Security No.
Further Description (Scars, Tattoos, Mannerisms, Clothing, Etc.) 					27. Booking or Cite No.

Name (L, F, M) ADKINS, WILLIAM DANIEL		30. Race / Sex / Age WM 15	31. DOB 2-16-81	32. Driver License No.
Address 5174 CROW CANYON RD. CASTLE VALLEY		34. Home Phone (510) 582-1815		
Employed By or School VALLEY CHRISTIAN HIGH SCHOOL 8TH		36. Work Phone ()		

Hair 	38. Eyes 	39. Ht. 	40. Wt. 	41. AKA / Maiden Name 	42. Social Security No.
Further Description (Scars, Tattoos, Mannerisms, Clothing, Etc.) 					44. Booking or Cite No.

Name (L, F, M) 		47. Race / Sex / Age 	48. DOB 	49. Driver License No.
Address 		51. Home Phone ()		
Employed By or School 		53. Work Phone ()		

Hair 	55. Eyes 	56. Ht. 	57. Wt. 	58. AKA / Maiden Name 	59. Social Security No.
Further Description (Scars, Tattoos, Mannerisms, Clothing, Etc.) 					61. Booking or Cite No.

Veh / Use <input type="checkbox"/> S <input type="checkbox"/> Vcl	63. Lic. No (State) 	64. Year 	65. Make 	66. Model 	67. Body Style 	68. Color Top Bottom
Status <input type="checkbox"/> Let <input type="checkbox"/> Impound <input type="checkbox"/> Stored	70. Registered Owner 		71. M.O. Address 			
72. Towed to or Released to 					73. Who has keys? 	

Evid. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	75. F/P <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	76. Dispo of Evidence SSC CRIME LAB.	77. \$ Missing 	78. \$ Damaged
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Brief Synopsis of Incident
RUSSELL & ADKINS WERE IN THE BACK YARD OF 5411 BLACKHAWK DR. THEY WERE GOING TO SHOT BIRDS WITH RUSSELLS' BB RIFLE. RUSSELL ACCIDENTLY PULLED THE TRIGGER. ADKINS WAS STRUCK IN THE FACE ON RIGHT SIDE BY THE BB PROJECTILE. ADKINS WAS FLOWN TO JOHN MUIR HOSPITAL BY AN STAR FOR TREATMENT.

Distribution <input type="checkbox"/> S <input type="checkbox"/> C <input type="checkbox"/> DA <input type="checkbox"/> DE <input type="checkbox"/> L <input type="checkbox"/> O <input type="checkbox"/> SH <input checked="" type="checkbox"/> INV		51. Additional Reporting 	
<input checked="" type="checkbox"/> Investigation	<input type="checkbox"/> Vice	<input type="checkbox"/> Narcotics	<input type="checkbox"/> Juv
<input type="checkbox"/> Property Clk	<input checked="" type="checkbox"/> ACS	<input type="checkbox"/> Intell	<input checked="" type="checkbox"/> MHC
<input checked="" type="checkbox"/> Patrol Captain	<input type="checkbox"/> Const. Oic.	<input type="checkbox"/> Marine Patrol	STATS
62. Reporting Deputy (Print) J. KAIN		63. Date / Time Written 2-23-96 1930	64. Dispo. RF
65. Approving Supv (Print) Sgt P. SWANSON		66. Supv. No. 2809P	67. Date 2-23-96
		68. Page 1 of 1	

96 0424 (WE 5020

Continuation

CONTRA COSTA COUNTY SHERIFF'S DEPARTMENT CAD070000

Beat 13

Supplemental

P.O. Box 391, Martinez, California 94553-0039

HRO Arrest SI

1. Report No. 76-5146	2. City Code WLY/83	3. Crime/Classification HOSPITALIZATION	4. Detail 1. 1230 2. 1254	5. Reclassification <input type="checkbox"/>
6. Victim Name (L, F, M)		7. Date Orig. Report	8. Employee No. 22724	
9. Address / Location of Occurrence			10. Suspect's Name (L, F, M)	

Property Description:

Impounded, Recovered, Found, Lost, Stolen - Item Number, Article, Quantity, Brand/Make/Manufacturer's Model Number, Serial Number, Miscellaneous Description, Location Where Taken, Value, Include Total Loss - LIST IN FOLLOWING ORDER: A) Currency, Notes; B) Jewelry; C) Clothing, Fur; D) Vehicles; E) Office Equipment; F) Radio, TVs, etc.; G) Firearms; H) Household Goods; I) Misc.

Recovered Property \$

12. Narrative / Statements

(1) I WAS DISPATCHED TO A 911 CALL AT 5411

BLANKHAWK DR. SA DISPATCH RECEIVED A CALL FROM BRANDON TRUSSELL WHO SAID THAT HIS FRIEND HAD BEEN ACCIDENTALLY SHOT IN THE EYE.

DEPUTY REDFERN & SAN RAMON FIRE WERE BOTH ON SCENE WHEN I ARRIVED. SAN RAMON FIRE FELT IT NECESSARY TO HAVE CAL. STAR TRANSPORT ADKINS TO JOHN MUIR HOSPITAL. (ADKINS REPORTEDLY HAD SOME UNCONSCIOUS & VOMITED)

I ASKED BRANDON TRUSSELL HOW ADKINS WAS INJURED. HE TOLD ME THE FOLLOWING: HE & ADKINS WERE LOOKING FOR BIRDS TO SHOT WITH THE R.R. RIFLE. HE WAS STANDING ON THE REAR YARD PATIO HOLDING THE R.R. RIFLE IN HIS RIGHT HAND. ADKINS WAS ON THE RAISED WOOD PORCH TRYING TO FLUSH OUT BIRDS FROM THE BUSHES. HE TURNED AROUND AND THE R.R. RIFLE ACCIDENTLY WENT OFF (HE MUST HAVE HAD HIS FINGER ON THE TRIGGER BUT DOESN'T RECALL) HE SAW ADKINS PUT A HAND UP TO HIS RIGHT EYE. ADKINS APPEARED TO STAGGER AROUND. HE THOUGHT THAT ADKINS WAS JUST PLAYING AROUND. (THEY HAVE BEEN FRIENDS SINCE THE 1ST GRADE) HE SAW THAT ADKINS RIGHT EYE WAS CLOSED & SWOLLEN. HE GOT WET PAPER TOWELS & ATTEMPTED TO HELP HIS FRIEND. HE TOLD ADKINS HE WAS CALLING 911. ADKINS TOLD HIM NOT TO CALL

Distribution

B C DA DE L O SR V

Investigation Vice Narcotics Juv Coroner

Property Cl. ACS Intel. R.O. SMC

Patrol Captain Compl. Off. Marine Patrol

Other

18. Additional Routing

16. Reporting Deputy (Print)
J. KAIN

18. Approving Supt. (Print)
DS

17. Date / Time Written
2-23-96 1930

20. Supt. No.

21. Date

19. Dispo.
REF

22. Page
2 of 6

960924CWE5020

1. Off. No. 76-5146	2. City Code 167/88	3. Crime/Classification HOSPITALIZATION	4. Detail 1. 1780 2.	5. Reclassification <input type="checkbox"/>
Victim Name (L, F, M)		7. Date Orig. Report	8. Employee No. 22774	<input type="checkbox"/>
Address / Location of Occurrence			10. Suspect's Name (L, F, M)	

Property Description:
 Impounded, Recovered, Found, Lost, Stolen - Item Number, Article, Quantity, Brand/Make/Manufacturer's Model Number, Serial Number, Miscellaneous Description, Location Where Taken, Value, include Total Loss - LIST IN FOLLOWING ORDER: A) Currency, Notes; B) Jewelry; C) Clothing, Fur; D) Vehicles; E) Office Equipment; F) Radio, TVs, etc.; G) Firearms; H) Household Goods; I) Misc.

Recovered Property § 13. Narrative / Statements

(1) **TWICE. BRANDON PUT THE R.R. GUN IN THE CLOSET IT NORMALLY IS STORED. HE CHECKED ON ADKINS & FELT IT WAS TOO SERIOUS NOT TO CALL FOR HELP. HE DISREGARDED HIS FRIENDS REQUEST & CALLED 911. DEPUTY REDFERN ARRIVED SHORTLY AFTER THE 911 CALL. HE SHOWED DEPUTY REDFERN THE R.R. GUN & TOLD HIM WHAT HAD OCCURRED. I CONTACTED MRS. ADKINS VIA HER PAGER & ADVISED HER OF WHAT OCCURRED & LOC. OF THE HOSPITAL HER SON WAS TAKEN. I LOCATED & ADVISED MRS. TRUSSELL WHO RETURNED HOME. DEPUTY REDFERN ADVISED LT. S. HALL WHO REQUESTED INVESTIGATION & THE CRIME LAB TO BE CALLED OUT. SGT. SWENEY & LT. COGAN CAME TO MY LOCATION. I ADVISED BOTH MRS. TRUSSELL & BRANDON OF THE COUNTY ORD. ABOUT PERSONS UNDER 18 YRS. NOT BEING ALLOWED USE OF RR OR FIREARMS WITHOUT PARENTS OR GUARDIAN SUPERVISION. INVESTIGATIONS DIV. SGT. GILBERT ARRIVED AT 2200HRS. & TOOK OVER THE DETAIL. THE CRIME LAB TOOK PHOTO'S & TOOK CUSTODY OF THE R.R. GUN. (DAISY POWELLING 990 LT#9314176)**

Distribution <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> DA <input type="checkbox"/> DE <input type="checkbox"/> L <input type="checkbox"/> O <input type="checkbox"/> SR <input type="checkbox"/> V <input type="checkbox"/> Investigation <input type="checkbox"/> Vice <input type="checkbox"/> Narcotics <input type="checkbox"/> Juv <input type="checkbox"/> Coroner <input type="checkbox"/> Property Clk. <input type="checkbox"/> ACS <input type="checkbox"/> Intel. <input type="checkbox"/> R.O. <input type="checkbox"/> SMC <input type="checkbox"/> Patrol Captain <input type="checkbox"/> Compl. Otc. <input type="checkbox"/> Marine Patrol <input type="checkbox"/> Other	15. Additional Routing 18. Reporting Deputy (Print) J. HALL 19. Approving Supr (Print) DS	17. Date / Time Written 2-25-86 1980 20. Supr No. 21. Date	16. Dispo. REF 22. Page 3 of 4
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DR No. <u>96-5146</u>	2. City Code <u>VL7/83</u>	3. Class/Classification <u>HOSPITALIZATION</u>	4. Detail 1. <u>1730</u> 2. <u>1254</u>	5. Recipient-Location <input type="checkbox"/>
Victim Name (L, F, M)		7. Date Orig. Report	8. Employee No. <u>22794</u>	
Address / Location of Occurrence		10. Suspect's Name (L, F, M)		

Property Description:
 Impounded, Recovered, Found, Lost, Stolen - Item Number, Article, Quantity, Brand/Make/Manufacturer's Model Number, Serial Number, Miscellaneous Description, Location Where Taken, Value, include Total Loss - LIST IN FOLLOWING ORDER: A) Currency, Notes; B) Jewelry; C) Clothing, Fur; D) Vehicles; E) Office Equipment; F) Radio, TVs, etc.; G) Firearms; H) Household Goods; I) Misc.

