



**HUMAN PERFORMANCE FACTORS GROUP CHAIRMAN'S
FACTUAL REPORT**

Human Performance Attachment 5 – Interview with Bus Aide

Baltimore, Maryland

HWY17MH007

(46 pages)

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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SCHOOL BUS/COMMUTER BUS CRASH IN
BALTIMORE, MARYLAND ON
NOVEMBER 1, 2016

Accident No.: HWY17MH007

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Interview of: ROBIN SIMMONS

Offices of Harvey Greenberg
29 West Susquehanna Avenue
Suite 700
Towson, Maryland

Friday,
November 4, 2016

APPEARANCES:

RAFAEL MARSHALL, Ph.D., Human Performance Investigator
National Transportation Safety Board

THOMAS BENDER, Detective, Investigator in Charge
Baltimore City Police Department

PAUL McMILLIN, Sergeant
Traffic Division
Baltimore City Police Department

RYAN NAGLIERI, Detective
Criminal Investigations Unit
MTA Police

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I N T E R V I E W

1
2 DET. BENDER: Okay. Good afternoon. This is Detective
3 Thomas Bender of the Baltimore City Police Department. I'm a
4 member of the crash team.

5 We're here in reference to a fatal accident that occurred on
6 November the 1st, 2016 at approximately 6:30 in the morning. It
7 happened in the area of 3900 block of Frederick Avenue, which is
8 within the City of Baltimore.

9 Present with me are several investigators who are party to
10 this investigation. And at this time this is just simply an
11 interview because you were an alleged occupant of one of the
12 involved vehicles. So we'll do a couple things here. So present
13 is counsel for the witness.

14 Sir, if you could identify yourself and just identify this
15 location for us where we're at.

16 MR. GREENBERG: Sure. Harvey Greenberg. My office, that's
17 where we're at, 29 West Susquehanna Avenue, and it's in Towson,
18 the ZIP is 21204.

19 DET. BENDER: And the suite number again is?

20 MR. GREENBERG: 700.

21 DET. BENDER: Fantastic. Okay.

22 So the other parties that are present with us for this
23 interview that are with me, the police and other investigators,
24 one is a sergeant with the Baltimore Police Department. Sir, for
25 the sake of the tape, I'm going to ask that everybody speak

1 loudly.

2 SGT. McMILLIN: Sergeant Paul McMillin, Traffic Division.

3 DET. BENDER: Okay. And the other two investigators present
4 in the room?

5 DET. NAGLIERI: Detective Ryan Naglieri, MTA Police, Criminal
6 Investigations Unit.

7 DR. MARSHALL: Rafael Marshall with the National
8 Transportation Safety Board.

9 INTERVIEW OF ROBIN SIMMONS

10 BY DET. BENDER:

11 Q. Okay. Most importantly, ma'am, if you could just for the
12 sake of the tape give us your full name, spell it out.

13 A. Robin, R-o-b-i-n, Simmons, S-i-m-m-o-n-s.

14 Q. Okay. Ma'am, what is your current address?

15 A. [REDACTED].

16 Q. I'm sorry. What is that street?

17 A. [REDACTED].

18 Q. [REDACTED].

19 A. Yes.

20 Q. Can you spell that, please?

21 A. [REDACTED].

22 Q. No problem. Ma'am, what is your date of birth?

23 A. [REDACTED].

24 Q. No problem. And what is your Social Security number?

25 A. [REDACTED].

1 Q. No problem. Ma'am, do you have a good contact phone number?

2 A. Yes.

3 Q. What's that phone number, ma'am?

4 A. [REDACTED]

5 Q. No problem. Can you say that just one more time, because I'm
6 a little low of hearing?

7 A. [REDACTED].

8 Q. And is that your cell phone number?

9 A. Um-hum.

10 Q. Okay. So a couple things first off. We notice that if you
11 can describe for us how you're seated today, because I notice it
12 appears you're still suffering some injuries from this incident.
13 So --

14 A. Yes. I'm sitting in two chairs, my left leg in one due to my
15 ankle and my hip, and the rest of my body in the other.

16 Q. Okay. Are you currently under any medication?

17 A. Yes.

18 Q. Okay. Can you describe that medication you're taking right
19 now?

20 A. It is ibuprofen, oxycodone, and a baclofen.

21 Q. Okay. Now you've mentioned several medications you're
22 taking. Now have you -- you have taken them today, correct?

23 A. Yeah.

24 Q. Okay. Now you are present here, and do you feel that any one
25 of those would prohibit you from thinking clearly?

1 A. No.

2 Q. Okay. Just a simple question. Now have you taken them the
3 other days prior to this already?

4 A. Yes.

5 Q. Okay. So you're aware of how it kind of affects you, so you
6 do feel that you're able to think clearly and respond and talk
7 with us, ma'am?

8 A. Yes.

9 Q. Okay. Describe for us the injuries that you were treated for
10 on the date of this crash, ma'am?

11 A. It starts at the top of my head, my forehead, and the side of
12 my face, my neck, my shoulders, my back, my hip, and my ankle and
13 my foot.

14 Q. Can you just -- forgive me, because we're just recording
15 this. You pointed to a hip. Can you describe which hip that was?

16 A. My left hip.

17 Q. Okay. And you said your ankle, which ankle was that?

18 A. My left ankle.

19 Q. Okay. And you pointed to something else, what was that?

20 A. My left hip, back. I think it was like my ankle and my
21 foot -- the top of my foot, my left foot.

22 Q. Okay. Now -- no problem. These injuries, are they -- is it
23 just strains or do you have any broken bones that you're aware of?

24 A. Not that I'm aware of.

25 Q. On the date of the crash, you received medical treatment; is

1 that correct?

2 A. Correct.

3 Q. Do you remember which hospital they took you to?

4 A. University of Maryland.

5 Q. And do you remember how you got to that hospital from the
6 scene?

7 A. In an ambulance.

8 Q. Ambulance. Were you the only patient in that ambulance, if
9 you recall, ma'am?

10 A. In the ambulance?

11 Q. Yes, ma'am.

12 A. No.

13 Q. You don't --

14 A. No, I was not.

15 Q. Okay. So I guess the first thing is, we'll let you explain
16 what you remember from that date. If you can just start from
17 where you feel comfortable and we'll kind of pick and poke from
18 there, fair enough?

