

NATIONAL TRANSPORTATION SAFETY BOARD

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In the Matter of: \*  
 \*  
 ALLISION WITH STATEN ISLAND \*  
 FERRY TERMINAL MAINTENANCE \* DCA-04-MM-001  
 PIER AT ST. GEORGE'S, \*  
 STATEN ISLAND, NEW YORK BY THE \*  
 FERRY ANDREW J. BARBERI on \*  
 OCTOBER 15, 2003 \*  
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Tuesday,  
October 21, 2003

Staten Island, NY

INTERVIEW

LIEUTENANT JOE ESMERADO

PRESENT:

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

## P R O C E E D I N G S

1  
2 MR. JONES: This is an interview of Lieutenant  
3 Joseph Esmerado, U.S. Coast Guard, Staten Island Ferry  
4 incident, October 15.

5 If you could begin.

6 LIEUTENANT ESMERADO: Yeah, we, in the  
7 Investigations Office we run, I guess we have an eight  
8 person shop. And the Investigations Sections are  
9 broken up into four sections. So, I am on duty section  
10 four and I share that with Chief Warrant Officer Cobb,  
11 who is the lead in this case. Last month I had the  
12 lead primary on the all jobs and then we agreed that he  
13 would take the primary, I would be the secondary. So,  
14 when the call came in, it was originally a call about  
15 the Staten Island Ferry hit, made a hard landing. Hard  
16 hit we call it up here, which is, which is, you know,  
17 normal, really. I have had a case before, last  
18 January, where they, they are using the dolphin piling  
19 as brakes almost. So, I had investigation where, you  
20 know, people went to the hospital. Nothing extensive,  
21 but, and there was a guy that on target, you know, what  
22 I mean. So, when we first heard the call, instead of  
23 everybody jumping in two or three vehicles and rolling  
24 out there, Lieutenant Gonzalez, Lieutenant JG  
25 Sallit(ph), Chief Warrant Officer Cobb, Lieutenant

1 Gonzalez is just in the tail end. I mean, he is, he  
2 probably be qualified if this accident didn't happen,  
3 at the first qual board. Sallit is learning, yeah, he  
4 is qualified, believe me. Sallit is learning for  
5 command duty officer qualification. He has to attend  
6 investigations. Believe me if we ever, if we thought  
7 it was as bad as it was on the initial report, we would  
8 have never sent some of the newer guys.

9 Well, Chief Warrant Officer Cobb gets down  
10 there, and he calls back, he called back twice, but the  
11 phone call that I heard was the second phone call, he  
12 called once from the car down there and then once when  
13 he got to the ferry. And he said he was going to need  
14 more people down there. So, he called Lieutenant  
15 Mutto, and our division chief, Commander Surtinsky(ph)  
16 at the same time, so, we had them on the speaker, and  
17 he says, he has counted three people already, and we  
18 were concerned about an explosion. Because you  
19 understand where the Staten Island ferry pulls in, we  
20 had no idea it was on the work dock, which is that  
21 concrete pier that he ended up hitting. I was in  
22 barges for a long time, and that is where you go to,  
23 where you go to inspect oil barge one and two. We  
24 still weren't clear, because when Mr. Cobb got down  
25 there with Lieutenant Gonzalez and Sallit, they, the

1       ferry was in a regular ferry slip. So, he calls back  
2       and says he has counted three people dead and we just  
3       can't believe it. We had no, just that there was a  
4       long gash, I remember him saying. And the next  
5       question I asked was does it look like an explosion,  
6       you know. So, for obvious reasons. But, I didn't  
7       stick around for the answer. I told Commander  
8       Surtinsky I am the secondary, I am rolling out of  
9       there. And he says, now, he didn't, he didn't tell me,  
10      he didn't give me an answer, but I am telling you that  
11      he nodded his head and I have been here for some  
12      things, you know, the 11<sup>th</sup> and the barge explosion, and  
13      I am not waiting around any more, you know what I mean.  
14      If I feel like I can aid my partner, I am going down  
15      there.

