

NATIONAL TRANSPORTATION SAFETY BOARD

In the Matter of:

ALLISION WITH STATEN ISLAND
 FERRY TERMINAL MAINTENANCE
 PIER AT ST. GEORGE'S,
 STATEN ISLAND, NEW YORK BY THE
 FERRY ANDREW J. BARBERI on
 OCTOBER 15, 2003

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DCA-04-MM-001

Tuesday,
 October 21, 2003

Staten Island, NY

INTERVIEW OF:

CHIEF WARRANT OFFICER CHARLES COBB

PRESENT:

ROB JONES, NTSB
 RICHARD GONZALEZ, USCG
 STEVE MATTEI, NYPD
 BRIAN CLIFFORD, NYPD
 JACK CALDERONE, FDNY

P R O C E E D I N G S

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MR. JONES: Okay. Go ahead.

CHIEF WARRANT OFFICER COBB: My name is John Charles Cobb. I am the Chief Warrant Officer with the Coast Guard. I currently work in the Marine Investigations Department. I have been with the Investigations for approximately a year and a half. Prior to that I was with Marine Inspections for two years.

I was on duty for the week. As a duty investigator, we stand from Tuesday until Tuesday. It was in the afternoon, a little after three and we were starting to wind down for the day. And the Marine Safety Duty Officer came up and said there has been an accident, a collision down at the ferry or an allision, I don't recall what she said, the terminology issues, you know, between the investigators and inspectors are a little bit different. She said there had been a collision at the ferry terminal. The ferry hit the dock, which I assumed at that point was in the slip. One person in the water, and a 50 foot gash in the side.

Based on that information, I, you know, asked my cube mate, Mr. Gonzalez, do you want to go and then there was a break in command duty officer that happened

1 to be right there, Mr. Doug Sallit, I said, do you want
2 to go also, because part of his qualifications are to
3 attend at least one marine investigation. My co duty
4 investigator, Joe Esmerado, stayed behind at that point
5 in case anything else happened. We, you know, were in
6 pairs. So, I informed my supervisor that we were
7 departing and we left. On the way down, within, we
8 were out the door and down the road, going down the
9 road within three or four minutes of notification.

10 MR. JONES: Do you have a time of the
11 notification?

12 CHIEF WARRANT OFFICER COBB: The notification
13 had to have been just prior to 3:30. I didn't, you
14 know, actually clock it at that time, but, you know, I
15 was, I know it was getting close, because I was winding
16 up, I had already logged off my computer.

17 We, as we were going down, we take the back
18 road down, Edgewater Street, I believe is the name of
19 it. I am not 100 percent sure, along the Bay front.
20 And kept noticing that there were an excessive amount
21 of ambulances and fire trucks and I called back at the
22 station, Mr. Doug Sallet was driving. I called back to
23 the unit and I said, I am not sure exactly what is
24 going on, but it is more than what we were initially
25 informed. You might need to send some more people down

1 here.

2 We continued on, we got down to the ferry
3 terminal, and just based on the activity alone, we knew
4 that it was much more than we had anticipated. Myself
5 and the other two, Mr. Gonzalez and Mr. Sallet, we
6 immediately, we parked down close to the ferry and
7 walked onboard. As we were walking onboard, there was
8 already one deceased out on the dock covered. We
9 walked in, a couple of more, I mean, almost immediately
10 we could see a couple more bodies. We walked back
11 just a quick survey of the damage, and at that point I
12 immediately walked to the undamaged side of the vessel
13 and called back to the unit, and told them at this
14 point and I don't know who I spoke to, but it was EMS,
15 FDNY, and I said, at this point, what is the status and
16 they said, it appears as though we are going to have
17 around 15 DOA, at this point, you know, initial. And
18 that is what I reported back to the unit. I said it
19 looks like approximately 15 DOA at this point and just
20 a massive amount of injuries, send everybody you can
21 down here because it is, it is not good.

