

UNITED STATES OF AMERICA  
NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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ANDREW J. BARBERI  
STATEN ISLAND, NEW YORK

Docket No.: DCA-10-MM-017

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Interview of: PHILIP DEPASQUALE

Staten Island Ferry Facility  
Staten Island, New York

Monday,  
May 10, 2010

The above-captioned matter convened, pursuant to notice.

BEFORE: MICHAEL KARR  
Chairman, Preparedness and Response Group

## APPEARANCES:

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1 I N T E R V I E W

2 MR. KARR: Mr. Depasquale, I appreciate you letting us  
3 record this interview. I just started the tape device. So I am  
4 Michael Karr with the NTSB, and present on my side of the phone is  
5 Lenny Kinnear of the U.S. Coast Guard and Max Green of the  
6 National Transportation Safety Board. And we're interviewing  
7 Mr. Depasquale, who was on board the Staten Island Ferry Barberi  
8 on the morning of, Saturday morning, May 8th.

9 Mr. Depasquale, we're conducting an NTSB investigation,  
10 which is a safety investigation. The reason I'm talking to you  
11 is, you know, we're trying to look at how your injuries may have  
12 been prevented and how they occurred, you know, so that we can put  
13 together some facts and maybe draw some conclusions to make -- to  
14 improve transportation safety.

15 MR. DEPASQUALE: I'll help you out as best I can.

16 INTERVIEW OF PHILIP DEPASQUALE

17 BY MR. KARR:

18 Q. All right. I'd like you to do most of the talking, so  
19 tell me the story about -- you know, start out by telling me what  
20 you were going to do that day when you boarded the Staten Island  
21 Ferry and then tell me what you observed, and if you can  
22 intermingle, you know, your actions with your observations of  
23 where the vessel was.

24 A. Sure. I was -- I work for the New York City Department  
25 of Sanitation. I'm a sanitation worker. And I had reported to

1 Manhattan that morning to the Department of Sanitation, New York  
2 City, to a medical clinical and I was just leaving there and  
3 getting on the ferry to come back to Staten Island.

4           And basically, the ride was, you know, uneventful up  
5 until I would say the last few minutes of docking. And as far as  
6 I -- I was actually on my cell phone and just as we were coming  
7 into the dock -- I was up front maybe, I would say, 10 feet, maybe  
8 15 feet, the most, from the front of the ship -- well, both ends,  
9 front or rear, I don't know, you know, what terminology you would  
10 use to describe the front or rear.

11           Q.    They use -- they call them the Manhattan end and the  
12 Staten Island end.

13           A.    Oh, I see, okay. So, yeah, I would say that I was on  
14 the Staten Island end of the ferry, like I said, about 10, 15 feet  
15 from the front of the ship. There were several people around me  
16 and I was right near the staircase leaning -- pretty much trying  
17 to lean against the wall.

18                   Excuse me one second? Excuse me one second, I'm sorry.

19           Q.    Sure.

20                   (Pause.)

21           MR. DEPASQUALE: And I just, like I said, I was on my  
22 cell phone and was talking to a friend of mine, and I heard a few  
23 people scream and I sort of like got a peripherals and my body, I  
24 felt the vessel accelerate. It seemed not to slow down but to  
25 accelerate and sort of -- when I turned around, I noticed that,

1 you know, we were coming in faster and faster and faster. And  
2 there was really not much time to react.

3 And next thing I know, I was up in the air, on the  
4 floor, hit the wall with my head. I rolled down the stairs and I  
5 don't really remember much after that except that the paramedics  
6 were asking me information, my name and whatnot, and I was trying  
7 to, you know, help them out as best I could.

8 Next, I was on a -- when I woke up, I was on a  
9 stretcher. They had my neck strapped. I couldn't move. I was  
10 wondering why I couldn't move, and, you know, I woke up in the  
11 hospital and I was pretty much there for about, I don't know, 7 to  
12 10 hours. And I guess they ran a series of tests and whatnot, you  
13 know. I'm not really sure exactly what the story was there. I  
14 was initially very dizzy. I had a lot of blurred vision and, you  
15 know, I was just nervous about the whole thing. I didn't know  
16 exactly what took place. And that's pretty much it.

17 Q. I'm thinking of some follow-up questions for you.

18 A. Sure.

19 Q. Tell me about exactly where you were when you were on  
20 the cell phone? I'd like to position you on the vessel. I've got  
21 a sketch.

