

**People vs. Mongan - Case 2016CV53 -  
RECKLESS OPERATION OF A WATERCRAFT**

The following statements and information was extracted from the FOIA Ogle County Sheriff's Department & IDNR Accident and Crash Re-Enactment redacted Reports. A corresponding "Screen Shot" has been included after each statement to verify its origin.

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**1.** Ogle County Sheriff's Deputy Theil Narrative report statement (Deputy Theil was immediately on the scene of the crash):

- a. "In speaking to Mongan he explained to me that he and his passenger had left his residence at approximately 1800 hours and began to check their lines. Mongan continued to tell me that he and Lamb (other passenger in Mongans boat) were talking and not paying attention to the area. Mongan stated that the next thing he knew they were striking another boat".

In speaking to Mongan he explained to me that he and his passenger, Lamb, had left his residence at approximately 1800 hours and began to check their lines. Mongan relayed to me that they were heading north, up the river. Mongan continued to tell me that he and Lamb were talking and not paying attention to the area. Mongan stated that the next thing he knew they were striking another boat. After the collision Mongan advised that the boat motor would not start and they began to float down stream.

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**2.** When asked about the collision Mongan mentioned he did not know there was a crash until after it happened. He did not know how it happened and only recalled that he was on the river doing some fishing.

the other boat. When asked about the collision MONGAN mentioned he did not know there was a crash until after it happened. MONGAN stated he was driving north (upriver) in the Oregon area with his friend Nicholas Lamb. He did not know how it happened and only recalled that he was out on the river doing some fishing. MONGAN described his events on the video statement.

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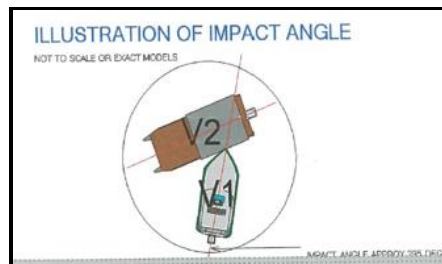
**3.** Daily took action to avoid a collision Mongan failed to avoid striking Daily's boat in the rear left quarter (port aft), traveling up and over Daily's pontoon leaving marks, debris, and evidence on Daily's boat. Daily's boat had the right of way and Mongan's boat was legally required to give way.

Based upon the physical evidence and witness statement information MONGAN was traveling north on the Rock River and failed to see DAILY. When DAILY took action to avoid a collision MONGAN failed to avoid striking DAILY's boat in the rear left quarter (port aft), traveling up and over DAILY's pontoon leaving marks, debris, and evidence on DAILY's boat. DAILY's boat had the right of way and MONGAN's boat was legally required to give way. During this event MONGAN's boat struck WELLS, resulting in her death and ejecting her into the water. MONGAN was under the influence during this boating crash and was arrested for operating under the influence and reckless operation.

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4. I (DNR Officer Beltran) interviewed the other boat and was advised David Daily was operating south at no wake speed and observed Mongan rapidly approaching. Daily signaled to Mongan and turned to the starboard side. Mongan turned to the port side and struck Daily. (Mongan (V1) turned "Port" side which means he turned to the left before striking the pontoon boat (V2). (If Mongan had turned starboard (right) he may have missed the pontoon boat). Illustration of Impact Angle is located within the Screen Shots portion of this document.

advised they were traveling north up the rock river and collided with another boat. I interviewed the other boat and was advised David Daily was operating south at no wake speed and observed MONGAN rapidly approaching. DAILY signaled to MONGAN and turned to the starboard side. MONGAN turned to the port side and struck DAILY.



5. Occupants of pontoon boat waved hands and called out in an effort to get Mongan's attention.

I met with the passengers of the DAILY boat. Each gave a video statement. Philip Lukes and Sherry Bushre (married but with separate last names) stated they were driving south on the rock river and MONGAN was driving north at a high rate of speed. BUSHRE stated she notified DAILY of MONGAN'S approach and he acknowledged. LUKES states he waved his hands and called out in an effort to get MONGAN'S attention. LUKES stated he fell from his seat into BUSHRE'S lap upon impact. Both LUKES and BUSHRE declined medical attention at the scene. Written statements on the night of the accident by the county police by LUKES and BUSHRE are similar to the video statements given. BUSHRE added that she was struck by a drinking cup that came from MONGAN'S boat. She wanted it entered into evidence (43198).

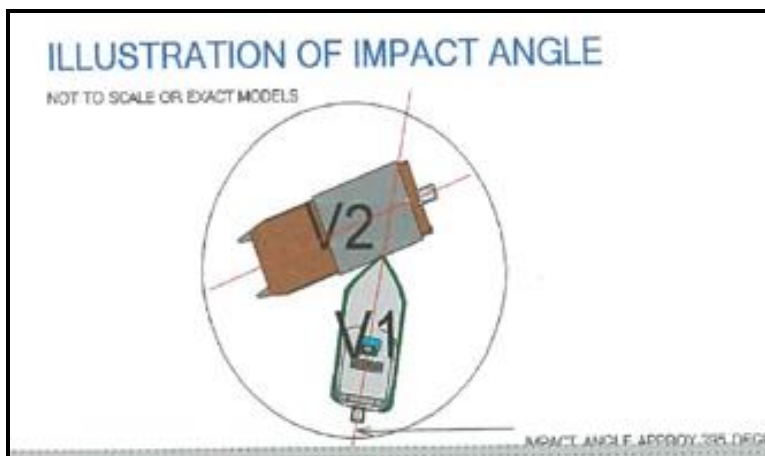
6. The crash occurred at approximately 8:33 P.M. Sunset on June 24, 2016 in Oregon, Illinois wasn't until 8:37 P.M., therefore neither vessels were required to have their navigation lights on at the time of the crash. Navigation lights had no bearing on this crash.

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7. Vessel 1 (Mongan's boat) had enough momentum to ramp Vessel 2 (Daily's pontoon boat), then slid off the stern of Vessel 2. The severity of the damage cause to Vessel 2 was because of the speed of Vessel 1.

**Conclusion:** My conclusion is based solely on the findings of assesment and reconstruction of the collision. Based upon the evidence I documented Vessel 1 impacted Vessel 2 at approximalley a 295 degree angle (see illustration below). Vessel 1 had enough momentum to ramp Vessel 2, then slid off the stern of Vessel 2. The sevarity of the damage caused to Vessel 2 was because of the speed of Vessel 1.



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Other statements, information and evidence is being research and will be presented.