

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of: *

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CAPSIZE AND SINKING OF STRETCH DUCK 7 *

ON TABLE ROCK LAKE, BRANSON, MISSOURI, * Accident No.: DCA18MM028

JULY 19, 2018 *

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Interview of: JESSIE G. YOUNG

Monday,
July 23, 2018

APPEARANCES:

JOHN VOLPE, Marine Accident Investigator
National Transportation Safety Board

SGT. [REDACTED] [REDACTED]
Missouri Highway Patrol

[REDACTED] [REDACTED] Investigator
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I N T E R V I E W

(12:35 p.m.)

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2
3 MR. VOLPE: The time is 12:35 on July 23rd. My name is John
4 Volpe. I'm with the NTSB, Marine Division. And we are conducting
5 an interview with Captain Jessie Young.

INTERVIEW OF JESSIE G. YOUNG

BY MR. VOLPE:

6
7
8 Q. And, Jessie, if you could just state your name, spell it, and
9 tell me what your position is at Ride the Ducks.

10 A. My name is Jessie Young. I am a Captain at Ride the Ducks.

11 Q. Okay. And just can you tell your name just for --

12 A. J-e-s-s-i-e G. Y-o-u-n-g.

13 Q. Okay. Thank you. Welcome. And thank you taking the time to
14 come talk to us today. The first thing I'd like to ask you is
15 just kind of give me your history, your work history, if you
16 worked in the industry prior to working for Ride with the Ducks or
17 you started with Ride with the Ducks? Just give me some of your
18 background.

19 A. I began with Ride the Ducks in 1992, I believe '92. It's my
20 27th year. I'm a summer captain. I teach school in Oklahoma, and
21 come over for the last 20 years probably middle of June. I leave
22 about the first of August.

23 Q. Okay. And were you a captain prior? Did you work on any
24 boats prior to coming to Ride the Ducks?

25 A. No. This was my first captaincy, my first, limited master.

1 Q. Limited master. Okay. And then when you started with Ride
2 the Ducks did you start as -- training as a master or did you --

3 A. I started as a trainee for a captain.

4 Q. For a captain. Okay. Do you happen to know what license you
5 hold? What sort of license do you hold?

6 A. It is a Limited Master on the white river impoundments up to
7 25 tons. I believe that's what -- I have no looked at it lately.

8 Q. Okay. And how did you receive your U.S. Coast Guard license?

9 A. I trained for the prescribed amount of time back in 1992
10 beginning first of May, about the first of May, and took my
11 license -- took my Coast Guard tests in Saint Louis sometime after
12 that in the -- after that sometime.

13 Q. Do you recall the training that you took before you went to
14 get your Coast Guard license?

15 A. Vaguely.

16 Q. Vaguely. Okay.

17 A. I recall the application --

18 Q. Okay.

19 A. -- training.

20 Q. Do you recall the amount of hours that you had to work?

21 A. It was a prescribed amount. They had an amount of hours that
22 they had to have a captain go through before he could take his
23 test, and I fulfilled whatever that was.

24 Q. Okay. Prior to you becoming a captain, did you -- were you a
25 driver as well or only trained to be a captain?

1 A. At the time we were trained to be drivers and captains. I
2 have a Coast Guard license. Coast Guard license and a DOT
3 license. I think it's Class C.

4 Q. CDL license?

5 A. CDL.

6 Q. Okay, very good. In general, how many trips -- since you
7 work in the summertime, how many trips do you run in the summer,
8 do you think or per week.

9 A. From a -- I run from 100 to 180. One summer I think I did
10 180. But I've done at least 100. I've --

11 Q. And that equates to roughly how many a week? Just --

12 A. 20, to 25 a week.

13 Q. 25 a week.

14 A. 18 to 25 trips a week.

15 Q. Okay. And the day of the incident how many trips did you do?
16 Do you recall?

17 A. Could have been four. I think it was five.

18 Q. Okay. Could you explain to me in your own words a typical
19 day from -- okay, from arriving onsite what you do?

20 A. Arrive onsite, and we have a schedule for the captains and
21 the drivers. The driver -- was only a driver on the road, a CDL
22 driver, and we together inspect the vehicle and vessel. I do the
23 marine portion of it. He does the other -- we kind of both do all
24 of it, but he signs more on the driving portion. I sign off on
25 the marine portion of it, any checks -- going through -- there's a

1 list. We go -- I go off a list.

2 Q. Okay.

3 A. Everything that's on the inspection list. I don't try to
4 remember it. I keep a copy of it.

5 Q. Okay. Do you recall some of the items that are on that list
6 that you did?

7 A. Yes.

8 Q. Okay.

9 A. I -- when I go, before I get on the Duck, I walk around the
10 Duck, inspecting for any damage, for any tire problems, any hull
11 problems, see if the towing gear is around, any other damage or
12 anything out of the ordinary. All the way -- I make one walk-
13 around, go on the Duck, put my equipment on the Duck. I go back
14 and check the secondary steering. Then I step forward, and check
15 the prop. Sits on there. It's a prop, a boot.

16 Q. Okay.

17 A. Check the prop boot. Check the prop boot. Check for any
18 water in the hull. Step forward. I have to remove the deck plate
19 so I can do that. Move the -- or move the deck plate so I can
20 check the Higgins pump and the keyway on the Higgins pump. Then
21 check to make sure we have the alarms are running, that the alarms
22 are efficient. The -- all the high and low bilge and the fire
23 alarms or the heat alarms, fume alarms. Check to make sure we
24 have the radio PA are working. And then we go out, and I check
25 the lights to make sure the lights are all working and the

1 propeller is working.

2 Q. Okay.

3 A. And then we go down to the -- a pad we call it -- we get it
4 on a creeper, and we'll crawl under together and I check to make
5 sure I have all my plugs in, make sure that the bolts are all good
6 and the tube is secure, and check anything else that might be out
7 of the ordinary.

8 Q. Okay. Then after you finish your check-off sheet, what --
9 and your sign-off by the driver and yourself, who -- what happens?

10 A. I took the sheet, and put it in the pre-operational place.

11 Q. Okay. And then from then on do you get in a line up? How
12 does -- how do they determine -- do they tell you the day before
13 what time --

14 A. We are on a line up. They tell us when to arrive based on
15 when we'll be going out.

16 Q. Okay.

17 A. I think I arrived at, I think, 8:15 for a possible 9 o'clock
18 trip.

19 Q. Okay.

20 A. And I may have been -- it may have been 8:45 for a 9:30 trip,
21 but I think it was the earlier one.

22 Q. Okay.

23 A. Earlier. We kind of had one earlier -- later on. So I don't
24 remember.

25 Q. Okay. The night previous or the previous few nights sleep,

1 any sleep problems? You get a full night's rest?

2 A. Yes.

3 Q. Roughly how many hours each night do you sleep?

4 A. I go to bed about 10, possibly 10:30. I get up at 6 or 7.
5 This day I would have gotten up at 7, before 7. Depends on when I
6 have to go out. So I would have planned to be there if it's 8:15,
7 I would plan to be there at 6, at 7:45. I like to be there 30
8 minutes early. So I would have left at 6:45. I would have gotten
9 up at 6 o'clock or so.

10 Q. Okay. Did any -- I mean, did you feel fatigued at all do you
11 recall that day?

12 A. No, no.

13 Q. Okay. Do you take any medicine?

14 A. No.

15 Q. No, no medicine. Okay, no medications. So you've completed
16 the inspection. You're set up for the line up. What's the next
17 process?

18 A. I wait for the driver will bring the Duck up into position,
19 and I will get onboard before to greet the guests and wait for
20 them -- get a count and close up the hatch.

21 Q. Okay. And what do you do on your wait?

22 A. I talk to the guests. Oh, before I get on the Duck?

23 Q. Before you get, yeah.

24 A. Yes. I hydrate.

25 Q. Before he drives it up.

1 A. I hydrate and get my -- go to the bathroom.

2 Q. Okay.

3 A. Eat, brush my teeth, get everything ready -- hydrate.

4 Q. Okay. Now the passengers come aboard. What's the next
5 process?

6 A. We take -- they -- we set them two to a seat, and I tell them
7 the safety instructions, and then we close the hatch, get a count.
8 We begin the journey.

9 Q. Okay. And with the count, how do you keep track of the
10 count?

11 A. It is written on a dry erase marker that's Velcro'd to the
12 front of the Duck. Actually Velcro'd to the windshield actually
13 on this Duck.

14 Q. Okay. And when the people board, do they -- can they sit
15 anywhere they want or do you --

16 A. No. They sit from -- we load from front to back two to a
17 seat with exceptions. But --

18 Q. Okay. Generally whatever line up as they load front to back.
19 Okay. After you do your safety briefing can you just in your own
20 words what type -- the safety briefing that you give prior to
21 getting underway.

22 A. Okay. Let me think. I'll say the whole thing. It's --

23 Q. Or some of the items that you --

24 A. Wait a minute. I go from -- I got exactly. I just got to
25 get my mind to where I am. I say exactly the same thing every

1 time. About to take off. Before we do, got a couple rules for
2 you. First rule, no smoking on the ride and no tobacco. Watch
3 out -- keep any hats -- hats have to be -- be aware of your hats.
4 Place your arms, legs, and anything else you're planning on taking
5 on inside the Duck at all times. Stay seated the entire time. I
6 think that's what --

7 Q. Okay.

8 A. I have some funny stuff in the middle of it so --

9 Q. Okay, but that's the security portion, then you ad lib.

10 Okay. What's -- at this point the driver takes over?

11 A. Driver takes over. I am narrating. The driver is driving.

12 Q. Okay. And generally you do -- what's your route that you
13 take?

14 A. We take from the Ride the Ducks we go westward on 76 to get
15 on to Green Mountain Drive either by Wildwood or the next road,
16 generally Wildwood. Go down, go on Green Mountain Drive to the
17 light on 165, turn left and go across the dam. Go up past the
18 Showboat Branson Belle to Baird Mountain, enter the west entrance,
19 go up to the Baird Mountain, and stop on the top, and make our way
20 down on the east side. Then come down to the Branson Belle.