Recovered Property \$ _____ 13. Narrative / Statements
 (1) I TURNED IN THE FILM TAKEN OF THE SCENE BY SGT. SWEENEY. THE FACTS RELAYED TO ME BY ADKINS AT THE SCENE INDICATE THE INCIDENT WAS A ACCIDENT WHILE TWO JUV. FRIENDS WERE HUNTING BIRDS. I DON'T FEEL THERE WAS ANY CRIMINAL INTENT TO INSURE ADKINS.

Distribution <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> DA <input type="checkbox"/> DE <input type="checkbox"/> L <input type="checkbox"/> O <input type="checkbox"/> BR <input type="checkbox"/> V <input type="checkbox"/> Investigation <input type="checkbox"/> Vice <input type="checkbox"/> Narcotics <input type="checkbox"/> Juv <input type="checkbox"/> Coroner <input type="checkbox"/> Property Clk. <input type="checkbox"/> ACS <input type="checkbox"/> Intell. <input type="checkbox"/> R.O. <input type="checkbox"/> SMC <input type="checkbox"/> Patrol Captain <input type="checkbox"/> Compt. Clk. <input type="checkbox"/> Marine Patrol <input type="checkbox"/> Other _____	15. Additional Routing 18. Reporting Deputy (Print) <u>J. K. [Signature]</u> 19. Approving Supervisor <u>[Signature]</u>	17. Date / Time Written <u>2-25-83 1900</u> 20. Supv. No. _____ 21. Date _____	16. Dispo. <u>REF</u> 22. Page <u>2 of 4</u>
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PHOTO LOG

CONTRA COSTA COUNTY SHERIFF-CORONER PHOTO DATA RECORD

Crime Hostage Taking Date 2-21-96 Victim ADKINS, William
 Camera D.R.# 96-5746 Film 35mm. Deputy Emp. #

Fr	Subject	Dist	Appt	Time	Lens	Light
1	BLOOD SPOT ON DECK	6'		210		
2	"	8'				
3	LOCATION OF SHOOTER	8'				
4	DECK	15'				
5	"	25'				
6	POOL POLE ON COUNTER	15'				
7						
8						
9						
10						
11						
12						
13	<p>LIMIT OF LIABILITY: KODAK warrants the film, plate, slide or negative for defects in materials and workmanship only under the conditions set forth herein. It does not warrant or accept any liability for damage or loss by fire, theft, flood, or other cause, even though such loss or damage is caused by the negligence or other fault of our company, subsidiary or agent, and only under the conditions set forth herein. Except for such replacement, the acceptance of the film, plate, slide or negative is without warranty or liability, and recovery for any incidental or consequential damage is excluded. NOT RESPONSIBLE FOR FILM LEFT OVER 30 DAYS.</p>					
14						
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119425

CONTRA COSTA SHERIFF
 951 PINE ST 1ST F. N WING
 MARTINEZ CA 94530

Customer's Claim Check

CONTRA COSTA COUNTY SHERIFF'S DEPARTMENT CA0070000
P.O. Box 391, Martinez, California 94553-0039

Best 13

Supplemental

FRO Arrest SI

DR No. 96-5146	2. City Code Key 83	3. Crime/Classification HOSPITALIZATION	4. Detail 1 1730	6. Reclass- Station <input type="checkbox"/>
Victim Name (L, F, M) ADKINS, William		7. Date Orig. Report 2-23-96	8. Employee No. <input type="checkbox"/>	
Address / Location of Occurrence 5411 BLACKHAWK DR BLACKHAWK		10. Suspect's Name (L, F, M)		

Property Description:
Impounded, Recovered, Found, Lost, Stolen - Item Number, Article, Quantity, Brand/Make/Manufacturer's Model Number, Serial Number, Miscellaneous Description, Location Where Taken, Value, Include Total Loss - LIST IN FOLLOWING ORDER: A) Currency, Notes; B) Jewelry; C) Clothing, Fur; D) Vehicles; E) Office Equipment; F) Radio, TVs, etc.; G) Firearms; H) Household Goods; I) Misc.

12. Recovered Property #	13. Narrative / Statements (1)
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I RESPONDED TO JOHN MUIR HOSPITAL TO GET INFORMATION CONCERNING THE INCIDENT AT 5411 BLACKHAWK DR.

I TALKED TO CHRIS PEREZ WHO IS THE ADMINISTRATIVE R.N. ON DUTY. PEREZ SAID THAT V-ADKINS RIGHT EYE WAS PENETRATED BY A B.B./PELLET THAT WENT THROUGH THE EYE AND LODGED IN THE SOFT TISSUE AREA OF THE LEFT SIDE OF HIS BRAIN.

I TALKED TO DR. PATEL WHO WAS THE EMERGENCY ROOM PHYSICIAN ON DUTY. DR. PATEL AND PEREZ TOLD ME THAT ADKINS WAS UNCONSCIOUS ON ARRIVAL. THEY SAID HE GIVEN A PARALYZING DRUG TO IMMOBILIZE HIM.

DR. PATEL AND PEREZ SAID THAT ADKINS WAS IN A 'SERIOUS' CONDITION AT THIS TIME.

4. Distribution <input type="checkbox"/> A <input type="checkbox"/> C <input type="checkbox"/> DA <input type="checkbox"/> DE <input type="checkbox"/> L <input type="checkbox"/> O <input type="checkbox"/> OR <input checked="" type="checkbox"/> IV <input checked="" type="checkbox"/> Investigation <input type="checkbox"/> Vice <input type="checkbox"/> Narcotics <input type="checkbox"/> Juv <input type="checkbox"/> Coroner <input type="checkbox"/> Property Clk <input checked="" type="checkbox"/> ACS <input type="checkbox"/> Intel. <input type="checkbox"/> P.O. <input type="checkbox"/> SMC <input type="checkbox"/> Patrol Captain <input type="checkbox"/> Const. Op. <input type="checkbox"/> Marine Patrol <input checked="" type="checkbox"/> Other BLACKHAWK GUN	15. Additional Finding	16. Reporting Officer ROBERT BRYAN	17. Date / Time Written 2/23/96 1730	18. Dispo. REF
19. Approving Supv (Print) Sgt. [Signature]		20. Supv No. 37930	21. Date 2-23-96	22. Page 1 of 1

96 0424(CWE) 5020

CONTRA COSTA COUNTY SHERIFF'S DEPARTMENT CA0070000

Beat 91

P.O. Box 391, Martinez, CA 94553-0039

1. Supplemental DR No. 6-5146		2. City Code VAL 033	3. Crime / Classification MEDICAL/HOSPITALIZATION	4. Detail 1. 1739 2.	5. Reclass Section <input type="checkbox"/>
6. Victim Name (I.F.M.) Adkins, William, Daniel			7. Date Orig. Report 2/23/96	8. Employee No. 36112	
9. Address / Location of Occurrence 5411 Blackhawk Dr. Danville			10. Suspect's Name (I.F.M.) Trussell, Brandon		
11. Property Description: Impounded, Recovered, Found, Lost, Stolen - Item Number, Article, Quantity, Brand/Make/Manufacturer's Model Number, Serial Number, Miscellaneous Description, Location Where Taken, Value, Include Total Loss - LIST IN FOLLOWING ORDER: A) Damage, B) Net, C) Jewelry, D) Cash, E) Vehicle, F) Office Equipment, G) Radio, TV's, etc.; G) Firearms; H) Household Goods; I) Misc.					
12. Recovered Property		13. Remarks / Statements			

On 2/23/96 at 1917 hours I was dispatched to a report of a person who had been shot in the eye with a BB gun. I arrived at the residence at 1920 hours. I contacted S - Trussell at the front. He said his friend was on the back porch. I went to the porch and found V - Adkins lying on his back on the porch. Adkins' right eye was swollen shut and bleeding. I attempted to talk to Adkins, but he was unresponsive. At that point Adkins began to vomit, and stopped breathing. I turned him on his side to clear his airway. Adkins began breathing.

About 2 to 3 minutes after that San Ramon Valley Fire paramedics arrived and took over care of Adkins. I asked Trussell where the BB gun was. He retrieved the rifle from a closet in the den. A paramedic requested a sample of the projectile for the hospital. I removed a copper coated BB from the rifle and gave it to him. Trussell told me that he and Adkins had been outside trying to shoot some birds when the rifle accidentally fired and struck Adkins in the eye. Deputy Kain, 22764, arrived and began to interview Trussell. I assisted the paramedics in securing a landing location for a Cal Star helicopter. After assisting the paramedics I notified Lt. Hall of the incident. Lt. Hall directed me to have dispatch notify Investigations for a call out, and also to have the Crime Lab called out.

Lt. Hall then directed Deputy Koci, 40395, and I to seal the scene until Detectives arrived. After sealing the scene I spoke to Trussell and asked him to show me what had happened. He said that Adkins had been trying to flush some birds out of a bush on the porch. Trussell was walking backwards away from the bush, about 15 feet away from Adkins. Trussell began to turn toward Adkins with the rifle in his right hand when it fired. Trussell does not remember if his finger was on the trigger or not. Adkins covered his right eye and began to stagger. At first Trussell thought he was joking, but then he saw blood on Adkins' face. Trussell helped Adkins lay down on the porch and went into his house to get some paper towels. When he returned he told Adkins that he was going to call 911. Adkins said "no, no" in a weak and slurred voice. Trussell then called 911. Trussell said that I arrived shortly thereafter.

I then maintained scene security until the Detectives and Crime Lab had finished their investigation.

4. Distribution <input checked="" type="checkbox"/> DA <input type="checkbox"/> OE <input type="checkbox"/> L <input type="checkbox"/> OO <input type="checkbox"/> OR <input type="checkbox"/> V		18. Additional Reading			
<input checked="" type="checkbox"/> Investigator <input type="checkbox"/> Narco <input type="checkbox"/> Jur <input type="checkbox"/> Coroner <input type="checkbox"/> Stats <input checked="" type="checkbox"/> Property Clk <input type="checkbox"/> Intell <input type="checkbox"/> R.O.		19. Reporting Deputy (Print) Robert Redfern	20. Date/Time Written 2/23/96 2330	24. Page Refer	
<input type="checkbox"/> Sheriff/Chief <input type="checkbox"/> Const. Dir. <input type="checkbox"/> Mobile Patrol		21. Reporting Dept (Print) 11079	22. Date 2/24/96	23. Page 1 of 1	

96 0924CWE 5020

CRIMINALISTICS LABORATORY
 Sheriff's Office Contra Costa County
REPORT OF LABORATORY EXAMINATION

Laboratory Number 96-01424-A	Offense(s) Other non-criminal	Onset(s) Examined 2/23-28/96
Requesting Agency & Case Number Sheriff-Coroner 96-05146	Date of Request 2/23/96	Examination Requested By Det./Sgt. Gilbert
Complainant(s) Adkins, William D.	Subject(s) Trussell, Branden	

REPORT OF FIELD SERVICES

I was contacted by Sheriff's Dispatch at 8:40 p.m. on February 23, 1996, to respond to 5411 Blackhawk Drive in Blackhawk to process a shooting scene. Criminalist S. Ojeda and I arrived at that location around 9:40 p.m. and contacted Lt. Coggins and Sgt. Sweeney outside of the residence. They told us that the suspect, Branden Trussell, had been in the backyard with the victim, William Adkins, shooting at birds. The victim was standing on a deck just outside the kitchen poking at a vine covered trellis with a pool cleaning net when a BB rifle went off striking the victim in the eye. The victim was taken to John Muir Hospital and the deck hosed down by the responding Fire Department to remove the bloodstains. They also informed us that this was being considered an accidental shooting.

