

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of: \*

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METROLINK GRADE CROSSING ACCIDENT \*

OXNARD, CALIFORNIA \* Docket No.: HWY-15-MH-006

FEBRUARY 24, 2015 \*

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Interview of: RICHARD BROWN

Amtrak Offices  
Los Angeles Union Station  
Los Angeles, California

Friday,  
March 13, 2015

The above-captioned matter convened, pursuant to notice.

BEFORE: TED TURPIN  
Accident Investigator

## APPEARANCES:

TED T. TURPIN, Accident Investigator  
National Transportation Safety Board

KENNETH BRAGG, Human Performance Investigator  
National Transportation Safety Board

MIKE GALVANI  
Safety Task Force  
Brotherhood of Locomotive Engineers and Trainmen (BLET)

CHAD SKINNER, Local Chairman  
BLET Division 20, Los Angeles

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Rail Operations Safety Branch  
California Public Utilities Commission (CPUC)

ERIC SMITH, Superintendent of Commuter Operations  
Amtrak

RICHARD PENNISI, Operations Compliance Officer  
Metrolink

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I N T E R V I E W

1  
2 MR. TURPIN: My name is Ted Turpin. Today is  
3 March 13th, 2015 and we're at the Amtrak Offices at Union Station,  
4 Los Angeles interviewing the student engineer in connection with  
5 an accident that occurred at Oxnard, California, February  
6 24th, 2015. The NTSB accident number is HYW-15-MH-006.

7 Do you understand that this interview is being recorded?

8 MR. BROWN: Yes.

9 MR. TURPIN: All right. Thank you.

## INTERVIEW OF RICHARD BROWN

10  
11 BY MR. TURPIN:

12 Q. If -- we'll just start with, tell us what happened.

13 A. Do you want me to begin when we went on duty?

14 Q. Sure.

15 A. On-duty time, I believe, was 4:26. Arrived  
16 approximately 5 minutes prior to that. Went in the trailer. As  
17 usual, I was the first one there. Threw my old orange away from  
18 yesterday, sat down at the trainmaster's table, because it's a  
19 small trailer, and I think shortly after I arrived, Vince got  
20 there, got the paperwork ready.

21 I can't remember if it was that day or the day before,  
22 we had issues; he had to call for another set of paperwork or  
23 whatnot. Once we got that organized, if it was that day, went  
24 out, got the equipment ready, did a Class 2 in the siding. Shoved  
25 out, pulled into the station, loaded the passengers. I shoved

1 back out, proceeded on signals to Oxnard Station. I arrived  
2 Oxnard on a clear signal.

3 Left Oxnard, delayed in block. Came around the corner.  
4 It was a green signal at South Oxnard, I think it's CPC 0406. So  
5 I took the signal indication on a clear, just started down the  
6 railway. And then I believe I started whistling at the whistle  
7 board. I then -- I noticed something possibly fouling the tracks  
8 -- I couldn't tell -- so I went to idle. I looked closer. It  
9 appeared that there was a light, possibly two. I couldn't tell at  
10 that time because they weren't directly on the crossing. They  
11 seemed to be more towards the train and at an angle. It was kind  
12 of hard to see.

13 If I remember correctly, I grabbed a hold of the  
14 automatic and I started asking my instructor, Glenn Steele, I  
15 asked him -- I believe my words were, "Is that a fucking car?"  
16 And as he said yes, I applied the emergency brake. And as soon as  
17 I did that, he said let's get out of here. Didn't have time to  
18 reach for the radio, call emergency, or warn Vince or anything.

19 Got out of the seat, went to the hallway. I grabbed  
20 onto the stainless steel pole at the top of the stairs, and it  
21 would seem like forever before we hit the -- whatever it was on  
22 the tracks. I couldn't -- I still didn't know what we had hit at  
23 that point because it was dark and I just -- by the time I noticed  
24 it was headlights is when I dumped it.

25 Q. Okay.

1           A.    So, keep going?

2           Q.    Absolutely.

3           A.    Yeah.  It seemed like forever until we hit the --  
4 whatever the obstruction was at the time.  Now I know that it was  
5 a truck, but -- it was pretty rough, very loud, and it felt like,  
6 at that point, the nose of the cab car started to lift up off of  
7 the rails.  So I started holding on tighter.  It felt that we were  
8 starting to lean towards the left side, and at that point, it  
9 really got bad.  It got rough.  We could feel it.  Pretty much, it  
10 felt like it was -- the cab car was plowing down nose first into  
11 the ballast or the dirt.  We didn't know if we were still on the  
12 rails, going into the ties or off.  But at that point it felt like  
13 we started to spin and then we turned on our sides.

14                   And after we came to a stop, I was still pretty much  
15 holding onto the pole.  It kind of beat me up.  Hit the -- I  
16 busted my chin pretty good, hit the front of my head, hit the back  
17 of my head.  At one point I had hit my leg.  I'm not sure on what  
18 at the time.

19                   And when we stopped, Glenn was laying -- we were right  
20 side of the cab car down against the rocks.  So we were laying on  
21 our right-hand side.  Glenn was laying on the window pretty much.  
22 He was behind me at the impact and now he was pretty much ahead of  
23 me.  So he had tumbled forward at some point, bounced around and  
24 he was sitting there, and he was -- he wasn't screaming, but he  
25 was pretty much saying that he thought he broke his back.  He

1 couldn't -- his ribs were hurting on his one side and he like --  
2 you know, he was complaining that he couldn't move. He was saying  
3 that his -- he thought his back was broken.

4           After I wrapped my head around kind of what happened,  
5 started to smell gas and I started to smell smoke. And Glenn was  
6 laying there and I know if you broke your back, you're not  
7 supposed to move him, so I told him just to lay there, just  
8 concentrate on his breathing, just remain calm. I was trying to  
9 go see if we could get some help.

10           We had a -- what's called a wheelchair cab car. There's  
11 no seats pretty much on the lower level. It's all gutted for  
12 wheelchairs. Since we're on a cab car, there's no way out of the  
13 nose of the cab, and I was worried that we were possibly on fire  
14 because I smelt the gas and the smoke. So I proceeded to the --  
15 to go out to the end -- the other end of the car, the B end. The  
16 windows were useless because half of them were in the rocks and  
17 the other half you couldn't reach. They were too high up and then  
18 you couldn't -- it'd be kind of hard to get people out if we had  
19 to go out of the top.

20           So I proceeded to the B end, crawled out, and that's  
21 when I noticed that the fire was coming from the -- whatever we  
22 had struck, the truck on the crossing, and it was a decent length  
23 away from the locomotive. The locomotive didn't look to -- appear  
24 to be in danger or anything of catching fire and I noticed none of  
25 the cars were on fire. And at that point I could tell people were

1 already pulling over off the side of the road, helping other  
2 people out of the other cars. So I decided to go back to the cab  
3 car and help people get out of the cab, to get as many people as I  
4 could out of the cab car that were able to, so when the emergency  
5 responders got there, the paramedics, firemen, whatever, that they  
6 would be able to get to Glenn as soon as they could.

7           Time-wise, I'm kind of -- I don't -- I have a hard time  
8 remembering when, like, the paramedics got there. I believe the  
9 police got there first, but I'm not sure. But I was helping the  
10 people out of the car until the -- I believe it was the fire  
11 department came and they told me to -- they wanted me to stand on  
12 the rails and help people over the tracks to the -- they had a  
13 zone set up for where they were giving first aid to already.

14           So I escorted a couple people and probably did that for  
15 a couple passengers. And when they started to go into the cab car  
16 and pulling people out, I was telling them that Glenn was -- from  
17 what I saw from the passengers, Glenn was the most hurt, and he  
18 was in the nose of the cab on the upper floor on the other end and  
19 this was the only way to get in and out and he was probably the  
20 worst shape of anyone, seeing what his injuries were.