21 Q. Okay. Now once you get to the Branson Belle, can you explain
22 what you do prior to entering the water?

23 A. Prior to entering the water before -- I say we're about --
24 now we're about to go in the water. Before we do, a couple of
25 things. I'm Coast Guard licensed merchant marine officer. This

1 Duck's a Coast Licensed and inspected vessel. The lifejackets
2 above your head are Coast Guard approved. On the right for
3 adults, on the left for those 90 pounds or under or children.
4 Behind those (indiscernible) are for those 30 pounds or under or
5 infants. And we, I say we have never had to use them.

6 Q. Okay. Do you don a lifejacket?

7 A. No. I -- okay, when I get into the -- get closer, I say a
8 couple of things. Watch out for when we go in the water we're
9 going to slow down very quickly. You need to be hanging on. Kids
10 need to be hanging on, make sure they don't fall forward. And
11 second thing when we go in the water the front of the Duck will
12 come up, the back will go down. We could get some water. Be
13 aware of your electronics. And then I say I've got two fire
14 extinguishers up here. One fire extinguisher underneath the back
15 -- next to the back seat. If we have a fire -- put it out. I've
16 got a life ring above my head, one life ring behind the back seat.
17 If someone fell from the boat we could throw a life ring to them.
18 There's no smoking on the water. Please don't get up without
19 permission. One more thing, and if we must exit, exit out the
20 sides.

21 Q. Okay.

22 A. Then I demonstrate, and I got to show how to put a lifejacket
23 on.

24 Q. Okay. Where is that lifejacket located?

25 A. The lifejackets that I demonstrate with are on the seat

1 behind the driver.

2 Q. The seat behind the driver.

3 A. I take my seatbelt off, I -- when we're on the parking lot.
4 I take my seatbelt off, take the thing, take it, demonstrate, put
5 your -- okay. If we have to use them I will tell you, we get them
6 down, pull the yellow tab here, then pull them down. The straps
7 have rubber band. You pop it loose. You spread it apart, put
8 your head through the big hole, strap goes behind you back. Snap
9 on the D ring, pull it tight.

10 Q. Okay. So you've done your safety. Explain to me your
11 procedure of going in the water now or how you would --

12 A. We -- I will tell them also that in an emergency put
13 lifejackets on. I tell them some things that are not part of --
14 put your lifejackets on, adults first, kids second. If you're
15 wearing your lifejacket you can help your kid. If you're not
16 wearing a lifejacket you can only help yourself. We're very
17 serious about this. We take -- we train very hard every time we
18 go on the water. On the way, on the road the driver understands
19 something bad could happen. Every time we go on the water he
20 trains very hard. Every time the captain goes on the water we
21 understand it's a very serious thing. We train very hard. And
22 then I go up there, say we're going to go up. We will -- and I
23 ask them if they have been on the Ducks in Branson. I say we will
24 now call in to see if anything is in the way. Coast Guard Branson
25 Belle is sometimes moving out. So I will call in. I call in and

1 tell them this is Duck Number 17 taking water entry at South Ramp
2 at the White River Landing. Any (indiscernible) from inbound
3 traffic. And then I wait and go down there, make sure the pathway
4 is clear, make sure there is nothing, no vessels in the water, and
5 then splash into the water.

6 Q. Okay. Once you splash into the water, is there anything that
7 you do?

8 A. I check to make sure my free (indiscernible) is good with the
9 two markers, make sure the markers are out of the water there.
10 Then I make sure I have propulsion, make sure I have steering,
11 tend to the tour.

12 Q. Okay. Could you tell me your route that you normally take?

13 A. I go straight out. I go straight out toward two -- there's
14 two houseboats or two docks that are straight across. Straight
15 there after about 150 yards, 100 yards, 150 yards, I will switch
16 places with the -- with the -- I'm in the driver's seat. I walked
17 him out of the driver's seat and invite the passengers to come
18 forward while I'm holding the steering wheel.

19 Q. Okay. And where do you go from going straight out?

20 A. We go straight out. We go around the island. On the island.
21 Come back in, and with a little bit of variance. And come around
22 the island. We -- and there's a little bit of time I will -- it
23 will meander a little bit before to make sure all the guests have
24 had an opportunity to get their picture taken in the driver's
25 seat. Then I head toward the -- I get back in the seat. I head

1 behind the Showboat Branson Belle to our exit ramp, come out of
2 the water.

3 Q. Okay. Once you come out of the water, what's the procedure
4 switching back to the other driver?

5 A. I pull into the parking lot, and put the emergency brake on,
6 put it in neutral, and we switch.

7 Q. Okay. And how long is the rest of the land tour then
8 roughly?

9 A. 15, 20 minutes.

10 Q. Okay.

11 A. 15 minutes.

12 Q. Once you arrive back at the office, what's the procedure
13 after that?

14 A. The drive pulls into the back ramp -- the front -- there's
15 two ramps. We pull into those, and I go back, unlock the door,
16 raise the hatch, and help them off.

17 Q. Now going to your last tour of the day, is there anything
18 additional that you do?

19 A. I don't think -- there shouldn't be nothing.

20 Q. Okay.

21 A. They're all the same tours.

22 Q. Okay. Now if -- this is kind of talking about the tours. At
23 any point in the tour do you contact operations to let them know
24 what you're doing?

25 A. No.

1 Q. No. Not entering, not exiting the water. Is there a way
2 that you could contact the office?

3 A. Yeah. There is a way. If you're the last Duck off the
4 water, when you actually exit the water, you call, say this is
5 Captain Jessie, I am off the water. I'm the last Duck. Or off
6 the water. That way the maintenance guys can do their stuff.

7 Q. Okay. But you don't have to call them up? I mean you don't
8 have a policy that you call operations --

9 A. No.

10 Q. -- okay, MOD? Okay. When you go into the water you have
11 your route that you normally take. Do you have any contingency
12 ramps or things that you look at if there was an issue? Like, do
13 I turn around and come to the south ramp again, proceed to the
14 north ramp?

15 A. I --

16 Q. Have you ever come to --

17 A. Yes.

18 Q. -- returned to the south ramp?

19 A. Yes. I'm trying to at all times be aware of things around
20 me. And I've had a couple things. This year I had one where
21 there was a -- I -- there was a wind on the lake. It was pretty
22 choppy from the island to the Showboat, and I went out a little
23 ways, and I noticed it was not good. So I turned and went back to
24 the entrance.

25 Q. Okay. Now let's --

1 A. That was -- seemed to me the most prudent. Two others had
2 gone ahead.

3 Q. Okay. Any issues that you know of that went ahead, the guys
4 that went ahead?

5 A. It was very choppy.

6 Q. Just choppy.

7 A. Very, very breezy. I don't do breezy.

8 Q. We'll go to the last tour of the day that the Seven went --
9 had their accident. Do you recall when you entered the water?

10 A. Yes. As I, the reason I tell the guests that I change seats
11 is I'm going to take a break. So I ask them what time it is?

12 Q. Okay.

13 A. The time was 6:40 or 6:41 when I changed seats.

14 Q. Okay. And do you happen to know when you got out of the
15 water?

16 A. Huh-uh.

17 Q. No. Okay. While you were on the water, did you notice --
18 what was the conditions like?

19 A. Conditions were excellent. When I went in the water -- okay.
20 Can we back up?

21 Q. Yeah, sure.

22 A. When I go across the dam going out, I'm looking at the flag
23 on the dam to see if it's blowing because I have actually a joke I
24 can say there. And I'm aware. And one time it was a west wind,
25 but not that time. I did not have a west wind that time. And

1 then I'm looking backward, looking at theirs. They had said there
2 was a possibility of a storm, so I was looking, monitoring that,
3 and there was no dark clouds. So I thought we are good to go for
4 now. I check on top of the mountain, pull up on the flat area
5 looking around, checking again in the direction they said might be
6 a storm. There was nothing. I went on top of the mountain
7 (indiscernible) top again, looking around, calm. Went in the
8 water, calm. Went -- took my regular tour, got everybody into the
9 seat, pictures, came all the way around to the north side of the
10 island, and towards shore finishing my last people, and I looked
11 north, and -- something water was disturbed in a line a mile or so
12 north. I don't know. Past the point over there in a line. And I
13 thought first of all like boats or something were (indiscernible)
14 up, and I looked again, and I went -- I thought -- I presumed
15 there was a wind coming.

16 Q. Okay.

17 A. Although there was no indication of a storm.

18 Q. Okay.

19 A. It was not -- it was no darker than it was yesterday about
20 5:30. Little bit darker. Not anything bothersome at all. It --
21 maybe a storm but 20 miles away maybe. But that wind, something
22 was causing the water to do that, and at that point I took over,
23 and we went quickly to the exit.

24 Q. Okay. Do you recall seeing any lighting that day?

25 A. No.

1 Q. No.

2 A. Would have been earlier. But we did get caught in the wind
3 40 yards from the shore, but we were almost -- and it was -- the
4 wind did not increase. It was calm. It was big.

5 Q. Okay.

6 A. And we -- I had a few, a few yards to go. Not -- it was, I
7 was finishing. I was just, I was there, and left my -- my windows
8 were up, and I did not want to put the windows down facing
9 sideways because --

10 Q. Okay. Do you recall was there any other Ducks at the landing
11 prior to going in?

12 A. I heard two Ducks call in. Well, we passed a Duck. They
13 were on -- they were changing Ducks. Actually, he was not
14 changing but he was -- the Duck he was going to change was behind
15 me. I passed him. Went on ahead of him. Later on I heard him
16 call in. I heard a second Duck. I assumed it was Scott. I think
17 it was in order. I may be mistaken which order they went in. But
18 I thought it was Captain Candy and then Captain Scott going in the
19 water. I don't know exactly where it was. I think I was near the
20 island, one side of the island.

21 Q. Do you remember seeing any of the other Ducks in the water
22 while --

23 A. No.

24 Q. No.

25 A. I did not look for them.

1 Q. Okay.

2 A. I did not -- I look ahead of me. I look back to see if a
3 Duck is pressing me. That would indicate I am taking too much
4 time.