19 And if -- most important thing here, ma'am, is I recognize
20 you are the one that suffered the injuries the other day, so --
21 I'm not going to sit here and be all sweet, but if we have to stop
22 for a moment, by all means, please, because you're the one that
23 did -- is obviously -- I'm sure you'd probably rather be at home
24 as well. So, (a) I thank you for this. And if you get to a point
25 where you just say, hey, I want to stop, please speak up and we'll

1 accommodate that, okay, ma'am?

2 A. Okay. It start like any normal other day. We actually had
3 came from one child's house. We were -- that child did not come
4 out. So that being said, I was marking my paperwork accordingly,
5 which means that my head was down.

6 Now in the morning we have to fill out all the names of the
7 kids that are on our sheet, so it was down for quite some time, I
8 guess; there were no children, though. So I felt -- the bus is
9 normally -- you know the city streets are, like, not really good,
10 so to bump and stuff is normal. So at that particular time I felt
11 a bump. Not -- it wasn't a bump that pushed us from left to right
12 or forward or backwards, but it was kind of abnormal. But it was
13 just only abnormal enough for me to turn around. Being as though
14 the seats are higher than me, I can't look straight.

15 So I look out the back of the MTA -- I mean, out of the
16 yellow bus. And we have like a little window in the back where
17 you can see kind of the ground, and I didn't see anything, like,
18 so -- but they're saying that we hit a Mustang. So that could've
19 very well been it, but we were just too strong to make a
20 significant feel. But I did -- while I was looking back I was,
21 like, oh, I don't see anything.

22 But I felt us like kind of accelerating. So protocol says if
23 anything is wrong with the bus, you got to like plant your foot
24 and get up -- you got to get up, plant your foot, and slide --
25 like slide the bus driver over. But anyway, it wasn't an

1 emergency in my mind at the time, but I did get up to plant my
2 foot and we crashed.

3 But I didn't tell you where I was sitting at. I was sitting
4 behind the bus driver. So honestly to be -- with me getting up, I
5 think that saved my life. Like, just in an instance -- but I
6 couldn't get up to do any -- nothing. Like I don't even remember
7 nothing after that, like.

8 Q. Okay.

9 A. I just remember a big crash.

10 Q. A little history. Have you ever been in a car accident
11 before, before this?

12 A. Um-hum, yes.

13 Q. Were they violent or were they just kind of minor fender
14 benders?

15 A. Minor fender benders.

16 Q. So when you were driving down the road -- well, more
17 importantly, so when you recalled this first bump you said you
18 were seated behind the driver, or --

19 A. Behind the driver, the exact seat behind him. And how that
20 goes is, his seat is taller -- I guess it would be like the back
21 of the seat is taller than me, but then his seat, it goes all the
22 way up to his head, so that's even taller. So I cannot see out.
23 I would have to lean to look either forward or backwards.

24 Q. Okay. So earlier you were leaning. So when you said this
25 initial, I guess, impact to the bus you felt enough that it drew

1 your concern. So you had to look out to your -- over your right
2 shoulder --

3 A. Yes.

4 Q. -- to look through the back of the bus?

5 A. Yeah.

6 Q. Okay. After the crash, do you remember how you got out of
7 the vehicle?

8 A. I remember getting up, seeing smoke, hurting. I looked up at
9 my driver and then I got out the back. I went out the back.

10 DET. BENDER: Could you see if your secretary could bring
11 some tissues in, sir?

12 MR. GREENBERG: Sure.

13 MS. SIMMONS: I think he was dead right then. Just like kind
14 of --

15 MR. GREENBERG: Take your time. Take a drink.

16 SGT. McMILLIN: Yeah, just take a drink. Just calm down,
17 yeah.

18 MR. GREENBERG: Take a breath. Just calm down.

19 DET. BENDER: Again, Mr. Greenberg, if you feel that in the
20 interest of your client if we should stop let us know.

21 MR. GREENBERG: You okay?

22 MS. SIMMONS: I'm fine. I mean, it's normal, not -- I want
23 you to know, but I can't help it.

24 BY DET. BENDER:

25 Q. Yes, ma'am. So prior to these collisions, so you were in the

1 seat immediately behind the driver and you said there was nobody
2 on the bus because you'd gone --

3 A. He didn't come out.

4 Q. Do you remember the address for that first stop, ma'am?

5 A. No, I don't remember it, but I might, I might have a paper in
6 here.

7 MR. GREENBERG: You're pointing to that one, the first one?

8 MS. SIMMONS: Um-hum.

9 DET. BENDER: Okay.

10 MR. GREENBERG: What is this?

11 MS. SIMMONS: This? A route sheet. This is -- that's
12 something -- we have to take the information on that paper and
13 transfer it onto another piece of paper.

14 DET. BENDER: Okay.

15 MS. SIMMONS: And that's what I was doing at the time
16 while --

17 MR. GREENBERG: I'll need a copy of that.

18 DET. BENDER: I'm sorry?

19 MR. GREENBERG: I'll need a copy, and you'll want a copy of
20 that?

21 DET. BENDER: Yes, yes.

22 MS. SIMMONS: That's something old, though. But --

23 MR. GREENBERG: That's old?

24 MS. SIMMONS: Yeah, that's old.

25 BY DET. BENDER:

1 Q. It's an old one? But it's the same addresses?

2 A. Yes.

3 Q. So I'm looking at a document here, it's titled the Baltimore
4 City School System.

5 A. Yeah.

6 Q. And it's got the contractor's name. It says Affordable
7 Transportation.

8 A. Yep.

9 Q. And just for the sake of the tape, forgive me, I'm just going
10 to point out that you produced this document and you presented it
11 for us to review.

12 A. Um-hum.

13 Q. So the address here it says the first stop was [REDACTED]

14 [REDACTED] And I'm assuming it's probably Baltimore City?