22 I walked out because we have very poor
23 communications. I was on my own cellular phone. And
24 communications, even with my, my communications are
25 generally much better than what they Coast Guard has,

1 with our Nextel service. So, I was kind of roaming
2 around trying to get signal. I ran into Commander
3 Cameron, who was then, he had arrived maybe two minutes
4 prior to us, because we, as we were all departing, he
5 was asking if we wanted to ride with him and we were
6 waiting for one person to come out, and he left and we
7 followed. So, he was there approximately two minutes
8 prior to us. And he was in the same position I was,
9 with limited communications with our unit primarily.

10 So, I finally got signal, called back to the
11 Commander of the Officer and said, send down as many
12 radios as you can, which is generally not our tool, our
13 communication tool of choice. We had become reliant on
14 cellular phones.

15 At that point he informed me that the Master
16 was still on the bridge, and he briefly spoke to him.

17 So I immediately grabbed my stuff, I had all
18 my equipment and as an investigator, with a serious
19 marine accident, there are certain legal requirements
20 that I must fulfil and part of that is drug and alcohol
21 testing within, alcohol testing we attempt within a two
22 hour window. And so I had, knowing the port and
23 knowing the area well enough, we got our own breath
24 analyzer where we have had training on, and a lot of
25 times depending on the situation, although it is the

1 employer's responsibility to provide the drug and
2 alcohol testing after a serious marine incident, we
3 carry our own breath analyzer with us on duty because
4 we realize that the testers a lot of times can't get
5 there within the two hour window. So, we, as a unit,
6 as a shop, decided that we are going to carry ours,
7 just because alcohol is such a transit, you know,
8 condition with the blood, or with the person.

9 So, we got up there to the bridge, I took all
10 of the equipment up to the bridge, immediately we
11 locked in. There was a group of people in the bridge,
12 in the pilot house on the, what was in the Staten
13 Island slip, which I later found out was the actual New
14 York end of the vessel. Captain Mike Gansas was in
15 there. The Staten Island Ferry, I can't remember his
16 name, Ecock, Detective Jarvis from the, I believe the
17 1-2-0, and a couple other PD in there. We initially
18 came in, and there was a little bit of, you know, you
19 have got get out, a little bit of confrontation there,
20 and I don't even want to, you know, characterize it as
21 confrontation about, it was who is in charge here,
22 because they were right in the middle of the interview
23 with Captain Gansas. Myself and Lieutenant Gonzalez
24 stepped out for about maybe two minutes. And then we
25 were headed back in, and the detective and I, I don't

1 know, it was Detective Jarvis, it was one of her
2 counter parts, you know. At that point, the
3 acknowledgment of what was going on was there and we
4 were allowed to come in and start our process.

5 And at that point we, we just briefly
6 evaluated the people on the bridge. I talked to Mr.
7 Ecock a little bit, talked to Captain Gansas. He was
8 visibly shaken up at this point. I sat down and I
9 explained what we were going to be doing and as he was
10 talking to us about what had happened, I was setting up
11 the equipment for the breath test and trying to round
12 up as much of the crew as we could.

13 (Change of tape.)

14 MR. JONES: This is Mr. Cobb's interview.

15 CHIEF WARRANT OFFICER COBB: Mr. Ecock was
16 attempting to get all the additional crew members that
17 I had requested up to the bridge for the alcohol
18 screening. I was talking to Mr. Gansas when another
19 captain walked in, I am not sure who it was, and came
20 in and he was saying did you hear what happened to
21 Richie. And he was trying to keep his voice low so
22 that Mr. Gansas didn't overhear him, which didn't seem
23 to work too well, because at this point Mr. Gansas was
24 like, you know, up in his face, what, what, what, tell
25 me, tell me. And he said that Richie had killed

1 himself. He had shot himself. And then Mr. Gansas
2 became more visibly distraught. Hands to the head, oh,
3 my God, oh, my God, I can't believe it. And myself
4 and I am not sure who else, just kind of stood right by
5 him, you know, trying to comfort him as best we could
6 at this point. We didn't know all the facts and I
7 said, you know, I told him, let's, you know, get the
8 facts before we make a decision. I know they are
9 looking for him. And he slowly settled down. And I
10 continued with my job of preparing to breath test him.

