

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

* * * * *

Investigation of: *

*

CAPSIZE AND SINKING OF STRETCH DUCK 7 *

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

JULY 19, 2018 *

*

* * * * *

Interview of: GARRETT SPAIN

Showboat Branson Belle Facilities
Branson, Missouri

Saturday,
July 21, 2018

APPEARANCES:

MARCEL MUISE, Marine Accident Investigator
National Transportation Safety Board

SGT.. [REDACTED] [REDACTED]
Missouri State Highway Patrol, Marine Division

LT. [REDACTED] [REDACTED]
Missouri State Highway Patrol, Water Patrol Division

CPL.. [REDACTED] [REDACTED]
Missouri State Highway Patrol, Drug and Crime Control

BRIAN DECKARD
Ride the Ducks

CWO [REDACTED] [REDACTED]
U.S. Coast Guard

I N D E X

<u>ITEM</u>	<u>PAGE</u>
Interview of Garrett Spain:	
By Mr. Muise	4
By CWO [REDACTED]	24
By Sgt. [REDACTED]	33
By Mr. Muise	45
By CWO [REDACTED]	46

I N T E R V I E W

(11:41 a.m.)

1
2
3 MR. MUISE: This is Marcel Muise with the NTSB, and it's July
4 21. We're in Branson, Missouri interviewing witnesses to the
5 incident involving the Stretch Duck 7 from July 19.

6 Garrett, can you tell us your name, position and spell your
7 name, please?

8 MR. SPAIN: My name is Garrett Spain, G-A-R-R-E-T-T,
9 S-P-A-I-N. I'm a deckhand here on the showboat.

10 SGT. [REDACTED] My name is [REDACTED] [REDACTED] I'm a sergeant here at
11 the -- for the local Table Rock zone highway patrol, marine
12 division.

13 LT. [REDACTED] Lieutenant [REDACTED] [REDACTED] with the Water
14 Patrol Division of the Missouri State Highway Patrol.

15 CPL. [REDACTED] Corporal [REDACTED] [REDACTED] with the division of
16 drug and crime control.

17 MR. DECKARD: Brian Deckard, Ride the Ducks.

18 CWO [REDACTED] [REDACTED] [REDACTED] U.S. Coast Guard.

INTERVIEW OF GARRETT SPAIN

19
20 BY MR. MUISE:

21 Q. So Garrett, can you tell us how long you've been with this
22 company?

23 A. I am only seasonal for the summer, so I'm here to relieve
24 hours during June, July and August. So I've been here since June,
25 and my time is up at the middle of August.

1 Q. Is this your first season?

2 A. It is, yeah.

3 Q. Okay. In your own words, can you tell us what you saw, what
4 you felt, what you heard?

5 A. So I'll start from, kind of, the beginning of what I would
6 consider the experience or the window of what happened.

7 We had just got finished with our 4 o'clock cruise, got the
8 boat clean. And me and Elijah Romero, one of the other deckhands,
9 we went up to the landing here to be ready for boarding. We just
10 started doing priority boarding at 6:50 local time. Then about
11 ten minutes in, right around 7:00, the weather was getting a lot
12 worse. It was getting really windy. There were two ducks that a
13 passenger or guest pointed out and said, hey, those two ducks down
14 there, I mean, they don't look like they're doing too well against
15 the weather.

16 And we kind of kept an eye on them. We were -- we boarded, I
17 want to say, maybe 100 passengers, 75 to 100 passengers. I'm
18 really not sure. Kevin Lamb, I think, has the -- had the actual
19 count at the time. But while we were boarding, you know, the
20 weather started getting worse, and we said -- we cut it off and
21 said, if you've already been checked, go ahead and go onto the
22 boat. If you haven't, go ahead and go into the, into the gift
23 shops on the landing; that way we're all indoors. And we, kind
24 of, cleared out the landing. There were still a few people
25 standing around.

1 And Romero and I went over to the little observation deck,
2 and we were kind of watching, waiting. The plan was to kind of
3 wait for the wind to blow over and make sure everything was
4 secure, and see if we were going to be able to continue boarding
5 for the cruise, or kind of go from there. But we didn't know how
6 big the storm was going to be. So we were trying to wait it out.

7 And we saw the two ducks come around. And the one of them
8 had went up the ramp. And then the other one came around our
9 stern. And I remember watching it, and as soon as it turned to,
10 kind of, shoot its approach for the ramp, it started hitting the
11 waves. And the first thing I saw was its starboard side aft
12 corner just kind of dipped under the water a little bit. And then
13 after that, it dipped one more time, and then within probably ten
14 seconds, the whole thing was under and it went, kind of, stern
15 first.

16 And so I never saw anybody jump out. I never -- I thought I
17 saw windows flapping whenever they were in the water on the -- on
18 our -- off our bow. I don't know which duck that was, though.
19 And they may have been pulling the windows down because there was
20 water splashing in. I don't know why they were flapping. But by
21 the time they got around to the stern, it looked like the windows
22 were secured. You could tell there were still the flaps over, I
23 believe, but it -- they weren't flapping around in the wind.

24 So then once it sunk -- you know, never saw anybody coming
25 out of it at first. Me and Romero, we gave Romero's phone to the

1 police officer we had with us at the time. I'm not sure. Forget
2 his name. But he called -- made some calls, and I think he called
3 the marine division. Highway Patrol marine division, I think.

4 And we made it down to the north end of the barge. We put on
5 our work -- or our life vests. And as soon as I got to the north
6 end of the barge, I just remembered looking over. And the first
7 body I saw was an older woman, and she was face down in the water.
8 And there was already probably at least ten people on the tug, on
9 the tugboat. And the tugboat was rocking. There was someone in
10 the water. They were pulling people up and helping shove them up
11 onto the deck of the tugboat. I don't know how many people ended
12 up being on the tugboat. And when I looked down, there were
13 people on the stiff arm as well. So there were a couple people,
14 and like I said, they may have just been kind of helping pull any
15 survivors up or helping guide them over to the shore, anything
16 like that. I couldn't really see on that side.

17 I had several people trying to jump in, but -- they said,
18 we're going to jump in; we had -- you have to do something to save
19 that lady. You have to jump in and get her. But I could tell the
20 way she floating was towards the tug. And so I knew, based on the
21 situation, that she -- the current should push her into the tug,
22 and they'll be able to help her onto the deck from there. And so
23 this lady kept saying, I'm going to jump in, I'm going to jump in,
24 I'm going to jump in. And I just had to keep telling -- I said, I
25 can't stop you, and I can't physically say -- or I can't

1 physically restrain you and make you not jump in. But if you jump
2 in, you're adding to the problem, because you don't have a life
3 vest on. And if you were to jump in and, you know, she were to
4 somehow recover and grab you as she's drowning too, I'm like,
5 you're just adding to the problem. I'm like, we just -- if you
6 want to help, you know, go get lifejackets. And I told her where
7 they were, and people started throwing the lifejackets over so
8 anyone that came up that was a survivor could maybe get a
9 lifejacket. They were throwing our lifejackets over. No one that
10 we saw when they first came up had lifejackets. I remember --
11 that was my first thought when I saw that first body, was, where
12 was the lifejacket?

13 So you know, moving on from there, I noticed they had gotten
14 a couple people up onto the tugboat. A few minutes later, I
15 remember seeing someone walk by. And I don't know if they had a
16 basket or a blanket under him, but one of them was carrying a
17 young kid, probably seven or eight years old. And he was a little
18 bit darker. And they put him on the portside aft stairwell, and
19 they kind of covered him up there with whatever they had, like the
20 chef coats and, kind of, like, cloth napkins and things like that.
21 Kind of to -- out of respect to everyone else that may see him,
22 and to him.