15 A. Yes.

16 Q. Now have you -- this route, have you -- is this a route that
17 you normally ride on the same day?

18 A. No, no. I have ridden on it more than once, but --

19 Q. Okay. So you are partially familiar with the route then?

20 A. Yes.

21 Q. Okay. Fair enough. So again, for the sake -- you said that
22 -- I guess -- you said you went to the first stop and you said
23 there was -- that the child was not there or wasn't ready to go to
24 school that day?

25 A. We only give them 3 minutes. So, no.

1 Q. Okay. Do you get off the bus or you just remain seated?

2 A. No. I remain seated. If a child is disabled, I can't -- I'm
3 not supposed to get off of the bus but I can meet them at the
4 steps.

5 Q. Okay. And actually that kind of goes on to one thing, can
6 you kind of describe your role as being an employee -- or at least
7 for this date, what was your role working for the bus company?

8 A. My role is to maintain safety on the bus so that the bus
9 driver can safely drive to and from his -- where he needs to take
10 the children. Now, being as though they're special needs
11 children, they need someone to -- you know, sit down, be quiet.
12 Also some of them are nonverbal, they can't speak. Some of them
13 need to be in seat belts, car seats, harness, and that's my job to
14 make sure that they are safe enough to be transported.

15 Q. Okay. Now your seat, do you know -- recall if it's equipped
16 with a seat belt or not?

17 A. My seat?

18 Q. Yes.

19 A. No. We don't have -- you only get a seat belt if you are
20 disabled and are required one, like by an IEP or something.

21 Q. Okay. And that would be something that you would --

22 A. Baltimore City School.

23 Q. -- you would fasten around that specific child then?

24 A. Yes. Yes.

25 Q. Okay. Ma'am, would it be a problem at the end of this

1 interview if we -- if your lawyer provides us with a copy of this
2 document?

3 A. I don't --

4 Q. Or you're saying this one -- this is an old --

5 A. That's old. That's outdated. Yeah.

6 MR. GREENBERG: But you can have a copy.

7 BY DET. BENDER:

8 Q. No problem.

9 A. Okay.

10 Q. Now will you -- so I guess at the start of each, each day do
11 you get a brand new route sheet?

12 A. When there are new changes.

13 Q. Okay.

14 A. Only when there's a change.

15 Q. Okay. So --

16 A. And there has been changes since that.

17 Q. Okay. So you mean that that day when you guys were
18 driving -- or that day when you left, there was an addition to the
19 route?

20 A. No. That's not -- that's an old paper.

21 Q. That's an old paper?

22 A. No. There was no differences in the route that day.

23 Q. Okay. Let's back up a little further then. So when you come
24 to work that day, do you respond to the bus facility there?

25 A. I come in. I clock in. I look to see if there are any

1 updates like that.

2 Q. Okay.

3 A. I take my folder. I wait -- if my driver is there, we both
4 leave out of the building and we get on our bus and proceed to our
5 route. If my bus driver is not there, I'll just have to wait a
6 little bit.

7 Q. Okay. And the address of the office, do you know what that
8 is, or where you guys report to in the morning?

9 A. 46 Franklin Town Road.

10 Q. Okay. So this morning -- or that -- the morning of the
11 incident, describe for us -- so do you remember what time you got
12 to work that day

13 A. Like 5:45.

14 Q. Do you know if -- do you have to sign into like a log sheet,
15 or how --

16 A. They can scan. They can scan.

17 Q. At the facility there, they scan you in?

18 A. Yes.

19 Q. Okay. And you said you got there about 5:45?

20 A. Yes.

21 Q. Do you remember if your driver was already there at that
22 point? If not, just say you don't remember, that's perfectly
23 fine.

24 A. He was there.

25 Q. So you went in, and part of getting ready was getting your

1 route sheet, ma'am; is that correct?

2 A. Yeah, there wasn't -- we didn't have any new route sheets.
3 We didn't have an update. So I just grabbed -- it's a case, you
4 know, so that we can be able to write on and put the information
5 inside.

6 Q. Like a clipboard or something?

7 A. Yeah.

8 Q. Okay. Now you said there's something else you write on for
9 your tour, during your tour of duty.

10 A. No. That's a guide so that we know what to do.

11 Q. Okay.

12 A. The piece of paper that we transfer the information on is a
13 guide for the city so they know what we did.

14 Q. Okay.

15 A. Because not every day do those kids come to school, not every
16 day do we have to pick them up. So that's like our "result for
17 the day" paper.

18 Q. Okay. And is that something you turn in at your --

19 A. At the end of the week.

20 DET. BENDER: At the end of the week. Okay.

21 SGT. McMILLIN: You turn back into the company?

22 MS. SIMMONS: Yes, to the company. And I believe they turn
23 it into Baltimore City.

24 BY DET. BENDER:

25 Q. Okay. But that's not this document?

1 A. No.

2 Q. This is your guide?

3 A. Yes.

4 Q. And then you have the results page that, you know --

5 A. Yes.

6 Q. -- hey, we picked up --

7 A. This person came, this person didn't come.

8 Q. Fair enough. So when you guys left the facility that
9 morning, it was just you and the driver on the bus at that point?

10 A. Yes.

11 Q. Okay. And typically, like, is there any requirements of you
12 to prepare the bus or anything, or is that on the responsibility
13 -- to the best of your knowledge, is that the responsibility of
14 the driver?

15 A. Yeah. It's not much that we have to do, that we have to
16 prepare for a run because pretty much everything is done in the
17 morning, except for like your basic bus driver check the bus, you
18 know.

19 Q. Now do you remember if this morning you guys had to stop and
20 fuel up the bus or not?

21 A. No, we didn't.

22 Q. Okay. So basically when you left the facility you guys went
23 directly to your first stop on, was it [REDACTED] ?

24 A. Yes.

25 Q. Okay. And after that stop, do you remember if between that

1 point and the accident, did you just stay on one road or were
2 there multiple turns between there and when the crash occurred?