11

12 I set up the breath analyzer, continued to
13 set it up, and then trying to calm him down, I
14 explained the process that we were going to be going
15 through that, and I had him blow one blank to just kind
16 of get him to settle down a little bit. And then I had
17 him do the breath test and which he successfully, you
18 know, did, and it measured out with a zero blood
19 alcohol content.

20 After that he sat back down, and we ran the
21 remainder of the crew that we could get through breath
22 tests. And I believe six more people. So, I did
23 alcohol breath analyzer test, you know, on seven people
24 total in the pilot house at that point.

25 While I was doing that, other people started

1 arriving, Commander Hawkins arrived, Lieutenant Mutto
2 arrived, I believe I saw Chief Gunther Rock, Lieutenant
3 Vandamay, Lieutenant Joe Esmerado. And at that point
4 they were out taking pictures of some blood spots on
5 the deck. It was approximately then that I realized
6 that we were actually in the New York end of the
7 vessel. And so, I walked down to the other end of the
8 Staten Island end of the vessel to see what condition
9 that pilot house was in. And noticed a significant
10 amount of blood drops around the deck, and appeared to,
11 it appeared to have come from approximately mid ship
12 position and then went forward towards the Staten
13 Island end, pasted in a circle, and then over to the
14 air conditioner on the, I believe that would be the New
15 Jersey side of the vessel, as it would be normally
16 positioned in the harbor.

17 We went back to the New York pilot house and
18 myself and NYPD officer that I can't identify, and Mr.
19 Ecock, agreed that it would be best to collect all the
20 crew members for statements and the further, the
21 urinalysis because we were having the testing company
22 come down that the employer set up with Engetics, who
23 is their drug and alcohol third party administrators.

24 I went over, at that point, I departed and
25 went over to the 1-2-0 precinct, to the third floor of

1 the detective squad, I believe they call that. And met
2 up with Mr. Nick -- Steffano, I can't remember his last
3 name. He is with Coast Guard Investigative Services.
4 He is normally assigned to the Field Intelligence
5 Support Team within CGI, but, he was detailed to work
6 this case with me. We met up there and began the
7 interviewing process and waited for the drug and
8 alcohol tester to get there.

9 We had approximately 11 people that needed to
10 be tested and during this whole process, Captain Gansas
11 departed to the hospital prior to testing, to be
12 evaluated psychologically, I believe. My first
13 reaction was that he was leaving to, from the
14 regulatory standpoint, you know, that would constitute
15 a refusal to test for urinalysis, but, because he was
16 accompanied at all times with a detective from the
17 NYPD, I made the determination that he was still
18 acceptable to test and didn't require a direct
19 observation urinalysis. But, I did, in fact, speak to
20 the urinalysis tech to ensure that he had all of his
21 current qualifications that, you know, all, to make
22 sure that all the ducks were in line. So, that there
23 wouldn't be any glitches in the, in the validity of the
24 test. And that was for all people prior to initiating
25 any collection procedures.

1 As I was walking back and forth interviewing
2 people, and before he started doing urine collection, I
3 did observe the bathroom that he was using for the
4 collection site, to ensure that he had, in fact, taped
5 off the faucets and blued the toilets. So, everything
6 was proper prior to him taking, starting the test.

7 MR. JONES: That was at the 1-2-0?

8 CHIEF WARRANT OFFICER COBB: Yes, it was, on
9 the third deck.

10 Mr. Gansas at this point returned, and he was
11 waiting to be interviewed. As we started interviewing
12 some of the crew members, one of the union reps was
13 there, a Mr. Michael O'Toole. And this was one of my
14 first dealing with a union type issue. And the union
15 rep became belligerent, interfered with the
16 investigation, of primarily information that I was
17 trying to gain from the crew member for a casualty
18 investigation, which we have the right to do. He was
19 in the middle to the point where I threatened to have
20 him physically removed by the NYPD if he didn't, you
21 know, hold his tongue. Throughout the rest of the
22 evening, it was hit and miss, you know, where I would
23 have to remind that he would physically removed if he
24 didn't keep his mouth shut. But, he continued to
25 advise everyone to not speak to me. From his union,

1 which is a member of MEBA.