We entered the house and proceeded to the kitchen area where a Daisy model 990 lot number 93J14176 BB pump action rifle was lying on a kitchen island. This gun has a 20 inch rifled barrel with a CO₂ option. When it was examined later in the laboratory, I found it to contain copper coated BBs in the magazine, it was on safe, and the selector switch was moved to the pump mode. The magazine was examined and found not to contain a CO₂ cartridge. I examined the deck area where the shooting had occurred. A small amount of diluted blood was visible in the center of the deck where it was described the victim was lying and the painted deck was wet with water. Although this incident occurred during a period of rain, the water on the deck was attributed to the Fire Department hosing off the area. The areas away from this location did not have a similar amount of water. The deck was 26 1/2 inches above the concrete patio to the east. The shooter was reportedly about 26 feet away from the victim when the shot occurred. The reported location of the victim was in the middle of the deck with no obstructions or railings nearby. We searched the painted deck, railings, steps, and trellis for impacts or ricochets that could be attributed to a BB. None were found. No objects or deck structures were nearby the reported location of the victim to be potential ricochet sites. No plants were near this location either. Photographs were taken of the backyard and deck. No sketch was prepared. Detective Sgt. Gilbert arrived at 10:00 p.m. and Detective Sgt. Celestre arrived at 10:25 p.m. We left the scene at 11:00 p.m. and returned to the laboratory with the following evidence:

Signature & Date <i>Richard A. Schorr</i> 3/4/96	Distribution: 1- Investigations 2-File ✓
Reported By & Title Richard A. Schorr, Criminalist	
Approved By Supervising Criminalist <i>Karen Meldon</i>	For Additional Information Call (510)648-2455

96 0424C WE 5020

DESCRIPTION OF EVIDENCE:

Item A-1: One Daisy model 990 BB rifle.

EXAMINATIONS:

The gun was examined and found to contain approximately 64 copper plated BBs in the magazine. The trigger pull was determined 4 pounds and the safety is functional.

DISPOSITION:

The evidence will be sent to Property Services for storage.

960424CWES020

Walnut Creek, CA
 (Contra Costa Co.)
 Contra Costa Times
 (Cir. D. 96,000)
 (Cir. S. 108,000)

APR 1 1996

Allan's P.O. Box 1, 1996

BB, pellet guns toy with misery

Injury risk greatest among youngsters

By JOHN SIMERMAN

They don't ring out in the night air or in public consciousness, but guns that fire tiny metal pellets or BBs have peppered the area recently, leaving a trail of injury, property loss and cynicism. Air-powered guns have been up over a generation, firing lead pellets and missile-shaped pellets at much higher speeds, causing more severe injuries.

and raising concerns among law enforcement, gun critics and health practitioners. Three recent pellet gun incidents captured the media's attention.

Three young girls, later labeled with pellet guns at more than 350 lucky moments along Interstate 80 between Livermore and Richmond in October 1991. November

A group of high school boys fire at Danville school children in a three-day sniper spree in February that injures two children walking home from school.

A vandal shoots out the windows of a house in Clayton, injured one night last fall.

Those who pull the trigger of a "starter" gun usually have between 10 and 14 years old - it's all fun and games.

SECT 15 1996

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Please see GUNS, Back Page

960424CWES020



TROY MONTEMAYOR, a San Ramon police services assistant, displays confiscated pellet guns. At left is a simulated .45-caliber pistol. On the right is a simulated .25-caliber handgun.

TOMAS V. ...

THE BACK PAGE

Guns

FROM PAGE 1A

and he is working to regain motion on his right side, family members said.

Now in rehabilitation at John Muir Medical Center in Walnut Creek, Adams is one of 1,000 youths in the United States who suffer eye injuries each year from pellets or BBs. He's one of 30,000 Americans - half between 5 and 14 years old - injured each year from the easily accessible and lightly regulated guns.

Greater power, growing danger

Only a handful of deaths have been attributed to the air- or spring-powered weapons nationwide in the past 10 years. But the greater power of newer guns -- along with the growing popularity of handgun models and changing societal factors -- have some fearing the tiny lead balls or missile-shaped pellets pose a growing danger among youths.

"The big problem now is that so many of these guns are so much more powerful. It's tragic when a kid gets severely injured with these things, and the parents say, 'I can't believe my kid got injured,'" said Lee Annett, a statistician who authored a study released recently by the federal Consumer Products Safety Commission. The study shows 64 percent of pellet or BB gun wounds are self-inflicted or caused by friends or relatives.

"The eye, of course, is particularly vulnerable," Annett said. "A pellet or BB gets in and just kind of bounces around and does a number on the eyeball."

Of the 8,000 serious eye injuries recorded by the U.S. Eye Injury Registry, 7 percent are the result of BB- and pellet-gun incidents. According to registry director Sally Brown, the numbers are much higher for children.

"They're thought of as toys," she said. "They have a history of being pretty innocuous devices, but they've really been modernized into weapons."

Injuries underestimated

The BB and pellet guns of generations past were spring-loaded and could launch a lead ball about 350 feet per second. Some of today's "pump" air guns can fire a tiny lead pellet at more than 800 feet per second, about the speed of a .22-caliber bullet fired from a rifle.

Studies show a pellet or BB must travel about 350 feet per second to penetrate bone. The pellet that went through Adams' brain, shot from a Daisy Powerline 990, would have traveled at around 630 feet per second, according to the manufacturer.

The added power translates into more penetrating head injuries and more serious damage to other areas of the body, injuries frequently underestimated by doctors, said Dr. Gregg DiGiulio. Over nine months, he studied abdominal injuries from pellets or BBs in children at Children's Hospital Medical Center in Cincinnati.

The injuries, mostly to children between 3 and 9, included penetrations of the colon and kidneys, in most cases close-range shots from a multiple-pump air gun, the type capable of reaching the highest velocities.

"The old, one pump BB gun was not doing this sort of thing. All of a sudden we're starting to see a large increase in the number of kids with other serious injuries," DiGiulio said. "When a parent buys a training gun, frequently they're buying the pump gun. It's what kids want. Like most of us, they want more power."



PAM NOVAK, a Contra Costa County Sheriff's Department supervising property technician, sorts a cache of confiscated BB weapons at the department. Several of the guns will be destroyed.

DiGiulio and others suggest regulating the impact velocity of "toy firearms" to levels that cannot penetrate the skin.

Unlawful to sell to minors

State law makes it illegal for a gun shop to sell a firearm, including a pellet or BB gun, to a minor. In Contra Costa and Alameda counties, minors may fire such guns under supervision of an adult, though many cities -- including Richmond, Pleasanton, San Ramon, and Concord -- have passed ordinances prohibiting the discharge of most or all firearms, including BB and pellet guns, within city limits.

"The big problem is that no one's done an evaluation as to whether the ordinances or laws make that much difference," said Annett of the Consumer Products Safety Commission, who said some \$2 million of the starter guns are sold in the country each year.

Annett said the federal commission has directed its energies to promote voluntary safety standards for manufacturers and awareness among parents.

A spokesman for Daisy Manufacturing Co., which makes 1 million BB and pellet guns a year, said the

BB AND PELLET GUN INJURIES IN U.S.

- 30,000 BB and pellet gun injuries per year
- 66 percent are accidental shootings
- Highest risk of injury - boys ages 10 to 14 (47 percent of all injuries)
- 79 percent of injuries to people age 5 to 19
- 5 percent of wounds require hospitalization
- 37 percent of those hospitalized have eye injuries
- 1,400 children and teens treated annually for eye injuries
- 66 children and teens treated daily for injuries
- Most injuries take place in spring, summer and January

company follows its own safety guidelines and trains 700,000 youths a year in gun safety.

Locally, police acknowledge the ordinances are a modest tool that allows police to confiscate a weapon and place a violator in a noncriminal diversion program, for example, where a juvenile could pay for any damage and avoid charges.

"If someone put an eye out (on purpose), that would be beyond the scope of the ordinance," said San Ramon police Sgt. Dan Lawrence.

Lawrence said such incidents are no more frequent than in the past, but that more youths are taking their guns on the road.

"I have noticed in the past few years the propensity for children to own hand held pellet guns or BB guns," he said. "That size of weapon makes it easier to conceal. They draw down the street blasting windows or whatever."

Some, like Annett, look at the injuries that result and shake their heads.

"I don't know what they're thinking," said Annett. "It just seems we're getting a lot of comments like, 'Someone was walking down the street, and someone shot them' and they're thinking it's only going to sting. Who would think a pellet or BB would cause that kind of injury?"



U. S. CONSUMER PRODUCT SAFETY COMMISSION
WESTERN REGIONAL OFFICE

600 HARRISON STREET, ROOM 245, SAN FRANCISCO, CA 94107-1370
(415) 744- 2966 FAX (415) 744-2962

ALASKA
ARIZONA
ARKANSAS
CALIFORNIA
COLORADO
HAWAII
IDAHO
LOUISIANA
MONTANA
NEW MEXICO
NEVADA
OKLAHOMA
OREGON
TEXAS
UTAH
WASHINGTON
WYOMING
PACIFIC ISLANDS

29 April 1996

Mr. and Mrs. Adkins
5174 Crow Canyon Road
Castro Valley, CA. 94546

Dear Mr. Adkins:

The U.S. Consumer Product Safety Commission is a Federal agency assigned the responsibility to oversee most products used in and about the home.

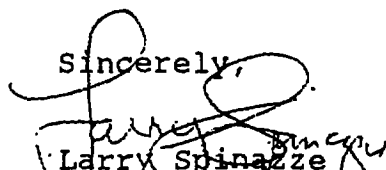
We recently learned of unfortunate accident that befell Willian Adkins on 23 February 1996 with a pellet gun. We have a continuing interest in all consumer products that injure children and would like to learn more about the incident.

Will you help us? The information you supply may help prevent a similar accident.

How can I best contact you? Enclosed is a stamped envelope for your convenience. I can also be reached at (415) 744-2966.