21           And then, I could already feel my jaw swelling up. It  
22 was -- it felt like a baseball lodged in there. And then by the  
23 time the paramedics got all the passengers out, they came around  
24 to me and asked me how I was doing and I told them that I was -- I  
25 had some neck pain a little bit and I had a headache, like a real



1 bad migraine from hell and that my jaw was hurt. So then they  
2 gave me a little tag and then later put me on a stretcher and took  
3 me to the hospital.

4 Q. Okay. Good. Do you remember which hospital?

5 A. Yeah. They took me to -- I believe it was St. John's.  
6 I don't know if it was Memorial or whatever after that, but  
7 St. John's in Oxnard, I believe.

8 Q. And that was by ambulance?

9 A. And that was by ambulance, yes.

10 Q. Did they treat you at all on the scene?

11 A. They put a neck brace on me and put me on a stretcher.  
12 That was the extent of it. They asked me, you know, if I could  
13 move my legs and my hands and stuff, and I could at the time. You  
14 know, I didn't have no problems with that.

15 Q. Okay. So you were standing when the collision happened?

16 A. Yes.

17 Q. Do you recall where Engineer Steele was? Was he  
18 standing or sitting?

19 A. He was ahead of me. He was the first to exit the cab,  
20 and I pictured him -- he turned around at one point and I believe  
21 he went between the seats to hold on. There wasn't a lot to --  
22 you know, the seats have grab holds on each seat, but I think he  
23 went between the seats where the cushion was. If I didn't grab  
24 onto the pole, that would be the first place I would have went  
25 too.

1 Q. Okay.

2 A. Yeah. So he was behind me when we had impact, so I  
3 don't know exactly what he was doing.

4 Q. Once it laid on its side, he would have been more  
5 towards the bottom of the car?

6 A. Yeah. By the time we stopped, he was laying pretty much  
7 to my right-hand side against the window, right pretty close to  
8 the cab car door.

9 Q. Right or your left?

10 A. To my right. Because we were laying on our right-hand  
11 side. I was holding on and he was pretty much right to my  
12 right-hand side, kind of, pretty much below me.

13 Q. So you think he came forward, then?

14 A. He did come forward at one point, yes. Because he was  
15 behind me when we had impact, and by the time I realized we had  
16 stopped, he was just barely ahead of me.

17 Q. Did you help anybody get out of that car at that time or  
18 did you just get yourself out to start with?

19 A. When I first got out, it was just me alone. The other  
20 passengers, I was asking everybody as I was going through and  
21 they're like -- you know, their arm was hurting or their leg, but  
22 it seemed like everybody at the time was up and able to move. You  
23 know, I was more worried about the fire and being able to see if  
24 we could get out of the B end if it wasn't obstructed, because the  
25 A end you cannot get out of.

1 Q. And you stayed on that -- you stayed at the upper level  
2 walking out?

3 A. No. I went on -- to the lower level, because the upper  
4 level had seats and when -- I was like, oh, there's no seats on  
5 the bottom. It was easier for me to walk through. I walked  
6 through on the lower level of the car --

7 Q. Okay. So you --

8 A. -- on the windows.

9 Q. So you went forward a little bit, dropped down into the  
10 lower area?

11 A. Yeah. I was right at the stairs, so I dropped down into  
12 the stairs and then walked a little --

13 Q. Do you remember was there a bicycle there?

14 A. Yes, there was a bicycle there.

15 Q. Do you remember seeing the conductor?

16 A. Yes. Vince was up in the upper level. We had -- I  
17 don't know if he was up there before we had impact, but when we  
18 stopped, he was right there. That was the first time I had seen  
19 him.

20 Q. Okay. So he didn't go down first; you went down first?

21 A. I went down first, yes.

22 Q. Okay. And then -- was there anybody down in that  
23 wheelchair area?

24 A. I don't recall seeing anyone, no.

25 Q. Okay. So then you walked out, crawled out through the

1 back of the car, you dropped to the ground. Were emergency people  
2 there when you got out of the car at all?

3 A. No.

4 Q. They hadn't arrived yet?

5 A. They hadn't arrived. It was just -- from what it  
6 appeared to me, it was just people pulling off the side of the  
7 road helping people.

8 Q. So when you say you helped people come out of the car,  
9 were you also the adjacent car as well? Did you go to that car  
10 too?

11 A. I didn't -- no, I did not. I noticed that people were  
12 starting to come out of that car at that time. And all the other  
13 cars, there were people that started to come out. That's why I  
14 went back to the cab car because there was nobody really helping  
15 anyone out. I wanted to get them out so we could get Glenn.

16 Q. Okay. And who showed up to help with the cab car?  
17 Police first or emergency responders, fire?

18 A. I believe a passenger was helping me at first and then  
19 -- I don't recall. I believe the police reached the scene first  
20 and I had told them what had -- you know --

21 Q. Yeah.

22 A. -- that we hit something, we derailed, and the engineer  
23 was in the worst shape that I could see and where he was.

24 Q. Do you remember Vince coming out of the car?

25 A. I do not remember Vince coming out, no.

1 Q. Okay. We'll go back just a little bit on the accident  
2 itself or prior to the accident. You said you dropped the  
3 throttle to idle.

4 A. Dropped the throttle to idle, yeah.

5 Q. And then you yelled at Engineer Steele. Had he said  
6 anything before that or you started --

7 A. No.

8 Q. -- the conversation?

9 A. He -- I started the conversation. He had not said  
10 anything yet.

11 Q. And his answer to you was? What do you remember?

12 A. I don't know his exact words, but basically, he  
13 responded yes or I think he said yeah.

14 Q. Okay. And you had already big-holed it by then?

15 A. And then, as I was big-holing it, I remember he said  
16 plug it, you know, as I was -- yeah.

17 Q. Okay. Almost simultaneous, plug it --

18 A. Yeah.

19 Q. -- you were doing it?

20 A. Because as he said it, I could see like, no, it was --  
21 it looked like a vehicle at that time on the tracks. I could tell  
22 that it wasn't just --

23 Q. Okay. How far away do you think you were?

24 A. Oh, let's see. I think we had already crossed -- blew  
25 at the whistle board, so --less than 1,000 feet, to me.

1 Q. Yeah.

2 A. With the dark, I don't really recall if I had to -- I  
3 would assume it would be about 1,000 feet.

4 Q. Did you happen to look at the speed real quick when  
5 you --

6 A. No.

7 Q. -- plugged it?

8 A. No, I did not.

9 Q. Do you think it slowed at all?

10 A. We could feel it catching and starting to slow down from  
11 the emergency. When we -- as we were leaving --

12 Q. Yeah.

13 A. -- as we were on there, we could feel it start to -- and  
14 it seemed like forever before we hit.

15 Q. Okay. Just kind of a general question. Have you big-  
16 holed one before, Metrolink equipment?

17 A. Only in the yard for air tests, if we were having  
18 trouble getting air, but not in -- on the main line.

19 Q. All right. So you --

20 A. A situation like that.

21 Q. -- you may not have a feel for how long it would take  
22 one to stop then --

23 A. No.

24 Q. -- once you big-hole?

25 A. No.

1 Q. Okay. That's fair.

2 MR. TURPIN: I skipped something earlier, so I want to  
3 make sure everybody says their name and title that's sitting here  
4 in the room. But this is a good break point and then we'll come  
5 back and we'll double back on this section. Ken will get a  
6 chance. We can start --

7 MR. SKINNER: Chad Skinner, BLET, Local Chairman  
8 Division 20 in Los Angeles.

9 MR. GALVANI: Mike Galvani, BLET Safety Taskforce.

10 MR. BRAGG: Kenny Bragg, NTSB, Highway Safety.

11 MR. SMITH: Eric Smith, Amtrak Superintendent.

12 MR. PENNISI: Rich Pennisi, Metrolink Compliance  
13 Officer.

14 MR. CARDIFF: Matt Cardiff, California Public Utilities  
15 Commission, Rail Safety Branch.

16 MR. WOOLSTENHULME: Scott Woolstenhulme, Operating  
17 Practices, FRA.

18 MR. TURPIN: All right, great. Now we'll -- oh, you,  
19 yeah.

20 MR. BROWN: Oh, Richard Brown, student engineer,  
21 Metrolink Amtrak.

22 MR. TURPIN: We overlook things sometimes we already  
23 know, you know, but -- anyway. Now we'll go around the room and  
24 do some follow-ups. Ken was really anxious right here, so go  
25 ahead.