5 Q. Okay.

6 A. There were no Ducks pressing me.

7 Q. Okay. Do you recall seeing anybody ahead of you?

8 A. No. I didn't see anybody ahead. If they were there, I did
9 not see them. They may have been when I first went on approaching
10 the Belle, but I did not notice them. I did not look for them.
11 They were not of consequence to me at that time.

12 Q. Okay. You mentioned that you use VHF to call the Belle --
13 the Coast Guard that you are going to go in the water. Have you
14 ever noticed any dead zones with the VHF that you can't hear
15 people?

16 A. On the water?

17 Q. Like you go to use the radio and people don't answer, and you
18 might have visual sight of them or you try to call the office, and
19 you can't get a hold of them?

20 A. On the water?

21 Q. As you're -- yes, on the water or just using VHF in general
22 on the -- I assume that's how you contact.

23 A. I do not know that I have had that this year. Of course
24 there have been times over the years that I found a dead place,
25 but not on the water.

1 Q. Okay. I was just -- with the hills and the terrain.

2 A. There might be a place, and there's times over the 27 years I
3 have seen lots of stuff, and something will be, like, was that
4 this year or five years or 15 years ago I go.

5 Q. Okay. As Captain, do you have any kind of, like, go or no go
6 policy that you get to make the choice?

7 A. Yes.

8 Q. Okay. Have you ever exercised that?

9 A. Yes.

10 Q. Okay. Could you tell me the last time you did? I mean, was
11 it this year, last year?

12 A. No, not this year.

13 Q. Okay.

14 A. I'm trying to think of when I did. I generally go in the
15 water. I've gone in the water before at a time when I could not
16 see something and hit the water and saw something that the water
17 was not good. I turned around immediately and came out.

18 Q. Okay. But could you tell me a little bit about the -- are
19 you familiar with the operations manual for the company?

20 A. I do not -- I have not looked at it in years.

21 Q. Okay. Could you tell me if you drill any emergency
22 procedures on the Duck?

23 A. Yes. Yes.

24 Q. Okay. And could you tell me some of the things that you
25 drill?

1 A. This year when I first came here, I think it was on the 14th.
2 No. Yes, the 14th. Because I did miss the meeting on the 13th.
3 So I came the next day. And we did the -- we did our training,
4 and that's got documentation what everything they did, and we
5 checked off every box, but we did the fire. We went to the lake.
6 We went to the parking lot over there, and we did our fire and
7 other drills that were not water. Not -- we did our fire. We did
8 all the water drills on the water. The turn off ignition, turn
9 off the gas. We -- do the others. We did those. And then on the
10 water we did a man overboard drills, and other drills about
11 secondary (indiscernible) steering, loss of propulsion, loss of
12 steering, loss of population, and man overboard, emergency drills
13 what we do if there -- if all of a sudden a Higgins pump comes on,
14 which is -- if a pump comes on there's a small amount of water
15 that comes on sometimes over the back. It will sometimes trip a
16 small electric pump in the back. And I think I had one this year,
17 and I did, I cut the (indiscernible) and went out.

18 Q. Okay. Are you familiar -- I'm just learning this myself, but
19 are you familiar with most of the Ducks or do you normally take
20 the same Duck every day?

21 A. I've been fortunate enough to take the same Duck almost every
22 day this year.

23 Q. Okay. And that's Duck number?

24 A. 17.

25 Q. 17. Do you happen to know is that a Branson Duck or is that

1 one of the Ducks that they've purchased from somewhere else?

2 A. I think it's -- I do not know. I think it's a Branson Duck.
3 I do not know.

4 Q. Okay. Is there any other type of training that's conducted
5 in the company? I mean, you had your training when you first
6 returned. Do you have any other training that you take part in?

7 A. No. I do not. Do not recall any.

8 Q. Okay. I'm just going to bring this out. Some other people
9 mentioned safety meeting or safety or operation meetings once a
10 month.

11 A. We do have an operations meeting on the 13th.

12 Q. On the 13th. Okay.

13 A. And there was a safety briefing about -- he went over nearest
14 point of land, and that was last one. I'm only here from middle
15 of June to the first of August. I miss most of those meetings.

16 Q. Okay. You did participate in the last one. Do you have to
17 sign a sheet that you've been there?

18 A. Yes. Yes.

19 Q. Okay. How about weather? I mean you're -- I know you're
20 only here for the summertime. Is the weather that you -- that
21 was encountered is that a typical Missouri day where you get
22 thunderstorms in the afternoon during the summertime or -- I'm
23 from south Florida. So every day it rains three o'clock like,
24 it's like on schedule. How is it here?

25 A. The storm --

1 Q. Just weather in general here inside Missouri, is that --

2 A. We have a bunch of pop-up storms. Our storms that came
3 through this last month or so, I guess.

4 Q. Okay. Have you ever been -- have you ever been put on hold
5 due to a storm?

6 A. Yes.

7 Q. Do you recall the last time that happened?

8 A. Actually, I was -- I came in when they were on hold a couple
9 of times.

10 Q. Okay.

11 A. I had already been -- I had been in, and then I came -- they
12 were on hold when I came in.

13 Q. Okay. And how --

14 A. Maybe another one, but I don't notice it as much. So --

15 Q. Okay. How often or how long would a hold last or would you
16 be on hold in the office? What, how would they tell you that,
17 okay, the hold is done? They just come out and say, okay, we're
18 resuming operations?

19 A. Yes.

20 Q. Okay. In the investigation I've also talked to the other
21 captains and people from the office. They have a weather monitor
22 inside. Could you tell me a little bit about that?

23 A. Inside there's a computer -- a monitor. It's a big monitor
24 that has radar, which we watch all the time. We turn it on. We
25 have it really broadcast all the way the middle of Kansas, middle

1 of Oklahoma. And then when something is approaching, they narrow
2 it down to where -- we want to know if it's at this afternoon if
3 we get there at nine o'clock, and this afternoon a storm might
4 come through at six or three or something like that, we kind of do
5 that and we get a closer.

6 Q. Do you recall -- do you check at every trip? Couple of times
7 a day? What's your -- how do you normally handle it?

8 A. We come in, we'll have a break between every trip. If there
9 was any indication -- and we'll watch it sometimes if it's a clear
10 day, click, okay, done. Nothing is nearby. If there's anything
11 else, we'll watch it more closely.

12 Q. Okay. Do you recall if there was a forecast the day that --

13 A. I think there was a forecast for storms in the area coming
14 through later.

15 Q. Okay.

16 A. I don't know -- later.

17 Q. Okay.

18 A. I went out six but you knew that I went out at six o'clock.

19 Q. You went out at six o'clock, yes, yes, I did. Okay. The
20 other boat that went out at six was -- do you remember what, what
21 Duck --

22 A. Yes. It was Curtis and McKell (ph.), whose name is Sassy.
23 They were ahead of me and --

24 Q. Okay. Did you -- when you said the weather was clear, it was
25 calm until you got on to the ramp. Do you ever talk amongst Ducks

1 while you're out there on the VHF?

2 A. Not often.

3 Q. Not often. Okay.

4 A. If there's something -- not often, not often. Every once in
5 awhile. I had a captain said that he could not raise the office,
6 would I call in the last trip?

7 Q. Okay.

8 A. And I called in the last trip when I got off the water I
9 called in the last trip.

10 Q. Okay. Do you guys have a cell phone that you would use if
11 you couldn't get a hold of the office that you --

12 A. Yes.

13 Q. -- would call?

14 A. Yes.

15 Q. Would they ever contact you on the cell phone or would they
16 always call you on the VHF, if you could recall?

17 A. Maybe years ago. I can't recall one in the last three, four
18 years.

19 Q. Okay.

20 A. Maybe -- I don't know, three or four years at least.

21 Q. Okay. You said you weren't very familiar with the ops
22 manual, but do you happen to know if there any procedures -- is
23 there a procedure board in the office that they might -- if they
24 update something that they would let you know?

25 A. As?

1 Q. Say they change the policy.

2 A. Yes. They have one on the door. They also have -- they'll
3 have notes on the door, if we change the route.

4 Q. Okay. Do you recall if any routes were changed or any
5 policies were changed in the last couple of months?

6 A. Nothing about the water. We had a policy -- we had a time
7 thing about going to Ripley's, to Ripley's, going by them on a
8 longer --

9 Q. Okay.

10 A. Ripley's building.

11 MR. VOLPE: Okay. Thank you. I'm going to pass you on.

12 SGT. [REDACTED] [REDACTED] [REDACTED] with the Highway Patrol,
13 sir.

14 BY SGT. [REDACTED]

15 Q. Thank you --

16 A. Yes, sir.

17 Q. -- for coming and talking to us. You said just a minute ago,
18 and correct me if I'm wrong, but that another boat had had trouble
19 having radio contact with the office or didn't get anybody to
20 reply or something. Did you say that earlier?

21 A. Yes.

22 Q. Okay. And which boat was that that said that?

23 A. I don't know which boat it was. I know the captain.

24 Q. Oh, okay. And who was that?

25 A. That's Captain Dan Antch (ph.). I don't know how -- it's

1 spelled funny.

2 Q. Okay. And do you know where -- so that would be someone in
3 the office, the manager on duty? Would that be who they would be
4 trying to contact? Or who would they be trying to contact?

5 A. Yes.

6 Q. Okay.

7 A. Or the -- in this case it was for -- oh, and when I called it
8 was to tell the shop that the last Duck was off the water.

9 Q. Okay.

10 A. He had contacted -- once in early in the ride he called to
11 ask me if he had a thing -- I don't know if it was -- I don't know
12 why, but he had called, said is my radio -- can you hear me? And
13 I said, yes.

14 Q. Have you ever had trouble getting a hold of the office before
15 like that over the radio or do you know of anybody else? Has that
16 happened before?

17 A. I don't know. I can only know what I know.

18 Q. Okay. What have you experienced?

19 A. The times I call the office we call them sometimes when we're
20 on the way in. I'm not -- since I have not been driving, I don't
21 concern myself very much with him calling in as we're approaching
22 76 to come back in. And I hear them often, and they'll talk, and
23 they'll interrupt me, but I try to ignore those. I don't do --
24 since we have not been the driver. Now when I was a driver, I
25 would call in and get confirmation they heard us coming in.