Thank you

Sincerely,


Larry Spinazze
Product Investigator

1. CASE NO 920108CCC2160 <i>x 210807</i>		2. INVESTIGATOR'S ID 8 1 3 2		3. OFFICE CODE 8 3 0		EPIDEMIOLOGIC INVESTIGATION REPORT
4. DATE OF ACCIDENT YR MO DAY 9 0 1 0 1 3		5. DATE INVESTIGATION INITIATED YR MO DAY 9 2 0 1 1 5				

6. SYNOPSIS OF ACCIDENT OR COMPLAINT 3 13 year-old males were playing with BB guns at one of the boy's home. Allegedly while playing with the BB guns, one boy with a pump gun fired at another boy. The other boy was struck in the right chest near the shoulder. The victim was taken to a hospital then transferred to a hospital in another county, where he expired 6 days later. It was found that the BB had penetrated the aorta.

7. LOCATION (Home, school, etc.) Home	8. CITY 1 0 Crystal Lake	9. STATE Illinois I L
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10A. FIRST PRODUCT Pump BB Rifle 1 2 3 7	11A. TRADE/BRAND NAME, MODEL NUMBER, MANUFACTURER & ADDRESS Daisy Powerline Model 880 Daisy Manufacturing Co., Rogers, AR
---	---

10B. SECOND PRODUCT BB Ammunition 1 9 3 6	11B. TRADE/BRAND NAME, MODEL NUMBER, MANUFACTURER & ADDRESS Unknown
--	--

12. AGE OF VICTIM 0 1 3	13. SEX (Use numerical code) MALE -1 1 FEMALE -2 UNKNOWN -3	14. DISPOSITION Expired In Hosp. 8	15. INJURY DIAGNOSIS Puncture (Shooting) 6 3
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16. BODY PART Heart (Aorta) 3 1	17. RESPONDENT(S) (Mother, Friend) Father, Attorney, Police, FOI Officer 3	18. TYPE INVESTIGATION ON SITE 1 TELEPHONE 2 3 OTHER 3	19. TIME SPENT 1 2 0
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20. ATTACHMENTS Multiple 9	21. CASE SOURCE Letter 1 0	22. REVIEWED BY 8 1 3 0	YR MO DAY 9 2 0 3 2 5
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23. PERMISSION TO DISCLOSE NAMES SEE NARRATIVE: PRE-ACCIDENT
(NON-HESS CASES ONLY) CPSC MAY DISCLOSE MY NAME CPSC MAY NOT DISCLOSE MY NAME

24. NARRATIVE (See Instructions on Other Side) Travel= $\frac{1}{2}$	25. REGIONAL OFFICE DIRECTOR REVIEW DATE
---	---

MFR/PRVLR NOTIFIED *2-16-94*
 No Comments made
 Comments attached
 Excisions/Revisions
 Firm has not requested further notice

MFR/PRVLR NOTIFIED
 No Comments made
 Comments attached
 Excisions/Revisions
 Firm has not requested further notice

(USE OTHER SIDE AND ADDITIONAL SHEETS IF NECESSARY)

920108CCC2160

PRE-ACCIDENT:

Information was obtained from the victim's father, an attorney representing the victim's father, the police department, and the medical examiner's office. Information and documents such as police reports and copies of the statements have been requested. The police department and city Freedom of Information Officer have stated that since juveniles were involved in the incident, permission from the parents of the juveniles would have to be obtained before any documents could be released. The police department and city Freedom of Information officer stated that the request for documents would then have to be reviewed by the state's attorney's office before any release. The victim's father has signed an "Authorization for Release of Name." Any documents that are received will be forwarded. The victim's father did supply a copy of the report of postmortem examination.

The incident occurred on 10/13/90. The attorney representing the victim's father said he was told that any reports could not be released but had been read a statement made by the 13 year old juvenile who shot the BB gun by the police department. The following was obtained from the victim's father and his attorney.

The three 13 year old male juveniles were at the home of one of the juveniles where apparently a number of BB guns were. The parents of the juvenile were not at home when the accident occurred. One of the BB guns was described as being a pump type while the others were less powerful.

While playing with the BB guns the victim apparently shot the gun he was using into the ground within 6 inches of the foot of the juvenile whose house the juveniles were at. Apparently, the other juvenile had the pump BB gun and told the victim not to do that again. The juvenile who lived at the house pumped the BB gun up.

ACCIDENT:

From the information provided, the other juvenile swept his BB gun by the victim intending to shoot a BB by him in order to scare the victim. The other juvenile apparently swept the gun too fast and fired with the BB striking the victim on the right chest near the shoulder.

POST ACCIDENT:

From the information provided the victim was taken to a hospital and then transferred to a hospital in another county. The victim was admitted and expired six days later. The postmortem examination revealed that the BB had penetrated the chest and traveled to the aorta where it penetrated the aorta. Copies of the Medical Examiner's Case Report and Report of Postmortem Examination are attached.

The police department said no charges have been filed in the incident and the victim's father said he did not intend to press charges against the juvenile who did the shooting.

PRODUCT IDENTIFICATION:

The BB gun the victim was shot with was described as a Daisy Powerline model 880 pump BB gun manufactured by Daisy Manufacturing Company, Box 220, Rogers, Arkansas 72756. The victim's father provided a copy of a sales ad for a retail store which shows Daisy BB guns including the pump model 880. The copy of this ad is attached. The ad describes the gun as, "The most powerful multi-pump pneumatic dual ammunition rifle ever produced by Daisy. For shooters 16 and older." The Report of Postmortem Examination states that a copper coated BB was recovered from the victim next to the aorta.

The attorney said that the package the gun came in had a warning that the gun was not to be used under age 16 without adult supervision. He said the labeling also stated that the gun was lethal to 296 meters.

STANDARDS:

There are no CPSC standards for BB guns. The victim's father indicated that there is an ASTM standard for BB guns. See Exhibit 4 which has a name of an individual stated as being involved with a voluntary standard for BB guns. The victim's father indicated that this individual felt that the BB gun involved in the incident did not meet the voluntary standard.

ATTACHED:

1. Copy of Medical Examiner's Case Report.
2. Copy of Report of Postmortem Examination.
3. Copy of ad showing BB gun involved in incident.
4. Copies of magazine article on BB gun safety and address of person involved with ASTM standard for BB guns.

U.S. CONSUMER PRODUCT SAFETY COMMISSION

Central Regional Center
230 South Dearborn Street
Suite 2944
Chicago, Illinois 60604
(312) 353-8260

Lt. Kieth Nygren
Crystal Lake Police Dept.
121 W. Woodstock St.
Crystal Lake, IL 60014

January 16, 1992

Dear Sir,

The U.S. Consumer Product Safety Commission (CPSC) is a Federal agency which investigates and studies accidents involving products used in and around the home. Information obtained from these investigations helps make the Commission aware of possible hazards existing in products and determine how accidents occur.

I am writing to request copies of reports made regarding an incident which occurred in Crystal Lake on October 13, 1990. This incident involved a 13 year old boy who was wounded by either a pellet or BB gun. The victim's name was Andrew Walsh. I would like to obtain some information about the gun involved as to exact brand, BB or pellet, serial number etc. If at all possible, I would like to take photographs of the gun. Thank you for any assistance you can provide.

Sincerely,



Robert B. Johnston
U.S. CPSC
Chicago, IL

U.S. CONSUMER PRODUCT SAFETY COMMISSION

Central Regional Center
230 South Dearborn Street
Suite 2944
Chicago, Illinois 60604
(312) 353-8260

March 9, 1992

Ms. Laura Yelle
FOI Officer
City of Crystal Lake
100 W. Municipal Complex
Crystal Lake, IL 60014

Dear Ms. Yelle,

The U.S. Consumer Product Safety Commission (CPSC) is a Federal agency which investigates and studies accidents involving products used in and around the home. Information obtained from these investigations helps make the Commission aware of possible hazards existing in products and determine how accidents occur.

I am writing to request copies of documents relating to the accidental death of Andrew D. Walsh of Crystal Lake which occurred on October, 19, 1990 as the result of an accidental shooting by a BB gun on October 13, 1990 in Crystal Lake. Copies of documents requested include the police report, supplemental police reports, and statements made by the individuals involved. I do not know the police report number. Please send any copies to my attention at the above address. Thank you for your assistance.

Sincerely,



Robert B. Johnston,
U.S. CPSC
Chicago, IL



City of Crystal Lake

100 WEST MUNICIPAL COMPLEX • P.O. BOX 597 • CRYSTAL LAKE, ILLINOIS 60014 • 815/459-2020

March 12, 1992

Mr. Robert B. Johnston
U.S. Consumer Product
Safety Commission
Central Regional Center
230 S. Dearborn Street, Suite 2944
Chicago, IL 60604

Re: Freedom of Information Request - Documents relating to the
accidental death of Andrew D. Walsh of Crystal Lake.

Dear Mr. Johnston:

This letter serves as a formal response to your request for the
aforementioned information. I am now in the process of
contacting the remaining parties involved in the incident. It is
the City's policy not to release such information unless written
consent is obtained from the subjects involved. As soon as I get
a response, I will contact you in regards to this matter.

Should you have any questions regarding this matter please feel
free to contact me.

Very truly yours,

Laura E. Yelle

Laura E. Yelle
Freedom of Information Officer

LEY/gt

MAYOR
GEORGE WELLS

CITY MANAGER
JOSEPH J. MISURELLI

CITY COUNCIL
HARRY N. DILLON
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MARY ANN HIDDING
ROY "BUD" NYSTROM

CITY CLERK
JAMES B. KELLEY

CITY TREASURER
BARRARA I. McCORMICK

MEDICAL EXAMINER CASE REPORT COOK COUNTY

364.100000 2/10/90
CASE NO: 364 October 1990

1

DECEASED Drew Walsh		AGE 13	SEX M	RACE W	ADDRESS 26 East Teriacotta, Crystal Lake, ZIP: APT: ()	
DOB: 1 January 1977		SSN:		TYPE OF INVESTIGATION		PHONE
CLASSIFICATION: Shot by air pellet gun				PHOTOS TAKEN		SCENE TELEPHONE XXX F.H. HOSP.
ADDRESS OF OCCURENCE Rear of resident				TYPE OF PREMISES WHERE FOUND Rear of Resident		
TIME/DATE FOUND 13 October 90 at 1230 hrs				POLICE AGENCY R.D. # Unk		
PERSON DISCOVERING DECEASED Robert Walsh		RELATIONSHIP Father		ADDRESS Crystal Lake, Il 26 East Teriacotta		PHONE 815-459-9034
PERSON INTERVIEWED Robert Walsh		"		"		"
Detective Karr# 124		Police Officer		Crystal Lake		815-459-2020
PRONOUNCEMENT: DATE: 10/19/90 TIME:		PHYSICIAN: Havaland		HOSPITAL: Luthern General Hospital		
POLICE NOTIFIED DATE: 10/13/90 TIME: 1245 Hrs		INSTITUTE NOTIFIED DATE: 10/19/90 TIME: 0735 Hrs		ARRIVAL:		CLOSED:

subject was wounded in the chest area by a Air Rifle.