1           MR. BRAGG: We'll talk about the incident -- and then  
2 we'll back up to the other stuff -- first, is that good?

3           MR. TURPIN: We do just the incident on this go-around.  
4 Yeah.

5           MR. BRAGG: Okay, great.

6           BY MR. BRAGG:

7           Q. So let's go back to when you first saw something on the  
8 track. You said that you put it in idle; is that correct?

9           A. Correct.

10          Q. And had you passed the whistle board at that point?

11          A. I believe so.

12          Q. You believe so. And what was your first inclination?  
13 When you first saw it, what did you think it was?

14          A. I wasn't sure. It appeared to be a light, but it almost  
15 looked like two lights facing different directions. It didn't  
16 look like an automobile or -- it almost looked like maybe a  
17 maintenance-of-way guy was parked too close to the tracks or  
18 something. It didn't appear -- I couldn't tell if it was on the  
19 tracks. I know it may have been fouling at the angle it was at,  
20 but I couldn't tell what type of obstruction it was.

21          Q. And was the track straight at that time or were you in a  
22 curve?

23          A. The tracks were straight at that time, yeah.

24          Q. And which way were the lights facing? Were they facing  
25 directly towards you or off to one side?



1           A.    They appeared to be facing the right-hand side.  Of my  
2 right-hand side is what they appeared to be.

3           Q.    So that's where the lights were shining at, on your  
4 right-hand side, or were the --

5           A.    They appeared to be facing my right-hand side.  As we  
6 got closer and I noticed there was a car, yeah, they were --  
7 seemed like they were facing the right-hand side.

8           Q.    And were these lights just steady on or were they  
9 flashing?  Did you notice anything like that?

10          A.    I didn't notice if they were flashing or not.  They just  
11 looked like they were constantly on.

12          Q.    And you saw them before Glenn did; is that correct?

13          A.    Yes.  I believe so, because he didn't say nothing until  
14 I said something.

15          Q.    Now, how long between -- when you say there's a light,  
16 there's something on the track and you actually realize it was a  
17 vehicle?  A few seconds?

18          A.    A few seconds, yeah.

19          Q.    Was it --

20          A.    It was almost like as soon as I asked him, I could tell  
21 like, oh.  Then I could notice it was -- yeah, it was just a few  
22 seconds.  It wasn't very long.

23          Q.    And that's when you dumped it, correct?

24          A.    Yes.

25          Q.    And after you dumped it, what did you do?

1           A.    As soon as I dumped it, Glenn said let's get out of  
2 here, and so I just got up and got out of the chair.

3           Q.    And Glenn left first?

4           A.    Glenn was ahead of me, yes.

5           Q.    And were you right on his heels?

6           A.    I'd say about 2 feet behind him.

7           Q.    And so you -- and you left with some urgency then?

8           A.    Yes.

9           Q.    Yeah.  I would imagine.

10          A.    Yeah, because -- yeah, if he said let's get out of here,  
11 I, you know, trust his experience.

12          Q.    Did you -- have you ever had any experience for  
13 something fouling a track in the past?  I mean, was that your  
14 first one?

15          A.    Not as an engineer.

16          Q.    Not as an engineer?

17          A.    No.  Besides from close calls with people, you know,  
18 wanting to cross in front of you at the last minute, nothing  
19 vehicle-wise.

20                MR. BRAGG:  That's all I have right now.

21                MR. TURPIN:  You could add for clarification, anything?

22                BY MR. SKINNER:

23          Q.    Just did you have any trouble getting out because of the  
24 two seats being there?  Did it slow you down or --

25          A.    I had more trouble getting out of the seat itself

1 because it's so close to the console.

2 Q. Right.

3 A. I had to squeeze through there.

4 MR. TURPIN: You're talking the engineer's seat?

5 MR. BROWN: The engineer's seat, yeah.

6 MR. TURPIN: Yeah. Does it swivel or do you just pull  
7 up?

8 MR. BROWN: And I'm kind of a big guy and I had to --

9 MR. TURPIN: Does it --

10 MR. BROWN: It does swivel, but I didn't want to take  
11 the time to try to find the little, itty bitty knob to -- I didn't  
12 know long that would take.

13 UNIDENTIFIED SPEAKER: Was it locked in position?

14 MR. BROWN: It was locked in position, yes.

15 UNIDENTIFIED SPEAKER: And you had locked facing forward  
16 or to the --

17 MR. BROWN: Facing forward.

18 MR. TURPIN: And it has arm rest down?

19 MR. BROWN: Yes.

20 MR. TURPIN: Do they pull up?

21 MR. BROWN: They do pull up, yes.

22 MR. TURPIN: Were you able to --

23 MR. BROWN: I do not recall if I pulled it up or left it  
24 down.

25 MR. TURPIN: Got it.

1 MR. BROWN: But they do lift up, yes.

2 MR. TURPIN: Okay, great.

3 BY MR. SKINNER:

4 Q. Do you remember which side Glenn -- when you were  
5 running towards the B end, did he go to the right?

6 A. Let's see. We went to -- I guess it would be the  
7 engineer's side of the cab.

8 Q. Okay. So he went --

9 A. He stayed on --

10 Q. So he didn't --

11 A. -- the side where the door was at. Yeah, he stayed  
12 in --

13 Q. And you held that pole that's right outside the cab car  
14 there?

15 A. Yeah. The one that connects to -- right on the top of  
16 the stairs, yes. The vertical pole.

17 MR. TURPIN: Were you -- I'm sorry. Were you still  
18 holding the pole after the car tipped over or --

19 MR. BROWN: Yeah. I was holding on that pole as hard as  
20 I -- my -- yeah.

21 MR. TURPIN: Right. So you didn't --

22 MR. BROWN: Especially when we start to --

23 MR. TURPIN: You didn't get thrown down onto the ground  
24 or down into the seats?

25 MR. BROWN: No, but I was kind of still bouncing around.

1 I still believe I bounced off the seat because --

2 MR. TURPIN: Right.

3 MR. BROWN: But I was still holding on and my head was  
4 bouncing off of it more than anything, it seemed like.

5 MR. TURPIN: Okay. Thank you. I'm sorry. Mike?

6 BY MR. GALVANI:

7 Q. I know that your experience is kind of limited to being  
8 a short time in the seat, but is that something that they normally  
9 do is vacate the cab whenever there's going to be an impact or  
10 have you heard -- have you experienced that in the past or --

11 A. No.

12 Q. Is it -- just curious, it was --

13 A. As a conductor, I -- usually they say if it's something  
14 big like, you know, a dump truck, cement truck, something like  
15 that, you always run.

16 Q. Right.

17 A. But at that time we couldn't tell what it was.

18 Q. Yeah.

19 A. We just -- you know, by the time we noticed it was two  
20 headlights, I couldn't tell if it was a small car or what it was.