23 So they kind of covered him up and put him out of the way
24 there. And we went back down. And like I said, people were
25 trying to jump in. People were kind of going crazy. So I was

1 doing a lot of crowd control on the north end of the barge. And I
2 could see that the tug was really shaking back and forth with
3 people running off to each side doing CPR and stuff. So I was
4 stopping more people from running to the tug unless they needed to
5 be on there: the EMTs and things like that. But I didn't want
6 more people to get on the tug and us flood the tug, because you
7 know, if the tug goes under, well, we've got two or three bodies
8 on there as well, so it's like, that would be really bad too.

9 So then I moved -- something just clicked and I said, I have
10 to go get the stage ready and get the rescue basket. So I went to
11 the bow. I found a couple people from the wait staff that were
12 standing around and a couple guests, and I took them up to the
13 second deck, PFD Locker 1. I opened it up. And someone had
14 already had it open. I think they were getting lifejackets out.
15 So I went in and I grabbed out the rescue basket, and then I
16 grabbed out the bag of D-ring safety belts. And I put on a belt,
17 and we went down and, kind of, wired up the safety basket on the
18 stage. I showed the wait staff kind of, like, how we do it, like
19 how to put on a belt and all that real quick, and launched the
20 stage. Once we got into the water, I said, we need to have
21 someone here in case any other boats in the area are able to bring
22 someone up here; we can, kind of, rescue them and get them onto
23 our deck where the EMTs can reach them.

24 For a couple minutes, we didn't really -- well it felt like a
25 couple minutes. Probably wasn't very long, but for a little

1 while, we didn't have any boats coming up to the stage. We saw
2 two -- I think it was two people. They were floating southwest
3 towards -- Duck Island, is what we call it. A little island out
4 there. There were, I think, two people that landed out there on
5 the island. And I want to say three boats came from the south
6 from State Park Marina. And three pontoon boats came up.

7 At this point, we had David Griffin (ph.) and Corbin Hudson
8 (ph.). They were both -- they're from our staff. They were both
9 in the water going after someone with lifejackets on. And they
10 were floating south. So I think one of the boats picked them up.
11 I didn't see either of them for a while. I was, kind of, doing
12 other stuff. One of the boats, I know, went over to Duck Island,
13 and I don't know where the third one went. But I went over with
14 the captain. We were going to do an attempt to launch our rescue
15 boat one more time. We had already tried to launch it once; the
16 water was too heavy. And so it started flooding over the decks,
17 so they decided not to.

18 So we pulled up, drained it from all the water, put it back
19 in. And we got two gangs in it, and the waves started hitting it
20 again and it started taking on water. So I said, hey, we got to
21 get off this. They pulled it up. We drained it, and we said
22 we'll try it again in, you know, five or ten minutes once it dies
23 down.

24 So then I went to the -- back to the front of the boat. And
25 there's a waiter. I think his name is David (ph.). I'm not sure.

1 He was -- they were working on pulling the lady up in a basket. I
2 guess that boat had dropped the lady off. And when they were,
3 they were pulling this lady up, and I thought she looked an awful
4 lot like the kid that was in the aft portside stairwell. And I
5 think now it's -- it was either, like, his aunt or his mother or
6 something. I think that's what I, kind of, connected the dots
7 with.

8 But they pulled her up, got her off the basket. And I was
9 looking to see if there was an EMT coming. And the captain made
10 it over and he said, Garrett, there's not an EMT; go ahead and do
11 CPR. And as I was walking over to her, right as I was about to,
12 one of the waiters -- I forget his name too, but he started doing
13 CPR, and he did it for a few minutes there and he couldn't get
14 anything out of her. So they covered her up with napkins and chef
15 coats and aprons as well.

16 And then I went back to the barge. We started clearing the
17 boat of all the passengers at this point. We started making sure
18 all the passengers were off. We started making sure all of the
19 wait stuff -- well after we got all the passengers off, then we
20 said, okay, if you're not immediately assisting someone, we're
21 going to need to get, you know, all -- everyone but the essential
22 personnel off right now. And so we got, like, the wait staff, the
23 bartender -- server assistant -- we call them bartenders, but they
24 -- all the wait staff, server assistants, all that. We got them
25 off and up to the crew's nests, and they started doing, kind of,

1 an inventory of who they had and made sure they had everyone from
2 their roles.

3 And then that's when, like, kind of, the madness started
4 dying down for me. The storm had really calmed down a lot. They
5 got the rescue boat in the water, and they started looking for
6 whatever they could. At that point, I don't know if I saw any
7 more bodies coming in.

8 I did miss a part, though. When I was on the north end of
9 the barge and the tugboat was going and we were -- I was watching
10 the lady float by and we were throwing PFDs, right after our
11 captain, Jake (ph.) -- as soon as he cut power to the engines, or
12 to the fantail and the paddles, just a few seconds later, it
13 looked like two or three people came up on the portside, the
14 portside paddle. And I'm trying to remember it. I think I saw
15 two or three people grabbed on there. I couldn't tell if there
16 was anyone on the starboard side. But I remember right after they
17 quit spinning, there was a couple people that came up right in
18 through them. So I was -- I called over the radio immediately and
19 I said, we can't do any more power; don't give any power to the
20 paddles. And let them know that.

21 Well then, anyway, after we started clearing the boat, that's
22 when a lot of the fire department and, you know, other agencies
23 were there, and they started clearing off bodies. And I remember
24 that. I was, kind of, doing barge watch to make sure we didn't
25 have a lot of people coming in that didn't need to be there,

1 making sure that people we were having were, you know, fire
2 department or EMTs or whatever. And then we had -- they carried
3 several of the bodies off onto -- I guess it was, like, a highway
4 patrol marine boat there off of the tugboat. I'm not sure whose
5 boat that was, but yeah. Several officers, and some of them were
6 putting the bodies in that little boat.

7 But that's kind of, like, what I saw as far as the heat of it
8 all.

9 Q. Well, Garrett, thank you. Your man overboard station, where
10 is that?

11 A. So our rescue boat? So the way we divide our man overboard
12 is we have, we have certain roles. And so certain people watch
13 the rescue boat, certain people are in the rescue boat, certain
14 people are getting, like, the stage and all that ready. So in a
15 man overboard, our rescue boat is starboard side. And once you
16 come around the main deck, it's right there by our door on the
17 starboard side.

18 And so we had that. Attempted to launch it at first, but the
19 waves -- I mean, we would have lost it if we unhooked it and put
20 it in the water. So they lowered it down and they realized it
21 wasn't going to work, so they said it's going to be more use if we
22 wait a few minutes for this and then get it in the water. You
23 know, it's going to be a lot more use than losing it, so -- but
24 yeah, that's where our boat is.

25 We have life rings on every deck. Several life rings were

1 thrown in the water. We were calling over the radio, if you see a
2 life ring, get it and throw it to someone. I think it was Romero
3 was throwing -- we have a life ring on our port side of the main
4 deck that has a rope attached to it. And he was throwing that to
5 people that are, kind of, swimming up to the stiff arms and, kind
6 of, pulling them in with that. And yeah.

7 But then we also have our -- in PFD Locker 1, there's --
8 that's where we have a lot of the lifejackets, and we have a
9 rescue basket and safety harnesses and ropes for the stage. And
10 that's on second deck on the bow.