1 Q. Okay. Have you ever had the opportunity to observe not
2 getting responses for any reason from the office when you tried to
3 call in? Have you never been -- has there ever been a time that
4 you haven't been responded to when you tried to call into the
5 office on the radio?

6 A. Before in the early -- on DOT-ing, I do that sometimes, and
7 this is, like, this, I'm talking about recently, is like if some
8 is busy, it will take me two or three times to get an answer.

9 Q. Okay.

10 A. That would be in the mornings. We do that part of our DOT
11 inspection in the morning.

12 Q. Okay. So on the day in question you said that Dan, Captain
13 Dan had trouble.

14 A. No.

15 Q. No?

16 A. No, not the day in question.

17 Q. Oh. This was earlier? This was a different --

18 A. Dan we off. Yeah. That was another time.

19 Q. Oh, I see. So the day in question you were not aware of any
20 radio --

21 A. I was not aware.

22 Q. -- conflict or -- okay. All right, very good. Was there any
23 communication between you and any of the captains or any other
24 boats about the weather that you had just begun to experience when
25 you came off the water? In other words, you -- correct me if I'm

1 wrong. I don't want to put words in your mouth, obviously, but as
2 you're coming off the water, that's when a little bit of wind
3 started kicking up?

4 A. Not a little bit of wind. A strong, strong wind.

5 Q. A strong wind started kicking up when you got off the water?

6 A. Before I got off the water, yeah.

7 Q. Okay. So I'm assuming that's going to be on your mind. This
8 is your last trip for the day, correct?

9 A. Yes.

10 Q. Okay. But there are other boats behind you, right?

11 A. Yes.

12 Q. And so is there any communication between you and anybody
13 else that might not have been in the water yet --

14 A. No.

15 Q. -- about the weather that you were experiencing?

16 A. I did not -- no, I did not hear anything. I did not call. I
17 was taking care of -- when that happened, I was taking care of my
18 people.

19 Q. Sure.

20 A. Keeping them calm and --

21 Q. Okay. So after you are off the water, and you've got a
22 pretty good trip to get back, was there any communication at that
23 point with anybody that hadn't entered the water yet or maybe just
24 getting into the water?

25 A. No, there was no communication.

1 Q. What about with the office? Was there any communication?

2 A. I called the office. I had gone into the parking lot, and
3 then got on the road just for a little bit, and said, no, I'm not
4 going to cross the dam. Pulled into the Dewey Short, and I called
5 Charles. Said I am off the water. I am in the Dewey Short.

6 Q. So you called him via cell phone?

7 A. Yes.

8 Q. Okay. You called Charles. Do you know about what time that
9 would have been? Perfect. So you're looking at your cell phone
10 now? I'm doing this for the transcript. You're looking at your
11 cell phone to see?

12 A. I'm hoping it will work.

13 Q. Hoping. Okay.

14 A. I don't know. I had my phone (indiscernible) did not know
15 what time it was. 7:11.

16 Q. So at night, 7 p.m.

17 A. 7:11 p.m.

18 Q. 711 hours. Okay. You contacted Charles, and he was the --
19 is he, was he the manager on duty at that time?

20 A. Yes.

21 Q. So he was your point of contact at the office?

22 A. Yes.

23 Q. What did you tell him specifically about getting off?

24 A. I said, I am off the water. I am not going to -- I'm not
25 going to drive until the weather lets us.

1 Q. Not driving meaning not driving on land?

2 A. I'm not, I'm not going to be on land. I was off the water,
3 been off the water for awhile.

4 Q. Okay. So you were saying you're not even going to drive on
5 the land?

6 A. Oh, the dam is very dangerous.

7 Q. Okay.

8 A. If you're -- the wind was bad and --

9 Q. Okay.

10 A. -- I said, no, I was afraid it might blow my curtains up.

11 Q. Sure.

12 A. Or do something. And if they come up, they'll come back and
13 hurt myself, and there's just no reason to take a chance.

14 Q. Sure. Had you disembarked passengers by this time?

15 A. Oh, no. I had come off the water. I had gone into the
16 parking lot of Showboat Branson Belle, and thought, I thought
17 possibly I could get them to the Ducks. And then we went back on
18 the road, and I saw the trees were blowing very hard, and I said
19 this is not -- it's not reasonable to try to chance it. We pulled
20 in.

21 Q. Okay.

22 A. Nosed up to the north keep the -- I think it started -- it
23 may have started to rain about that time.

24 Q. What reply did you get from the office?

25 A. He said, okay.

1 Q. Any other instructions from him?

2 A. No.

3 Q. Okay. And did you hear any other communication between Ducks
4 or between Ducks and the office or between the office and the
5 Ducks after that? Your radio is scanning at this point? No, it's
6 not?

7 A. Once I left the water, I -- off scan.

8 Q. Okay.

9 A. So I can put it on repeater.

10 Q. Okay.

11 A. So I can communicate better with them, and they can
12 communicate with me.

13 Q. So you're not going to hear any other communication if it was
14 taking place, is that what you're saying?

15 A. Once I left the water.

16 Q. Okay. Who would make the decision to either postpone a trip,
17 deviate from the normal route? Who makes those decisions on the
18 water? Let's say has there ever been a time when you chose to --
19 or someone directed you to go to the water first rather than do
20 the land trip first or --

21 A. Yes.

22 Q. -- deviate from your --

23 A. Um-hmm.

24 Q. Who makes those decisions to do that kind of thing?

25 A. This year a couple of us saw that there was a possibility,

1 and we made the decisions. Sometimes it can be the MOD suggesting
2 that.

3 Q. Okay.

4 A. Go to the water first. Captain would go to the -- we, I, we
5 had one where we said, wait a minute, let's just go -- I think it
6 was -- I don't know. Anyway, I went to the water first.

7 Q. Okay.

8 A. Got off the water, plenty of time, checked it. I've had, you
9 know, check.

10 Q. Once you're on the water you said, correct me if I'm wrong,
11 you said that there have been times that you've gotten on the
12 water and noticed something out of the ordinary or something that
13 alarmed you, and you went right back.

14 A. Yes.

15 Q. How --

16 A. I was about to go in the water, and it was dark or a wind
17 strong on the lake or lightning, back, back up, park it, wait
18 until the storm is over.

19 Q. On the day in question on the 19th of July when you entered
20 the water, at what point did things start changing weather-wise
21 during your trip? You may have said that right, but if you would
22 please clarify that for me.

23 A. Okay. I noticed a change in the -- it looked like it was a
24 bunch of like jet skis a whole bunch of them playing north, north
25 mile and a -- a long ways. And I went -- and then shortly I went

1 that wasn't the change in the weather. The weather changed when I
2 was almost out of the water.

3 Q. Okay.

4 MR. VOLPE: You saw -- oh, I'm sorry.

5 SGT. [REDACTED] No, please.

6 MR. VOLPE: No, that's -- I'll ask -- breaking my own rule.

7 UNIDENTIFIED SPEAKER: I do the same.

8 UNIDENTIFIED SPEAKER: Wait, wait.

9 UNIDENTIFIED SPEAKER: I get tempted then I pull back too.

10 UNIDENTIFIED SPEAKER: Telepathy. Give me the --

11 UNIDENTIFIED SPEAKER: Is that clear?

12 UNIDENTIFIED SPEAKER: Yes, yes.

13 UNIDENTIFIED SPEAKER: Good enough?

14 UNIDENTIFIED SPEAKER: Please, you can follow-up if there's a
15 follow-up.

16 UNIDENTIFIED SPEAKER: No, that's okay.

17 BY SGT. [REDACTED]

18 Q. Have you had any inclement weather training, specific
19 training dealing with inclement weather or wave action or rain or
20 wind?

21 A. Of course this is 27 years.

22 Q. Sure.

23 A. Yes. Years ago. It's been so long that now it's just
24 ingrained. A lot of the stuff was just doesn't look good.

25 Q. Okay. Let me ask you this. Let's say you're on the water.

1 You had your curtains down. Do you ever have your curtains down
2 while you're on the water?

3 A. I have very seldom. I am a summer driver. In the winter
4 they drive in the cold, and they have their curtains down really
5 often. I have gone on the water very few times with the curtains
6 down because I'm always in the summer.

7 Q. And why is that? Why do you travel without the curtains
8 down?

9 A. It's hot. The curtains are very hot to get -- the summertime
10 I always try to go onto the water -- I may have been on the water
11 once this year, twice, but I try to be -- it's just hot with them.
12 If it's --

13 Q. Your training and knowing the operations manual or just the
14 fact that you're a seasoned captain, obviously, if you are on the
15 water and you had your curtains down, and you experienced a sudden
16 weather change, a dramatic weather change, and you experienced
17 high winds or wave action, what would you do?

18 A. I have -- we have talked about this among captains.
19 Specifically high winds, and they said if you are in a high wind
20 to keep the water from -- with swells, high swells.

21 Q. Yes.

22 A. To keep the water from in you can close the curtains on one
23 side to keep the swells from really coming in. If it's going to
24 be a bad situation with a lot of water, it could do that. I had a
25 situation this year where I turned around and went back, but as I

1 was about to turn back I turned and I tried to gauge and miss a
2 swell, and I caught one that caused about this much water that
3 went in and -- got wet. But I had just one and I was turned and
4 gone. So and I could understand his saying okay if you have the
5 curtain down on that side that swell will not end that much water
6 onto your Duck.

7 Q. Is this a, is this a discussion, is this a policy or --

8 A. No.

9 Q. -- is this just a discussion between --

10 A. Discussion.

11 Q. -- the captains?

12 A. Discussion.

13 Q. Okay. What have you -- have you been directed by anybody
14 above you on what to do with that? I mean, did you pose that
15 question to anybody above you or did you guys just sort of develop
16 this --

17 A. Who would be above me?

18 Q. Any of your managers or --

19 A. No managers.

20 Q. -- general manager maybe.

21 A. No managers.

22 Q. No managers.

23 A. 15 years ago, 25 years ago we had a manager who was a
24 captain, and I might have asked him, but I don't remember.