2 MR. JONES: Were all the crew represented by
3 him?

4 CHIEF WARRANT OFFICER COBB: No.

5 MR. JONES: The crew and deck --

6 CHIEF WARRANT OFFICER COBB: Only the licensed
7 officers are represented by MEBA. The, the documented
8 crew members that hold a merchant mariner's document
9 are represented by Local 333, this SIU unit, Seamen
10 International.

11 MR. JONES: Was there any SIU representative
12 there?

13 CHIEF WARRANT OFFICER COBB: No, there was no
14 SIU representative there, but Mr. O'Toole continued to
15 even advise them that it would be in their best
16 interest to not to talk to me.

17 MR. JONES: Okay.

18 CHIEF WARRANT OFFICER COBB: I continued to
19 inform each crew member, as we have an office that the
20 NYPD had allowed us to use, and I would inform each
21 crew member as they came in that at this particular
22 point in time, we were trying to ascertain what had
23 happened, where each crew member was, if they had
24 observed anything out of the ordinary from mechanical,
25 or anything and get some preliminary information from

1 them, who they are, what the position they are, that
2 type of stuff. Keeping it to a pretty mild, you know,
3 interview. We got to Mr. Gansas and Mr. O'Toole now
4 became very belligerent about us talking to him. While
5 they were gone up the police, or to the hospital for
6 his, his assumed psychological evaluation, along the
7 way he had contacted an attorney in Florida, who in
8 turn had contacted an attorney in New York City, and
9 then it became the shell game of who was going to show
10 up and represent Mr. Gansas.

11 I had Mr. Gansas in the room prior to his
12 attorney showing up, and just was going over some of
13 the testimony that he had given me initially at the
14 scene.

15 Did you want me to go into the initial
16 testimony that he had given me at the scene?

17 MR. JONES: Do we have that on paper?

18 MR. GONZALEZ: No. We had to --

19 MR. JONES: Do you have it on tape? Do you
20 have it on tape?

21 MR. GONZALEZ: No, we don't have it on tape.

22 MR. JONES: But, just notes.

23 MR. GONZALEZ: The police have my notes, yes.

24 MR. JONES: Okay. Just a quick version would
25 be good.

1 CHIEF WARRANT OFFICER COBB: A good version.
2 I would like to step back to when we first got on the
3 vessel. Went up, when we were allowed in the pilot
4 house, I asked Mr. Gansas what happened? Just a quick,
5 what happened? He said, we were approaching St.
6 George, I was sitting back on the seat back here, I
7 noticed that after Richie had slowed down, and he was
8 lined up for the slip, I noticed that he was sitting
9 there and he appeared to be unresponsive. So, I said,
10 Richie, Richie, a couple of times, he said that, and
11 then he noticed that he wasn't responding, he got up,
12 went and tapped Richie and said, Richie, and then
13 grabbed the wheels and the throttles, but it was too
14 late, they impacted the pier. And then he said that
15 Richie got up, without saying anything, and walked out
16 of the pilot house. He said, Richie, get back in here
17 and Richie walked off and that was the last he saw of
18 him.

19 That was the initial report that I got from
20 Mr. Gansas. When we were in the precinct, 1-2-0, I was
21 going over his testimony again briefly with him, just
22 to verify, just to fill in some of the blanks that I
23 had. And Mr. O'Toole was in there just advising him
24 don't say anything. Do not talk to him. And I said,
25 okay. And finally we got in communication with the

1 attorney from Florida, who said, my representative from
2 New York will be there momentarily, could you hold off.
3 And at that point, you know, I was little disgruntled
4 about this, because it was getting to be almost
5 midnight at this point. But, I agreed, I wasn't
6 going to say anything. I told him, I didn't ask him
7 any more questions. We just talked, I mean, just
8 general conversation, trying to, you know, bring the
9 tension level down in the room.

10 At this point another union representative
11 was there, Mr. Jack Preresis(ph), he is the
12 representative with the MEBA also. And I subsequently
13 found out that Preresis represents the deck officers,
14 O'Toole, or he is the shop steward for the deck
15 officers and O'Toole is the shop steward for the
16 engineers. But, they were both there at this point.
17 Mr. Preresis was almost very cordial, very mild
18 mannered and even, you know, even tempered. He didn't,
19 he didn't, he was not explosive at all like Mr. O'Toole
20 was.