16                 So, I got a GV, I got changed, I confirmed  
17      the fact with Lieutenant Mutto that he understood I was  
18      on my way down there. This way we didn't get lost in  
19      the shuttle, because that is what happened on September  
20      11, they couldn't find us, you know what I mean.

21                 So, again, I get down there, and I am looking  
22      around for, I followed a fire truck down there and I,  
23      I, there is some discrepancy in the times, but I  
24      remember my wife works part time at the Shore Hills  
25      Mall in Jersey, where we live, and I remember calling

1 her to say she was going to need a sub. And I called  
2 her early. It had to be like, like 15:30 or 15:40,  
3 Cobb and Richie were down there early. I mean, the  
4 first report came in probably about 15:20 and I would  
5 say that we are probably standing around the phone at  
6 either 15:30, 15:40. I called my wife about a quarter  
7 to four, but my watch is 10 minutes fast, because my  
8 boss is a, is big in getting people on time. So, that  
9 would make it 15:40, like I was saying. So, she said  
10 she was going to call out for a sub, you know, tell her  
11 boss she couldn't be in. I said, turn on the news,  
12 because it is a big one. We are not sure what it is,  
13 you know, it might even be an explosion. I won't know  
14 until I get down there.

15 So, I am sure I got down there like 16,  
16 16:10, early, you know what I mean, within the first  
17 half hour, I would say, 40 minutes. So, I am looking  
18 around for my partner, I look around and see this, I  
19 see the structural, because I am also a Marine  
20 inspector, before I transferred to Investigation, so I  
21 am looking at structures. And I am looking for anything  
22 that is going to affect the stability while the boat is  
23 sitting in there like deep wet frame, damage, you know,  
24 longitudinal frame damage, but, it really was just  
25 from, from the windows over to mid ship. The whole

1 thing was wiped out. I would say that ferry is like  
2 310, right, 310 feet long, then there was a good 290  
3 ripped out from mid ship and then as you came further  
4 back in the ferry, from the initial hit, I would say  
5 the mid ship damage started to tamper off.

6 So, right away I see, I get there, they are  
7 carrying one person out in a white body bag, which to  
8 me is significant because I know from other scenes I  
9 have been on, the white body bag is like the first  
10 thing that comes in. It is not the big black rubber  
11 body bag that the crime scene comes in there. So, now  
12 I don't know what to think. Is it an explosion and we  
13 are going to be digging for me? So, but I don't  
14 smell gun powder, I mean, I don't smell that electrical  
15 burn like at the Trade Center or fuel burn like the  
16 barge fire. And then I see the way the structure is  
17 penetrated and it is all damaged from the outside in,  
18 which is not akin to an explosion being set on the  
19 ferry and lit out, right. So, now I am looking for  
20 more physical damage in the stantions that really are  
21 more they are structural support really for the second  
22 deck. I am not an inspector on the ferry, but, I had  
23 had an injury down there, so, I was on the ferry a  
24 couple of weeks ago, so I had the chance to go through  
25 some things with the engineer there.

1           And I see that the stantions are just ripped  
2 out, like I said, for about 290 feet and they are  
3 numbered. And they are numbered because the pseud of  
4 the stantions, the stantion, itself is a pipe, and then  
5 they make these square pseud around it, that is all  
6 ripped around. And you could see the original numbers  
7 that the welders tell each other when they building  
8 these ships. So, I said, well, that is, you know,  
9 pretty serious.

10           So, I make my way to the back and I notice  
11 there is wood everywhere. So, I am just about to the,  
12 to where I am in the stern of the ship, which is  
13 actually the forward part because it is facing  
14 Manhattan. And I notice there is, I count four  
15 bodies, but, because of the way they were killed, it  
16 looks like six, it probably looks like five or six  
17 bodies, but it is just four bodies with white sheets.  
18 And then I get around the back and I am dealing with  
19 this deputy inspector, he had, the Colonel in the NYPD,  
20 what is that Inspector? The eagle.