NARRATIVE: DESCRIBE CIRCUMSTANCES SURROUNDING DEATH-PHYSICAL EVIDENCE, ETC.

I assigned this telephone investigation of a person shot in the chest by a BB on 13 October 1990 at 1230 hours in the rear of 26 East Teriacotta, Crystal Lake Illinois. The subject was transported to Northern Illinois Medical Center and later transferred to Luthern General Medical Center where he expired on the 19, October 1990. In Summary, Detective Karr # 124 stated that his office received a call from the telephone center of a subject now at the Northern Illinois Medical Center, In Crystal Lake Illinois. He later found out that the subject and some friends were playing in the rear of the subject resident with an air rifle, Brand unknown with some friends but some how the rifle discharged striking the subject in the chest area. The subject was taken to Northern Illinois hospital by the Crystal Lake Fire Ambulance and was later transferred to Luthern General Medical Center where he expired on 19 October 90. The subject was ordered to this institute for further medical examination. There was a hearing on this matter and it was ruled as a accident. A copy of the Police Officers case report will be fax to this office or transported by the investigation Officer Karr# 124 on 20 October 1990 by 0800 hours.

George E. Cantrell #57
 REPORTING INVESTIGATOR

Mr. Hopkins #
 SUPERVISING SIGNATURE

OFFICE OF THE MEDICAL EXAMINER
COUNTY OF COOK, ILLINOIS

9201080002160

2

REPORT OF POSTMORTEM EXAMINATION

NAME Andrew D. Walsh CASE NO. #364 of October, 1990
AGE 13 RACE White SEX Male DATE OF DEATH October 19, 1990
ADDRESS OF DECEDENT 40 S. Caroline Street DATE EXAMINED October 20, 1990
CITY & STATE Crystal Lake, Illinois EXAMINED BY Barry Lifschultz, M.D.

EXTERNAL EXAMINATION:

The body is received unclothed and is that of a white male appearing the stated age of 13 years. The height is 5'1/2"; the weight 98 pounds. Rigor is present to a moderate degree in all joints. Livor is present on the posterior dependent portions of the body. The hair is red, straight and medium length. The eyes are closed, the irides blue and the conjunctivae are not congested. The teeth are natural and in good repair. The chest is symmetrical. The abdomen is mildly scaphoid. On the left chest there is abrasion, 1/2 inch x 1/2 inch. On the mid-chest there is abrasion, 1/2 inch x 1/4 inch. On the right chest there is a chest tube insertion site, 1/2 inch. On the left chest there is a sutured incision, 7 inches. On the frontal crease of the right groin there is a needle puncture mark. The genitals are those of a normal circumcised male. On the right wrist there is white hospital bracelet. The fingernails are trimmed and clean. On the back of the left wrist there is a needle puncture mark. The bottoms of the feet are clean. The toenails are trimmed and clean. The back is without special note.

EVIDENCE OF INJURY:

1. On the right upper chest, 12 inches from the top of the head and 4 inches to the right of the midline, there is a beebee entrance wound measuring 1/8 inch x 1/8 inch with a margin of abrasion 1/16 inch from 12 o'clock to 3 o'clock. The course of the wound perforates the skin of the chest, the subcutaneous tissues, the anterior thoracic wall, the anterior portion of the ascending arch of the aorta, the posterior portion of the ascending arch of the aorta, and finally, 12 inches from the top of the head in the midline, a copper-coated beebee is recovered from immediately adjacent to the aortic arch, posteriorly. The course of the wound is from right to left and front to back.

gf

INTERNAL EXAMINATION:

BODY CAVITIES: The body is entered by a Y-shaped incision. All organs are present in their usual anatomic positions and present their typical anatomic relationships. Ten ounces of fluid blood are present in the left chest. Ten ounces of bloody fluid are present in the abdominal cavity. The pericardial sac has been opened.

NECK ORGANS: Layerwise dissection of the anterior muscles of the neck reveals no hemorrhage. The hyoid bone and laryngeal cartilage are intact. Special examination of the tongue reveals no bite marks.

RESPIRATORY SYSTEM: The previously described beebie wound additionally involves the upper lobe of the right lung. The lungs are dark red and otherwise smooth. On cut section, the pulmonary parenchyma is dark red, poorly aerated and oozes fluid blood. The combined weight of the lungs is 850 grams.

CARDIOVASCULAR SYSTEM: There is the previously described beebie wound of the aorta. The heart is red-brown and smooth. The coronary arteries are serially sectioned. There is minimal coronary atherosclerosis. The four cardiac valves are unremarkable. The myocardium is without special note. There are no congenital cardiac defects. The major blood vessels show no additional pathologic changes. There is a dissecting aneurysm of the aorta associated with the previously described beebie wound, extending from the thoracic aorta partially into the abdominal aorta. The weight of the heart is 210 grams.

HEPATOBIILIARY SYSTEM: The liver is red-brown and smooth. On cut section, the hepatic parenchyma is red-brown and unremarkable. The gallbladder shows no pathologic changes. A small amount of green liquid bile is present. The remainder of the biliary tree is without special note. The weight of the liver is 1,120 grams.

SPLEEN AND LYMPH NODES: The spleen is red-gray and smooth. On cut section, the splenic parenchyma is dark red, firm and unremarkable. The lymph nodes show no evidence of disease. The weight of the spleen is 90 grams.

GASTROINTESTINAL SYSTEM: The esophagus is unremarkable. The gastric mucosa shows no pathologic changes. No gastric contents are present. The appendix is present. The remainder of the gastrointestinal tract is without special note.

GENITOURINARY SYSTEM: The kidneys are red-brown and smooth. On cut section, the renal parenchyma is red-brown and unremarkable. The renal pelves are tan and smooth. The ureters flow into the

EW

INTERNAL EXAMINATION, (CONT'D.):

GENITOURINARY SYSTEM, (CONT'D.):

bladder in the usual anatomic fashion. A small amount of straw colored urine is present. The combined weight of the kidneys is 390 grams.

ENDOCRINE SYSTEM: The pituitary, thyroid, adrenal glands and the pancreas are unremarkable.

MUSCULOSKELETAL SYSTEM: There are no fractures of the ribs or long bones. The muscles show no evidence of disease.

CENTRAL NERVOUS SYSTEM: The scalp is reflected. There is no subgaleal hemorrhage. The cranial cavity is entered. There is no subdural, epidural or subarachnoid hemorrhage. The gyri of the brain are unremarkable. The brain is serially sectioned. No pathologic changes are noted in the cerebrum, cerebellum, pons, mid-brain or medulla. There are no skull fractures. The spinal cord and vertebral column are intact. The weight of the brain is 1,105 grams.


ANATOMIC DIAGNOSIS:

1. Beebee wound of chest.
2. Evidence of therapy.

OPINION:

This 13 year old white male, ANDREW D. WALSH, died as a result of a air rifle wound of the chest.

gj



Barry Lipschultz, M.D.
Deputy Medical Examiner

BL:Bkhz
11/6/90

**MEDICAL EXAMINER'S - CORONER'S
CERTIFICATE OF DEATH**

364 OCT 90

REGISTRATION DISTRICT NO 1601	MIDDLE WALSH	LAST WALSH	SEX 2 MALE	DATE OF DEATH 3 OCTOBER 19 1990
REGISTERED NUMBER	AGE-LAST BIRTHDAY (YRS) 58 13	UNDER 1 YEAR DAYS 50	UNDER 1 DAY HOURS 50	DATE OF BIRTH 50 JULY 25, 1977
DECEASED-NAME ANDREW D. COOK	CITY, TOWN, TWP. OR ROAD DISTRICT NUMBER PARK RIDGE	HOSPITAL OR OTHER INSTITUTION-NAME (IF NOT IN EITHER, GIVE STREET AND NUMBER) LUTHERAN GENERAL HOSPITAL	IF HOSP OR INST INDICATED AS OF EMPLOYER'S PROPERTY 6C INPATIENT	
6A BIRTHPLACE (CITY AND STATE OR FOREIGN COUNTRY) CHICAGO, IL	6B MARRIED NEVER MARRIED, WIDOWED, DIVORCED, SEPARATED, OR NEVER MARRIED 8a NEVER MARRIED	6C NAME OF SURVIVING SPOUSE (MAIDEN NAME IF WIFE) NONE	WAS DECEASED OVER 100 MILES FROM HIS RESIDENCE? (YES/NO) 9 NO	
7 SOCIAL SECURITY NUMBER 357-70-6330	8b KIND OF BUSINESS OR INDUSTRY 11b SCHOOL	8c EDUCATION (SPECIFY ONLY HIGHEST GRADE COMPLETED) 12 7	COUNTY 13c YES MC HENRY	
10 RESIDENCE (STREET AND NUMBER) 40 S. CAROLINE STREET	11a STUDENT	13a CITY, TOWN, TWP. OR ROAD DISTRICT NO. CRYSTAL LAKE	INSIDE CITY (YES/NO) 13c YES	
13a STATE ILLINOIS	14a RACE (WHITE, BLACK, AMERICAN INDIAN, etc.) 14b WHITE	13b CRYSTAL LAKE	INSIDE CITY (YES/NO) 13c YES	
13c ILLINOIS	14a RACE (WHITE, BLACK, AMERICAN INDIAN, etc.) 14b WHITE	13b CRYSTAL LAKE	INSIDE CITY (YES/NO) 13c YES	
FATHER-NAME ROBERT J. WALSH	MOTHER-NAME MOLLY BOULIHAN	14b. <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES SPECIFY: 16. MOTHER-NAME FIRST MIDDLE LAST	(MAIDEN) LAST	
15. INFORMANT'S NAME (TYPE OR PRINT) PEGGY SCHWARTZ	RELATIONSHIP 17b MED REC	17c MAILING ADDRESS (STREET AND NO. OR R.F.D., CITY OR TOWN, STATE, ZIP) 17c 2121 W. HARRISON CHICAGO, IL 60612		
18. PART I. Immediate Cause (Final cause or condition resulting in death) (a) AIR RIFLE WOUND OF CHEST (b) DUE TO OR AS A CONSEQUENCE OF (c) DUE TO OR AS A CONSEQUENCE OF	18. PART I. Enter the disease, injury, or combination that caused the death. Do not enter the mode of dying, such as cardiac or respiratory arrest, shock, or heart failure. List only one cause on each line. 19. YES 19b. YES 19c. YES			
20. NATURAL ACCIDENT, HOMICIDE, SUICIDE (UNDETERMINED, SPECIFY) 20. OCTOBER 13 2003:30 P 200 SHOOT BY AIR RIFLE	DATE OF INJURY (MONTH, DAY, YEAR) 20. OCTOBER 13 2003:30 P	HOW INJURY OCCURRED (ENTER NATURE OF INJURY MENTIONED IN PART I ON PART I ITEM 18) 200 SHOOT BY AIR RIFLE	IF FEMALE, WAS THERE A PREGNANCY (PAST THREE MONTHS)? 20b YES NO	
209 INJURY AT WORK NO	20a PLACE OF INJURY (AT HOME, FARM, STREET, FACTORY, OFFICE BUILDING, ETC.) (SPECIFY) 200 BACK YARD	20c LOCATION (CITY, VIL. OR TOWN, OR TWP., OR RD. DIST. NO., COUNTY, STATE) CRYSTAL LAKE MC HENRY CO., IL	20b YES NO	
21. I CERTIFY THAT IN MY OPINION BASED UPON MY INVESTIGATION AND/OR THE INFORMATION THIS DEATH OCCURRED ON THE DATE, AT THE PLACE AND DUE TO THE CAUSE(S) STATED, AND THAT.....	21a THE DECEDENT WAS PRONOUNCED DEAD ON 21b OCTOBER 19 1990	21c 6:10 A M	DATE SIGNED MONTH DAY YEAR	
CORONER'S - MEDICAL EXAMINER'S SIGNATURE Barry D. Lifschultz, M.D.	22b OCTOBER 30 1990	22c DATE SIGNED MONTH DAY YEAR		
23. CORONER'S PHYSICIAN'S NAME (Type or Print) BARRY D. LIFSCHULTZ, M.D.	23b	23c		
24. BURIAL 24c CRYSTAL LAKE MEMORIAL PARK CRYSTAL LAKE, ILLINOIS	24b	24c		
25. BACHMANN FUNERAL HOME 7715 WEST RT. 14 CRYSTAL LAKE, ILLINOIS 60012	25b	25c		
25b BACHMANN FUNERAL HOME 7715 WEST RT. 14 CRYSTAL LAKE, ILLINOIS 60012	25c	25d		
25d LOCAL REGISTRAR'S SIGNATURE DAVID J. BACHMANN	25e	25f		