11 Q. The stage is the ladder that's at the rescue boat?

12 A. The stage is the -- they call it the plank, on the front. It
13 lowers down into the water. That way we have a ramp to get up on
14 the deck, you know --

15 Q. Okay. Do you have -- yourself has specific duties during a
16 man overboard?

17 A. Hum?

18 Q. Do you have specific duties? Like, does each crewmember have
19 --

20 A. Yes, so it's --

21 Q. -- Garrett goes here, Chris (ph.) goes here?

22 A. It's not, like, a name basis. Like, it's not like a -- every
23 single time I'm going to do this. What we do in a man overboard
24 is we divide each day into billets, and your whole day is based on
25 what number you're assigned. So like, you know, if you're

1 assigned seven, in a man overboard, you're on third deck, because
2 third deck goes 360 around the boat. So you're doing watch and
3 you're radioing to the rescue boat saying, you know, like, okay,
4 east; you're 100 wide and he's to the west. And, like, that sort
5 of thing. Then you have three. Three is driving the boat. Four
6 helps launch the boat. Five goes and grabs the rescue basket and
7 that sort of thing.

8 So it depends what number you're assigned. We do relatively
9 extensive training. I mean, it's not like a daily thing, but we
10 do pretty regular training on what each number does. And they run
11 you as each number, you know, during the training so everyone
12 knows what to do. So, like, if you're eight, you're in the front
13 of the boat doing the actual patient care and rescue maneuvers.
14 But you know, if you're out on a man overboard drill, if you're
15 eight, they'll switch you with three after we got the dummy
16 rescued. That way you're comfortable driving the boat as well in
17 case you're ever doing that.

18 Q. And what number were you that day?

19 A. I was seven.

20 Q. Which was where?

21 A. So typically seven is third deck lookout. But I knew five
22 was Kevin, and I knew Kevin was working on the fantail with some
23 people. So because Kevin wasn't there, I knew I should go launch
24 the stage. That way, we could, you know, kind of help out with
25 actually getting people on the boat. You know, we use seven as a

1 lookout on a typical man overboard because, if they've fallen
2 overboard from our boat and we've moved quite a ways, we can at
3 least keep an eye on them. So you know, if the situation calls
4 for something a little bit different, it's like, we kind of work
5 together to figure out what's going to be the best for actually
6 saving passengers at that point.

7 Q. Your two shipmates that went into the water, they put
8 lifejackets on?

9 A. They did.

10 Q. Did they have a line attached to them?

11 A. I don't believe so. I wasn't with them when they went in, so
12 I don't want to answer questions about --

13 Q. No, that's fine. If you didn't see it, that's okay.

14 A. -- you know, anything that's about them. All I did was see
15 them in the water at one point. I don't have a whole lot of
16 information about them personally in the water, though.

17 Q. Did anybody else go in the water? Like, the passenger Good
18 Samaritan from your barge?

19 A. I think the officer did, the sheriff deputy did. I think he
20 went in the water. There was -- yeah, it's hard to distinguish
21 who was, you know, who's who, because it's dark and the water's
22 whipping around. But I want to say there may have been someone
23 else in the water that I didn't recognize that was helping pull
24 people up onto the tugboat. And you know, anyone that we had in
25 the water that we knew of was jumping in the water, even if -- you

1 know, if they were even on the tugboat as a Good Samaritan,
2 everyone was putting on lifejackets. We didn't let anyone even
3 get on the tugboat -- because the tugboat was rocking. You know,
4 and with people pulling people in and moving people, it's, you
5 know, it rocks.

6 And so I think it was Romero. He was down there, and he had
7 lifejackets, and he was saying, if you're going to get on here,
8 put this on. Because if you fall in, we can't -- we don't want to
9 add to the issue. So they were making sure that everyone had
10 lifejackets on on the tugboat, from what I could see. But we
11 weren't -- we didn't want everyone to just rush down to the
12 tugboat, because that's where most of the action was at first.
13 You know, like, we were trying to keep the tugboat to where they
14 had room to work, but it was still safe, so --

15 Q. I lost count as you were saying how many people came up
16 where. Could you just go over that again?

17 A. Yeah.

18 Q. Specifically over survivors. Which ones came up --

19 A. The survivors?

20 Q. -- on the fantails, stiff arm, on the bow?

21 A. I want to say I saw -- it was either two or three on the
22 portside paddlewheel. And they looked like survivors. It looked
23 like they were holding on. And I mean, you've seen the paddles,
24 how they kind of dip into the water. It's hard to climb them.
25 Because if you're climbing them, you're climbing them backwards

1 like this. So you know, it looked like they were just kind of
2 holding on. I don't know who ended up rescuing them. I think
3 Stacy (ph.) went out there, and I think Kevin was out there at
4 some point, and maybe Chris was out there at some point. But I
5 think the way they ended up doing that was they -- some of the
6 deckhands actually were stepping on the paddlewheels to kind of
7 help spin it little by little until the people were high enough
8 where they could kind of slide over and get them onto the fantail.
9 But you know, I want to say there was either two or three on the
10 paddles. There may have been one on the starboard side. I didn't
11 see it personally, because I wasn't on that side.

12 I think I saw two on Duck Island. And there were three
13 people south of us, I thought. Two were our guys, and I guess one
14 may have been someone else, but I don't know if they were alive.
15 That may have just been a body.

16 And then I think I saw -- it's hard to distinguish who was a
17 guest and who was a survivor, because there were some people out
18 on the stiff arms, and they were pulling people up. And when they
19 got them up, some of them had already handed down lifejackets to
20 them and they were putting them on. That way, if they, for some
21 reason, got swept under the stiff arm, they would at least have a
22 lifejacket on where they could stay on the other side and float.
23 So it's hard to distinguish who was who. I mean, I think I saw
24 maybe at least five or six survivors.

25 And then I saw -- I'm sure at some point I was looking at

1 survivors without knowing that they were from the duck boat. It
2 was like, at that point, if they were in the water, we were trying
3 to get them out. So, like, I don't want to give you a false
4 number on the stiff arm or anything, because --

5 Q. That's okay. Just what you remember. The boat itself. Have
6 you ridden on these duck boats?

7 A. I have. Twice. Three times.

8 Q. Okay. Specifically looking at the second duck boat, how much
9 freeboard did she have that day?

10 A. I don't know. I'm trying to think. I know when they -- when
11 the wind first started picking up and someone pointed out to me
12 that duck boat in the water, you could tell both duck boats were
13 hitting the waves pretty good. I mean, they were hitting hard.
14 But you know, they bring up that front window. And if you, if
15 you're hitting them right and you can take the blow of the wave
16 over you, it's like, I think they were probably avoiding a lot of
17 the water when they were directly in the wave. Just, you know,
18 the way the boat is shaped, all the water was slamming into that
19 window and going over.

20 So I don't think they were taking on a whole lot of water
21 until they got around to where they were kind of starting to turn
22 to approach the ramp. And when they started going sideways like
23 that as they were turning, I think that's when they started taking
24 on water.

25 The first moment that I saw them take on any water was, like

1 I said, on the starboard side aft corner. When they hit a wave
2 just right and came up on that next one, and then I guess the --
3 kind of, the back end of that wave just dipped into that corner.
4 That was the first bit I saw.

5 I don't know how the windows secure on the boats. I don't
6 know if they're zipper, Velcro, magnetic, whatever it is, or if
7 they just roll. But it looked like they were secure at the point
8 that it went down, because I didn't see anybody jump out. Not one
9 person jumped out that I could see. Unless they came out the
10 other side and they were swallowed with the suction. But I didn't
11 -- I never saw anyone jumping out the windows.

12 Q. So you were looking at the starboard side of the duck boat.
13 Is that --

14 A. I was looking at starboard side.

15 Q. And so she's headed north into the waves and the winds, and
16 then makes a turn to starboard to line up with the ramp; is that
17 correct?