21 Q. As far as the equipment that you're in, do you consider  
22 that equipment to be pretty safe for crashworthiness or --

23 A. I don't know if I have the expertise to answer that. I  
24 know the --

25 Q. That's fair.

1           A.    We have multiple -- the seat being too close to the  
2 console is sometimes a concern, especially when the doors don't  
3 open. The cab car doors sometimes do not open.

4           Q.    Um-hum. Okay. That's all I have.

5           A.    Luckily it opened that time.

6           MR. TURPIN: Eric?

7           BY MR. SMITH:

8           Q.    Yeah. Just, I think I've got it clear in my head. So  
9 first of all, let's go back to the seat. Do you normally lock it  
10 in place?

11          A.    I normally lock it in place, yeah.

12          Q.    You don't let it swivel and just kind of  
13 (indiscernible)?

14          A.    No. I do not, no.

15          Q.    And that's something you've been doing all along as a  
16 student?

17          A.    Yes.

18          Q.    I'm surprised to hear that, actually. I thought we all  
19 just kind of went with the flow. So, that's interesting.

20                    When you left and Glenn was behind you -- or Glenn was  
21 ahead of you first, right?

22          A.    As we were running out?

23          Q.    Yeah.

24          A.    Yes, Glenn was ahead of me.

25          Q.    Did he go into the two seats, the two single seats that

1 are in the aisle there? Is that where --

2 A. I had --

3 Q. Is that where he (indiscernible)?

4 A. I don't recall. I remember him turning around and  
5 facing me, but I can't recall if he was in those two single seats  
6 or the double seats, but --

7 Q. Right.

8 A. -- as I was holding onto the pole, I noticed that there  
9 was no one to my side. He was behind me.

10 Q. Behind you?

11 A. Yeah. So I believe it was the double seats.

12 Q. The side-by-side seats, not the single seats? Or the  
13 two seats that are by themselves in the aisle?

14 A. The side by side, I believe. I -- to be honest, I  
15 wasn't really trying to pay attention where he --

16 Q. And when you first made --

17 MR. TURPIN: That's fine.

18 BY MR. SMITH:

19 Q. -- contact with him, he was closer to the cab door?

20 A. He was laying on the window right -- it seemed to be  
21 just forward of the chairs.

22 Q. Okay.

23 A. Yeah.

24 Q. Now I've got you.

25 A. Like almost on top of one of the chairs, you know, on

1 that window right there.

2 Q. Right.

3 A. Yeah. That's where he -- when we stopped, that's where  
4 he was laying.

5 MR. TURPIN: So as you're on the pole, he's just right  
6 there beside you?

7 MR. BROWN: Yeah. When we stopped, he was right  
8 there beside me, yes.

9 MR. TURPIN: He was right there beside you at the  
10 window. Okay.

11 BY MR. SMITH:

12 Q. And you said the cab doors don't always open easily. Is  
13 that something that you guys check on a regular basis? Do you  
14 close it and see if it'll open or --

15 A. Yes. We do check it, yeah. And then if it's one that  
16 doesn't -- if we have a hard time or sometimes you have to mule  
17 kick them, we sometimes leave them open just for such an incident.

18 Q. Yeah, (indiscernible). Yeah. Okay. Thank you.

19 BY MR. PENNISI:

20 Q. Did you have any trouble at all getting the door open or  
21 did Glenn have trouble?

22 A. No. Glenn -- yeah, I -- by the time I got up and turned  
23 around, the door was open and Glenn was -- his back was already to  
24 me, so --

25 Q. That's all I had.



1 A. Yeah.

2 Q. Eric had the questions that I had, so --

3 A. Yeah. I --

4 BY MR. CARDIFF:

5 Q. And just kind of an extension of that, I wanted to ask  
6 you, was Glenn sitting or standing inside the cab? It's pretty  
7 tight in there, I know.

8 MR. TURPIN: Before the accident?

9 BY MR. CARDIFF:

10 Q. Yeah, before the --

11 A. Before the accident, he --

12 Q. -- before the accident. I'm sorry.

13 A. I believe he was sitting. He's normally sitting and it  
14 seemed like his voice was at my level, so I think he --

15 Q. Just about have to be if you're going to watch out the  
16 window, but --

17 A. Yeah.

18 Q. It is tight, so -- okay.

19 BY MR. WOOLSTENHULME:

20 Q. My question is kind of about the communication with the  
21 responders. You were able to just kind of talk to them afterwards  
22 and kind of coordinate through them what you needed to have  
23 happen, it sounded like?

24 A. A little bit, yeah. They were asking me the condition  
25 of the passengers were. I said I really don't know. It appears

1 that most of them are up and moving around. Like I said, I didn't  
2 go inspect the other two cars that were derailed because there  
3 were already people there helping them out and there was really  
4 nobody at the cab car helping anybody. But I told them several  
5 times that Glenn was, I believe, the worst off and he was all the  
6 way on the other end, the hardest part to get to because there's  
7 no way in or out of the cab car on the A end.

8 Q. And then as you were kind of getting out, was there any  
9 like -- I know there was like probably lots of obstacles and  
10 things you had to maneuver around, but was there any -- like the  
11 lighting, what -- did you notice the lighting or anything as you  
12 were getting out? Did that hold up?

13 A. In the cars?

14 Q. Yeah.

15 A. I believe --

16 Q. The cab cars.

17 A. It seemed like there was lighting. I believe the  
18 emergency lighting was on because it seems it wasn't dark or  
19 anything. We could see. Yeah, the lights were on.

20 Q. And you said you smelled smoke. Anything in the air,  
21 any type of smoke in the air that you could --

22 MR. TURPIN: Visually?

23 BY MR. WOOLSTENHULME:

24 Q. -- visually that you could see?

25 A. No. Just when I got outside, it appeared that there was

1 smoke kind of in the air, but most of it was the vehicle on fire.

2 Q. So more just of a smell in the --

3 A. Yeah. I don't know if it was from the impact or just  
4 the breeze bringing it over or whatnot, but as soon as I smelled  
5 it, I wanted to make sure the car wasn't on fire.

6 Q. Okay.

7 MR. WOOLSTENHULME: That's --

8 BY MR. TURPIN:

9 Q. All right. Let's -- now we'll just backtrack a little  
10 bit on the trip and get a little more detail with when you went on  
11 duty, how you took charge of the train and, you know, and all the  
12 little steps you do before -- basically, before you got to Oxnard.

13 A. Oh, after the job briefing?

14 Q. Yeah.

15 A. Going out to the equipment?

16 Q. Yeah.

17 A. I believe that day, I got the equipment ready. I went  
18 out to the locomotive, checked the paperwork, make sure it was all  
19 set up, ready for -- it's just so the conductor would just get on  
20 it, do Class 2 and make the shove. Made sure the headlight was  
21 on. Markers were also on at that point. Released the hand brake.  
22 Walked down to the other set of the equipment. Got in the cab  
23 car, checked the paperwork on that end, and waited for the  
24 conductor, ready for the release. I released the air. I made a  
25 Class 2.

1           He shoved us out of the storage siding there at  
2 Montalvo. Did a running air. Pulled behind the signal. Got a  
3 signal to proceed forward. Went, made our station stops, loaded  
4 up our passengers. Vince closed it all up, got back on the  
5 equipment, shoved us out past the signal again. Went past CPY,  
6 waited for our signal on a switch from -- we were on channel -- we  
7 were on Metrolink, went over to UP 96.

8           By the time we went to -- we got at one crossing there,  
9 blew for the crossing, 10-mile-an-hour turnout or switch right  
10 there at CPC 0400. Got on the main line. We were DIB because we  
11 dropped down to 9 over the switch after the signal. Came around,  
12 saw a clear signal at the intermediate, no longer delayed. We  
13 just went to Oxnard. Came in on a clear. Made our station stop  
14 there for a couple of minutes. Usually they have some buffer.