I HEREBY CERTIFY THAT the foregoing is true and correct copy of the death record for the decedent named in item 1 and that this record was established and filed in my office in accordance with the provisions of the Illinois Statutes relating to the registration of births, stillbirths and deaths.

DATE NOV 26 1990

SIGNED

Judith McCarry

At Cook County Department of Public Health

1500 S. Maybrook Drive

Maywood

Official Title Deputy Registrar

Illinois 60154



The weeks of
 November 25, 1990,
 and December 2, 1990.

Daisy BB Guns.
 The gift that
 makes up for all
 the underwear
 and socks.

A. Model 300 Red Rider. The most powerful multi-charge pneumatic, dual-ammunition rifle ever produced by Daisy. For shooters 16 and older.
 \$34.97

B. Model 200 Red Rider. The best-selling BB gun that's been included in the Junior Gun Line Christmas 3500 BB's.
 \$19.97

C. Model 100 Red Rider. The best-selling BB gun for children 8 and older. Includes a 3500 BB's.
 \$14.97

Buy one now, save one later. Buy one now, save one later. Buy one now, save one later. Buy one now, save one later. Buy one now, save one later.
 Or save even more. Buy one now, save one later. Buy one now, save one later. Buy one now, save one later. Buy one now, save one later.

The quality you need.
 the holiday price you want.

ROBERT LITTLE

UNIVERSITY OF MICHIGAN, DEARBORN CAMPUS

4901 EVERGREEN RD

DEARBORN MD 48128

313-593-5122

office number for Dr. Little

313-593-5241

Medical Engineering Dept

ASTM COMMITTEE - DAVID SNOW

FAMILY

Unsure Shots

How safe are BB guns?

In the 1960s if a neighborhood prankster hit you with a BB, the shot would usually bounce off. You'd be angry, but you probably wouldn't be any worse for wear. "That's not what BB guns are these days," Michael Jotblad of Oakdale, Minn., says bitterly. Last September his daughter Tiffany approached a group of teenage boys playing with a Daisy Power Line 860 BB "air rifle." The boys told her to go away. When she didn't, one of the boys shot her from 20 feet, piercing her heart. She ran into a nearby house, collapsed and died.

The BB-gun market has changed. Today's top-of-the-line "nonpowder guns" can fire BBs or pellets 800 feet per second, more than twice the speed of the old-style BB guns and almost as fast as some handguns. Since 1980 at least 25 children have died from BB or pellet-gun wounds. Emergency rooms treat an average of 25,400 BB-gun wounds a year; two thirds of the injuries are to kids under 16. "The entry wound is often difficult to distinguish from a small-caliber handgun," says Robert Tanz, a pediatrician at Children's Memorial Hospital in Chicago. "We've had a number of injuries with BBs penetrating the skull and entering the brain."

Nevertheless, manufacturers insist that there is a place for the new guns. Daisy company, the largest maker, says it increased muzzle velocities to appeal to older users. "A lot of hunters will [use BB guns] during winter to keep their shooting eye sharp," says Daisy spokesman John Ford. Daisy also says that it has gone to considerable lengths to stress safety. Instructions caution parents that high-powered rifles should not be used by children under 16. Ads in Boys' Life magazine depict children wearing safety goggles and supervised by parents. But few states have laws restricting sale to, or use by, children.

So far the Consumer Product Safety Commission has deferred to the industry's safety efforts but may review the issue this year. David Snow, a product-safety advocate, plans to petition the CPSC to ban guns with velocity greater than 350 feet per second. "Adults associate these with the pleasures of their youth," Snow says. "They're not aware that they now have the potential to kill." Manufacturers say restricting velocity would diminish usefulness for hunters and sportsmen. Whatever happens, it's clear that Mother's old warning about BB guns—"Careful or you'll lose an eye"—is now a major understatement.

*Macmillan PA
JAN. 1990*

Sponsorship a Child for Only \$12 a Month.

At last! Here is a \$12 sponsorship program for Americans who are unable to send \$20, \$21, or \$22 a month to help a needy child.

And yet, this is a full sponsorship program because for \$12 a month you will receive:

- a 3 1/2" x 5" photograph of the child.
- a special sponsorship folder with your child's case history.
- a description of the country where your child lives.
- issues of our newsletter, "Sponsorship News."

And at least two personal letters a year from your child.

All this for only \$12 a month?

Yes—because we have searched for ways to reduce the cost—without reducing the help that goes to the child you sponsor.

For example, your child does not write each month, but two letters a year from your child keep you in contact and, of course, you can write to the child just as often as you wish.

Also, to keep down costs, we do not offer the so-called "trial child" that the other organizations mail to prospective sponsors before the sponsors send any money.

You can make the difference!

\$12 a month may not seem like much to you—but to a poor family living on an income of \$2.00 a day, your sponsorship really helps!

Will you sponsor a child? Your \$12 a month will help provide so much:

- emergency food, clothing and medical care.
- a chance to attend school.
- counseling for the child's family to help them become self-sufficient.

Sponsorship A

Yes, I wish to sponsor a child. Enclosed is my fi
Please assign me a Boy Girl

Country preference: India The Philippines
 Honduras Dominican Republic Colombi
 Holy Land Crippled Child

OR, choose a child who most needs my help

NAME _____

ADDRESS _____

CITY _____

STATE _____

- Please send me more information about sponsoring
 I can't sponsor a child now, but wish to make a co

Your gift is U.S. tax deductible. Ple

Children Inter

Joseph Gripkey, Pres
2000 East Red Bridge Road
Kansas City, Missouri

Children International is a non-pro
children since 1936. Financial report rec

ACCIDENT INVESTIGATION REQUEST FORM

Document Number X210807A1
~~920107CC2160~~

Date of Incident 10/10/90 Category I.D. Scet 05

Follow-Up Requested Hazard Analysis Section 15

Type Follow-Up Requested Telephone Call On-Site

Headquarters Contact JAMES A. DE MARCO, CECA, HQTRS

Assignment Message _____

PLEASE DO COMPLETE IN-DEPTH: GET PHOTOS OF PRODUCT
IF PRODUCT IS NOT SAMPLEABLE. IF AN ATTY IS INVOLVED
CONTACT HIM/HER AS WELL. GET COMPLETE SCENARIO AND PRODUCT
IDENTIFICATION.

* SEE ATTACHMENT

*also: contact Police +
Coroner's office to get
reports*

Person(s) to Contact Robert J. Walsh
40 So. Caroline St.
Crystal Lake, IL 60014

* SEE ATTACHMENT

Line 79

Requested By James DeMarco

Task Number 920108CC2160

Assigned to Chi Date _____

X21080

Northwest Herald

McHenry and Northern Kane Counties' daily newspaper

Saturday, October 20, 1990

Teen dies of BB wound

By STEPHANIE HAUGAN
The Northwest Herald

CRYSTAL LAKE — A 13-year-old boy died Friday, nearly a week after being shot in the chest with a pellet from a BB gun.

Andrew D. Walsh, 40 S. Caroline, died at Lutheran General Hospital in Park Ridge early Friday. Walsh was flown unconscious to the hospital by helicopter last Saturday after being shot with a BB pump gun.

Walsh was found at a home at 26 E Terra Cotta near Veteran Acres in Crystal Lake. The

weapon was found on the premises.

Two other 13-year-olds were at the scene, police said. But police have not determined whether the shooting was accidental or otherwise.

An autopsy will be conducted by the Cook County Medical Examiner Saturday morning. From there, the cause of death and facts of the investigation will be turned over to the McHenry County State's Attorney's Office.

"There won't be a determination made until they have all the facts," Lt. Keith Nygren said.

In the meantime, classmates

and faculty at North Junior High, where Walsh attended the eighth grade, are trying to cope with his death.

"It was a tragic accident," said Superintendent Richard Bernotas. "Both the students and faculty are in shock."

The school district is organizing crisis teams of psychologists and sociologists to help the students cope.

Walsh was a very active student in school, Bernotas said. He was a member of North's cross-country, track and basketball teams.

920108CC2160



William Valicenti / The Northwest Herald

A Crystal Lake police officer works on the scene where a youth was found shot by a BB gun last Saturday.

8 - JAN 1992

X210807

December 23, 1991

Mr. Robert J. Walsh
40 So. Caroline St.
Crystal Lake, Il. 60014

920108CCC2160

Carlos Perez, Director
Division of Corrective Actions
U.S. Consumer Products Safety Commission
5401 Westbard Ave.
Bethesda, MD 20014

RECEIVED
CPSC CHIEF OF BUREAU
92 JAN 2 1992

Dear Mr. Perez,

The purpose of this letter is to report to the Products Safety Commission the death of our son, Andrew D. Walsh. Andrew died on October 19, 1990 as a consequence of a BB Gun Wound inflicted by another boy at that boy's home on October 13, 1990.

For your information the police informed us the type of BB gun was a Daisy Powerline 880. Attached are newspaper articles concerning this shooting.

We strongly suggest that the Consumer Products Safety Commission investigate this matter. I can be reached at the above address or during the day at (312) 222-8773.

Sincerely,

Robert J. Walsh

Robert and Molly Walsh

cc: Patrick Murphy
Corby & Demetrio
333 N. Dearborn St.
Chicago, Il. 60602

8- JAN 1992

X21080

NORTHWEST HERALD Saturday, October 20, 1990

920108 ECR 2160

Andrew D. Walsh

CRYSTAL LAKE — Andrew D. Walsh, 13, died Friday, Oct. 19, 1990, at Lutheran General Hospital in Park Ridge.