21 We waited and then a lawyer showed up, I
22 don't recall his name, I have got his card and I have
23 got his information written down if you need it later.

24 From Shyborn, Overman, in Manhattan. An Admiral 2
25 lawyer, but he told me right away that I don't deal

1 with criminal, and I said, well, at this point we are
2 not, we are not, you know, working criminal. I am just
3 trying to figure out the casualty side of the issue
4 right now. And he said, give me a moment with the
5 client, and so I said, okay. Approximately 45 minutes
6 later, I opened the door back up and I said, hey, look,
7 it is time that we talk, it is getting late now. You
8 know, now it is getting upwards of one o'clock in the
9 morning.

10 And at this point I still had no idea that
11 the NTSB was involved. I know that the NTSB, you know,
12 had come over, a representative from New Jersey prior
13 to me leaving the vessel earlier, but I didn't realize
14 that they had assumed the lead on it at this point. I
15 said, are you going to talk at all? And can I ask a
16 couple of questions? And the lawyer said, no, he is
17 not going to answer anything. And so we bantered a
18 little bit, I said, you know, he is required as a
19 license holder to answer certain questions for me, you
20 know, and I just want, you know, just verify a couple
21 of things and then I am out of here. And he goes no, I
22 am advising him not to say anything to you. And I
23 said, at this point, you know, I frustrated, because
24 again, because it is getting late and I have already
25 got one statement from him. I have already talked to,

1 you know, he has already given a statement to the
2 police officer. He has already given a brief statement
3 to Commander Cameron when he came onboard initially.
4 And I said, you know, these are questions that I am
5 entitled to have the answer to, either you are going to
6 sit down and answer them tonight with me or you will be
7 answering them tomorrow in the Office of U.S. Subpoena,
8 I go. So, at that point I said, you know, one last
9 chance before I leave, either it is tonight or it is
10 tomorrow. And then he goes, well, if you can't give us
11 a few minutes, it is like I had given you about, you
12 know, six, seven hours now to answer it and I think
13 that is adequate. And I said, so, we will be talking
14 tomorrow. And that is when we departed.

15 And that was the end of my first day.

16 MR. JONES: Okay. Let's take you back when you
17 first got aboard, did you, just to clarify other
18 issues, did you have any problem getting aboard the
19 vessel?

20 CHIEF WARRANT OFFICER COBB: No.

21 MR. JONES: Okay.

22 CHIEF WARRANT OFFICER COBB: We --

23 MR. JONES: And you went aboard with how many
24 Coast Guard?

25 CHIEF WARRANT OFFICER COBB: There were two

1 others at that point.

2 MR. JONES: All uniform?

3 CHIEF WARRANT OFFICER COBB: Yes, I was in a
4 light blue shirt.

5 MR. JONES: Okay.

6 CHIEF WARRANT OFFICER COBB: And that others,
7 I believe, were in working blue, the dark blue. I
8 don't, Doug Sallet, Mr. Gonzalez may have been in a
9 light blue shirt also. But, at that point there was
10 no, you know, security hadn't been stood up as tight, I
11 mean, we, we were on scene, I am going to assume that
12 we were on scene prior to, you know, 3:45, 3:50 time
13 frame.

14 MR. JONES: Okay.

15 CHIEF WARRANT OFFICER COBB: So, security
16 hadn't been stood up and there was, from my
17 perspective, I, but, again, I was, we did the quick
18 survey of the main deck, and then I was up at the pilot
19 house, so, you know, I never went off the, I will take
20 that back, I walked off onto the ramp to communicate
21 with Commander Cameron briefly, and then back on the
22 boat, but there was never an issue for me with access
23 to the vessel.