18 A. Yeah. So the duck is headed north directly into the wind.
19 And I think that -- the purpose of -- I think they were the one
20 that was hugging the showboat closer than the other one. Because
21 there was one -- from what it looked like to me, the other one
22 passed it and came up the ramp. And I assume what he was doing
23 was also turning to get ready for the ramp to where he could still
24 be making northward progress but starting to line up for the ramp.
25 So when he gets to the ramp, he doesn't have to, you know, go 500

1 feet, you know, sideways against the wind. He can just kind of
2 turn and hopefully get right up on it.

3 That's what it kind of looked like he was doing. He turned
4 maybe 45 degrees in between, you know, north to east. And from
5 there, that's where, you know -- when he was hitting the waves at
6 the corner is when it started getting bad.

7 I don't know what the, you know, solution could have been as
8 to how to hit the waves and still be on-sight for the ramp. But
9 if there's one thing I'm thankful that he did -- I don't think he
10 knew the boat was going to go down. But if there's one thing I'm
11 glad that it did, I'm glad it went down upwind from us. Because
12 if it didn't, if it would have sunk south of us, everyone would
13 have floated south. And the cove opens up. The water opens up.
14 And there's a lot more wind to blow you wherever. And so this
15 would have something where we would have been looking all over the
16 shoreline for people and divers would have been everywhere, versus
17 here, we were at least able to have people push into our barge and
18 our stiff arm. So it's, like, we were able to do more for them.
19 And so even though we were maybe only able to save 14, it's -- I
20 think it's more than we maybe could have saved if it would have
21 went the other way.

22 And that's what I kept thinking as -- when I saw it, I
23 thought it was about to go down. And I just thought, I wonder if
24 he did that -- I wonder if he kept trying -- because he knew if he
25 was going to lose the boat, if he lost the boat, he would want it

1 to be upwind from us. That way, it would blow into us. I mean,
2 that's just what I was thinking.

3 But I was also thinking, why didn't he, when it got bad, turn
4 around and hit the south ramp? But it comes back to the same
5 thing. It's like, if he misses and the boat sinks, that cove just
6 goes around and it just opens up from there. So that's what I was
7 worried about, and turning around if he did that, which he didn't.
8 He kept going and -- you know, it's hard to say whether he would
9 have went down either way, if he would have went back. But I'm
10 glad he went down north of us.

11 Q. Before they made the turn to starboard, was there any list or
12 --

13 A. I couldn't see very well because our boat was in the way.
14 Our paddles were in the way at that point. I couldn't tell any
15 listing on either side when he was south of our boat and coming
16 around. I had the whole boat blocking my view from him. So I
17 lost view of both boats. And then one came around, went up the
18 ramp, and right behind him was the other one.

19 And in fact, he -- I think he probably was traveling a little
20 bit slower than the other one. Because the other one -- they were
21 -- they weren't neck in neck, but they weren't too far away from
22 each other. And that first one, I think it's the -- I want to say
23 it had black flames on it. I could be wrong. I may be seeing
24 wrong. I've seen them in there all the time, so I could be
25 remembering the wrong boat. But it went up the ramp, and I

1 thought that was the second boat, because I didn't see the other
2 one. And I thought, oh, they both already got up the ramp. And
3 then as soon as I saw him coming around, I thought, man, that --
4 it can't be good, because that other boat just made, you know, 300
5 feet ahead of him, and they were almost neck in neck when they
6 went around the boat. So I was thinking he -- I wondered if he
7 lost some sort of his power, if he's -- has low power, you know.
8 Because that other boat came out so much earlier than he did, is
9 what I saw.

10 Q. Could you see any water being pumped out of the boat from any
11 of the dischargers?

12 A. On the second boat?

13 Q. Yes, sir.

14 A. I couldn't. I'm not sure where their bilge discharge is, if
15 their bilge pump discharged. I'm not sure where it is on the
16 boat. I couldn't see it, though. But I never see them pumping
17 out water.

18 Q. You can't see the discharges from where they normally pass
19 by.

20 A. Yeah. I don't see it anyway. Like, I'm not looking for it.
21 So I wouldn't have even known where to look. I don't know if
22 it's, you know, aft on the port side or starboard side. I don't
23 know where it is. And so that wasn't something I was looking for.

24 No one was bailing water out. There was no bailing going on.
25 I couldn't, I couldn't see myself that anyone was standing up. I

1 couldn't see that the boat was really shaking either way at first.
2 It was just, when it hit that wave, as soon as that corner dipped,
3 it took maybe ten seconds until it was under. And it looked like,
4 as soon as it flooded on that starboard side just a little bit, it
5 all went to the stern and then it kind of went down like that,
6 right? So it went down with the bow out of the water. It wasn't
7 at, like, a big angle. It was just kind of like it was going and
8 then it just, kind of, went under like that, so --

9 Q. Did it roll at all as it went?

10 A. I didn't see it roll at all. Yeah, it didn't, it didn't
11 capsize that I know of. It just swamped. That was the best I
12 could see. I never saw any lifejackets. Now I've heard there was
13 someone who came up in a duck lifejacket on one of the stiff arms,
14 and I know we recovered one of -- a duck lifejacket, but I don't
15 know about that. I just know the bodies. We never pulled one up
16 with a lifejacket.

17 MR. MUISE: Okay. Open up to the Coast Guard.

18 BY CWO [REDACTED]

19 Q. So when you first saw both these ducks, you were on the
20 observation deck?

21 A. I was at, like, where we board, where our ramp is. That's
22 where I was at first. I was doing bag checks. And I saw them --
23 my first sight of them was probably, I would say, 150 low from our
24 boat. Hundred and fifty feet away. And I mean, they weren't --
25 it wasn't all that bad when they first got in, so I may have seen

1 them and thought nothing about it.

2 Q. Okay, and so you -- but you did see both ducks about 150 feet
3 from --

4 A. The south end of our boat.

5 Q. So from the south end of --

6 A. Yeah.

7 Q. -- the *Belle*.

8 A. I saw them both. And I keep thinking -- and the way I
9 remember seeing it was -- I mean, you probably have a video
10 somewhere. But I thought the duck that came out first was the
11 duck that was behind the one that sank. That's what I thought.
12 Because when it came around, I thought, that white duck was in the
13 middle -- or in the front.

14 Q. So when you saw both ducks, they were both about 150 feet
15 away from the --

16 A. Well one was a little bit further. I don't know how wide
17 they were.

18 Q. And what --

19 A. I couldn't really tell, but they were, like, maybe 150 feet
20 south, and maybe a little bit more than that.

21 Q. And what direction were they heading at that point?

22 A. They were both headed north.

23 Q. They were both heading north.

24 A. And that's when the wind first started picking up. And the
25 wind got a lot worse once they were around, you know, about middle

1 of our starboard side, I would guess. I didn't see them there,
2 but that's -- about that amount of time later is when it, like,
3 really got bad wind. And I guess that first one came out, and I
4 just saw the, I just saw the end of it when it was driving off the
5 ramp. And I thought, those ducks got out. (Indiscernible). And
6 then I saw the other one come around, and I just thought, how is
7 that one so much further behind this one?

8 So that's why I was saying, I don't know if they lost their
9 propulsion somehow and -- or if they had to decrease the power, or
10 if, you know, the engine was getting flooded or whatever it was.
11 I wasn't sure, but you know, when I, when I saw that first duck
12 come out, and then I saw that second duck come around, I actually
13 thought, was there a third duck that I missed and had already come
14 around our boat that was headed out when I saw these others?
15 That's what my first thought was. But then I realized, no, those
16 were the two ducks that were in. Because a lot of times, they go
17 in in twos. Like, they're pretty close to each other, and they'll
18 be about two of them at a time. And then, you know, 20 or 30
19 minutes later, there'll be another two in. It's, like, that's
20 what I see every day. So I thought, it'd be weird for them to be
21 three of them that close together, but the two makes sense. And
22 then I saw that second one come around, so --

23 Q. Okay. And when you saw them off the south end of the *Belle*,
24 do you know if the windows were open or closed? Could you tell?