Born July 25, 1977, in Chicago, he was the son of Robert J. and Molly (Houlihan) Walsh.

He was a member of St. Thom-

as the Apostle Catholic Church. He had attended Husmann Elementary School and was an eighth grade student at North Junior High School, where he was an honor student and member of the cross country, basketball and track teams.

Besides his parents, he is survived by a brother, Kenny Walsh of Crystal Lake; maternal grandparents, Jim and Jean Houlihan of Montreal, Canada; paternal grandmother, Theresa Walsh of McHenry; and many loving cousins, aunts and uncles.

Visitation will be from 3 to 9 p.m. Sunday, Oct. 21, at the Bachmann Funeral Home in Crystal Lake. Funeral Mass will be celebrated at 10 a.m. Monday at St. Thomas the Apostle Catholic Church. Burial will be in Crystal Lake Memorial Park.

In lieu of flowers, memorials may be made to the North Junior High School athletic department.

8- JAN 1992

X210807

920108 HCC 2160

WALSH

Andrew Daniel Walsh, 12, at rest Oct. 19, 1990.
Beloved son of Robert J. and Molly, nee Houlihan;
loving brother of Kenny; dear grandson of Jim
and Jean Houlihan and Theresa Walsh; many
loving cousins, aunts and uncles. Visitation Sun-
day, 5 to 9 p.m. at the Beckman Funeral Home,
Ltd., 7715 W. Route 14, Crystal Lake, IL. Funeral
Mass will be celebrated on Monday, 10 a.m., at
St. Thomas the Apostle Catholic Church, Rt 176 &
Oak St., Crystal Lake. Interment Crystal Lake
Memorial Park Cemetery. In lieu of flowers,
memorials may be made to the North Junior High
School Athletics Dept. in Crystal Lake. For info
815-468-2233.

8- JAN 1992

X21080

October 25, 1990

Crystal Lake

920108 HCC 2160

MIRROR

District 47 teen dies of BB wound

By JULIANN R. ANDERSON
STAFF WRITER

The Crystal Lake School District 47 crisis team this week is attempting to help North Junior High students and faculty members cope with the unexpected death of an eighth grader.

Andrew D. Walsh, 13, who suffered a BB-gun wound on Oct. 12, died early Friday morning at Lutheran General Hospital in Park Ridge. The boy had been in intensive care at the hospital since being transferred there by helicopter from Northern Illinois Medical Center, McHenry, shortly after the incident.

According to Crystal Lake police reports, Walsh had been injured in the chest while shooting pump-type BB-guns with two other youths in the backyard of a home on Terr Cotta Avenue.

The McHenry County State's Attorney Office is now investigating the incident to determine the nature of the shooting. On Tuesday, Gary Pack, the state's attorney's criminal victim chief, reported that the state's

attorney was still waiting the results of an autopsy performed by the Cook County Medical Examiners' office on Saturday before conducting a review

A death like this is hard to cope with, not only for the children, but for the adults — the many teachers and coaches who knew Andrew so well.

Supt. Richard Bernotas,
District 47

of the case.
Walsh, the son of Robert and Molly

Walsh, 40 S. Caroline St., was buried Monday at Crystal Lake Memorial Park after a mass at St. Thomas the Apostle Catholic Church.

About 200 North Junior High students attended the services, according to District 47 Superintendent Richard Bernotas. A crisis team, which includes school district social workers along with members of the Crystal Lake police department and McHenry County mental health care workers, are attempting to help the students and teachers cope with the sudden death.

"We're attempting to help the kids and several staff members deal with their grief. A death like this is hard to cope with not only for the children, but for the adults, the many teachers and coaches who knew Andrew so well," Bernotas said.

Walsh was an honor student who was active in school athletics, including North's cross-country, track and basketball teams, he said.

His family has suggested that any memorials be made to the North Junior High School athletic department.

X210

COMMUNITY—NORTHWEST HERALD Wednesday, October 31, 1990

92008 LCC 2160

COMMUNITY

BB-gun death probe continues

By JILL JANOV
The Northwest Herald

WOODSTOCK — Assistant State's Attorney Michael Vujovich said his office continues to investigate the death of a 13-year-old boy who was shot in the chest with a BB gun earlier this month. But Vujovich said no charges are pending.

McHenry County assistant state's attorneys, working with the Crystal Lake police department, have not determined whether the shooting was accidental.

Officials await the results of an autopsy by the Cook County medical examiner and will conduct several interviews before releasing their findings.

Andrew D. Walsh, 40 S. Caroline St., who was with two 13-year-old boys near Veteran Acres in Crystal Lake when he was shot Oct. 13, died at Lutheran General Hospital in Park Ridge on Oct. 20.

The Oct. 20 autopsy revealed a single BB penetrated Walsh's right chest at an angle and twice pierced his aorta, the main artery carrying blood from the heart, according to a spokesman from the medical examiner's office.

"It's a tragic loss," Vujovich said. "We're concerned with the person who discharged the BB and the victim and the circumstances giving rise to it (the shooting)."

Police found Walsh inside a home at 26 E. Terra Cotta Ave., Crystal Lake. Walsh was shot once with a pump BB rifle, which police found on the premises.

Emergency personnel took the boy to Northern Illinois Medical Center and then took him by helicopter to the Park Ridge hospital's Pediatric Trauma Center.

Because the other two students are juveniles, police could not release their names.

8 - JAN 1992

920108CC2160

X: 210801

Death highlights need for BB safety

Tragic accident shows hazards

By STEPHANIE HAUGAN
The Northwest Herald

CRYSTAL LAKE — Deaths and injuries from BB gun shooting are not as uncommon as people might think.

In fact, many around the country are trying to spread the message to the public about the dangers of BB guns.

And the death of Crystal Lake 13-year-old Andrew D. Walsh tragically underscored that message here.

Walsh was shot in the chest last month with a .177-caliber pellet from a Daisy brand BB pump rifle, a product easily found on many retailers' shelves.

"BB guns can be lethal," said Robert Little, professor of mechanical engineering at the University of Michigan at Dearborn. "There are at least two or three deaths in the nation each year that

result from BB gun accidents."

Little has been crusading to get strict regulations placed on BB guns throughout the country. "I don't think parents understand just how powerful these guns are," he said.

"It's not like it was when I was a kid," Crystal Lake Police Lt. Keith Nygren said. "It used to be that when you got hit with a BB, the most it would do is leave a welt on your skin."

Many of today's sophisticated BB guns can fire more than 750 feet per second, well above the velocity necessary to pierce human skin, said Joshua Horwitz, attorney for the National Coalition for Handgun Control in Washington D.C.

"There are BB guns on the market that are approaching the realm of the .22-caliber

See TRAGIC, page 2

COM PAGE

Tragic

Deaths and injuries from BB gun shooting are not as uncommon as people might think. In fact, many around the country are trying to spread the message to the public about the dangers of BB guns.

And the death of Crystal Lake 13-year-old Andrew D. Walsh tragically underscored that message here. Walsh was shot in the chest last month with a .177-caliber pellet from a Daisy brand BB pump rifle, a product easily found on many retailers' shelves.

Deaths that result are few, Horwitz said. But that in no way diminishes the sadness felt when any young life is taken, he said.

"I'm very sorry to hear about the death of the young boy," said Frank Tarr, vice president of administration for the Daisy BB Gun Manufacturing Company in Arkansas.

Daisy put warning labels and age grading on its gun products, Tarr said. "I never's a step away from saying the gun can cause serious injury or death if misused."

Deaths are also suggested by people over 18, he said.

But some say package warnings are not enough.

Little is campaigning to get BB gun manufacturers to reduce the firepower and to put automatic safeties and visible magazines on their products. He has yet to see change in the industry, but he said he will not give up trying.

"It's an absolute all-out war," Little said. "I'm getting nowhere."

Many recall the story of Helen and Charles Orsette from Taylor, Mich. Their 3-year-old son was accidentally shot and killed by his 10-year-old brother in 1986.

That particular gun was a Crossman 338 BB air pistol with

... feed mechanism ... loaded into the gun at once.

"Toward the end, you can't tell whether the gun is loaded or not," said Orsette's lawyer, Thomas Mulcahy. "The gun can be empty when it's really a full."

Because the other Orsette child did not think there were any pellets left in the gun, the accidental shot happened, Mulcahy said.

"The problem is that the gun is worse and more powerful than the market and no safety standards," Horwitz said.



U.S. CONSUMER PRODUCT SAFETY COMMISSION

AUTHORIZATION FOR RELEASE OF NAME

Thank you for assisting us in collecting information on a potential product safety problem. The Consumer Product Safety Commission depends on concerned people to share product safety information with us. We maintain a record of this information, and use it to assist us in identifying and resolving product safety problems.

We routinely forward this information to manufacturers and private labelers to inform them of the involvement of their product in an accident situation. We also give the information to others requesting information about specific products. Manufacturers need the individual's name so that they can obtain additional information on the product or accident situation.

Would you please indicate on the bottom of this page whether you will allow us to disclose your name. If you request that your name remain confidential, we will of course, honor that request. After you have indicated your preference, please sign your name and date the document on the lines provided.

You are hereby authorized to disclose my name and address with the information collected on this case.

My identity is to remain confidential.

Robert J. Wall
(Signature)

Jan 29 1992
(Date)

1. TASK NUMBER 980313HCC2413		2. INVESTIGATOR'S ID 8919		EPIDEMIOLOGIC INVESTIGATION REPORT
3. OFFICE CODE 830	4. DATE OF ACCIDENT YR MO DAY 98/03/05	5. DATE INITIATED YR MO DAY 98/03		
6. SYNOPSIS OF ACCIDENT OR COMPLAINT UPC A 14 year old male was killed when his friend fired a BB gun at him. A BB struck the victim below his right eyebrow and lodged in his brain. The victim's friend had fired the BB gun several times and thought the weapon was empty.				
7. LOCATION (Home, School, etc.) Home 11		8. CITY Tinley Park		9. STATE Illinois
10A. FIRST PRODUCT BB Gun 1237		10B. TRADE/BRAND NAME Daisy		10C. MODEL NUMBER 099613834
10D. MANUFACTURER NAME AND ADDRESS Daisy Manufacturing Co. P.O.Box 220 Rogers, AR 72757				
11A. SECOND PRODUCT None 0000		11B. TRADE/BRAND NAME		11C. MODEL NUMBER
11D. MANUFACTURER NAME AND ADDRESS				
12. AGE OF VICTIM 14		13. SEX 1		14 DISPOSITION Deceased 8
15. INJURY DIAGNOSIS Foreign Body 56		16. BODY PART (S) INVOLVED Eyeball 77		17. RESPONDENT Police Dept. 3
18. TYPE OF INVESTIGATION Telephone 2		19. TIME SPENT (OPERATIONAL HOURS) 10.0		20. ATTACHMENT(S) None 0
21. CASE SOURCE MECAP 12		22. SAMPLE COLLECTION NUMBER None		
23. PERMISSION TO DISCLOSE NAMES (NON NEISS CASES ONLY) No				
24. REVIEW DATE 980506		25. REVIEWED BY 8311		26. REGIONAL OFFICE DIRECTOR
27. DISTRIBUTION O=EHDS, cc=FTR, C.Perez/J. DeMarco, cc=FOCR IDI file, cc=FOWR/FYI				

CPSC FORM 182 (12/96) Approved for use through 5/31/2000 OMB NO.30410029

MFR/PRVLR NOTIFIED 10/12/99
 No Comments made
 Comments attached
 Excisions/Revisions
 Firm has not requested further notice

980313HCC2413

ADDENDUM:

On May 5, 1998 I received a call from Joe Kocek, Commander of the Tinley Park, IL police department. He provided additional information about the BB gun involved in this incident. (He obtained the gun from the State Police Crime Lab.) The BB gun was identified as:

Manufacturer: Daisy Manufacturing Co.
P.O. Box 220
Rogers, AR 72757

Model: Daisy Powerline Silver Anniversary

Lot No.: 099613834

Additionally, the commander read the crime lab's description of the gun: "Black Silver Anniversary .880 Daisy BB caliber with chrome. Safety off. 25 inches in length. Chamber empty."