24 MR. JONES: Okay. You said the MSDO, or --

25 CHIEF WARRANT OFFICER COBB: Yeah, the Marine

1 Safety Duty Officer --

2 MR. JONES: Gave you your first report.

3 CHIEF WARRANT OFFICER COBB: Yes.

4 MR. JONES: And where would they get the
5 report from?

6 CHIEF WARRANT OFFICER COBB: They would
7 generally get a report from the command duty officer,
8 who we have down on the second deck. Our command duty
9 officer is, takes the information from several
10 different areas, search and rescue, law enforcement,
11 vessel traffic issues, all funnel to the command duty
12 officer, who would then notifies the appropriate
13 people.

14 MR. JONES: Are they monitoring frequencies or
15 does, would the police have had to actually call the
16 U.S. Coast Guard?

17 CHIEF WARRANT OFFICER COBB: The initial, I am
18 not 100 percent sure where the Coast Guard Activities
19 Building got the first notification, whether it was a
20 city wide 911 call because if we get, if 911 comes into
21 the NYPD on a maritime issue, they immediately contact
22 the Coast Guard also, but we call the Surface Forces
23 Duty Officer. And the surface forces duty officer sits
24 along the same table as the command duty officer and
25 would immediately, we have got this. Or if it was

1 reported, I know that, I know from testimony given from
2 BTS watch sector, that the vessel, itself, called in at
3 15:25 and that is taped, on Channel 14. But, I also
4 know from testimony of an off duty Coast Guard person
5 that, who was onboard the vessel, that he immediately
6 called to the Coast Guard station where he is assigned,
7 and reported it as soon as the collision occurred. So,
8 where it came to the CDO initially from, I can't tell
9 you. But, I know all those avenues were hit. But, the
10 report to the Marine Safety Duty Officer immediately
11 goes to her phone. It was Lieutenant Nicky Thomas.

12 MR. JONES: Okay.

13 CHIEF WARRANT OFFICER COBB: And she was in
14 this hallway right next to us here and walking when she
15 got the call, she immediately told Chief Warrant
16 Officer Jay Jerome, the ferry has had an accident and
17 she walked over and told me. I mean, within a minute
18 and a half of her being notified, I was notified. So,
19 that is how that works, it worked actually pretty well
20 this time.

21 MR. JONES: Okay. Who made the determination
22 that Gansas should go to the hospital for a psych
23 evaluation?

24 CHIEF WARRANT OFFICER COBB: I don't know.

25 MR. JONES: How were you informed then that he

1 was going?

2 CHIEF WARRANT OFFICER COBB: I was up in the
3 1-2-0 detective squad and I asked where is Gansas? I
4 don't see him.

5 MR. JONES: The only time you saw him was on
6 the bridge.

7 CHIEF WARRANT OFFICER COBB: On the bridge,
8 but everybody was at this point was being corralled and
9 being brought over to the precinct. And I got over
10 there, while we were walking up the stairs, I saw him
11 Mr. Preresis going out the back door. I didn't realize
12 at that point that he was a shop steward with the
13 union. I just knew him as a captain of one of the
14 ferries. I deal with him with our reports. We get
15 reports on all casualties on the ferries, whether they
16 are of a minor, you know, starter on one of their
17 engines doesn't work to a collision. We get the
18 reports and I see his name quite often, so I know him
19 from that context. And I know him, you know, I didn't
20 know his name when I saw him, but, I recognized, there
21 is a ferry employee leaving the back door and I
22 subsequently found out that that is when they were
23 leaving to go to the hospital.

24 MR. JONES: Was there any superior officer of
25 the Coast Guard with you at that time, at the 1-2-0?

1 CHIEF WARRANT OFFICER COBB: No.

2 MR. JONES: Okay.

3 CHIEF WARRANT OFFICER COBB: I was, at that
4 particular point, I was the only Coast Guard
5 representation at the 1-2-0. And our policy is that
6 once people are collected for a drug test, right, they
7 are not allowed to depart.

8 MR. JONES: Right.

9 CHIEF WARRANT OFFICER COBB: Once the process
10 begins, there are certain limitations on the drug
11 testing for the collection of urine. And one of those
12 is that they are not allowed to leave the immediate
13 area. Under direction circumstances, I would have, at
14 that point called that a refusal to test, if he would
15 not have had a police officer present with him at all
16 times. I would have immediately logged that as a
17 refusal to test, probably still had him tested, and
18 required a direct observation. But, again, because the
19 PD was with him at all times, and he actually did go to
20 the hospital, I got the detective's name, the nurse on
21 scene name, everything, you know, I followed up with
22 everything to ensure that the, that the test was
23 administered properly.