3 A. No. Like I said, my head was down once we pulled off so that
4 I can mark absent --

5 Q. No problem.

6 A. -- and then I just completed the rest of the -- filled in the
7 rest of the people's names.

8 Q. Okay. So again you go to the first stop, the child is not
9 there. You continue down the road.

10 A. Um-hum.

11 Q. And then you just remember --

12 A. Like a --

13 Q. -- an impact. Does you, does your driver make any comments
14 or do you hear anything from him?

15 A. No, no, and that's -- that also -- like once I looked back,
16 I'm saying, hey, what was that? You know, normally somebody be
17 like, oh, that was just a pothole or, you know, just some kind of
18 response. So then I looked back, I didn't hear anything, and then
19 I'm like, hum. But then I'm like, hold up. You know, I kind of
20 was battling my own thoughts at the time. It was fast, so --

21 Q. Hey, listen, we understand it. Don't second guess yourself
22 at this point.

23 A. Right.

24 Q. There was just -- that was a lot for you to go through, so,
25 you know, don't --

1 A. So I get up. I brace my -- I mean, that's kind of like
2 common sense knowledge, you kind of get what you were taught with.
3 But I brace my foot to prepare if anything was wrong. And you're
4 supposed to put your foot at the -- there's a line that you're not
5 supposed to come across. You're supposed to put your foot there
6 to brace. That's just in case (a) you don't fly out the window,
7 and in case you got to put your -- force to move a bus driver
8 over, you know, push him out of the way so I can pull the
9 emergency brake. I didn't even get that far.

10 BY SGT. McMILLIN:

11 Q. Did you have -- just so, so you've been trying --

12 A. I didn't even -- yeah, but I didn't expect -- I prepared
13 myself but I didn't think that nothing was really wrong, you know.
14 And even before my brain got to switch to even -- we was crashed.

15 Q. Well, I'm glad you -- I'm glad you're well, okay. You're
16 sitting here with us today.

17 Well, Ms. Simmons, Ms. Simmons, let me ask you this question.
18 Did you speak -- did you -- I mean, do you know, do you know your
19 driver? What type of relationship do y'all have?

20 A. He was a -- he was a really nice guy to me.

21 Q. Can you tell me, tell me about --

22 A. Yeah, like, how our conversations go? Good morning. I mean,
23 we have some very intelligent children on our bus and, you know,
24 they give us laughs. We laugh together. We talk about, oh, wow,
25 I didn't expect that conversation to go that way. And he's like,

1 yeah, these kids these days are -- an older guy, just I got to get
2 home to my wife, I owe her some money, you know.

3 Q. Oh, so he --

4 A. My lady doesn't have to do a thing as long as she takes care
5 of me at home. You know --

6 SGT. McMILLIN: Okay. So --

7 DET. BENDER: So, is --

8 SGT. McMILLIN: Go ahead.

9 BY DET. BENDER:

10 Q. So is it fair to say that you worked with him other times
11 before enough to build a relationship up with him?

12 A. Even in the office, though, Like I don't have to go out on a
13 run to mingle with my co-workers. You know, during the morning
14 time a couple minutes, we're all waiting. Yeah.

15 Q. So then --

16 SGT. McMILLIN: Go ahead, go ahead --

17 BY DET. BENDER:

18 Q. In the times that you -- more importantly, I guess, how long
19 have you been with the company?

20 A. Since late August/early September.

21 Q. So I guess --

22 A. When school start.

23 Q. I'm sorry?

24 A. When school started.

25 Q. When school started, okay. So was there like a lag time of

1 when you applied and when you started working or --

2 A. Um-hum.

3 Q. Do you recall if it was a couple days or a couple weeks?

4 A. Like it's tricky because we go to class held by Baltimore
5 City. So I guess the company decides whether they're going to
6 hire you or not hire you, and then they send you to the class
7 before they can actually hire you. So that's certification class.

8 Q. Okay. And what --

9 A. I went there probably a week before I started.

10 Q. Okay. And where was that held at, ma'am?

11 A. Asquith. I do not have an exact number, but they know.

12 Q. But it's a city school property?

13 A. Yeah. Citywide or something on Asquith.

14 Q. Okay. And I see your --

15 A. That's the certificate right there.

16 DET. BENDER: -- lawyer has produced a document here.

17 MR. GREENBERG: It gives you the time.

18 DET. BENDER: I'm sorry?

19 MR. GREENBERG: It gives you a date, August.

20 DET. BENDER: Okay. So I see it says certificate of
21 completion. It's Baltimore City Public Schools, Office of Pupil
22 Transportation and it's you, Robin Simmons.

23 MR. GREENBERG: Are you okay?

24 MS. SIMMONS: It's just beating hard.

25 BY DET. BENDER:

1 Q. Again, would you have a problem with when we leave we get a
2 photocopy of this document?

3 A. No.

4 Q. Okay. Thank you.

5 So you went to this training. How many days was that, ma'am?

6 A. One day, 8 -- 1 day, 8 hours.

7 Q. Eight-hour training. And do you remember if it was like a
8 test or basically just a --

9 A. Oh, yeah. We go in, we get our ID, our fingerprints. We're
10 given paperwork. We fill out -- like they give us case scenarios
11 of problems that they have had within the years, and they let us
12 figure out how we would -- you know we fill it out. And then they
13 will go over with the whole group and say that was right, you were
14 right, why did you pick that. Like they were really -- you know,
15 they really (indiscernible).

16 Q. So when you were saying these were special need students,
17 describe that a little bit. Does it mean they're unruly or a far
18 range --

19 A. They -- it's a far range.

20 Q. It's a very broad word?

21 A. You have children that people say are bad or rowdy or unruly;
22 they're called Level 5, behavioral students. And then you have
23 mentally, physically, like it's disabled children. It's a wide
24 variety.

25 Q. Okay. Now with that in mind, what protocols were in place, I

1 guess, if you know, on behalf of the company that you work for or
2 the school that -- so, say, you're en route and you have an issue,
3 what was the way to seek help, if you know?