25 A. I remember the windows on one of them flapping. I don't know

1 if they were -- I thought they were flapping. I don't know if
2 they're, if they were rigid or not. There was a lot of water and
3 waves. I may have just been seeing the splashes and it looked
4 like the windows were flapping. Maybe they were down and the
5 water was splashing against the window and it looked like it. It
6 looked to me like they were moving in some way. They were
7 flapping. Maybe they were trying to get them secure. But I can't
8 say which boat it was. That I don't remember.

9 Q. Do you know if that was the closer one or the further one?

10 A. Maybe the closer one, because I could have seen it better.
11 But like I said, I don't want to give incorrect information on
12 that, so --

13 Q. Okay. All right, and then, and then you lose sight of them.
14 And then they reappear around the stern of the *Branson Belle*,
15 right? Are you still at the observation deck at that point or --

16 A. At this point, we had just gotten everyone inside. And we
17 were, kind of, standing by for a sec. They called Jake down. He
18 was, he was already in the boat, I think, at that point, Captain
19 Jake. But we were kind of -- me and Romero, we were standing by,
20 kind of waiting for this wind to pass us.

21 Q. And where were you, though?

22 A. We were on the observation deck.

23 Q. On the observation deck.

24 A. Yeah.

25 Q. And now --

1 A. Probably on the end of it there, yeah.

2 Q. So the observation deck, is that -- that's shoreside,
3 correct?

4 A. Shoreside.

5 Q. Is that on the upper level of the --

6 A. Upper level.

7 Q. The upper level.

8 A. So you know, where we board, we go down the ramp. And then
9 the observation deck, they have, like, the -- like, the
10 sightseeing thing. Or like, the faraway -- you pay the quarter
11 and you can use binoculars. We were kind of staying -- and we
12 weren't at the end of it, but we were kind of, you know, in the
13 middle of it, kind of looking around, making sure that, you know,
14 people are being warned, go inside, and we want everyone to go
15 inside. And then we turn around and we saw that and we were like,
16 oh my gosh, so --

17 Q. Okay, so you're up at the very entrance of the boarding area.

18 A. Yeah.

19 Q. Where the stairs are that come down.

20 A. I was seven and eight. I was seven; Romero was eight. And
21 so seven and eight are upstairs for boarding. So seven does
22 tickets and people's bag checks.

23 I'm sorry. I was eight that day. Because I was doing bag
24 checks. Yeah.

25 Q. So you were eight that day?

1 A. I was eight. That's my mistake. I was -- I think I was
2 seven the day before that.

3 Q. Okay. So when you see the duck come around the stern, at
4 this point, are the paddlewheels turning?

5 A. Yes. I believe so. Right when they came around, yes. And
6 what I remember is they were, they were relatively wide. I mean,
7 they had a pretty good amount of room between us. They weren't
8 right up on the paddles. I think Jake started turning down the
9 paddlewheels when he realized they were probably getting close.
10 And so as soon as they started taking on water, there was a radio
11 call, and Jake cut all the power to the paddlewheels. I mean, as
12 soon as they got back there -- because they weren't back there
13 very long. And it's --

14 Q. Okay. But I want to, I want to clarify which duck boat we're
15 talking about. Had one already exited the lake?

16 A. Yes. And the second duck came around. And we had our
17 paddles turned, I believe, in reverse. Astern. And I'm starting
18 to remember the details of that. The duck was coming around, and
19 as soon as he started taking on water -- someone said, the duck's
20 taking on water. And Jake cut the power. And as soon as, you
21 know -- the paddles, you know, they spin for a second. I would
22 say, when I got down there, from what I could tell, as soon as the
23 paddles stopped turning, some people started grabbing onto them.
24 And so I was telling Jake a while ago that, if you had waited just
25 a few more seconds, I don't know -- you know, if those people were

1 under there while those paddles were turning, those survivors
2 would have died. And you know, he cut them just in time to where
3 people started grabbing on.

4 Q. So did you see the first duck boat? Did you see it exit the
5 lake?

6 A. I saw it coming up the -- like, coming right onto the ramp.
7 And I didn't see it coming around the stern and making way, you
8 know, past -- between us and Marcus Point, anything like that.
9 All I did, I saw the end of it going up the ramp and I thought,
10 both of those ducks got out. But that wasn't the case.

11 Q. Okay, how far away was that second duck away from the
12 paddlewheels when they were, when they were turning? If you had
13 to guess.

14 A. I would say -- man. Maybe 80 wide, or 60 wide?

15 Q. Right, and that's about 60 feet?

16 A. Sixty feet. Maybe a little bit more than that, but between
17 60 and 80, somewhere in there. It's kind of hard to say, because
18 when I first saw that, I was still up on landside -- like,
19 onshore. And I -- when I saw that duck come around, that's when
20 we started -- we were kind of making our way to the gate thinking,
21 do we -- are we going to need to go down there and work on, you
22 know, the boat? But at that point, yeah, that's -- I would say
23 about 60 to 80 feet around.

24 Q. Okay, so at this point, we got wind and waves. The boat is
25 heading east, right towards the ramp. It's no longer heading

1 north. It's kind of broadside. About 60 feet from the
2 paddlewheels. The paddlewheels are still turning. But at some
3 point, does it get any closer to the paddlewheels while they're
4 still turning or --

5 A. It didn't look like it was making progress into the
6 paddlewheels. It looked like it was able to, kind of, hold its,
7 hold its line in a way. It wasn't making a whole lot of northward
8 progress anymore. It was just kind of staying in line, from what
9 I saw. And it looked like it was going more towards the, towards
10 the dock, the ramp. And so it looked like it wasn't making
11 reverse progress, but it was moving sideways to the dock and kind
12 of -- not sideways, but moving, you know, at that angle.

13 And I don't -- from what I recall, I don't remember seeing it
14 being, like, swallowed more inward towards us. That's not what I
15 recall. I don't know how Marcus Point affects the wind in that
16 area. Maybe they got a little bit of a break, because they're
17 kind of slipping into that cove there. So maybe they were able to
18 kind of escape a little bit of the strong winds that are switching
19 across the lake, and maybe have a little bit more progress to move
20 to the east. But I -- it's hard for me to say if they were really
21 coming backwards on us. I don't, I don't think they were.

22 Q. Okay. And then, when that second duck -- the windows -- were
23 you certain that the windows were down? Or the curtains or --

24 A. I think they were, because from what I could see, I couldn't
25 see people inside. And I think that's because the glare -- you

1 know, the reflection of the water on the windows. If they were
2 open, you would have been able to see them, because you can always
3 see them. You know, they drive by every day, and you can see
4 inside of them. I don't think they were down -- I don't think
5 they were up, because I would have been able to see inside of them
6 like we always do.

7 Q. What about the operator's window? Did you ever see that?

8 A. I couldn't tell.

9 Q. Okay. Do you know if it was opened or closed or -- you just
10 couldn't tell.

11 A. No.

12 Q. Okay.

13 A. Like I said, I'm trying to think. It's hard for me to say
14 about the actual operator window. It looked like, based on the
15 way they were both coming when they came from the south, the way
16 they were hitting the waves, my thought was -- those windows pull
17 up. Because I see them put the windows up when they first
18 splashed into the water. You know, like, I've been on the boat;
19 I've seen them do that. My thought was, okay, they've secured
20 those windows and they're hitting it to where the water jump will
21 just fly over the boat and won't come inside. Because that window
22 will be able to take a hit of water and it won't come in, but how
23 much can these large plastic windows take? You know, how much of
24 a hit do they have to take before they snap or whatever?