24 MR. JONES: When he came back.

25 CHIEF WARRANT OFFICER COBB: Yes. That, you

1 know, in our fear and I don't want to say fear, but,
2 the basis for that is people can go out and if they,
3 anything happens they can go get the, a substitute
4 urine or whatever and I didn't, you know, that is why
5 we keep people corralled, almost a custodial type
6 situation until after the test is complete. But, and,
7 you know, to maintain the integrity of the test.

8 MR. JONES: Okay. Well, let me open up to the
9 rest of the room.

10 Brian?

11 CHIEF CLIFFORD: I don't have anything, thank
12 you.

13 MR. JONES: Okay. Richard?

14 MR. GONZALEZ: No thank you.

15 MR. CALDERONE: Chief Calderone, Fire
16 Department.

17 Early on you said when you boarded the boat,
18 there was a DOA at the pier already.

19 CHIEF WARRANT OFFICER COBB: Yes.

20 MR. CALDERONE: And when you went onboard,
21 there were more.

22 CHIEF WARRANT OFFICER COBB: Yes.

23 MR. CALDERONE: Where were they located?

24 CHIEF WARRANT OFFICER COBB: They were located
25 still within the rumble, but the immediate ones that we

1 saw were covered. The one on the pier was covered. We
2 went in and I maybe a little bit more callous than some
3 folks, but, I acknowledged that there is a body there
4 and I just keep on working. Because I, I have no
5 business with them, that is not my job, so I just, you
6 know, sad to say, but, I walk on, acknowledge that
7 there is a couple of bodies, and moved on. We walked
8 up through part of the rumble, and that is when I saw,
9 one, two, at least three bodies and they were all on
10 the Brooklyn side at that point, in the damaged area.
11 But, to give specific locations --

12 MR. JONES: Your right hand side as you walked
13 aboard the vessel of the damaged vessel.

14 CHIEF WARRANT OFFICER COBB: Yes.

15 MR. CALDERONE: Aside from the one that was on
16 the pier, all the others you saw were actually in the
17 rumble pile yet?

18 CHIEF WARRANT OFFICER COBB: Yes.

19 MR. CALDERONE: Okay. Thanks.

20 MR. JONES: Okay.

21 CHIEF CLIFFORD: Brian Clifford, NYPD. The
22 Coast Guard and Federal Regulations require that all
23 persons involved in a vessel accident remain with their
24 vessel prior to the arrival of the Coast Guard?

25 CHIEF WARRANT OFFICER COBB: To cite the

1 regulation off the top of my head, I wouldn't do so
2 well, but, yes, the Master of the vessel is required to
3 remain with the vessel.

4 CHIEF CLIFFORD: What about other parties
5 involved in the incident?

6 CHIEF WARRANT OFFICER COBB: In a normal
7 incident, yes. I mean, this, you know, everybody was
8 operating in extremes at this point. And I don't, you
9 know, and I can understand that there were certain
10 people that were doing certain things that, you know,
11 in the emergency phase of this. I would have assumed as
12 the emergency phase wound down, that everybody would
13 have still been around for our interviews. That is the
14 way it normally works. As soon as the result of the
15 emergency is taken care of, that is when we come in.
16 We do, you know, we are, as investigators, we are not
17 in there to do the recovery, to do the salvage. We are
18 in there after the fact of trying to put the pieces
19 back together, what happened and why it happened.

20 CHIEF CLIFFORD: Barring any emergency medical
21 type of assistance for an individual, they are expected
22 to remain and required to do so.

23 CHIEF WARRANT OFFICER COBB: They are expected
24 to remain, I can't cite the requirements, but, that is
25 my belief that it is an actual requirement.

1 CHIEF CLIFFORD: Thank you, sir.

2 MR. JONES: Okay. Richard, anything?

3 MR. GONZALEZ: I have nothing.

4 MR. JONES: Okay. Thank you.

5 (Whereupon, the interview was concluded.)