15           Loaded up the passengers. We highballed DIB. I came  
16 around the corner, had a clear signal at CPC 0406, South Oxnard.

17           Q.    Okay. Do you know what speed, when you see the clear  
18 signal, you're doing out of there? Where you had it at?

19           A.    Usually we're well below the 40 for the UP. I believe  
20 usually we're at 35, 36. I don't know what it was that day.

21           Q.    And when you see the signal, you just go straight to 8?

22           A.    Sometimes. It depends on what the speed was. Might  
23 hang back a little bit. We usually run 8, but I notch it up to  
24 run 8 slowly because we're still on the curve right there.

25           Q.    So you think you might have been at 8 before you got to

1 the green?

2 A. I may have. I don't know. It depends on every day,  
3 which situation, how the equipment's running. I do not recall  
4 what we were --

5 Q. Were you at 8 when you hit Rose Crossing? You're still  
6 trying to get to speed, right?

7 A. Yeah. I believe I was around 8 when we hit Rose, yeah.

8 Q. So when you dropped to idle, you were dropping all the  
9 way from 8?

10 A. I dropped all the way from 8 to idle, yeah.

11 Q. Okay, okay. Because you're trying to get to what speed?  
12 What is it in there?

13 A. Max speed is 79 --

14 Q. Seventy-nine?

15 A. -- going straight. Yeah.

16 Q. You usually hit 79 by when? Close to Rice? Just after  
17 Rice?

18 A. Like I said, it depends on the equipment.

19 Q. Yeah.

20 A. Sometimes it barely ever gets up to 79. Sometimes we  
21 just make it. Sometimes I just got to notch down to about 5 or 4  
22 to hold it probably around -- I'd say about, somewhere between --  
23 I'd say maybe just before the intermediate at 409, it seems like.

24 Q. That's fine. Because of the running air test and the  
25 two station stops and the shoves, obviously you used the automatic

1 quite a bit --

2 A. Yeah.

3 Q. -- before you ever got to the accident. Notice any  
4 problems with the braking system --

5 A. No.

6 Q. -- at all? And every time you used it that day, the  
7 brakes --

8 A. We had no problems. It was braking as it was expected  
9 to.

10 Q. When you put it in emergency, does this equipment go  
11 into dynamic?

12 A. No.

13 Q. It's just straight air brakes?

14 A. Yes.

15 MR. TURPIN: Okay. All right. Anything else about the  
16 day of the accident? Anybody interested in the day of the  
17 accident?

18 BY MR. TURPIN:

19 Q. All right. The next thing we want to do is talk about  
20 your on and off duty cycle and, you know, usually we go back at  
21 least 72 hours of your rest and sleep cycle. So you're going to  
22 have to stretch a little bit. So we start -- sometimes it's  
23 easiest -- you know, 4:21, you arrive. So where did you arrive  
24 from, when did you get up and just start working your way back.  
25 This is Tuesday morning, so when do you --

1 A. Should I work backwards?

2 Q. If you want. When did you get up?

3 A. I usually wake up -- I stay in the hotel up there. That  
4 night, I stayed up there. I usually wake up between 3:00 and 3:20  
5 at the hotel. It depends if I have to -- if I'm going to pack my  
6 lunch or not. I believe I got up at like 3:20 that day, maybe a  
7 little bit before.

8 Q. All right. And then when do you -- you drive your own  
9 car?

10 A. Yes.

11 Q. Okay. So from the hotel to the on duty, how far is  
12 that?

13 A. Approximately 10-minute drive down the freeway. I don't  
14 know how many miles.

15 Q. So that got us -- that got you there on duty and arrive  
16 about 4:21. So the night before, when did you go to bed?

17 A. I don't recall, but usually when I'm on that job, I  
18 usually go to sleep somewhere between 9:00 and 9:30. On a rare  
19 occasion 10:00.

20 Q. Do you fall asleep pretty quickly?

21 A. There, yeah, usually -- probably within a half an hour,  
22 which is pretty good for staying in a hotel.

23 Q. Um-hum.

24 A. Yeah.

25 Q. So you worked this job on Monday?

1 A. I did, yes.

2 Q. What time did you arrive at -- or get to the hotel, I  
3 should say, Monday night?

4 A. Monday night? Monday night. I do not recall.

5 Q. All right. Let's start with when do you get off duty?  
6 When do you tie the train down and go off duty Monday?

7 A. What was the off-duty time on that job? I don't recall  
8 the off-duty time right now.

9 Q. What do you do normally when you get off duty? You go  
10 eat?

11 A. Sometimes I go eat. Sometimes I go straight to the  
12 hotel, change, get showered, and then go eat.

13 Q. How late is that?

14 A. Usually not past 8:00.

15 Q. You're at the hotel?

16 A. Yeah. I'm at the hotel usually by 8:00.

17 Q. Okay. We obviously have all the paperwork when the  
18 train tied up and all that stuff.

19 A. Yeah. I --

20 Q. We can get that. That's fine. I understand.

21 A. Yeah. I don't recall.

22 Q. So what -- that was at -- that's this same train. So  
23 Monday morning you showed up at 4:20, 4:30 in the morning, Monday  
24 morning, right, to work this same trip?

25 A. I showed up approximately 4:00 that morning, I think, or



1 at least I was probably waiting in my car.

2 Q. And where had you driven from on that one?

3 A. Riverside.

4 Q. From Riverside?

5 A. Yeah.

6 Q. So you departed Riverside when?

7 A. I believe -- oh, wow, what time did I leave? I don't  
8 recall. Usually I would leave between 1:30 and 2:00.

9 Q. Okay. You can give us what you --

10 A. Yeah. I don't recall.

11 Q. -- you know, what you normally do.

12 A. I believe it was 1:30, but I'm not positive.

13 Q. All right. So now here, it gets hard. Sunday, did you  
14 work Sunday?

15 A. No.

16 Q. What did you do Sunday? This is like a test, right?

17 A. Wow.

18 Q. Yeah, wow.

19 A. Sundays, I usually don't go out. I believe I just  
20 stayed at home, did laundry, packed, and got ready for the week.  
21 Just -- I don't -- yeah, that's all I could remember doing really.  
22 Sundays are very boring for me.

23 Q. All right. So you know you're going to get up 12:30,  
24 1:00 in the morning, right?

25 A. Yes.

1 Q. Get in the car and take off. So when do you go to bed  
2 Sunday night?

3 A. I think I was able to go to bed around 8:00.

4 Q. Do you know what you actually set your alarm for?

5 A. I set my alarm for 1:00.

6 Q. 1:00 a.m.?

7 A. Yeah, usually. Yeah.

8 Q. All right. That's helpful.

9 All right. So Sunday is kind of a maintenance, low key  
10 day. Saturday? And try to think about the sleep cycle you had  
11 between Saturday and Sunday.

12 A. Usually that's -- oh, wow. Saturday -- well, Sunday, I  
13 believe I woke up at 10 in the morning and I went to sleep 2 the  
14 night before. So Saturday, I went to sleep at 2, got up at 10 in  
15 the morning Sunday morning.

16 Q. Okay.

17 A. I believe. That's -- wow. That's kind of hard. What I  
18 -- and during the day, I don't really recall what I did during the  
19 day. I believe I just -- I would have spent the day with my  
20 girlfriend. We went and ate and had dinner and that's about it.  
21 That's all we did.