4 A. Depending on the issue, but generally we have like write-up
5 sheets. First --

6 Q. I mean, more importantly, like if you need immediate help,
7 like there's a --

8 A. The bus driver will pull over. We will call the -- we would
9 call the police and the company.

10 Q. Okay. Now do they provide you with a phone or is that
11 expected you just use your phone?

12 A. They -- they actually give us a choice. They have phones for
13 us.

14 Q. Okay. Now on the day of this crash, do you remember if you
15 had your personal phone?

16 A. My personal.

17 Q. Oh, you didn't have a work phone with you that day?

18 A. No.

19 Q. Okay.

20 A. That's just what happened that day.

21 Q. Okay. I see, I see you holding up your phone. It looks like
22 it survived a little war there.

23 A. We came out the same, just a little bit broken.

24 Q. Now I guess -- so, let's see here, we've kind of covered your
25 duties.

1 A. And this was lighting up on the bus. This was lighting up.
2 That's why I grabbed it. It was the only -- like out of all
3 the, you know --

4 Q. Like a call was coming in, or --

5 A. I don't know. I don't even know, but things are like blurry
6 after something like that.

7 MR. GREENBERG: You mean after the crash?

8 MS. SIMMONS: Yeah, after the crash.

9 BY DET. BENDER:

10 Q. Okay.

11 A. But the phone just was lighting up, so I grabbed it and
12 left.

13 Q. I got you.

14 A. And it's a good thing.

15 Q. I'm sorry. I'm just --

16 A. I'm sorry if I (indiscernible).

17 Q. -- thinking through.

18 BY DR. MARSHALL:

19 Q. So I have a few questions here. I was just wondering, you
20 mentioned that you've worked with the driver before?

21 A. Um-hum.

22 Q. How often? I mean, how many times?

23 A. Probably like three times before that.

24 Q. And during that -- during those times did he ever talk about
25 like his personal life, or --

1 A. The only thing personal I knew about him is that he loves his
2 wife.

3 SGT. McMILLIN: He loved his wife?

4 MS. SIMMONS: And that's it, like.

5 DET. BENDER: What's her name?

6 MS. SIMMONS: I don't know. His baby, my boo boo, my love,
7 my wife, that is how he referred to her. Hold on, let me -- you
8 know, if we get to a school early, he'd get off the bus and be
9 like and my boo boo is calling. And I'd be like, okay.

10 BY DR. MARSHALL:

11 Q. Yeah. Did he -- did you ever notice him like taking any
12 medications or anything like that?

13 A. No. Nope. I've been thinking and thinking and thinking, and
14 nothing.

15 BY DET. BENDER:

16 Q. Have you personally witnessed him have any type of medical
17 issues? Like is he --

18 A. No.

19 Q. When he walks and you watch him walk, does he seem like he
20 moves freely?

21 A. Yeah. He got a little bop like he's young. Yep, he was a
22 cool, like a cool cat, you know.

23 Q. Now have any other employees, had they ever expressed
24 anything to you, or concerns, or --

25 A. No. But he wasn't -- he wasn't like mentionable, you know,

1 like -- you know when people have problems or issues or people --
2 bad stuff people talk to other people about for some reason.

3 DR. MARSHALL: Yeah. Did he have any, any close friends in
4 the company?

5 MS. SIMMONS: I wouldn't know. The only -- only when I got
6 on that bus did we get any type of personal, and that was just
7 like my wife is calling or I got to get home to my wife or -- and
8 in the office we may share laughs over, you know, general
9 conversation. Like -- I don't know, about just certain little
10 things.

11 DET. BENDER: Do you know if he -- he lived with his wife or
12 if she lived with him?

13 MS. SIMMONS: Yes. Because he'd be like he got to get home
14 to his baby, yeah.

15 SGT. McMILLIN: I got you.

16 DET. BENDER: Do you know what side of town that was on?

17 MS. SIMMONS: No.

18 DET. BENDER: No.

19 BY SGT. McMILLIN:

20 Q. Did you hear any, any rumors about your driver?

21 A. No. I'm -- no. Like the older people -- like I kind of go
22 to work and leave. Like I don't stick around and --

23 Q. You didn't pay any --

24 A. Yeah, to hear and to even lend an ear, so --

25 Q. Okay. So you only worked with him three times?

1 A. Yeah, about three times.

2 BY DR. MARSHALL:

3 Q. So usually when you're done with a route, what happens after
4 that?

5 A. I finish the paperwork -- well, with him, he would let me off
6 before he parked the bus just so that I won't have to walk through
7 the dirt and stuff.

8 Q. Okay.

9 A. So I'll get off early, walk into the building, make sure my
10 paperwork is done, push it down -- put my finger on the scanner
11 and leave.

12 Q. Okay. What would the bus driver do, would you know?

13 A. Just pretty much the same thing, make sure his bus paperwork
14 is complete, put his finger on the scanner and leave, unless you
15 want to stay and talk and --

16 BY DET. BENDER:

17 Q. Okay. How did you get to work? Did you have a personal
18 vehicle, ma'am?

19 A. No. I caught a ride, paid for rides or the bus. Very rarely
20 catch the bus though.

21 Q. Are you all right? I saw you kind of like --

22 A. Yeah. I'm okay.

23 Q. Now, do you know if your driver just -- how did he get to
24 work, ma'am?

25 A. No.

1 DET. BENDER: Okay.

2 SGT. McMILLIN: I --

3 DET. BENDER: It's okay. Go ahead.

4 SGT. McMILLIN: No, no, no, she answered it, about his -- you
5 just got on -- you just came to work, met him at the yard, got on
6 the bus.

7 MS. SIMMONS: Yeah.

8 BY DET. BENDER:

9 Q. Now again back to -- I think we've kind of covered a lot, and
10 thank you.

11 A. You're welcome.

12 Q. So we have this first collision or impact and you look over
13 your shoulder. What do you do after that, or -- so you said -- I
14 think earlier said you kind of like, hey -- you were like, hey,
15 what's up or something, or --

16 A. Yeah. But my mistake is I didn't say, hey, what's up? I was
17 turned that way. I'm like, hey, what just happened? Now mind
18 you, I'm looking -- I don't know if y'all know how the yellow bus
19 windows are --

20 Q. Yeah.

21 A. -- but there's like a small window at the bottom where you
22 can look right the ground.

23 Q. Yeah.

24 A. And my -- I was just trying to see if anything was back
25 there, and I did not see a Mustang. But that doesn't mean that it

1 could not have been pushed to the left or the right. Because,
2 mind you, I looked straight back.