25 So I thought maybe they were doing that and they got their

1 windows up. Otherwise they would have taken on a lot of water. I
2 mean, I don't -- if they didn't have their windows up, their front
3 window, I don't think they would have made it around to the stern.
4 Either of them. Just because it looked like they were hitting so
5 much water. I mean, you've seen the videos of that. So it's --
6 they were hitting water so hard that, if they didn't have that
7 window up, I don't think they would have made it around anyway.

8 CWO [REDACTED] Okay, that's all I have.

9 MR. MUISE: Sergeant?

10 SGT. [REDACTED] I had a few questions, Garrett.

11 BY SGT. [REDACTED]

12 Q. You said that -- at first, it seemed like you said you saw it
13 sink, and then you didn't see anybody around. But then later, I
14 think you said your view was kind of obstructed by the
15 paddlewheel, possibly?

16 A. So my view from the paddlewheel -- that was when that first
17 boat came around. I couldn't see the second boat, because our
18 paddles and our fantail and our stern -- yeah, all that was in the
19 way. And then when they came around, I could vividly see their
20 whole sinking process. I wasn't obstructed in any way in that.

21 Q. So you actually saw it go down.

22 A. I saw it go down.

23 Q. Okay. So when it, when it goes down, obviously he is headed
24 kind of north at first. And then you said he turned at a 45-
25 degree angle?

1 A. About 45, I would say, yeah.

2 Q. And then was he still at that 45-degree angle, which would
3 have been at kind of, like, northwest when he went down?

4 A. Northeast.

5 Q. I mean, yeah. Northeast.

6 A. Yes.

7 Q. When he went down?

8 A. Yes. That's what I remembered, is he was probably at a 35-
9 to 45-degree angle when he went down. He took that first wave,
10 and it was like that. I mean, within 10 or 15 seconds. Ten,
11 probably fifteen at most. He went down at that angle as well.

12 Q. And then -- so you still had a clear view of it when you said
13 you didn't see anybody around. Like, nobody jumped off of it.
14 You didn't see anybody.

15 A. I had the clear view at that point. We had moved and started
16 going towards the stairs. And I kept watching, and I thought, no
17 one jumped out of that boat. No one -- you know, because they
18 give the safety briefing. Both times I've been on it, they always
19 say, our emergency exits are right beside you. You know, we're
20 going to jump out the window if that's what we come to. If we
21 need to abandon the boat, your windows are emergency exits;
22 there's also one in the back. I remember him saying all that.

23 UNIDENTIFIED SPEAKER: Something for me?

24 SGT. [REDACTED] No, just -- [REDACTED] said that you were going to be
25 the contact person for the NTSB, that if -- and that he wanted to

1 take pictures of personal items of the victims which were down
2 there on the -- in a bag.

3 UNIDENTIFIED SPEAKER: The NTSB wanted to, or we wanted --

4 SGT. [REDACTED] No, they already did, but they got with us and
5 said, do you -- are you guys interested in this also? And Noel
6 said yes. And it's down there in a, in a bag at the front door or
7 at the side door of the *Branson Belle* there.

8 UNIDENTIFIED SPEAKER: Okay. Take care of it.

9 SGT. [REDACTED] Yeah.

10 BY SGT. [REDACTED]

11 Q. Okay, so you didn't see anybody after it sank. And so what
12 happened? Did they start popping up?

13 A. Yeah. That's -- from what I could tell was -- first person I
14 saw was a body. And it was face down in the water. And I saw her
15 come up, I mean, probably not even 50 feet away.

16 Q. So 50 feet away from the --

17 A. From our barge.

18 Q. From your barge.

19 A. North of our barge.

20 Q. Okay, and so --

21 A. She just kind of floated up and started being moved towards
22 us.

23 Q. Okay, and so I'm trying to figure out where the victims were
24 and who the, and who the victims were. So this lady, she was
25 floating face down. Was she a black lady or a white --

1 A. This was a white lady. I can -- I think I could point her
2 out in a picture. I saw the pictures of the victims, so I think I
3 know who it was.

4 Q. I may show you a picture later at some point on that, then.

5 A. Okay.

6 Q. And then were the other people that started popping up, were
7 they about 50 feet from the back of the barge also?

8 A. No. The people that came up on the paddlewheels, I didn't
9 see them swim very far. It looked like they came up pretty close
10 to the paddlewheels. However, there were some people that were
11 coming up near the tug, and there were people who, I guess, came
12 up near the tug and swam to the stiff arm, because people were
13 being pulled up from the stiff arms as well. So as far as where
14 all they came up, the first one I saw was that lady's body. And
15 she had came up 50 or 60 feet away -- probably 50 feet away -- and
16 floated towards us. And then there were a couple that came up
17 near the paddlewheels. There was, like I said, two or three.

18 And I actually -- I didn't even really see them come up very
19 much. I mean, it's not like they were kicking and swimming over
20 to the paddlewheels. It's like, they came up, and I saw them, and
21 immediately I saw them just grab onto the paddlewheels. And I
22 called -- I said that you cannot run the paddlewheels; absolutely
23 do not run the paddlewheels. But then I looked over and there was
24 also -- at first there was a couple people floating up from the
25 stiff arm, but then there was also -- it looked like they were

1 moving people to shore once they got them onto the stiff arm.
2 That's what it looked like. I don't think people were washing up
3 onshore. I think it was, they pulled survivors up and they
4 brought them to shore. That's what it looked like. It could have
5 been guests up there. It's hard for me to say. I wasn't on that
6 side, really, but --

7 And then there was two that -- I don't know what side they
8 came from or where they came up, but I did see them a pretty good
9 ways off on Duck Island, way out there. I saw two people, I mean,
10 swimming like hell, and they were just going as hard as they
11 could. And when they got on Duck Island, they were just -- I
12 mean, I swear I saw that. And there was a boat --

13 Q. So those were, those were two people that definitely came
14 from the duck that sank.

15 A. Well I can't say "definitely." I didn't watch them come from
16 the duck itself, but --

17 Q. Right, but they -- and no lifejackets, but they were
18 definitely survivors that were waving on Duck Island?

19 A. I don't want to say "definitely" on anything like that.

20 Q. Right. But you're assuming that they did come --

21 A. I'm assumed -- it looks like they did come from the duck. It
22 looks like they did, you know, swim over there, and it looked like
23 they were pretty panicked. Now I don't think I'm remembering that
24 wrong, because there was someone else, too, that saw it, and there
25 was a pontoon boat that started circling that island and, you

1 know, doing something over there. Maybe they got them -- I don't
2 know. I haven't heard the end of the story with those two. I
3 don't know who they were or anything like that. I don't think
4 that was my mind playing tricks on me. I'm sure I saw that. It
5 was at least one. I thought there was two over there. And they
6 just, kind of, washed up. I mean, were people recovered from Duck
7 Island? Is that -- I'm not the only one saying that, right?