22 Q. Do you know what kept you up till 2 a.m.?

23 A. I'm usually a late night person. I believe I was  
24 watching TV.

25 Q. TV?

1 A. Yeah.

2 Q. Gamer?

3 A. I don't believe I was playing games. It's been a while  
4 since I've played video games.

5 MR. TURPIN: Okay. All right. Need to go back further  
6 than Saturday, Ken? Is that enough?

7 MR. BRAGG: I've got some questions though.

8 MR. TURPIN: Yeah, yeah, and yeah. I know some little  
9 more detail on -- I think that's about as far as I'm going to go  
10 with it, so --

11 BY MR. BRAGG:

12 Q. Okay. Part of what I do is I evaluate what you do, and  
13 not only during the accident but leading up to the accident.  
14 Basically, I just want to develop an understanding of how you live  
15 and you answer the questions that usually don't have anything to  
16 do with the accident, but the questions that have to be asked and  
17 we (indiscernible). So first I want to talk about your cell phone  
18 use. How do you use your cell phone?

19 A. Usually I use it as my computer. I don't have a  
20 computer, so I use it for calls, texting, and whatever I need to  
21 do to --

22 Q. Facebook and that stuff?

23 A. Yeah.

24 Q. So would you say you use it a lot?

25 A. On my phone? Depends. Yeah, I could be on it a lot.

1 Yeah.

2 Q. And the reason I'm asking, typically a person's cell  
3 phone use is a good indication of what they do with their day,  
4 especially somebody like yourself that's a heavy user. So, you  
5 know, if I see someone's texting in the evening and all the  
6 sudden, at 8:00, they stop texting and they say they may have went  
7 to bed around that time, it kind of coincides. So that's the  
8 reason I'm asking, because it may help answer some of the  
9 activity, like, if you're not sure you went to -- when you went to  
10 bed on Sunday and, you know, your texts suddenly stop at 8:00,  
11 that may show when you went to bed. So that's why.

12 When you -- let's start with Tuesday morning. So you  
13 start work, you got there at 4 and you left from the hotel, and I  
14 think you said you left about -- you woke up about 3:20 in the  
15 hotel.

16 A. Yeah.

17 Q. Were you -- did you stay alone?

18 A. Huh?

19 Q. Did you stay alone or with somebody --

20 A. Alone in the hotel? Yes.

21 Q. Yeah. And what hotel was that?

22 A. The Vagabond Inn.

23 Q. The Vagabond Inn.

24 A. In Ventura.

25 Q. And do you -- you live with your girlfriend or no?

1 A. No.

2 Q. No. So did you talk to her that night?

3 A. The prior?

4 Q. Yeah. That Monday night, before.

5 A. Monday night, I believe so. I usually do, yeah.

6 Q. And do you watch TV in the hotel?

7 A. Usually, yeah. It's usually -- because I don't have  
8 cable. That's --

9 Q. Yeah.

10 A. -- kind of what I --

11 Q. So do you remember what show you watched on Monday  
12 night? "Mike and Molly" comes on. Do you watch that?

13 A. I don't recall what I was watching, no.

14 Q. The reason I'm asking is again, it's a good gauge  
15 sometimes of what someone's activity. Like my wife, I know on  
16 Thursdays from 10 to 11, she's watching Stanton (indiscernible),  
17 so --

18 A. Yeah. At home, I don't have regular television, so I  
19 don't know the shows. So I -- that night -- usually I would put  
20 it on Comedy Central and leave it to whatever's on there, that  
21 kind of stuff.

22 Q. You don't remember what you watched though?

23 A. I do not remember, no.

24 Q. And so that's Tuesday morning, Monday night. What time  
25 did you get off work on Monday?

1 A. Monday?

2 Q. Yeah.

3 A. Gee, I think it's usually around 6:30 we get off.

4 Q. 6:30?

5 A. Yeah. We tie up around 6:30 to 7:00, somewhere around  
6 in there. Yeah, I don't really recall what -- exactly what time.

7 Q. Did you eat dinner before you went back to the hotel?

8 A. Monday night, I believe I ate at the hotel, the  
9 restaurant at the hotel Monday night, I believe.

10 Q. And when you went -- when you reported for work on  
11 Monday morning, you actually arrived to work leaving from your  
12 home --

13 A. Yes.

14 Q. -- is that correct? And you live in Riverside?

15 A. Yes.

16 Q. And how far is that drive, hour-wise?

17 A. Approximately an hour and a half, 2 hours.

18 Q. And distance-wise, how far is that?

19 A. Miles? If I had to -- I'm not sure. I'm not really  
20 sure. I believe it's somewhere around 120 miles, but I'm not --

21 Q. Any unusual occurrences on the way to work that morning?

22 A. No.

23 Q. And your days off, you spend those with your girlfriend?

24 A. Saturday, I did, yes.

25 Q. Saturday. And did she stay over?

1 A. No, she did not stay over that night. No.

2 Q. So what time do you think she left?

3 A. I do not recall what time she left.

4 Q. Does she text you when she got home? Did she call you  
5 when she got home? What time did she get home?

6 A. Usually when she gets home at first. She usually leaves  
7 around 10:00 or 11:00. Right -- yeah, around there. That's on  
8 average. But that night, I don't recall what time she left.

9 Q. Is that the typical schedule? You're normally off on  
10 Sunday -- Saturday/Sunday?

11 A. This -- yeah, while I'm, yeah, a student, yes.

12 Q. Okay. That's all.

13 MR. TURPIN: Any follow-ups? All right.

14 BY MR. TURPIN:

15 Q. All right. Let me do just one quick thing on Monday for  
16 this particular job. You worked the morning coming into L.A., and  
17 then what do you do when you get to L.A.? Do you have to do a  
18 quick flip, flex flip, or anything like that?

19 A. No.

20 Q. Or you take --

21 A. That job, it goes to the hotel in Burbank. Glenn does  
22 not go -- he has reverse lodging, so he stays usually at the yard  
23 Taylor. And then comes back on duty.

24 Q. Okay, give me the time. Maybe Eric could help real  
25 quick.

1           A.    I believe --

2           MR. SMITH:  That's going to be -- I can't.  I can't --

3           MR. BROWN:  No.  Yeah --

4           UNIDENTIFIED SPEAKER:  Do you tow the double set 403  
5 comes in; do you run on top of them on 102?

6           MR. BROWN:  Yeah.  Yeah, we take the double set over to  
7 the yard.

8           UNIDENTIFIED SPEAKER:  Yeah.  It's about --

9           MR. BROWN:  I think 7:30, 8:00 is usually when we get  
10 there.  Between 7:30, 8:00, we usually get to the yard, and  
11 then --

12           BY MR. TURPIN:

13          Q.    So hotel about 9 a.m., and when do you go back on duty?

14          A.    I believe it's around 1:30, back on duty.  Then we take  
15 a double set back to the station, break it apart on the platform,  
16 and we're usually there for approximately an hour, hour and a  
17 half, I'd say.  And then we -- then our set comes in and then we  
18 just go -- we're on 117 back to Ventura.

19          Q.    During that 4-hour break, right, do you get -- do you  
20 sleep at the hotel?  What do you do during the day over --

21          A.    That day --

22          Q.    It would have been Monday.

23          A.    Yeah, Monday.  I usually would have stayed in the quiet  
24 room, but since I didn't use the hotel the night before, I -- or  
25 in Ventura Sunday night, I believe I went to -- did I go?  I went



1 to the Burbank hotel.

2 Q. You crashed?

3 A. I would -- yeah.

4 Q. You were tired?

5 A. Well, I was -- I get a little better sleep in the hotel  
6 than the quiet room sitting in a recliner. So I was like, yeah,  
7 I'll go there and get some better sleep than I would normally.