25 Q. Anything recently though?

1 A. No.

2 Q. Okay. Can you describe to me the process in releasing those
3 curtains in an emergency situation?

4 A. You take a -- you have to stand up, get to the thing, get
5 behind the driver's seat, and take a -- pull the pin out, pull the
6 crank and it will fall, they'll fall.

7 Q. Okay. And there's -- can you describe to me are there -- is
8 there a separate lever for each curtain?

9 A. Yes. There's one on each side.

10 Q. Okay. So are you saying that you've got to remove yourself
11 from the captain's seat to do that release?

12 A. It may be possible to reach high enough, but it's pretty
13 high.

14 Q. What about the passenger side?

15 A. I would have to get out the seat.

16 Q. Okay. Under what circumstances would you release a curtain?

17 A. Imminent sinking.

18 Q. Okay. Would you have to be taking on water? Would you have
19 to be in the process of sinking to do that or what's the common
20 practice or the procedure that you would follow for that?

21 A. You release the curtains to allow people to escape out of the
22 Duck.

23 Q. Okay. So would it have to be sinking before you release the
24 curtains?

25 A. Yes. Or in danger of sinking.

1 Q. Okay.

2 A. Does that make -- that --

3 Q. Yes. Thank you.

4 MR. VOLPE: If you could (indiscernible).

5 SGT. [REDACTED] Yes. Absolutely.

6 MR. VOLPE: 30 seconds.

7 SGT. [REDACTED] Yes. No problem.

8 MR. VOLPE: Okay. Thanks. I'm trying to coordinate with our
9 next witness here.

10 UNIDENTIFIED SPEAKER: This is yours --

11 UNIDENTIFIED SPEAKER: Yes.

12 MR. YOUNG: Yes, that's why you drop the curtains. I was
13 trying to imagine another reason to drop the curtains. No, it's
14 so you can escape.

15 BY SGT. [REDACTED]

16 Q. Just a couple more questions. I'm sorry. You mentioned in
17 your safety briefings you would describe how to use the PFD's.
18 You had actually donned a PFD to show persons on -- are people
19 free to utilize a PFD if they so choose without you telling them,
20 but giving them permission? Are they free to use them any time
21 during the trip?

22 A. I have had people ask to use them, and we would -- years, I
23 don't know how long ago someone put a PFD on. Actually I remember
24 in '99 and in 2000 people asking to put those on. No problem.
25 Put the -- put them on. But they're hot. Okay. And in 1999

1 after Hot Springs, we were -- people were nervous.

2 Q. Sure.

3 A. And were just saying whatever you want to do. We'll take
4 them down. We'll do that.

5 Q. Sure.

6 A. Not any problem. I would never refuse them --

7 Q. Sure.

8 A. -- to do that.

9 Q. Now is that policy? Is that like a -- is that a company
10 policy or is that a policy with Ride the Ducks here or is that
11 just your personal?

12 A. Exactly what?

13 Q. Is the fact that people are able to or feel free to or are
14 free to use those PFDs while they're on your trip --

15 A. I think --

16 Q. -- is that like a company policy or is that something that --

17 A. I do not -- I knew it was discussed back in '99, 2000, 2001.

18 Q. Okay.

19 A. I do not -- I have not been here for discussion, but I think,
20 yes, they can take them if they wish.

21 Q. So I guess --

22 A. I don't recall the specific discussion about that, but it's
23 the policy is to make them comfortable.

24 Q. Sure.

25 A. And if that makes them comfortable. You make -- I've had

1 people bring their own onboard. I said, you can do that. You
2 will get that baby very hot.

3 Q. Yes.

4 A. But you can certainly bring them onboard. You can do that.
5 I'm concerned at that point at 95 degrees a small three-year-old
6 in a PF -- in a full jacket and it's 95 degrees. I'll tell them
7 that that's -- you can, you can certainly do that, but --

8 Q. Sure.

9 A. -- it's very hot also.

10 Q. Sure. So people are free to be comfortable, and if they feel
11 comfortable wearing one, they're allowed to?

12 A. Yes.

13 Q. So but in your safety briefing when you give that safety
14 briefing, are people told that they're free to use those PFD's if
15 they wish? Or are they told to utilize a PFD upon your prompting
16 or your command?

17 A. I tell them they'll be in the way. I said now if you pull
18 them down, don't take them out now because they'll be in the way.

19 Q. Okay. Have you ever ordered the use of PFD while you were on
20 a trip or --

21 A. Yes.

22 Q. -- on a water trip?

23 A. I can't remember. Over the years a loss of anything, a -- on
24 there a loss of propulsion, loss of steering, everybody's got to
25 get into them, and I did that. That's been many years since I

1 have had a -- I think it's been years. Not this year, not last
2 year. There have been times. Any time there would have been one
3 we would have gotten into those if there was a -- did I have a
4 loss of? Oh, my goodness. Yeah, I did something stupid. I was
5 up there, and didn't, I didn't, it was, I -- simplest thing. I
6 didn't -- I put them in PFD's and they came out there and said,
7 well, pick that thing up. Oh, I know what. It was in
8 (indiscernible) Duck with the other propulsion thing we used to
9 have was a hydraulic, and someone had kicked -- a lever that makes
10 it go forward and backward, and it -- someone got out of the seat,
11 but it was that, and it didn't go any place. So I called them,
12 and they had one of the guys, shop guys, get on the Duck say push
13 that level forward.

14 Q. So in terms of a mechanical failure you've ordered the use of
15 PFD's?

16 A. Yeah. That was a long time ago.

17 Q. If you were on the water, and you experienced winds or some
18 wave action that made you nervous, would that be another -- what
19 other circumstances can you think of for ordering those? I mean,
20 would you order that?

21 A. Yeah, any -- say potentially dangerous. The code words are
22 potentially dangerous situation.

23 Q. What would you consider a potentially dangerous situation?

24 A. Big winds. Bilge pump coming on when we are a long ways
25 away. Loss of propulsion, loss of steering, abnormal seas where

1 you're doing that.

2 Q. Okay.

3 A. Yeah.

4 Q. So take you back to the day in question. Right before you
5 same out of the water you said the wind had kicked up. Had you
6 been on the starboard side of the Belle or just coming around the
7 island halfway through the trip, would that have been a situation
8 where you --

9 A. Yes.

10 Q. -- would have ordered PFD's to be on?

11 A. Yes.

12 PICKLOCK: Okay. I don't have any further questions.

13 MR. [REDACTED] Thank you, again, sir, for coming in today.

14 Again, [REDACTED] [REDACTED] with the Coast Guard in Saint Louis here.

15 BY MR. [REDACTED]

16 Q. Just a couple follow-on questions that may tie into some
17 questions (indiscernible) here. So the -- and I may jump around.
18 So I apologize. They're a little out of order here. So I wanted
19 to ask you about radio calls, and kind of talk about that a little
20 bit. So I just want to -- for my own clarification. So your
21 radio, what channels do you monitor?

22 A. We what we have -- we're on the repeater before we go on the
23 water. On the water we turn to 13. But before we go on the water
24 go to scan. We have to go to 16 if we have an emergency, and
25 maybe one more. That would be the one mainly, 16, for emergency,

1 and one other one, one more click up, I think.

2 Q. Okay. And so you think there might be another channel that
3 you monitor with the radio?

4 A. Yes.

5 Q. Okay. Do you -- what -- that other channel that you're
6 referring to, what is that called that you're -- you said there
7 might be another channel. What would that -- what's on that
8 channel?

9 A. Scans on everything. Belle's on that. Emergency, I think
10 16, and we can call, talk to the marina.

11 Q. 16 calls --

12 A. I think --

13 (Simultaneous comments.)

14 Q. -- the channel you're talking about calls the marina?

15 A. Yeah. I think 16 we can call the marina.

16 Q. 16 calls the marina or the other channel?

17 A. 13 calls the Belle.

18 Q. Yes, sir.

19 A. 16 calls a more -- if you're in a more dire thing you go to
20 16.

21 Q. Do you have a radio onboard to call back to Ride the Ducks
22 facility on Highway 76?

23 A. If we're on scan, and you pick up the, pick up the
24 microphone, it goes to repeater.

25 Q. The microphone that you use for the --

1 A. No. The radio.

2 Q. Oh, the radio. Okay.

3 A. If we're on 13, it only goes to the Showboat, and it's also
4 good -- that's how you would communicate to each other --

5 Q. Yes, sir.

6 A. -- on 13. And then if we need to put it on scan when we pick
7 it up it goes -- we can call the Ducks.

8 Q. Okay.

9 A. It goes back to the repeater, which is the one for the Ride
10 the Ducks.

11 Q. Yes, sir. So there's -- is there two microphones onboard,
12 one for --

13 A. One, one.

14 Q. Just one to call both Ride the Ducks facility and --

15 A. Just change channels.

16 Q. Okay. Can you also hear other -- I'll use a little bit Duck
17 chatter along that radio so you can hear other Ducks maybe talking
18 to base and talking to yourself?

19 A. (No audible response.)

20 Q. So you can hear that?

21 A. (No audible response.)

22 Q. Okay. Have you ever had a situation where you had to use the
23 microphone to call Ride the Ducks facility and weren't able to get
24 a hold of somebody over the radio?

25 A. I do not recall.

1 Q. Do not recall.

2 A. There may have been one over all the years, yeah, because at
3 one point they were not -- in the early '90s they weren't great.

4 Q. Yes, sir. I got to take that into consideration that you've
5 been there for 27 years. So that's a --

6 A. So --

7 Q. -- quite the career.

8 A. And on the water seldom, pretty, not bad on the water, I
9 think. On the hill sometimes I find a dead spot.

10 Q. Yes, sir. Okay. You also mentioned that when you get to the
11 road you turn it off. What exactly --

12 A. We leave the -- when we leave the water.

13 Q. You turn off the radio all together?

14 A. No. We turn off of -- it is on -- we have it on 13. We push
15 the 'S'. It goes to scan. And it scans for anything. And then
16 when -- and when we pick it up, it will talk to the office or the
17 -- yeah, office. But when we get off the water, we put it back
18 onto repeater.