22 A. Schematic?

23 Q. I've got a schematic of the vessel. Were you by chance  
24 -- well, no, let me --

25 A. I was more to the left side of the vessel on the Staten

1 Island end near the -- pretty much right near the doors that  
2 opened to the, you know, the exit way.

3 MR. KARR: Was that --

4 MR. KINNEAR: Right near the top.

5 BY UNIDENTIFIED SPEAKER:

6 Q. Were you on the main deck or were you by the ramps?

7 A. I believe it was the main deck.

8 Q. Okay.

9 BY MR. KARR:

10 Q. All right. I'm writing this down so that -- I'll be  
11 with you in just a second.

12 A. Sure, sure.

13 Q. I know you told me that you were unconscious. Let me  
14 walk -- let me try and figure out exactly when that was. When you  
15 rolled down the steps, were you still conscious?

16 A. I felt myself in motion, yes. Of course, there was a  
17 lot of people flying in different directions. I saw people -- my  
18 eyes were open, and like I said, I sort of -- after that, I  
19 remember the fire department was all over me and, you know, asking  
20 me questions and there was actually one -- I think she was with  
21 the ferry personnel there. She stayed with me most of the time.  
22 She was actually trying to speak to me, and I don't know if I  
23 answered all her questions. At the time, like I said, I don't  
24 really remember much of what happened after we hit.

25 Q. Could you describe her for me?

1           A.    She just -- I mean, she seemed like a nice lady.  She  
2 had a pleasant voice.  She told me that she was with the -- she  
3 said something about being -- you know, I'm here to help; I'm with  
4 the crew, something like that.  And she was trying to reassure me  
5 that, you know, everything's going to be okay.  You're not alone  
6 and everything's going to be taken care of, you know, pretty much  
7 that's what she kept repeating the same thing over and over again.

8           Q.    I interviewed who I think you are talking about.  Can  
9 you describe what color hair she had?

10          A.    Brunette.  I think, brunette.  Tall, I think.

11          Q.    All right.  And are you pretty sure, are you very sure  
12 that it was the fire department people that assisted you?

13          A.    That's what I heard, yeah.  That's what I heard and,  
14 like I said, I opened my eyes a few times and I had seen, you  
15 know, clearly that it was -- you know, they were dressed in full  
16 fire, you know, fire department equipment.

17          Q.    Do you remember how you left the vessel?

18          A.    Not entirely.  I woke up and I was being carried by  
19 several fireman, and they were strapping me in tight and they were  
20 telling me -- they put oxygen -- I had an oxygen mask on.  You  
21 know, like I said, I couldn't move, so I was -- I woke up startled  
22 as to what's going on.  I don't know, you know, where am I going;  
23 what am I doing?  Of course, they were -- you know, it was just a  
24 mad -- it was chaos, actually, for a few minutes that -- when I  
25 woke up, it seemed chaotic.



1 (Phone rings.)

2 BY MR. KARR:

3 Q. Can you excuse me for a second, sir?

4 A. Sure.

5 MR. KARR: Safety Board, Michael Karr speaking.

6 No, he left me a voicemail --

7 MR. GREEN: He'll right back with you Mr. Depasquale.

8 MR. DEPASQUALE: Sure. Sure.

9 BY MR. KINNEAR:

10 Q. Oh, while he's on the phone, I have a quick question for  
11 you. You said you were on a cell phone and you heard screaming.  
12 Was it the passengers screaming or did you think it was crew  
13 members screaming?

14 A. From all I can see, there was an elderly couple that  
15 were outside the -- they were actually outside the doors on the  
16 front, and I think they were the ones -- either they were  
17 screaming or someone near them was screaming and -- just to my  
18 left that was.

19 Q. Okay. You didn't hear any horn blowing or anything from  
20 the ferry, did you, or any alarms or any bells going off before  
21 the hit?

22 A. You know, I'm not really sure. I mean, it's possible.  
23 I might have heard something. I'm not really sure if there was a  
24 horn. I don't think so.

25 Q. Okay. And you felt the ferry gaining speed? You felt

1 it kind of going a little faster than normal?

2 A. Oh, yeah. No, it definitely seemed to accelerate  
3 rapidly rather than slow down. I don't know, I mean, I watched  
4 the news. They said it was mechanical failure or something, the  
5 engine braking system wasn't -- didn't work properly. They said  
6 that, you know, it was the same ship that had crashed several  
7 years ago, I think 2003, so --

8 BY MR. KARR:

9 Q. This is Mike Karr. Do you take the ferry often?

10 A. Yes, I do. And, you know, it's -- that's what that -- I  
11 never expected it to crash again after what happened in 2003.

12 Q. Well, let me -- you're a good person to ask this  
13 question for, ask this question of. What would you recommend that  
14 the Staten Island Ferry people do, based on the fact that they did  
15 have the 2003, they now had this, I mean, how can they protect  
16 people like you from, you know, falling down stairs and stuff like  
17 that?