8 Q. Okay. So you -- how long do you think you --

9 A. At the hotel?

10 Q. Yeah.

11 A. How long I slept?

12 Q. Yeah.

13 A. Probably -- usually I get about 3 hours in, 3 good hours  
14 of sleep.

15 Q. So Monday, midday from 10 to 1 or so, you probably were  
16 out?

17 A. Probably from --

18 Q. A good guess.

19 A. -- 9 to 12, I was --

20 Q. 9 to 12?

21 A. Yeah.

22 Q. Okay, okay. Quiet room, you have slept in the quiet  
23 room, but it's not --

24 A. Yes.

25 Q. It's not that --

1 A. It's -- yeah.

2 Q. It is what it is.

3 A. Yeah.

4 Q. Yeah. Okay. And Engineer Steele, that's where he --  
5 you say reverse. So he always has to use the quiet room on his  
6 split shift?

7 A. Yes.

8 Q. We'll explain more about that later. I'm not too  
9 familiar with how that splits. Let's go to your railroad history.  
10 When did you hire out, who, where, when?

11 A. Hired on with Amtrak as an AC in, I believe, June, maybe  
12 July -- June or July of 2010. Went to Metrolink as a promoted  
13 conductor in December -- early December of 2011. Yeah, just --  
14 2011. And then went back to Delaware for engine service January  
15 of 2014.

16 Q. And that starts your process in the engine service?

17 A. Yeah, the 2 months of schooling in Delaware.

18 Q. Okay. All right. So you basically then, 5 years or --

19 A. Well, yeah, just short of five years.

20 Q. Okay. And you've been in the student program for a year  
21 approximately?

22 A. Approximately a year, yeah.

23 Q. Worked all different jobs here at Metrolink?

24 A. Yeah, quite a bit. Most of all the routes. There's one  
25 route I haven't been on, but --

1 Q. How much on the Ventura line?

2 A. Ventura line, I'd say about 2 months in total on that  
3 territory between my two instructors.

4 Q. You did Monday and Tuesday of the accident week. Had  
5 you worked it the week before?

6 A. Yes.

7 Q. The week before?

8 A. No.

9 Q. So this is like your second week?

10 A. This was the second week being back up there, yeah.

11 Q. Okay. And this was the second time -- or second week  
12 with Engineer Steele or had you worked with him before?

13 A. I had worked with him a week before, several months ago  
14 at the end of my -- they put me on there because the other  
15 instructor was having a -- he didn't want to be an instructor  
16 anymore. So they put me with Steele for 1 week and they weren't  
17 able to qualify me. They didn't have anyone to qualify me at the  
18 time, so they moved me to a different territory. And then the  
19 week prior to the accident, they moved me back to qualify me, and  
20 they qualified me Friday and Monday.

21 Q. So you're ready to go?

22 A. What territory are we speaking of?

23 Q. Okay. But you're ready --

24 A. Ventura?

25 Q. -- you're ready to be an engineer?

1           A.    I would want to see how I do when I get back in the  
2    seat, first, before I make that decision.  I believe I'd be okay,  
3    but I have no idea until I get back in the seat.

4           Q.    All right.  How about in relation to the training and  
5    on-the-job training and everything else?  You feel that's been  
6    adequate to prepare you to be an engineer?

7           A.    It's had its faults, but yeah.  It's -- I believe it's  
8    -- it gets you ready for the job.

9           Q.    How about the other aspect of the training they do for -  
10   prepare for emergency situations?  You ready?  Did that prepare  
11   you for this?

12          A.    Well, I'd like to say it did, but I was just -- when it  
13   happened, I was just trying to think what was the biggest threat  
14   and work down from there.

15          Q.    Was there anything from the training you think you used?

16          A.    I'd like -- well, I'd say that, you know, trying to  
17   coordinate with emergency responders and such.  But I'd like to  
18   think that I would have done the same even though if I hadn't had  
19   the training in that situation.

20          Q.    Is there anything you'd add to the training, from your  
21   experience?

22          A.    Nothing I could think of at the time, no.

23          Q.    How did the emergency responders know that you were a  
24   crew member?

25          A.    I had to tell them that I was a crew member.

1 Q. Because you don't wear uniforms as engine service,  
2 right?

3 A. No. We have IDs, but my ID was still in the cab car.

4 Q. Okay. All right. So 1 year ago when you finish your  
5 student engineer training, you haven't had a rules class or  
6 anything like that since or --

7 A. I had rules a few months after coming back from Delaware  
8 last year.

9 Q. And when was the last time you had a supervisor actually  
10 ride with you?

11 A. The day before.

12 Q. And that was the check ride you talked about?

13 A. Yes. It was -- they qualified me in the morning on 102.

14 Q. And when was the last time you recall being efficiency  
15 tested or operating tested?

16 A. Well, that I know of?

17 Q. Yeah.

18 A. I don't recall. Yeah, I can't remember the last time.

19 Q. That's fine. Let me look through here real quick. Are  
20 you taking any drugs currently?

21 A. Yes.

22 Q. And what is that?

23 A. [REDACTED] and I believe it's a [REDACTED] name brand or  
24 something, a muscle relaxer, and ibuprofen.

25 MR. TURPIN: Do you need a dosage?

1 BY MR. TURPIN:

2 Q. Do you know what the milligrams are on the hydrocodeine  
3 [sic]?

4 A. No, I don't. I didn't bring them with me.

5 MR. BRAGG: If he wasn't taking them the day of the  
6 crash -- and I don't believe you were?

7 MR. BROWN: No.

8 BY MR. TURPIN:

9 Q. Yeah, yeah, yeah.

10 A. No.

11 Q. All right. Anything --

12 UNIDENTIFIED SPEAKER: Hope not.

13 UNIDENTIFIED SPEAKER: Yeah, that's irrelevant.

14 BY MR. TURPIN:

15 Q. However, on the day of the accident, did you take  
16 anything non-prescription like Claritin or anything like that?

17 A. No.

18 Q. I mean prescription.

19 A. No.

20 Q. Or over-the-counter is what I'm trying to say.

21 A. No. No.

22 Q. Do you wear glasses?

23 A. No. Safety glasses, yeah. Prescription, no.

24 Q. And you carry your cell phone while you're on duty?

25 A. It's off stowed in my grip.

1 Q. Real quick here, I had -- somebody else wanted to be  
2 part of this. Do you think you suffered any injuries while you  
3 were trying to evacuate, more than you already had?

4 A. Oh, evacuating the train?

5 Q. Right. Or while you left or while you helped.

6 A. I don't believe so, no. Like they're all just sustained  
7 from the turning over.

8 Q. All right. When you were talking about the stuck doors,  
9 is that primarily on the Rotem cars or is that all cars, the  
10 Bombardiers as well?

11 A. I don't -- I never -- the old Bombardier cab cars?

12 Q. Right.

13 A. I never worked with those. I do not know.

14 Q. So when you're talking about potentially jammed doors,  
15 it occurs on the Rotem cars?

16 A. Yes.

17 Q. Do you recall if you check this door at -- you know,  
18 when you took charge, or you just realize it opens and closes  
19 anyway?