19 Q. Okay. So that -- just to clarify, that's just to talk to the
20 office?

21 A. Yes.

22 Q. Okay.

23 A. If a Duck has a microphone off, then you'll hear other Ducks
24 too, if you take your microphone off. I can hear the shop talking
25 or anything else if I take the microphone off the place you put

1 the microphone.

2 Q. Okay.

3 A. On repeater. But otherwise it's dead. That way I don't have
4 to hear it while I'm trying to give the tour.

5 Q. Oh. So it's like a silence, silences the speaker when you
6 hang it up?

7 A. It does something, yes. It -- when I -- on the land on
8 repeater, on the land on repeater. On scan and on 13, I can hear
9 -- I hear lots of stuff. It can be on there, and I still hear
10 them. But when I put it on repeater it -- I, unless I take the --
11 off the click thing, it does not, I cannot hear. That way I can
12 continue a tour without hearing every time they say we're going to
13 go tell Joe to go to lunch.

14 Q. Okay. So just to follow-up onto that. So just so I
15 understand. When you put the receiver into the clasp, so if there
16 was another Duck say that was on the water or on the road, and
17 they were -- some information was coming across that --

18 A. I would not hear that.

19 Q. You would not hear them at all. So the day, July 19th, you
20 say you pulled off to the Dewey Short Dam, and pulled into the
21 parking lot there. Did you use the radio to notify Ride the Ducks
22 facility of that?

23 A. No.

24 Q. No. You went straight to your cell phone?

25 A. I went straight -- I wanted to tell them specifically where I

1 was, and I did not do (indiscernible) broadcast to where anybody
2 could hear where a person next standing next to him could hear
3 that there's a horrible storm out here, and or anything. I said
4 there's a storm. I'm not going in. Or there's a storm. I'm not
5 going to be on the road. So I felt like I should tell him where
6 he could hear it clearly, and I could talk to him specifically
7 that there was the wind. I'm not going to go on the road.

8 Q. And you so you -- just to follow on what you said. So you
9 didn't want anybody to know that there was a storm coming?

10 A. I didn't want people standing around the manager on duty.
11 It's a regular crowd. Any time we have anything. If we have a,
12 any problem, I will say, wait a minute. I will tell them like if
13 I say I have engaged my CO2 system I will not. But I chose to
14 call him specifically, make sure I got a better clearer
15 communication with him.

16 Q. Sorry. I'm just writing.

17 A. Not a problem. Because I think in the -- with that, other
18 Ducks would be calling in who are on the road -- them call in.
19 There's a whole lot of stuff. Anybody on the road would be
20 telling him that -- this, and anybody on the -- in the parking lot
21 was saying we got to close this, we got to do this right here, we
22 got to get that, anything, lots of other people would be on that
23 radio on that. Everybody on the road would be doing --

24 Q. So you're -- what you're saying is that there might be a lot
25 of radio chatter where a lot of people are talking on that.

1 A. Um-hmm. I wanted to tell him --

2 Q. And that would cause a lot of chaos?

3 A. And I wanted to tell him very specifically there's a big wind
4 but I'm okay, understand. You can tell -- as it could be -- going
5 across the dam, we had -- that's it's pretty spooky.

6 Q. Yeah.

7 A. And I would not have been surprised on the dam if cars had
8 been at least having accidents. I would not be surprised by any
9 of that, and people calling in saying there's an accident here or
10 something like that. I said I want him to say specifically this
11 is where I am, and I am safe, and I want you to know, so this is
12 one person that's not --

13 Q. No, and I apologize. I'm not questioning -- I think that you
14 made --

15 A. It's your job.

16 Q. -- an excellent decision by --

17 A. It's your job.

18 Q. -- pulling off the road. So --

19 A. Yeah. It's your job.

20 Q. -- I commend you for that, and --

21 A. Yeah.

22 Q. I'm just going through my notes here. So let me go back to
23 the -- again, sorry. I apologize.

24 A. No problem.

25 Q. Pre-inspection checklist. And you mentioned some items that

1 are on the checklist off the top of your mind, and great job
2 because you seem like you really know what you're doing when you
3 do these checklists.

4 A. Well, I try never to -- I have to remember. I don't try to
5 remember it. I bring a sheet out so I can say there's one, this
6 one here. And that's -- I don't want to try to remember -- when
7 I come in, in the first of the year did I get everything?

8 Q. Yeah.

9 A. And I say, no, I'm not going to do that. I'm going to say,
10 okay, I've got a piece of paper I can put there, and say, okay,
11 that one, got it, that one, got it. I turn it in, I know for
12 sure. I don't have to trust my memory from a year ago about what
13 we did.

14 Q. Sure. Now, sir, and like I said, you did a good job of
15 reciting some of the items that were on there. And I wanted to
16 talk to you about a couple of those items that are on there. You
17 mentioned a Higgins pump on there. Can you tell me how that
18 works?

19 A. Higgins pump is a -- works off of the propeller. It is a --
20 has sprocket. I think it's a sprocket -- chain down to a pump
21 down there.

22 Q. Yes, sir.

23 A. And what we check every day is that there is a key way to
24 make sure it is -- it will engage. You can take it to where, I
25 think, well, I don't know. In my memory from 20 years ago,

1 something about the Majestic. I think we started doing that thing
2 after the Majestic because they had a problem.

3 Q. Yes, sir.

4 A. And we were very, very sure this thing is in here, this is
5 working.

6 Q. Yes, sir.

7 A. And we can check that. I may be mistaken, but I think that's
8 when that one went on the checklist and we had to sign off on it.

9 Q. So just to clarify, when -- how do you engage that pump?

10 A. The propeller is on the pump is working.

11 Q. Do you ever operate a Duck that does not have a Higgins pump
12 on it?

13 A. I have operated some of them. Some of them do not have the
14 Higgins pump on it.

15 Q. Okay. Are you familiar with those types of arrangements on
16 those Ducks?

17 A. I think so. I was on one a couple of times early, probably
18 the first week I was here, and then I kind of got one I liked, and
19 I said, I'd like to have 17 all the time. So I (indiscernible)
20 that have a Higgins pump and a sea chest. Some of them have a sea
21 -- I think some of them have a sea chest and no Higgins, but I
22 don't know that I was on one this year. I might have.

23 Q. If a vessel does have a sea chest, what does it have in -- do
24 you know what it has in its place instead of Higgins?

25 A. There are electric pumps. I think, this is -- unless they

1 have changed them since last year. A lot of -- so many times I'll
2 come back, and there's -- talking about this thing here, oh, we
3 changed that. They changed it over, and all the captains know
4 about it in November, December, January. I go in, and if I have a
5 question about the Duck I'm on, I question somebody about the Duck
6 I'm on.

7 Q. Who is that somebody?

8 A. Generally a trainer or -- a trainer generally. Okay. You've
9 been on those Ducks. Tell me about this Duck here so I can make
10 sure that I'm familiar with each of the Ducks. And these Ducks
11 have variations where the gas cutoffs are, are slightly different,
12 where several things are slightly different, and so if I'm not
13 sure I say where exactly is this thing here I got to do?

14 Q. Who are these trainers that you speak of?

15 A. There are several. They're on the list. I think Scott was
16 one. I think Jed is one. And then (indiscernible) Perma (ph.), I
17 guess a trainer.

18 Q. Did you say -- I'm sorry. Did you say Jed?

19 A. John E. Davidson.

20 Q. John.

21 A. Who is the head of the -- I think he does that. Hoot,
22 Captain Ron Hoot, and Stump, Arnold Stumpson (ph.), I guess, Gary.
23 He, I think they train some. They do not train me. Because I
24 would ask them about it. If I had something I would ask someone
25 who knows or one of the other captains, say, okay, where is this

1 thing here? I haven't been here in awhile. Where is this? I
2 want to know where this thing is. I want to know where my cutoffs
3 are. I don't -- anything weird about, anything odd about this one
4 that you have to adjust to.

5 Q. So back to the checklist, vessels are outfitted with high
6 water alarms, correct?

7 A. Yes.

8 Q. Okay. How do you test those?

9 A. We turn on -- once we turn on the engine we'll check the high
10 water alarms on the far right of that making sure they are, they
11 are, they will sound, the high water alarms. And then the --
12 because there's like and then the heat alarms. There's like
13 several alarms, high water, like the -- several. Then the high
14 water, and then there's also the fire or the heat alarms, one in
15 the front, one back. And you push those to make sure they're
16 sounding, the alarm is coming on.

17 Q. Okay. And back to the high water alarms. You do something
18 on the right, you said.

19 A. Oh.

20 Q. What is --

21 A. They're all -- oh, when you, as you -- part of your DOT we
22 have a fume detector that's right above the steering wheel. We
23 have two alarms that -- two boxes that are alarms on the far right
24 of the, I guess, captain's area, this way, far right on the floor.

25 Q. And so do you go down into where the high water alarms are

1 and actually lift the paddles and the float switches?

2 A. No.

3 Q. Do not do that?

4 A. No. I think that's the auspices of the mechanics.

5 Q. Okay.

6 A. I don't know. I'm sorry. I don't know. I do not know.

7 Q. You do not do that?

8 A. I do not do that.

9 Q. I forgot to ask this question. So let me go back to that
10 phone call that you made to Charles the day when you pulled over.
11 Did he (indiscernible) asked about a reply, but did he ask about
12 the status of any other Ducks or --

13 A. No.

14 Q. -- if any other Ducks were on the water that day?

15 A. No.

16 Q. Was it -- would you consider it a very brief call?

17 A. Yes. I was just saying -- because he's -- there's lots of
18 stuff going on. There's a storm. And if any captains were on the
19 road, they would be calling in.

20 Q. Okay.

21 A. And lots of things to do at the Ducks. Tons of things to
22 make sure because it -- there was a wind.

23 Q. Were you aware of other Ducks in the water? I think we asked
24 that question.

25 A. Yes. Yes. I was aware of two of them in there. I actually

1 I assumed they had turned around and gone the other way.

2 Q. Yes, sir.

3 A. I did not -- I did not know where they were or when the
4 storm, I don't know what the relationship was to me or how much
5 after I encountered the storm, the wind. I don't know how fast it
6 was going. I have no idea. I assume they had turned and gone out
7 the entrance. At that point I was -- my job was to take care of
8 my passengers.