18 A. I don't know, create an airbag system throughout the  
19 entire ship that inflates prior to impact that senses -- I don't  
20 know.

21 Q. All right. Anything else?

22 A. No, that's about it. I mean, that's about the best I  
23 can tell you. I mean, the stairs are hard, the walls are hard. I  
24 don't know, pad the whole ship.

25 Q. Now, were you on the stairs or you were at the bottom of

1 the stairs?

2 A. I was just at the top of the stairs just before the  
3 doors, like I said.

4 Q. All right. How would you feel about -- how would you  
5 feel if the Staten Island Ferry people implemented a safety rule  
6 that said no one could be forward of the ramps or stairs?

7 A. Yeah, I mean, that's up to you as far as implementing,  
8 you know, new safety measures or whatever. But me personally  
9 after that, I'd rather not take the ferry ever again.

10 Q. Oh, really?

11 A. Yeah.

12 Q. Now that's interesting.

13 BY MR. KINNEAR:

14 Q. From what you remember, do you remember the deckhands  
15 being helpful? Did they -- or it's just that woman that stayed  
16 with you?

17 A. It was just the one woman that seemed to be, you know,  
18 concerned about me. Maybe she saw me fall and hit the wall. I  
19 don't know. I don't recall exactly, but she seemed to -- not only  
20 myself, but I guess she was probably trying to help everybody. I  
21 don't know. She wasn't with me the entire time, that I remember  
22 anyway.

23 Q. I just got one more. You take the ferry a lot and I  
24 take -- and I'm usually a good ferry -- I'm on there too. Do you  
25 remember hearing the warning about the stairs that they always

1 play?

2 A. I'm sorry, what was that? I didn't --

3 Q. You know the warning that comes on after they leave a  
4 dock to stay off the stairs? Did you ever hear that? It comes on  
5 right after they leave a dock and it says warning stay off the  
6 stairs?

7 A. Yeah. No -- yeah, they have the audible warning that,  
8 you know, they want no one on the staircase or landing. I've  
9 heard it myself, yeah.

10 Q. Okay. I mean, on that day, you didn't happen to hear it  
11 before that, did you?

12 A. You know, I don't know if they played the -- usually  
13 that's -- there's a -- I know what you're talking about. It's  
14 like a pre-recorded message that says the ferry is docking --

15 Q. Right.

16 A. -- and, you know -- it's more -- you know, it's  
17 either -- usually -- it's a male voice or a female voice, but I  
18 know exactly what you're talking about. I don't actually know if  
19 that went off to tell you the truth. I don't think I heard any  
20 message that morning.

21 Q. Okay. And like you said before, you didn't hear any  
22 alarms, no bells?

23 A. No. I don't recall any alarms or any bells or any  
24 warning system or any information whatsoever, you know. And, you  
25 know, it's funny because I was on my phone so if there was, I

1 probably wouldn't have been able to continue the call because it's  
2 so loud you usually can't speak on the phone, you know, while it's  
3 going off.

4 Q. Okay.

5 BY MR. KARR:

6 Q. So that's an interesting fact. So you were able to  
7 continue your cell phone conversation right up until the accident?

8 A. Yes. And I know from the past that when the thing goes  
9 off, you know, the audible message that's sent, I usually say,  
10 listen, I'll call you back, whoever I'm talking to, because you  
11 can't hear yourself; it's that loud.

12 Q. Would you mind giving us the name or having your friend  
13 call us that you were talking to?

14 A. Oh, sure. I mean, I'd have to ask him if that's okay  
15 with you. I mean, that's fine, but --

16 Q. I would like to do that. I think it would be  
17 interesting to talk to him to see if he recalls anything unusual,  
18 you know, on your end.

19 A. Yeah, the last thing I said to him was I said, oh, shit,  
20 you know, the ferry's crashing, you know, as -- and I turned  
21 around and that was -- you know, he said, what, you know. And  
22 that was, you know -- that was like my -- like I said, it happened  
23 real quick. So that's about the only thing he's going to be able  
24 to testify to or, you know, explain is my last words to him.

25 Q. Well, and what I'd ask him is if he heard a ship's

1 whistle in the back or a ship's horn.

2 A. All right. I mean, yeah, I could ask him. I could give  
3 him your information --

4 Q. Yeah.

5 A. -- and have him call you.

6 Q. Oh, yeah. Because I'm thinking, you know, he's -- you  
7 know, if I was talking to someone and all of a sudden I heard a  
8 loud noise, I would recall that.