8 Q. Well that's what we're -- we're still trying to figure that
9 out, so -- yeah.

10 A. I'm pretty sure there were two on Duck Island. And it's hard
11 for me to say, because it was far away, but it didn't look like
12 they had, you know, orange vests on or anything like that, so --

13 Q. Yeah. And you said at one point you saw a guy carrying a
14 seven- or eight-year-old?

15 A. Yeah, that was when -- you know, our crew was carrying one.

16 Q. Okay. Was that a male?

17 A. Yes.

18 Q. Was he white or black?

19 A. He was a darker-skinned -- and yeah, he was, he was pretty
20 young.

21 Q. Where did he come from? Do you know?

22 A. I think from the tugboat. I think they picked him up near
23 the tugboat.

24 Q. And did they take him into the theater part there?

25 A. If I recall right, they tried CPR on him. I mean, I know

1 they were doing CPR on several people on that tug. They were
2 trying, and he was the first one I saw come off the tug. There
3 may have been someone else I don't know about. But I saw someone
4 took him and carried him into the portside aft stairwell, and they
5 covered him up from there. And they had someone standing by the
6 door to, kind of, you know, stop a lot of the guests from walking
7 into that room if they were walking by.

8 Q. So, like, the seven- or eight-year-old, they took him in and
9 covered him up. So he was deceased, or were they just trying to
10 keep him warm?

11 A. I'm not sure. He wasn't conscious, I believe.

12 Q. He wasn't? Okay.

13 A. But they were kind of creating room, because there were so
14 many people on the barge and so many people on the tugboat. I
15 mean, you know, there's people -- a lot of people moving around.
16 EMTs are moving around. You know, deckhands -- everyone's moving
17 around. So they wanted to -- and they wanted to keep the north
18 path into the barge clear, because that's where people were
19 throwing lifejackets. And I guess they thought, if we get these
20 people off the fantail, we're going to have to bring them here
21 somehow. And if we bring them over this way to the barge, we need
22 that part clear. So I don't know who it was, but whoever made the
23 decision of where to put him, they put him back there, kind of in
24 the -- on the floor right next to the stairs. And they covered
25 him up from there.

1 Q. Did you see anyone doing CPR on him?

2 A. I can't verify that it was him, but I did see multiple people
3 doing CPR on the tugboat. But it's hard for me to say if that was
4 the kid that they were doing CPR on, because at the same time,
5 we're trying to deal with these people on the paddlewheels and the
6 bodies too, so --

7 Q. You said you saw three pontoon boats come from State Park
8 Marina?

9 A. Yes.

10 Q. Where did they go?

11 A. So this was when -- at this point, I was on the stage. And
12 James was with me. One went -- I was thinking one went over to
13 Duck Island. One kind of kept coming towards us. And then the
14 other -- like, the two on the left side -- well, on the east side
15 -- kept coming towards us. But I think there were two or three
16 people in the water. Two of them were our crew, and one -- I
17 don't know if that was actually a person or not, but it looked
18 like one. We were kind of waving to show them, like, there's
19 people right there. There's people right there.

20 Q. Was that, like, in behind your tug?

21 A. No, this is south of us. I'm standing on the stage, the
22 rescue stage, in the water.

23 Q. When you say "stage," that's that big ramp that comes down on
24 the front?

25 A. The plank. Yeah. Yeah.

1 Q. So you're standing out on that.

2 A. I'm standing out on it with a basket and a safety harness, or
3 a safety belt. We're clipped in. We've got the belts ran through
4 to where, like, people are holding you. So if you were to slip,
5 it's like, you're not going to fall and, like, you're attached to
6 a cable. Like, you're tethered.

7 Q. So two of those, you said -- did they come back around the
8 back of the *Branson Belle*?

9 A. No, none of them came back around the back of it. One went
10 over to Duck Island. So like, if -- like, let's do it like this.
11 Here's our *Branson Belle*. Right? And here's where all the rescue
12 is. Here's the tugboat. These guys are coming from way down
13 here. They go up around Duck Island. One goes around Duck
14 Island, I thought. The other two start looking around here.
15 Because we knew, if we missed a body as well, it was going to be
16 shoved downwind to the south. So we said, look around there. You
17 know, we were, we were like -- we went like that, you know,
18 showing them, like, where there, where there were people. Because
19 we knew there was at least two people down there. And we didn't
20 want the crew to be pushed four miles down shore and not be able
21 to find them either. So we're, like, trying to get them while
22 they're there.

23 Now I didn't see them actually pulling anyone up. I assume
24 one of them did, because at some point after I launched the rescue
25 boat and came back -- and I think I could definitely identify this

1 lady. They were pulling that rescue basket that I gave the wait
2 staff, and I said, someone man this so if there's a boat that
3 comes up, we can get the person off it. They were pulling a lady
4 up. And like I said, I could identify her, I think. And they put
5 her on the deck.

6 So one of the boats -- and I couldn't see who brought that
7 boat up. I don't know if it was -- you know, there was a lot of
8 boats that showed up, you know, with help. And a lot of -- you
9 know, several from the marina and there was -- I think some random
10 people brought out ski boats and things like that. But yeah, and
11 then, like -- I think they call it Sea Tow. And like, some of the
12 towing boats, they showed up and they were helping.

13 But one of the boats came up to the stage and put a person in
14 our basket, and then we brought them up. And they were -- I
15 believe they were deceased when we got them.

16 Q. Did they put them on the bow of the *Belle*, then?

17 A. Yes. That's --

18 Q. Okay. And did you see any other deceased people on the bow
19 of the *Belle*?

20 A. On the bow?

21 Q. Yeah.

22 A. I believe I only saw the one lady. That's the only one I saw
23 there. And then they covered her up. Kind of moved her to the
24 side and covered her up.

25 Q. Do you remember, was she Caucasian or black?

1 A. No. She was darker. Mixed to dark skin. And she was
2 larger. I think she had -- I don't remember the shirt she was
3 wearing. I want to say it was -- I may be remembering this wrong.
4 I want to say it had some kind of flower on it. Flowery pattern.
5 And she was wearing pink -- I don't know if it was shorts or if
6 they -- her underwear or whatever. They were pink. And that's
7 about all I remember of her. But she was a bigger lady, and she
8 was a darker-skinned --

9 Q. Do you remember what color her top was?

10 A. I'm trying to think. I really can't remember that. I want
11 to say there was some sort of flower on it. But I think I'm
12 remembering that wrong.

13 Q. And when you say there was a highway patrol that was picking
14 up victims, was that our safe boat that you're talking about? It
15 looks like a Coast Guard boat.

16 A. Maybe. I didn't see it extremely well. I was, kind of, on
17 the barge. And it was on the other side of the tugboat and there
18 was a lot of people around it. So I mean, it was -- like, there
19 was, like, uniformed officers and stuff around there. So I just
20 assumed it was highway patrol. I'm not sure.

21 Q. Yeah. Do you know why the paddles on the paddleboat would
22 have been in reverse?

23 A. They did that -- I'm not sure. Maybe it was to keep
24 everything tight. I don't want to mis-comment. I'm not sure.
25 That's something that I on the deck wouldn't really know. That's

1 more of an up top kind of decision, you know? I work with lines
2 and stuff like that, but as far as propulsion, docking, anything
3 like that, that's kind of out of my reins.

4 Q. So when you say you had -- you definitely knew there was two
5 people that was south of the *Branson Belle*. That's different from
6 the two people that were on Duck Island?

7 A. Yes. Yes.

8 Q. Okay. So four total that was --

9 A. I believe. Yeah.

10 Q. Okay.

11 SGT. [REDACTED] That's all I have.

12 LT. [REDACTED] No questions.

13 MR. MUISE: Okay. Corporal?

14 CPL. [REDACTED] I'm good.

15 MR. MUISE: Brian, anything to add?

16 MR. DECKARD: Yeah, I just have one.

17 You were talking about when you first saw the ducks, you
18 know, when the, when the weather hit. You mentioned a minute ago
19 about the possibility about turning around. But obviously -- so
20 you said you've been on the ducks. So you know the locations of
21 our ramps, entrance, exits, (indiscernible). In your best guess,
22 would you say they were more than halfway through the tour, or was
23 it -- you just mentioned the turnaround. Just curious --

24 MR. SPAIN: I know --

25 MR. DECKARD: -- where they were at en route when you first

1 -- or when the weather hit and when you noticed them.