3 Q. I got you. And when you said that -- or when you kind of
4 shouted out, you were looking backwards --

5 A. Yeah.

6 Q. -- so more than likely your voice traveled to the back of the
7 bus?

8 A. Yeah. Yeah.

9 Q. Do you remember if he had the radio on that morning?

10 A. Nope. I remember. No.

11 Q. And do you have -- I remember the Chief buses I used to ride
12 would have like little fans and stuff. If they were running on
13 that bus, do you remember if it was to the point that he couldn't
14 hear you?

15 A. I don't think the fan was -- it's cool. I don't think
16 anything is on. The bus is pretty loud though.

17 DET. BENDER: Okay. I remember that.

18 BY SGT. McMILLIN:

19 Q. So when you were sitting in the back of him, you didn't see
20 him at all? You couldn't see physically --

21 A. No, I can't see him. No, I can see the back where he is, you
22 know.

23 Q. But you couldn't -- you didn't see no parts of his body?

24 A. No.

25 Q. No parts of his body where you were sitting at?

1 A. No.

2 SGT. McMILLIN: Okay.

3 DR. MARSHALL: Can you tell me -- I'm sorry.

4 BY DET. NAGLIERI:

5 Q. No, I'm sorry. I don't want to interject too much. I'm just
6 kind of here to listen. But I just want to clarify, when you said
7 you braced yourself, you know, you got -- did you actually stand
8 up?

9 A. Like, dang, I wish I could show you.

10 Q. Or did you remain seated and kind of like this?

11 A. No. Like it's -- within the -- all right, how you
12 standing ---

13 Q. Right.

14 A. -- slightly go over, like a little bit up. Yep, I was --
15 yep, I was almost up.

16 Q. You were like this?

17 A. Yeah.

18 Q. So you were off the seat?

19 A. Hand planted on the other seat on the other side.

20 Q. On the other side?

21 A. Yes.

22 Q. Okay.

23 A. Basically I'm trying to get my -- I'm trying to --

24 Q. So you're like bracing --

25 A. I'm trying to brace --

1 Q. You're like between the seats like this almost?

2 A. Yeah, like I was getting up.

3 Q. Okay. I just wasn't familiar with --

4 A. Before I even -- before I even get to -- you know, because my
5 goal is to look in his face, like just to look around, you know.
6 But I just got to make sure -- you can't stand up on the bus
7 without making sure that you don't fall.

8 Q. Yeah, and like he has that mirror above him.

9 A. Yeah.

10 Q. Did you ever get a chance to look at --

11 A. No, and I --

12 Q. And I know you said it happened fast, so like --

13 A. And I regret -- I felt like instead of doing that, I should
14 have did that.

15 Q. No, no, no. It's a very good thing that you did what you did
16 because obviously you're sitting here. Okay?

17 A. Right.

18 DR. MARSHALL: Where did -- you said that that was taught to
19 you. Could you tell me where, where you learned to do that?

20 MS. SIMMONS: My job, at Affordable.

21 DR. MARSHALL: So that was, that was part of the 8-hour
22 training?

23 MS. SIMMONS: Yeah. Yeah. But actually my job actually went
24 over it with me like physically themselves, like, on the bus, and
25 they showed me where -- because we got different buses, they

1 showed me where the brakes were on it, you know, because they look
2 different.

3 BY SGT. McMILLIN:

4 Q. Emergency brakes?

5 A. Yeah.

6 Q. In case your driver has an episode --

7 A. Yeah.

8 Q. -- you know I got to pull the brake?

9 A. Yeah.

10 Q. Okay.

11 A. And I don't know if this is important or not, but they showed
12 me that about 2 days before the accident.

13 Q. Now why did they show you that 2 days before the accident? I
14 mean -- no, I mean, what --

15 A. I didn't ask. I just --

16 Q. And who showed you that? What was his name?

17 A. Lonnie.

18 Q. Lonnie?

19 A. Let me get you a last name. Lonnie Purcell or Purnell (ph.).

20 SGT. McMILLIN: Okay.

21 DET. BENDER: Is Lonnie a male or female?

22 MS. SIMMONS: A man.

23 DET. BENDER: Black or white?

24 MS. SIMMONS: Black.

25 SGT. McMILLIN: And what did he -- how did it just come up?

1 What did he, he just --

2 MS. SIMMONS: A lady at my office, Ms. Tracy Ferguson, told
3 him to show me. And she's like the boss.

4 SGT. McMILLIN: Did she just say to show her --

5 MS. SIMMONS: He's a driver. Lonnie's just a driver, but
6 he's a good driver, experienced driver. So --

7 DR. MARSHALL: And you were the only one that was shown how
8 to do this? Was there anybody else there as well?

9 MS. SIMMONS: Not with me. Oh, Mr. -- my bus driver, he was
10 on the bus.

11 DET. BENDER: Can you say that one more time just because the
12 gong --

13 MS. SIMMONS: My bus driver was on the bus while Lonnie was
14 showing me.

15 SGT. McMILLIN: So are all aides taught this or was it just
16 you?

17 MS. SIMMONS: I don't know about by the company, but
18 Baltimore City does.

19 SGT. McMILLIN: Baltimore City instructs all aides to know
20 how to pull the emergency brake?

21 MS. SIMMONS: Emergency brake, yes.

22 SGT. McMILLIN: Okay.

23 BY DET. BENDER:

24 Q. Okay. Now when Lonnie showed you, did this happen at the lot
25 or was this when you were getting the --

1 A. At the lot.

2 Q. At the lot, okay.

3 When the first collision happened, prior to that collision,
4 did anything draw your attention that something may have been a
5 problem? Like did you hear him braking or did he try to swerve or
6 any --

7 A. No. I didn't -- no. I didn't see -- I didn't hear no
8 screech. I didn't --

9 Q. No horns?

10 A. That's another reason that made me so kind of lax, you get
11 what I'm saying? Because, like I said, the city is shitty.
12 Excuse me. The streets, like we go -- we dag on near -- you know,
13 the kids hop up out their seats how bad the grounds can be. So
14 being as though there was nothing -- like no help or a screech or
15 nothing to go with it, I thought about it a little bit too long.