20 A. I did not personally check it, no.

21 Q. But you did enter it, close it, and open it when you --

22 A. Yeah, that's true.

23 Q. -- took charge of the train?

24 A. Yeah.

25 Q. Okay, okay.

1 A. I guess, yeah, that would count as checking it, yeah.

2 MR. TURPIN: All right. Go around the room. Any  
3 clarifications?

4 BY MR. SKINNER:

5 Q. Just one question about, you said that you went out  
6 through the B-end door?

7 A. Um-hum.

8 Q. And that was the only means of getting out, correct?

9 A. That I could see at the time, yeah.

10 Q. So if that door was blocked by the car behind it, you  
11 would have been stuck in there?

12 A. We would have to somehow, yeah, try to go up through the  
13 windows and down. Yeah.

14 MR. GALVANI: I don't have anything.

15 MR. TURPIN: Ken?

16 MR. BRAGG: I have quite a few, so I can go last.

17 MR. TURPIN: Okay. That's fine. Well, you'll go last.  
18 Eric?

19 BY MR. SMITH:

20 Q. I don't think I have anything. I think you did answer  
21 my question though earlier about you did check the door, that was  
22 part of something you guys did when you get in the cab, you would  
23 kind of hit that crash button and --

24 A. Usually, yeah. Usually we check it to make sure, yeah.

25 Q. I can't remember if we talked about that specific to



1 that day or not. And you did say that Chris Bradicich (ph.) rode  
2 with you on Monday and Friday to do your full --

3 A. My qualification. Yeah.

4 Q. -- qualification ride?

5 MR. PENNISI: I have nothing.

6 MR. CARDIFF: Nothing for me.

7 BY MR. WOOLSTENHULME:

8 Q. Just a couple of real quick ones. Communication with  
9 the other crew members, did you have it? I know you probably had  
10 some with Glenn, but did you have any with your conductor at all,  
11 any communications before or --

12 A. At what point?

13 Q. You know, at any point. Just what kind of  
14 communications? Just, you know, were they mostly radio? Any  
15 personal, you know, communications or --

16 A. After the job briefing, basically it was pretty much  
17 just radio procedure after that. And then, until after the  
18 accident, I asked him how he was doing and he said he was in some  
19 pain too.

20 MR. TURPIN: Was that while he was still on the train  
21 or --

22 MR. BROWN: While he was still on the train, yeah.

23 BY MR. WOOLSTENHULME:

24 Q. Oh, so you did communicate with him while he was on the  
25 train --

1 A. Very briefly, yes.

2 Q. -- in passing? Okay.

3 A. After the accident, yes.

4 Q. After the accident, okay.

5 A. Yeah.

6 Q. Okay. And then -- and back to just the Rotem car. The  
7 familiarization training you had as far as your emergency  
8 preparedness, did you feel comfortable with that car, the Rotem  
9 car just structurally, how to get out, lighting, all that stuff,  
10 as far as your training goes? Did it, like, come back to you when  
11 you were in the situation like --

12 A. I don't know if it was just --

13 Q. Instinct or --

14 A. -- it was from my training or instinct. Yeah, I don't  
15 -- I couldn't tell you the difference.

16 Q. The territory itself, I know you said 2 months and then  
17 you had worked the last 2 weeks on the territory. Did you feel  
18 comfortable with the territory?

19 A. Yes.

20 Q. And were you qualified on the territory?

21 A. Yes.

22 Q. Weather conditions, any unusual weather conditions?

23 A. Not that day, no.

24 Q. And then any unusual occurrences, like anything out of  
25 the normal, whether it's track, whether it's mechanical, anything

1 you can remember?

2 A. No. Nothing out of the usual I can remember.

3 Q. And then just kind of briefly describe your overall like  
4 situational awareness at the time. You feel like you knew -- you  
5 were ahead of your train, you kind of knew what was going on,  
6 communication was good, you were just --

7 A. Yeah, very relaxed. I felt comfortable, yeah. Thought  
8 it was going to be a real nice day.

9 Q. Yeah. Very good. That is all I have.

10 BY MR. BRAGG:

11 Q. All right. Well, I'm going to ask you some questions  
12 then, some general and some specific, about your health. So how  
13 would you describe your health?

14 A. Average.

15 Q. Average. What kind of issues have you had? High blood  
16 pressure?

17 A. I've never been prescribed medication for it.

18 Q. No. How about diabetes or anything like that?

19 A. No.

20 Q. How were you feeling on the day of the crash?

21 A. Feeling good. I was --

22 Q. And how old are you?

23 A. Thirty-one.

24 Q. Thirty-one. What's your height and weight?

25 A. About 5'8" and right now, probably -- I believe it's

1 292.

2 Q. 292.

3 A. Yeah, when I went to the doctor.

4 Q. How about neck size? When you wear a dress shirt, what  
5 size?

6 A. It's been a while since I've bought one. I think the  
7 last one I bought was 17½, maybe 18.

8 Q. Any past injuries? Anything --

9 A. Knee injuries before in the past.

10 Q. When was your last physical?

11 A. October -- this last October, my birth month.

12 Q. And was that for work or just personal?

13 A. Work.

14 Q. That was for work. And through the railroad, I assume  
15 you have health insurance?

16 A. Yes.

17 Q. And who is the insurance through?

18 A. Aetna.

19 Q. Aetna. And you have a primary care physician?

20 A. Yeah, I did, but I might be changing because this whole  
21 incident has made problems, so --

22 Q. What's his name?

23 A. My primary -- my original one --

24 Q. Yes.

25 A. -- was [REDACTED]. I believe it's [REDACTED] [REDACTED].

1 Q. What city is he in?

2 A. Riverside, California.

3 Q. And so I think you answered this already. On the day of  
4 -- oh, you take no daily medication?

5 A. No.

6 Q. All right. Take anything the day of the crash,  
7 over-the-counter?

8 A. I didn't take anything, no.

9 Q. How would you describe your alcohol use?

10 A. I can't even remember the last time I had a drink.

11 Q. Really?

12 A. Yeah.

13 Q. So you --

14 A. It's very, very minimal anymore.

15 Q. No drug usage?

16 A. Never.

17 Q. Never. Great. How about your vision? Any issues with  
18 your vision?

19 A. No. I've passed every vision test I've ever had.

20 Q. Do you know what -- do you know what your eyesight was  
21 rated at?

22 A. No.

23 Q. How about with hearing? Any issues with the hearing?

24 A. Not that I know of, no. I've always passed my physicals  
25 and hearing tests.

1 Q. And you said that at the time of the crash, your  
2 personal cell phone was often stowed away in your --

3 A. Yes. In my --

4 Q. Okay. How about a work cell phone? Do you have one?

5 A. I do not have a work cell phone.

6 Q. Any recent stressors?

7 A. Any recent what?

8 Q. Stressors. Anything stress you out?

9 A. Stressors?

10 Q. Yeah.

11 A. No, not recently. No.

12 Q. So you're not married, so you don't (indiscernible) --

13 A. No. No.

14 Q. Any kids?

15 A. No, no kids.

16 Q. All right. That's all.

17 A. Yeah.

18 MR. TURPIN: That wasn't so long, Ken. Anybody have  
19 anything else, any questions?

20 BY MR. TURPIN:

21 Q. Anything you want to add?

22 A. No, nothing I could -- no.

23 Q. Anything --

24 A. Not that I can think of.

25 Q. Anything you think of that might make things safer,

1 might help other people? Suggestions?

2 A. No, just the issues with the cab car doors and chairs  
3 and --

4 Q. Noted.

5 A. I mean, because I know I'm a big guy with the chairs,  
6 but I'm not the biggest. There are guys bigger than me.

7 Q. Yeah.

8 A. You know, could be an issue.

9 MR. BRAGG: And anything you wish you would have done  
10 differently just looking back?

11 MR. BROWN: Well, in the long run, I wish I would have  
12 maybe stayed with Glenn, but I didn't know if the car was on fire  
13 or not.

14 MR. TURPIN: Okay. Fair enough. All right. Thank you  
15 very much. That concludes the --

16 (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: METROLINK GRADE CROSSING ACCIDENT  
OXNARD, CALIFORNIA  
FEBRUARY 24, 2015  
Interview of Richard Brown

DOCKET NUMBER: HWY-15-MH-006

PLACE: Los Angeles, California

DATE: March 13, 2015

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.

---

Tiffany Meeker  
Transcriber