2 MR. SPAIN: There's a word you said that I (indiscernible)
3 "tour." They didn't go the regular tour, right?

4 MR. DECKARD: Yeah, that's true. They didn't go around the
5 island.

6 MR. SPAIN: They did not go around the island. They made an
7 alternate route that -- it looked like they used their judgement
8 of the weather and made an alternate route. They did not follow
9 the standard tour around. By the time I saw them and they started
10 pushing into the waves, I would not say they were more than
11 halfway -- I wouldn't say they were halfway or more to the south
12 ramp -- or to the north ramp. I would say they were closer to the
13 south ramp.

14 MR. DECKARD: Okay. Thank you.

15 BY MR. MUISE:

16 Q. Garrett, just a follow-up. Just to confirm, do you have a
17 Coast Guard credential?

18 A. I do.

19 Q. You do have a --

20 A. Well I mean, I have a TWIC, yeah.

21 Q. You have a TWIC. Okay. Yeah, with the -- it looks like a
22 red book? Looks like a passport?

23 A. No, I don't have that one. Sorry.

24 Q. (Indiscernible).

25 A. I was thinking TWIC.

1 Q. Okay. In your position, have you had any first aid training?

2 A. I have -- well not this season on the boat, but I have had
3 first aid in the past, first aid training in the past. I've had
4 my certification for a while, so -- I'm actually about to renew
5 that, so --

6 Q. Before the first responders showed up, who was directing
7 things on the barge? So you said they were trying to keep the
8 stern clear. Who was running that whole operation?

9 A. So James Flabay (ph.) was doing the main, I would say, scene
10 control. He was doing a lot of the radioing. He was telling
11 people, it's not safe for the rescue boat in right now; don't --
12 or he was -- you know, he was doing all that. If he needed
13 someone for something, he would say, I need the first marine crew
14 to come to the bow for the -- you know, whatever it was.

15 Jake was mostly doing the driving of the boat. Jake Strell
16 (ph.). He was the one who was actually in the wheelhouse. And I
17 don't know who else was in the -- excuse me, the wheelhouse. But
18 Jake was actually on the -- in the wheelhouse, manning the
19 controls of our boat.

20 MR. MUISE: Coast Guard, any other follow-up?

21 CWO [REDACTED] Yeah, I just got a couple.

22 BY CWO [REDACTED]

23 Q. So when you saw the duck sink, where was it in relation to
24 the paddlewheels?

25 A. I want to say it was more in line with the portside

1 paddlewheel. More so --

2 Q. Directly aft. Is that what you were --

3 A. I don't want to say "directly aft." I want to say it was a
4 little bit more east of that. It was -- I mean, part of it was in
5 line with the -- or the portside paddlewheel. Part of it was aft
6 of the north end of the barge. I mean, it was kind of in the
7 middle there, is what I kind of remember seeing. So I mean, it
8 wasn't direct aft of the portside paddlewheel, but it was a little
9 bit passed that.

10 Q. Okay. And how many feet away would you say it was from the
11 paddlewheel?

12 A. Maybe, like, 60 to 80 or so. Or maybe almost 90. I'm --
13 like I said, it was kind of hard for me to judge that.

14 Q. Okay. And then when it went down, did you see anything come
15 apart or -- I mean, did everything pretty much stay intact?

16 A. It all went down pretty much in one piece that I could see.
17 I didn't see anything floating up immediately. I didn't see, you
18 know, the -- like, I didn't see the roof pop off or anything like
19 that. I didn't see the windows flapping up while it went down.
20 It looked like it was just all at once, you know. Very quick.
21 Very quick.

22 Q. Okay. And then lastly, when a lot of the other, you know,
23 agency boats and pontoon boats began to show up, how late in the
24 event was that, if you had to guess a time? And what was -- had
25 the sea state calmed?

1 A. So that's a good question. My time, my sense of time for it,
2 I think, was maybe a little distorted. Because for me, it felt
3 like it was a long time. But I don't think it was as long as it
4 felt. Because at one point, as soon as we got a break, I remember
5 I told someone my mom's phone number and I said, can you just text
6 her and let her know I'm okay before she reads this on the news?
7 And they said, yeah. And I asked my mom what time she got that
8 message, and she said it was like 7:30, which wasn't very long.
9 But it felt a lot longer than that.

10 Q. But at that time, what was the lake conditions like?

11 A. It was getting calmer. It wasn't much calmer. It was better
12 than it was. Now the three pontoon boats -- there were three --
13 from State Park, they were the first boats I were to see out
14 there. Those three came pretty quickly. It was as soon as I
15 moved to the bow that those three boats started coming around.
16 Soon as we got the stage launched, they came around. Now after
17 that, boats started trickling in one by one. You know, towing
18 boats, that sort of thing.

19 The boat that -- as far as, like, firefighters, you know,
20 EMTs -- we had a lot of EMTs there. I was kind of surprised at
21 how quick they were there. A lot of EMTs were around. But as far
22 as firefighters go and a lot of police, it kind of took a few
23 minutes. Like, we were -- we did a lot of stuff before they
24 showed up. And I just remember thinking, where are they? How
25 come it took so long for the firefighters to show up, or the --

1 you know, like, the ambulance paramedics? You know, not just,
2 like, our EMTs that work for us. It's like, where did all --
3 where were all these people? That's kind of what I was thinking.
4 But it seemed like it took a little while. I mean, maybe 30
5 minutes is what it felt like.

6 Q. Okay. But at that point, would you say the storm had kind of
7 passed and --

8 A. It had started to die down quite a bit. The worst of it had
9 died down. It was still windy. By the time that the storm really
10 died down, there was a lot more people on scene. Everyone started
11 showing up. But towards the end of the storm, I remember, like, a
12 couple fire departments showed up, and the guys came down.

13 And maybe I was just thinking I was delayed in their arrival,
14 because they were staking everything up on, you know, our loading
15 ramps and stuff up by the bus lot. Maybe they were all staking
16 and I just hadn't seen them on the barge yet. They may have been
17 there figuring out what to do from there. But it seemed like they
18 had been taking some time before they finally got down there.

19 CWO [REDACTED] Okay. That's all I have.

20 MR. MUISE: Any other follow-ups?

21 Garrett, I just have one. Do you, do you have any pictures
22 or video that you can share with us?

23 MR. SPAIN: I mean, I have one video. It doesn't have the
24 ducks in it. It doesn't have anything like that. It's just,
25 basically, of the storm.

1 MR. MUISE: All right.

2 MR. SPAIN: It's ten seconds.

3 MR. MUISE: For the record, when I said "Sergeant" earlier,
4 that's Sergeant [REDACTED] not Sergeant Reynolds, right?

5 SGT. [REDACTED]

6 MR. MUISE: All right. Okay. And with that, we'll conclude
7 the interview. It's 12:41.

8 (Whereupon, at 12:41 p.m., the interview was concluded.)
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

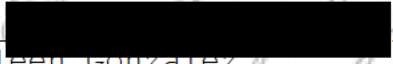
IN THE MATTER OF: CAPSIZE AND SINKING OF STRETCH DUCK 7
 ON TABLE ROCK LAKE, BRANSON, MISSOURI,
 JULY 19, 2018
 Interview of Garrett Spain

ACCIDENT NO.: DCA18MM028

PLACE: Branson, Missouri

DATE: July 21, 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.


Eileen Gonzalez
Transcriber