16 BY SGT. McMILLIN:

17 Q. So backup to the day. So you met him on the bus. Did y'all
18 say hello?

19 A. Um-hum.

20 Q. Did he say good morning?

21 A. Um-hum. He said, you ready? I said, sure am.

22 Q. So when you got on the bus --

23 A. He said, let's go.

24 Q. So when you got on the bus with the driver, the conversation
25 just stopped? Did you --

1 A. Yeah, no, we don't -- uh-uh. The kids make us talk.

2 Q. I'm talking about the day of the incident.

3 A. No. We don't really conversate unless they say something
4 funny and we like, oh, man, did they really just say that? We
5 don't really -- he doesn't -- we into different things, kind of.
6 So unless something -- a kid or I say, excuse me, I need to get
7 off the bus to go speak to somebody, we don't really --

8 Q. So there's no conversation?

9 A. Yeah, unless we're late and he be like, I got to get home to
10 my wife, you know.

11 BY DET. BENDER:

12 Q. I got you. Was -- when you went to get on the bus was he
13 already on the bus and was it started, or did you have to wait for
14 him to maneuver it or can you explain that?

15 A. The bus was parked by the store. It was already out of the
16 lot. I was looking for him. As a matter of fact, I saw him. He
17 asked me was I ready, I said yes. And I went into the store
18 because I didn't see him again, so I was trying to hurry up and
19 get something from the store.

20 Q. Where's the store at?

21 A. You know what -- the store is across the street. Like the
22 bus -- okay. I'm sorry. My job, the lot is in the job and on the
23 side of the job. But the bus was pulled on the side of the store,
24 which is across the street from my job.

25 Q. Okay.

1 A. But I ran to the store. The store wasn't open so I -- the
2 bus was right there though. So I looked on the bus. He wasn't on
3 the bus. I asked somebody had they seen my driver. They said he
4 went back into the office. So I just got on the bus. And usually
5 they have it running, heating up. So it was running and heating.

6 Q. And then he came back to the bus --

7 A. Yep, and got on and we left.

8 DET. BENDER: Gentlemen?

9 DET. NAGLIERI: What?

10 DET. BENDER: You're the one that hasn't asked that many
11 questions.

12 BY DET. NAGLIERI:

13 Q. No, that's okay. Did you ride with the same bus driver every
14 day? Did you have a set schedule of what driver you had?

15 A. No. I am what you call a floater.

16 Q. Okay.

17 A. And kind of what that is, is everybody basically has --
18 there's a bus driver and a bus aide for each route.

19 Q. Okay.

20 A. Everybody is not promised to come in --

21 Q. Right.

22 A. -- so they have floaters. Now I did a little office work
23 too, so I really didn't mind it.

24 Q. Right.

25 A. So what I would do is come in, in the morning, and put my

1 finger on the scanner, and 9 times out of 10 I wouldn't go out.
2 But they give us 2 hours just for, you know, coming in and being
3 available.

4 Q. Right, okay.

5 A. So that was -- that's my exact job description.

6 DET. NAGLIERI: Okay.

7 DET. BENDER: Another thing is, so there's an a.m. route;
8 would you and that same driver do the afternoon route?

9 MS. SIMMONS: Yep. Unless the driver was not in or -- unless
10 the driver didn't come, we would switch drivers. But if they aide
11 who originally had that run came in, I would just be sitting and
12 waiting, I guess hoping that someone else had a run or I'd just
13 get my 2 hours.

14 SGT. McMILLIN: And you say you only rode with him three
15 times?

16 MS. SIMMONS: Yeah, to my, to my memory, yeah.

17 SGT. McMILLIN: And the three times you rode with him no
18 incidents, nothing happened?

19 MS. SIMMONS: No. I mean normal stuff, like, hey, you guys
20 didn't tell us you got a new kid on the bus or something --
21 nothing that -- healthwise.

22 DET. NAGLIERI: His driving never bothered you? Nothing --
23 like too hard on the stops, sudden acceleration or --

24 MS. SIMMONS: No, the bumps just, you know. That's it.
25 That's the worst thing about the bus.

1 BY DR. MARSHALL:

2 Q. How long did it take you -- so right after the crash, could
3 you describe where you found yourself right after the crash?

4 A. See, that's tricky because I really didn't pay attention to
5 where I was, like --

6 Q. Okay.

7 A. All right. I saw my seats. I was looking at the other side
8 of the -- the left side of the bus when I woke up. I lift my body
9 up. I remember that --

10 DET. BENDER: So you were knocked out?

11 MS. SIMMONS: -- to stand up. Yes. Like I lift my body up
12 to stand up. It's not like I was sitting and just stood up. I
13 didn't even look around me for like -- I just get up. I seen my
14 bus driver's face, I see him dead, like. And I just screamed.

15 I turned to the back of the bus, I look up. I see the
16 emergency exit. I'm trying to get us out. I turn back, I look at
17 him. I start screaming and crying because I know I cannot get
18 him. I run to the back -- I run out the back of the bus. I fall
19 out the bus. I get up. I just start screaming, help, help, help.
20 I'm trying -- oh, no.

21 I get up -- when did I see my phone? By my bus driver. I
22 looked up and I looked down. Saw my phone is -- wound up, up
23 front. I tried to tap him. He ain't wake up. I turned around
24 and looked up at the ceiling. I don't know why I did that, and I
25 don't even know why I remember that, but it's a escape, it's --

1 and I just ran out the back, opened the door, fell, got up,
2 started screaming.