9 A. Yeah. No, I definitely -- I'll definitely ask him. And  
10 like I said, if he did, I'll have him call you. That's no problem  
11 at all. I mean, I don't think -- you know, now in recollection, I  
12 really don't think that I heard anything because, you know, it was  
13 just so sudden and there was really nothing else, no other noises  
14 that I heard, you know, that would have, you know, interfered with  
15 my conversation.

16 MR. KARR: All right. Anything else?

17 MR. KINNEAR: No, I'm through.

18 MR. KARR: All right. I'm good too.

19 MR. DEPASQUALE: Well, I hope, I could have been helpful  
20 to, you know, to your investigation and, you know, I just -- it's  
21 unfortunate that the whole thing happened. It really is.

22 BY MR. KARR:

23 Q. No, it is. No, you've been helpful. You've given us  
24 facts. You know, what we're looking at is, we're looking at, you  
25 know, how the police, firemen and the ship's crew responded.

1 We're documenting where people got hurt, you know, so you've given  
2 us the position of where you were, so --

3 A. You know, I mean, of course, I hope to God that, you  
4 know, no one got hurt, I mean really seriously and -- you know, I  
5 mean, as far as the crew and everything else, I'm sure, you know,  
6 from what they were saying on TV, I'm sure it was just mechanical  
7 failure. I don't think anybody -- you know, negligence on the  
8 crew's part. I don't think that was the case from everything I  
9 watched afterwards.

10 Q. Yeah. Well, one of the things -- understanding that  
11 accidents do happen, you know, one of the things we're looking at  
12 is how people respond to that.

13 A. Yeah.

14 Q. You know, you got to think that if you're on a ship or,  
15 you know, you're going to lose -- you're going to lose propulsion,  
16 so how do you respond to that.

17 A. What do mean, as far as the accelerating you mean?

18 Q. Oh, well, yeah, or something -- yes. Yeah, if something  
19 unusual happens like you can't stop the ferry in time?

20 A. Yeah, I mean, it's -- you know, as far as my own  
21 personal, you know, response, you know, you feel hopeless.  
22 There's nothing you can do. You know, there's not enough time to  
23 react and, you know, like here it comes basically. I mean, that's  
24 my own personal feelings. There's nothing I could do to stop it.

25 Q. All right. Is there anything else you'd like to tell us

1 about that we have not asked for?

2 A. No. I mean, other than that, you know, I mean, the  
3 whole thing was very -- you know, it scared the shit out of me,  
4 I'll be honest with you.

5 Q. Well, I -- you're not the only one that we've talked to  
6 that said that.

7 A. Okay. Well, you know, I mean, that's got to be the  
8 overall consensus because, you know, I never -- you know, of  
9 course, you know, you never expect something like that to happen  
10 and it took me completely by surprise.

11 Q. All right. Do you have Mr. Green's phone number so you  
12 can call him back with that other cell phone number?

13 A. Yes, I do, yes.

14 Q. Okay, good. So, I'd really appreciate it if you could  
15 reach out to your friend and ask him to give us a call.

16 A. I will. I will definitely.

17 Q. Okay. Well, we're going to say goodbye to you then. We  
18 appreciate your time and hope you get better.

19 A. Thank you so much. No problem. I hope I was helpful.

20 Q. You were. And let me give you my office number in case  
21 you want to talk to me again.

22 A. Sure. Sure. Go ahead.

23 Q. My number is 202-314-6455.

24 A. 6455.

25 Q. But that's -- when I get back to Washington, that's my



1 office number. But when you get that information about your  
2 friend, have -- you know, give Max Green a call, and you've got  
3 his cell phone.

4 A. Okay.

5 MR. DEPASQUALE: All right, gentlemen, thank you.

6 MR. KINNEAR: Thank you very much.

7 MR. GREEN: All right, Mr. Depasquale, thank you very  
8 much for your time. We appreciate it and you hold on to my  
9 contact information so if there are any questions or anything  
10 comes up, don't hesitate to call me, all right?

11 MR. DEPASQUALE: All right, Max, take care.

12 MR. GREEN: All right, take care.

13 MR. DEPASQUALE: Take, care bye-bye.

14 MR. GREEN: Bye.

15 (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:                   ANDREW J. BARBERI  
  Staten Island, New York  
  Interview of Philip Depasquale

DOCKET NUMBER:                   DCA-10-MM-017

PLACE:                                Staten Island, New York

DATE:                                 May 10, 2010

was held according to the record, and that this is the original,  
complete, true and accurate transcript which has been compared to  
the recording accomplished at the hearing.

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Christina H. Neilson  
Transcriber