9 Q. Yes, sir.

10 A. To make sure we remain -- we are safe, we're going to be --
11 we're going to be taken care of, we're going to be safe. That's
12 what my -- we are to remain calm. We are going to be -- that's
13 what my concern was at that point.

14 Q. Yes, sir. I understand. So John kind of alluded to some
15 procedures that may be posted --

16 A. John Davidson?

17 Q. No, no. John Volpe here.

18 A. Okay, sorry.

19 Q. NTSB. One of his earlier questions. I'm going to reach back
20 to that. That day were you aware of adverse weather that was
21 approaching the area or inclement weather?

22 A. Yes.

23 Q. Okay.

24 A. We had notice about nine o'clock in the morning that there --
25 I think, I think, my memory right, we had said, well, I think that

1 may have been the day before because there were storms several
2 days in a row. One of the days it was like nine o'clock in the
3 morning say well it looks like it's going to hit about seven
4 o'clock. And we had some -- we may have said something later on
5 there were some storms that were, oh, it looks like we go okay
6 here, that's at noon. It's possibly this many. We knew there was
7 a storm north.

8 Q. That day on July 19th?

9 A. Yes.

10 Q. Okay.

11 A. And it was not any details about it. I didn't hear anything.
12 And on the thing I did not hear anything about wind. It was a
13 storm. But I didn't -- I mean, above the -- on a radar, I don't
14 know, maybe it, maybe it showed, but I did not notice it.

15 Q. Did you need to take a break at all? Okay. So they were
16 aware of the storm coming in. Did the manager on duty pull the
17 captains aside and make you aware of it? Did they --

18 A. We watch them pretty -- well, we -- lots of captains, okay,
19 this is what's happening here. Looks like this one, looks up
20 there. And I do not recall that he said specifically that to me
21 that there was a storm approaching. But I -- we were talking
22 about weather. We talk weather every trip.

23 Q. When you --

24 A. In between trip.

25 Q. -- say we?

1 A. Other captains.

2 Q. Other captains.

3 A. And drivers. They're in the room --

4 Q. Yes, sir.

5 A. There's a deal there there's (indiscernible). So we are --
6 and I assume he would have heard us talking about that.

7 Q. Do you know if an adverse weather plan was ever generated or
8 posted on --

9 A. I don't know.

10 Q. Do not recall. Do you ever do a morning -- we in the Coast
11 Guard when we are doing -- operations, we do what they call a
12 tailgate meeting where everybody gets together in the morning,
13 kind of talks about the day's business. Do you ever do a morning
14 meeting with the captain and the manager on duty to kind of just
15 talk about the day's events or --

16 A. Not generally. We come in different times. We're coming in
17 to prepare our Duck, and we come in at 30-minute intervals.

18 Q. Yes, sir.

19 A. So we're not -- and by the time some of us are in, some of us
20 are an hour out. We do talk. We don't have a -- we are bunch of
21 old women about talking to each other. We are. I mean, women
22 also but us guys are all just talking about that all the time.

23 Q. So do you -- we kind of touched on training that's conducted
24 with -- internally at Ride the Ducks there. So you said that you
25 did training on the 14th. Am I safe in my assumption that you

1 meant June 14th is when --

2 A. Yes.

3 Q. -- you did this training?

4 A. It was June 14th, yes.

5 Q. Okay. And how would you -- what would you classify that
6 training to be?

7 A. It's a returning driver -- I think it's returning driver I
8 think is what it's called. And he has a whole list. He has a
9 list of everything we went over, and I watched him check one off
10 at a time.

11 Q. Do you recall who conducted that training?

12 A. Joe Perma.

13 Q. Joe Perma? Okay. And you said that was on land and on the
14 water?

15 A. We did our fire, the fire portion of this. If you have this,
16 we can turn this. It's okay to -- okay. Pull your -- turn off
17 your gas, turn off your gas, the two gas things, turn off your
18 fuel.

19 Q. Okay.

20 A. And then we did the land part, and it's actually -- engine
21 off. They said, okay, turn off this, turn this off, pull this
22 one, pull this one, check that, prepare to -- we did not -- on the
23 -- at the Belle or at the -- parking lot, we did not pull the, we
24 did not pull the hood stuff, but I think it was this year we went
25 down to the shop, and they said, okay, we're going to pull our

1 hood. We did that this year as part of the -- before we left the
2 Ducks pull that thing. Okay, pull these. This is the handle,
3 handle, handle, bar handle, and pull and shut the engine off as
4 part of the fire. That shuts off the engine, you know, turn off
5 the engine, turn off the fuel, investigate, turn -- close the hood
6 things, and then initiate the CO2.

7 Q. Was that training conducted on Stretch Duck 17?

8 A. No. No. It was -- I don't know.

9 Q. Don't know?

10 A. Huh-uh.

11 Q. Okay.

12 A. It will be on the, it will be on the paper.

13 Q. Okay.

14 A. Although I think I was on that Duck sometime. I think I was
15 on the Duck that I had done that with. I don't remember.

16 Q. On the -- I'm sorry. I didn't mean to cut you off. Okay.
17 When you were doing the on-water portion, did you ever go over
18 severe weather procedures, what to do in severe weather?

19 A. Yes. What we do there we -- I'm going to go the
20 (indiscernible), I'm to go the entrance. I'm going to do this.
21 I'm on the water, if we have waves, we're going to find a way. If
22 it's bad we don't lifejackets. If we, if we are -- first of all you
23 go on, you make your way in many cases nearest land to the -- many
24 cases if you have a, if you have a Higgins pump on you head for
25 the nearest land, increase rpm's, head for the nearest land. If

1 that's the island, you go to the island. If you have severe get
2 -- and some point go to the nearest land, pull up right over
3 there. If you break the Duck, you break the Duck. Go up there.
4 We'll fix it later. I don't have fear, but I have -- I try to
5 approach fear. I'm not afraid of being on the water. I'm not
6 afraid, but I say that lake's serious. Close to -- I have friends
7 who are -- they've done it before, and they kind of enjoy it. Of
8 course they have the wintertime where they run one trip, two trips
9 a day. I'm just running fast every time I'm here. I say, nope,
10 I'm going to go here. I don't take chances on a bunch of stuff.

11 Q. How often would you say -- because I know you're here from
12 middle of -- or beginning of June I think you said, until the
13 first week in August, mid-June, first week of August. Would you
14 say you conduct either in-the-office training or on-water training
15 at all during that season?

16 A. Huh-uh, no. We do have the -- during our meetings we have a
17 safety portion of the meeting.

18 Q. Okay. But that would be the ones on the 13th?

19 A. Yes.

20 Q. Okay. Are you in attendance for all of those meetings on the
21 13th?

22 A. I'm only on the ones I'm here. I don't come in. I live in
23 Oklahoma.

24 Q. Oh, okay. So only the days that you're working, and --

25 A. No. The ones I'm here in Missouri. I live in Oklahoma.

1 Q. Between June and August?

2 A. Yeah. All the ones that would be if I was here. I come to
3 every meeting when I am in Missouri.

4 Q. Missouri. Okay. Do you happen to recall if you attended a
5 meeting on -- which would be July 13th?

6 A. Did not. I was on the road coming here.

7 Q. On the road.

8 A. Oh, I'm sorry, July, yes. July 13th, I did.

9 Q. Okay.

10 A. I was here for that one. June 13th, I was on the road coming
11 here.

12 Q. Okay. Do you know what that topic was on July 13th by
13 chance, if there was any safety topics covered?

14 A. Safety topic. It was about -- I don't really recall.

15 Q. Okay.

16 A. We went through it, signed off on it.

17 Q. Who administered that training?

18 A. John P. Davidson.

19 Q. John Davidson?

20 A. Jed.

21 MR. [REDACTED] I think that's all the questions I have for
22 right now. Thank you.

23 MR. YOUNG: Okay.

24 BY MR. VOLPE:

25 Q. We've been going for little over an -- hour and 20 minutes

1 already. You want to take a 10-minute break, 5-minute break?

2 A. I'm good.

3 Q. Keep going?

4 A. I'm good.

5 Q. Okay.

6 A. I'm kind of amped up today. I've had a -- cups of coffee,
7 but I'm also just amped up.

8 Q. Okay. I just wanted to -- I only have a few follow-up
9 questions.

10 UNIDENTIFIED SPEAKER: How much follow-up do you have because
11 my bladder may need --

12 MR. VOLPE: Yeah. It will be short.

13 UNIDENTIFIED SPEAKER: I'm okay for a few minutes.

14 MR. VOLPE: Okay.

15 BY MR. VOLPE:

16 Q. You mentioned that you've done -- you did the training
17 basically the return training for the year. Have you ever in your
18 career trained with the Coast Guard on the Duck?

19 A. I think, wait a minute. I think one time they did have the
20 Coast Guard guys come down, which was they had, you know, 20
21 drivers who had been working all these days in a row, and they, I
22 think, one time probably back in the -- in the last century, but
23 they put me on -- and I thought, dang, guys, why did you put me on
24 there when you've got guys who practice this all winter long, and
25 you're going to put me up there. I've done my meeting, but I'm --

1 I think one time 15 or 20 years ago.

2 Q. Okay. You mentioned John Davidson. He's a senior captain or
3 is he --

4 A. He is just a training captain.

5 Q. He's a training captain. So he doesn't actually go out on
6 tours or does he?

7 A. Oh, he, he does. He does give tours.

8 Q. Okay.

9 A. He does give tours.

10 Q. And does he normally -- is he normally the one who does the
11 training for --

12 A. He has done -- several, we have several trainers. He is --
13 he's got the wife with Alzheimer's, and he works one day a week.

14 Q. Okay.

15 A. He's done most of the training in the past but he's -- right
16 now he's -- got one day a week out of him, and then we have other
17 people who are very qualified who some of them are surprisingly
18 qualified. They are extremely knowledgeable I've heard.

19 Q. And my final question is you've mentioned strong winds. You
20 talked about a squall, looked like there were jet skiers in front
21 of you. Do you know of a limit of a speed limit, a wind speed
22 limit that you wouldn't go out in or that, you know, if I knew?