3 I was trying to dial -- my body was just like shaking. I got
4 the dial -- my eyes, I'm trying to adjust my eyes to the scenery.
5 I see a lady. I'm like help, come on. I'm trying to get her to
6 go come with me down to the bus. She's like, no, back up, come
7 back. Like everybody is trying to get me away from the bus. I'm
8 trying to tell them to go get my bus driver. Nobody's going
9 (indiscernible).

10 BY DR. MARSHALL:

11 Q. Can you, can you just continue on with what happened after
12 that?

13 A. So the lady -- I'm swearing, I'm -- I get -- I got the phone
14 to my ear. I'm dialing 911. The lady keep on talking about where
15 I'm at, and I don't know where I'm at. I'm looking for a street
16 sign. I'm trying to walk to a street sign. I can't find a street
17 sign. I'm getting upset. I'm just screaming help. They just
18 ignored it, the 911 lady.

19 A lady is like we got him, we got him, we called the police.
20 We got -- all right. So I let my phone go and I just sit down. I
21 just lay down in the grass. And a lady come over and she get me
22 up and she tell me I got to stand, get up. Like, come on baby get
23 up, I called them. And then she like put me on -- and she -- I'm
24 like we got to go get my driver, he's stuck on there. And then I
25 hadn't -- while she's like, you know, trying comfort me, she's

1 relax, and I just called my job.

2 My job's number is stored in my phone. And I told them they
3 got to come on, it's an emergency. And they come. And then he
4 take -- my boss -- well, it's not even my boss. I just kept
5 calling him my boss because I know they wouldn't let him nowhere.
6 And he a paramedic too.

7 BY DET. BENDER:

8 Q. Who's that?

9 A. Mark Williams.

10 Q. Okay.

11 A. He came in. He made sure I was okay, you know, like did some
12 stuff. And I'm just panicking, I guess. And I'm trying to help
13 this pregnant girl that's beside me. Like she was like 36 weeks
14 pregnant. I'm trying to get over me, but I'm trying to help her.
15 She's like bleeding. Her leg was gashed open. I think her leg
16 was broken here and stuff. So I'm -- I don't know, I'm trying to
17 see if my bus driver is okay. I'm just trying to do so much. I'm
18 just -- I'm sitting down though. I want to get up and I want to
19 help and I just can't.

20 Q. Now, you said you yourself were trying to call 911?

21 A. Um-hum.

22 Q. Do you remember if you got through?

23 A. Yes.

24 Q. Okay.

25 A. The lady just kept asking me where I'm at.

1 Q. All kinds of questions?

2 A. Where I'm at.

3 DET. BENDER: Okay. Rafael?

4 BY DR. MARSHALL:

5 Q. Do you still have the time of that 911 call? Is it still
6 stored on your phone?

7 A. It should be. It's horrible calling 911 when you're in an
8 emergency. That was the worst feeling ever, I couldn't tell her
9 where I was at.

10 Q. I know.

11 A. And I couldn't get to a place. I said a cemetery.

12 DET. BENDER: And, ma'am, just to reiterate, we realize this
13 is actually going kind of long, so if you get to a point where you
14 just say you've had enough, you know, I realize that, you know --

15 MR. GREENBERG: How much more do you think, guys?

16 DET. BENDER: We're almost done.

17 SGT. McMILLIN: Yeah, I'm done.

18 MR. GREENBERG: Almost finished up then?

19 SGT. MCMILLIN: Yeah, we'll wrap this up after she gives us
20 what time she called 911. If we have any follow-up questions --

21 MR. GREENBERG: Just get a hold of me.

22 SGT. McMILLIN: Get a hold of you?

23 MR. GREENBERG: Or Gary, either one. You've got Gary's
24 number, right?

25 SGT. McMILLIN: Yeah, he has my cell number.

1 DET. BENDER: Have your secretary give us a couple cards as
2 we leave, sir.

3 MR. GREENBERG: I'll give you some.

4 DET. BENDER: Thank you.

5 MR. GREENBERG: Okay. How are you doing?

6 MS. SIMMONS: Fine.

7 MR. GREENBERG: Are they in any kind of time order?

8 MS. SIMMONS: Yes.

9 MR. GREENBERG: Show me.

10 MS. SIMMONS: I missed a call, and then they called me back.

11 DR. MARSHALL: It's right there. It was 6:28 a.m..

12 SGT. McMILLIN: 6:28.

13 DET. BENDER: Is there a date timestamp with that?

14 DR. MARSHALL: It's November 1st, 6:28 a.m.

15 DET. BENDER: Okay.

16 DR. MARSHALL: Okay. And then they called you back you said?

17 MS. SIMMONS: That's the private number.

18 MR. MARSHALL: Okay. So they called her back at 6:30 a.m.

19 MS. SIMMONS: Yeah.

20 MR. MARSHALL: Okay. Thank you very much.

21 SGT. McMILLIN: All right. Well, I think, Detective Bender,
22 I think we're done.

23 DET. BENDER: All right. I just have a couple things.
24 So everything that you provided to us today was knowingly,
25 voluntarily, and willingly; correct, ma'am?

1 MS. SIMMONS: Yes.

2 DET. BENDER: Okay. Fair enough. And actually, since you
3 have counsel here, I'll give Mr. Greenberg the opportunity -- do
4 you have any questions you want to ask of us or just anything you
5 want to maybe help your client with, sir?

6 MR. GREENBERG: No.

7 DET. BENDER: Okay. Fair enough. And, ma'am, just one last
8 chance for you. Is there anything else that you feel we should be
9 aware of, ma'am?

10 MS. SIMMONS: No.

11 DET. BENDER: All right.

12 SGT. McMILLIN: All right, well, this concludes the
13 interview.

14 DET. BENDER: Okay. Well, for the record it's now
15 approximately 4 p.m. It's still November the 4th, 2016, and this
16 concludes the interview of Ms. Simmons.

17 (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: SCHOOL BUS/COMMUTER BUS CRASH IN
 BALTIMORE, MARYLAND ON
 NOVEMBER 1, 2016
 Interview of Robin Simmons

DOCKET NUMBER: HWY17MH007

PLACE: Towson, Maryland

DATE: November 4, 2016

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.

Elizabeth M. Cochran
Transcriber