The commander said the teen who shot the victim will be with charged juvenile delinquency. He said the BB gun may be made available as a sample to CPSC if it is determined that the gun is not needed as evidence in the case.

NOTE: The commander said he discussed this case with several officers in the department who had shot BB guns and are familiar with their use and operation. He said the officers told him that the chamber for the BBs is oiled and that sometimes the BBs get stuck in the oil along the side of the chamber, which makes the gun appear to be empty when it is not.

980313HCC2413

SYNOPSIS:

A 14 year old male was killed when his friend fired a pneumatic, multi shot rifle at him and the rifle discharged a BB which hit the victim above his right eye and lodged in his brain. The victim died the next day in hospital. The victim's friend had pumped and fired the rifle several times before he aimed it at the victim, and the friend thought the rifle was empty.

SUMMARY:

This IDI was initiated by a MECAP report. The respondent is the commander of the Tinley Park Police Department. Because this incident was classified as a homicide, little information is available either about the events surrounding this shooting, or the actual circumstances involving this shooting as all official reports have been sealed. All information contained in this report was obtained from the verbal account provided by the Commander of the Tinley Park Police Department.

According to the respondent, on the day of the incident, March 5, 1998, a 14 year old male (victim), and a teenage friend (age unknown) went to the house of a 13 year old male who owned a BB gun. The police commander stated that the 13 year old's father had found his son with the BB gun a year ago and threw it in the garbage. The 13 year old retrieved the BB gun from the trash without his father knowing and kept it for an entire year until the day of the incident. The 14 year old victim asked the 13 year old if he wanted to sell him the BB gun and the 13 year old said he was not sure. The victim then asked if he could keep the gun for a few days and the 13 year old agreed.

It is not known either where the rifle came from, where it was purchased, or who the original owner(s) of the BB gun was. The commander did state that the gun was a .177 caliber, multi-shot, BB gun. He said the gun could only shoot BBs, however, the coroner's report (assignment), indicates in two places, that the victim was shot with a pellet. The coroner's autopsy report has not been completed so it cannot be confirmed that the victim was shot with a pellet. The commander stated that the stock of the rifle had been sawed off and the gun looked like a sawed off shot gun. The commander did not know the manufacturer and brand name of the gun, as the gun was collected by the Illinois State Police as evidence. I contacted the state police to obtain the identify of the BB gun manufacturer, but the director of the crime lab said they would not release any information about the BB gun.

SUMMARY CONT.:

Between 7:00 and 7:30 p.m., the 14 year old victim and his friend walked back to one of the boy's homes (the commander did not know which of the boys' homes the shooting occurred, as they were neighbors and lived only blocks away from each other. From statements made by the commander it appears the shooting occurred at the victim's home). The commander said the victim went inside the house to retrieve BBs for the gun. The victim's friend told police that the victim placed 8 BBs in the gun. He then turned and shot at the basket ball net four times and gave the BB gun to his friend to shoot at the basketball net. The police said his friend fired four shots at the basketball net, although he thought he had missed one. The victim's friend then pumped the BB gun and fired it and pumped the gun and fired it again without a BB discharging. The victim's friend then shook the gun and reportedly did not hear anything that indicated a BB was still inside the gun. At that point, the telephone rang and the 14 year old victim went inside to answer the phone.

While he was inside some younger children came to the front of the house. The victim's friend took the BB gun to the front where the children were. He showed them the gun and asked if they wanted to see how powerful it was. He reportedly told one of the children to hold out their jacket so he could fire at it, and they could see the puff of air that came from the gun. One of the children said they were afraid and did not want to hold out their jackets. The victim's friend then reportedly pumped the rifle and fired into the air to show the children that the rifle was empty. He then pumped and fired and pumped and fired the BB gun again. He pumped the gun again, and at that exact moment the victim walked out of the home's front door (approximately 8 feet away), and the victim's friend turned, aimed and fired the rifle directly at the victim. At that point a projectile struck the victim just above his right eye, between his brow and the eyeball.

The victim fell to the ground and the his friend ran to him. He called 911 when he realized his friend was hurt. The 14 year old victim was transported to hospital with the projectile lodged in his brain. The victim was pronounced dead at 1:45 p.m., the next day.

PRODUCT IDENTIFICATION:

The product involved in this shooting incident was a .117, multi-shot BB gun. The source/place of purchase of the BB gun is unknown. It was not known if the gun had a safety. After the incident the BB gun was taken by the Illinois State Police Crime

980313HCC2413

-2-

PRODUCT IDENTIFICATION CONT.:

Lab as evidence. It is currently at the crime lab in Joliet, IL and cannot be viewed for examination. The lab would not release any information about the gun and did not indicate whether any testing had been performed on the gun. No further information about the BB gun involved could be obtained.

NOTE: The investigating police department does not believe this was an intentional shooting and they are preparing documents to have the incident changed from a homicide to an accident.

Mar-20-98 02:37P JAM

847/259-5781

P.02

BOB OKARSKI C
FOCR/CHD

INCIDENT INVESTIGATION REQUEST FORM

DOCUMENT NUMBER: X9832390A

DATE OF INCIDENT: 3-5-98 CATEGORY ID: TYNN43 1998

FOLLOW-UP REQUESTED HAZARD ANALYSIS (X) SECT 15 ()

TYPE FOLLOW-UP TELEPHONE () ON-SITE ()

HEADQUARTERS CONTACT: C. Craig Morris, Ph.D.(tel: 504-0470, x1270)
BACKUP: Jay DeMarco (tel: 410 366 4751)

ASSIGNMENT MESSAGE:

Nonpowder guns (rifles or pistols) include BB guns, pellet guns, or combination BB/pellet guns which use a nonpowder projectile propulsion mechanism. Typical propulsion mechanisms in higher powered nonpowder guns include compressed air, involving a pump and cylinder device built into the gun, and compressed carbon dioxide, involving disposable pre-filled cylinders. Lower powered nonpowder guns generally employ a spring propulsion mechanism. CPSC files document 31 nonpowder gun-related deaths in the U.S. since 1987, all but two of which involved child victims.

Assign all deaths associated with nonpowder guns.

Person(s) to Contact: *see attached*

Guideline: Appendix

Task Number: 980313HCC2413 Date: 3/13/98

Assigned to: CHD Requested by: C.D.

CPSC form 324A (10/97)

MEDICAL EXAMINER CASE REPORT COOK COUNTY

CASE NO. 107 MAR. '98

DECEASED	AGE	SEX	RACE	ADDRESS	1-708-429-3610 PHONE
STEVE WILHELM	14	M	W	17740 IROQUOIS, TINLEY PARK, ILL. 60471	
CLASSIFICATION DOB: 15 JULY 1983 SSN: UNAVAILABLE DELAYED FATAL /				TYPE OF INVESTIGATION	
NATURAL _____ VOLENT _____ GUNSHOT VICTIM				SCENE _____ TELEPHONE XXXXX F.H. _____ HOSP. _____	
ADDRESS OF OCCURENCE				TYPE OF PREMISES WHERE FOUND	
17740 IROQUOIS, TINELY PARK, COOK, ILL. 60471				RESIDENCE / in driveway	
TIME/DATE FOUND				POLICE AGENCY R.D.# 98-4227	
1952 hours 05 MARCH 1998				TINLEY PARK POLICE	
PERSON DISCOVERING DECEASED		RELATIONSHIP		ADDRESS	PHONE
STEVE SIWIEC		FRIEND		17815 IROQUOIS	1-708-429-5823
PERSON INTERVIEWED					
COMMANDER KOCEK		TINELY POLICE		TINELY POLICE	1-708-532-9111
MRS. JODI GRANT		DCFS		406 EAST MONROE SPRINGFIELD, ILL.	1-800-252-2873
PRONOUNCEMENT: INPATIENT		PHYSICIAN:		HOSPITAL	
DATE: 06 MAR. '98 TIME: 1345 hours		DR. DONNELLY		OLYMPIA FIELDS OSTEOPATHIC HOSPITA	
POLICE NOTIFIED		INSTITUTE NOTIFIED		ARRIVAL	CLOSED:
DATE 05 MARCH 1998 TIME 1952 hours		DATE: 06 MARCH 1998 TIME: 1430 hours		DATE: 06 MARCH 1998 TIME: 1900 hours	06 MARCH 1998 2000 hours

NARRATIVE. DESCRIBE CIRCUMSTANCES SURROUNDING DEATH-PHYSICAL EVIDENCE, ETC.

TELEPHONE INVESTIGATION
GUNSHOT VICTIM / DELAYED FATAL

Notification was made by Dr. Nacopoulos, Olympia Fields Osteopathic Hospital, regarding the expiration of a 14 year old white male who sustained a gunshot wound to the head at the above address. The subject's friend summoned the authorities. Tinely Park Police and Comed Ambulance responded. Comed transported the subject to Olympia Fields Osteopathic Hospital E.R. at 2027 hours where the subject was admitted with a gunshot wound to the head. The subject remained hospitalized until he expired and the subject was pronounced by Dr. Donnelly at 1345 hours.

In summary, Commander Kocek revealed from his preliminary investigation the following: the subject and his friend Steve Siwiec were playing in the driveway with a pellet gun that they used to shoot pellets. The subject friend thought the weapon was empty after shooting it at the basketball goal. The friend pointed it at the subject with his finger on the trigger, fired, striking the subject in the head. The pellet is lodged because the subject didn't have surgery while being hospitalized. The weapon was recovered and inventoried by Illinois State Police. R/I contacted DCFS and spoke to Jodi Grant who had no priors on the subject's family.

The body was ordered into the Institute with a police report.

Frank Souchko
REPORTING INVESTIGATOR

Sarah [Signature]
SUPERVISOR SIGNATURE

980313H002413