23 A. Well, I called in this year earlier to the Showboat, and said
24 -- asked the Belle, is there a wind advisory right now? I said --
25 don't remember when that was. It was awhile back. And I said, is

1 it okay to go on the water? And because I -- something was
2 imminent or something looked funny out there.

3 Q. Do you recall what the -- is there a wind speed limit,
4 limitation that --

5 A. Oh, 35 is the limit, but I --

6 Q. Okay.

7 A. -- don't believe -- that doesn't mean you go out there in 35.

8 Q. Yeah. I got you.

9 A. You don't go out there unless -- I'm not trying to be brave.
10 I don't want to be brave out there. And there's sometime I just
11 go -- I've done in the past, I have done it where you go out
12 there, and you go -- on the water, boom, crash, okay, lightning.
13 Turn -- no reason to be brave. There's no brave. They don't get
14 paid any extra to be brave. You're paid to be safe.

15 Q. And this is -- I know you -- we've kind of covered it, but I
16 just need to clarify. So the -- when you go on the water you
17 have, and correct me if I'm wrong, when you go on the water
18 you're on -- you first call on 13 to the Belle, then you --

19 A. I call before I'm on the water. Call before you're on the
20 water, and then we get on there and after we go in the water we
21 put it on scan. Have one button to push go to scan.

22 Q. Okay. Then when you depart the water, then you go to --

23 A. S and then A, I think, the first two buttons. And that makes
24 you --

25 Q. Just the repeater?

1 A. Yes.

2 Q. Okay. Is that a policy that --

3 A. Yes.

4 Q. -- all the captains do that? Okay.

5 MR. VOLPE: I have no further questions. Thank you very
6 much.

7 SGT. [REDACTED] I have two quick ones.

8 MR. VOLPE: Go for it.

9 SGT. [REDACTED] Okay. [REDACTED] [REDACTED] with the Highway
10 Patrol.

11 BY SGT. [REDACTED]

12 Q. Sorry. Thanks for being --

13 A. Not a problem.

14 Q. One thing. The first question is, did you ever discuss the
15 weather specifically with Captain McKee that day on that day? Do
16 you remember?

17 A. Captain?

18 Q. Scott McKee, Captain Scott.

19 A. Oh.

20 Q. Do you remember having a discussion with him about the
21 weather that day?

22 A. No. Yes. We talked. I think we talked that day. Storms
23 coming. It may have been at noon. May have been at noon. Said,
24 okay, because Scott watches. He's -- really loves to look at
25 those, and he watches. Hey, it looks like it's -- it may have

1 been in Kansas at the time or it may have been -- I do not recall
2 if he and I talked before I went -- well, wait a minute. I went
3 out at six, but I may have been in there from four o'clock 'till
4 four -- 'till six or four-thirty 'till six, waiting. So we walk
5 around. We discuss, you know, what size earrings you wear,
6 whatever. We discuss everything including we see that storm,
7 storm up there, we're going to walk through it. And we may have
8 discussed the storm that day. I do not specifically recall.

9 Q. Okay.

10 A. Scott is always on that computer, always turning it on.

11 Q. Okay. You described earlier about making the phone call to
12 Charles after the storm hit, and you didn't want to cross the dam.
13 And now please correct me if I'm wrong. I don't want to put words
14 in your mouth, but I also don't want you to have to say that all
15 over again. But you had said that you used the phone because you
16 didn't want to alarm guests?

17 A. Or sometimes people will be there. This is -- if there was a
18 lot of stuff going on.

19 Q. Okay.

20 A. There was a --

21 Q. Sure.

22 A. It was a storm situation.

23 Q. Sure.

24 A. So I wanted to get to him without having them talk about
25 whether (indiscernible) needs to go out and do this --

1 Q. Sure.

2 A. -- or whether somebody else or whether they need to move
3 this. I wanted to talk to him.

4 Q. So can guests hear radio traffic in the office? Can the
5 guests hear --

6 A. No, not in the office. They're carrying on their belt. I
7 think some of them may have a head -- I think some of them have an
8 earpiece.

9 Q. Okay. So the notion not to call the office in a situation
10 like that, a storm situation, something serious, was that just a
11 decision you make or were you ever instructed by anybody --

12 A. No.

13 Q. -- to, hey, look, don't clutter up the radio, don't be --

14 A. No.

15 Q. -- calling us? You never were instructed?

16 A. No.

17 Q. Okay, very good.

18 A. I just wanted to make sure I -- just to make sure I got
19 through.

20 Q. Okay.

21 A. Some of the MOD's I don't have their number for.

22 Q. Okay.

23 A. But some might say, okay, I'm going to do this. I want very
24 clearly if everything else is going on, and anything going on, I
25 said I'm -- there's lots of Ducks. I don't know how many Ducks

1 were on the road at the time, probably four or five.

2 Q. Okay. Thank you.

3 A. I hope I was --

4 Q. Yeah. Perfect, yeah.

5 MR. [REDACTED] I just have two. I was reviewing my notes.

6 UNIDENTIFIED SPEAKER: And he actually stuck to his too.

7 MR. [REDACTED] Hopefully I can do the same. So [REDACTED] [REDACTED]
8 again, Coast Guard, Saint Louis. Just for recorder there.

9 BY MR. [REDACTED]

10 Q. You indicated earlier this year you were -- you had an
11 incident where you were taking on water.

12 A. No.

13 Q. That wasn't this year?

14 A. No. I had an incident where I turned to avoid a wind, and a
15 swell came over, and got probably about six inches of water on a
16 few passengers.

17 Q. Okay. Fairly common. Have you ever had an incident where
18 the alarms, the high water alarms went off?

19 A. Yes. Wait a minute. And the thing is, and I've been doing
20 this since we did the original Ducks, and --

21 Q. Let me narrow my question down then a little.

22 A. Okay.

23 Q. In the last four years have you ever had an incident where
24 you've had the high water alarms go off? Do you recall?

25 A. I do not recall in the last four years.

1 Q. Okay.

2 A. I'm trying to think any reason why I was -- any dangerous
3 situation that I would have -- I was trying to think even if it
4 was a bad alarm. I was trying to think even if I, I was trying to
5 think even if I had any water and in some of this could an alarm
6 have gone off because of a malfunction. Okay. And this is -- I
7 don't mean to be flippant.

8 Q. No.

9 A. I have been on the road and alarm 8 or 10 years ago
10 malfunctioned. And I --

11 Q. Okay.

12 A. -- formed the guess that we were not going to go under while
13 we were going down the highway.

14 Q. Okay. Have you ever seen the Higgins pump pump water?

15 A. Yes. Especially in the old Ducks.

16 Q. In the old. Okay. Again, within the recent four years,
17 not --

18 A. I think I had, I think I had something. I thought I had
19 some. It was after we hit the water some, and it came over, and a
20 little bit of -- I didn't see the Higgins. I saw something that
21 looked like near the Higgins and the other pump back in the back,
22 the electric pump, came on. That's when I went -- that's the one
23 I skirted, I went fast, and said, wait a minute. I looked at it,
24 see if it was doing anything else, and it -- I was watching it the
25 whole time, the Higgins, and it did not do anything.

1 Q. Okay.

2 A. But I thought that I had seen something.

3 Q. Off of the back after --

4 A. No, the one --

5 Q. Oh, you saw --

6 (Simultaneous comments.)

7 Q. -- Higgins?

8 A. In the center. Along that side. It could have been

9 (indiscernible) I was going to go --

10 Q. So then you --

11 A. -- and then we'll see. I'll check it all. I don't know.

12 I'm going to check to make sure if that -- if it does come on one

13 more time we'll be some place.

14 Q. Okay. And my last, absolute last question, I promise, you

15 mentioned the last Duck on the water call. Is that standard

16 practice within Ride the Ducks that the last Duck on the water

17 notify the office?

18 A. When he's off the water.

19 Q. When he's off the water.

20 A. When you finish your -- when the -- they have a standby at

21 the mechanics because we have to have people who, in case

22 something happens on the water, they have to have an extra

23 mechanic there in order to do something if they had to have a

24 water rescue. They have extra people there. So we call them. So

25 the person who is on call for extra for a water rescue will no

1 longer have to be available.

2 Q. Okay.

3 A. Does that make --

4 Q. Yeah. So that is a standard practice that last Duck off the
5 water would make that call?

6 A. Yes.

7 Q. To let the shop know?

8 A. Yes.

9 MR. [REDACTED] That's all the questions I have. Thanks again.

10 MR. YOUNG: Okay.

11 MR. VOLPE: Okay, Captain Jessie, I just wanted to -- is
12 there anything you would like to add that would help our
13 investigation?

14 MR. YOUNG: Let me think. There's nothing that I know that I
15 would know. I have talked to other captains, and I was trying to
16 make sure that everything that I know is something I know. If
17 another captain had said something it could have been that they
18 heard it from somebody else. So I do not -- I think that's all I
19 know.

20 MR. VOLPE: Okay.

21 MR. YOUNG: Okay.

22 MR. VOLPE: Well, I thank you for your time. If I need to
23 contact you with any questions, I can contact -- I'll contact your
24 attorney?

25 MR. YOUNG: Yes. If I'm not in the creek, you can catch me.

1 Two days at the Swan Creek over there on the other side of the
2 county. Beautiful. And no cell phone, by the way.

3 UNIDENTIFIED SPEAKER: That's the best part about it.

4 MR. VOLPE: We'll go off the record at 1412.

5 Thank you very much, sir.

6 MR. YOUNG: Thank you, sir.

7 (Whereupon, the interview was concluded.)

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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: CAPSIZE AND SINKING OF STRETCH DUCK 7
 ON TABLE ROCK LAKE, BRANSON, MISSOURI,
 JULY 19, 2018
 Interview of Jessie G. Young

ACCIDENT NO.: DCA18MM028

PLACE:

DATE: July 20, 2018

was held according to the record, and that this is the original,
complete, true and accurate transcript which has been transcribed
to the best of my skill and ability.

A black rectangular redaction box covers the signature of Pamela Ross Neil. The box is positioned above a horizontal line that serves as a separator between the signature and the name.

Pamela Ross Neil
Transcriber