21           UNIDENTIFIED SPEAKER: The eagle that is full  
22 inspector.

23           LIEUTENANT ESMERADO: Full inspector. I think  
24 his name was Doman. So, I can't find any Coast Guard  
25 personnel at this point, so my partner doesn't know I

1 am onboard. I don't know where these guys are. I  
2 drove down there by myself, I thought I had permission,  
3 you know what I am saying. But, I figured let me just  
4 see what is going on with the scene, I have been to  
5 things like this before. I will figure out what they  
6 need from us. This way, other Coast Guard personnel  
7 show up that out rank me, we can take it from the  
8 beginning.

9 So, the first thing this Inspector says to me  
10 is listen I have got my guys crawling around in there.

11 We are thinking of shoring it up, what do you think  
12 about that? I said, well, the stantions aren't really  
13 integral to the hull, so, you have to worry about the  
14 ship sinking or leaking, but I am all for shoring it up  
15 and what is your plan. Well, we have got, you know,  
16 four by fours coming in and they are going to bring  
17 saws and they are going to set everything up and they  
18 are going, they are going to just go through, I guess  
19 it was, I am only guessing maybe like every 20 feet,  
20 every 25 feet, you know. It was probably, probably  
21 about right, 20, 25 feet. And they make these boxes,  
22 you know, just one across and two down and they shore  
23 it up. I am looking at all this wood, and I wasn't  
24 sure if, wondering still where my partner is. So, I  
25 guess because I had my Coast Guard life jacket on, all



1 the other Harbor cops, ESUs coming over, and they want  
2 to explain to me where all this wood comes from. There  
3 is enough wood on the front of that vessel from the  
4 pier to build a pier. I mean, there is a giant piling.

5 It was like twice the size of a telephone pole, twice  
6 the diameter. And it was just laying on the deck. So  
7 one of the ESU cops said, sir, we, he is telling me,  
8 sir, we took it out of the vessel, the mid ship, and we  
9 have taken this whole thing and we have put it right  
10 back here. I said, oh, all right, I go look, you know,  
11 I keep asking about the fatality count, but nobody  
12 knows for sure and they point to the stairwell, which  
13 would have been on the Staten Island side, that took a  
14 lot of damage.

15 And that stairwell is, is important because  
16 it is built to certain specifications for passenger  
17 flame and smoke. So, it is either a Class A or Class B  
18 bulkhead, which means it is heavy. And this thing was  
19 completely wiped out. And then they pointed out that  
20 is where they brought the woman out from and I just  
21 guessed that must have been the white body bag I saw  
22 going out, because her scalp was still there. Later  
23 that night there was more tissue from her, but it was a  
24 complete human scalp right on the, it was, it was under  
25 the doorway on a step, because we shined our light in

1 there, because one of the cops showed me.

2 So, I take a walk back up as, I am still on  
3 the vessel. I take a walk back into the ship, and I am  
4 looking around. I didn't lift the sheets up yet. I  
5 figured we would be, you know, I just didn't know what  
6 we, the Coast Guard was going to be doing with that.  
7 But, I am with a couple other, I think I am with one  
8 fireman, and an EUS cop, and one was an officer,  
9 because the cop had a white shirt on. And we find a  
10 handbag, I find a handbag at the aft most part of the  
11 damage. It is like a laptop bag or backpack. I think  
12 it was a backpack. And we followed it down to a  
13 shoulder and then we look a little further and we can  
14 make out a leg, and then, and then a head. And it was,  
15 it was just, this guy was like 20 feet from life. He  
16 was blocked in by a little half wall on the ends of the  
17 seat that go from the middle of the ship out to the, up  
18 to the outer bulkhead.

19 So, the cop says to me, geez, look at that  
20 guy's eyes, so his eye was like, just totally out of  
21 his head, and he looked like he had been skinned. And  
22 the skull was crushed and you could view the brain  
23 actually in the, in there. So, I said to the cop, he  
24 couldn't get out, he must have been trapped and  
25 crushed. And the cop says, no, we think he was drugged

1       there.  You know, but, I don't know if I agree with  
2       that.

3                   MR. JONES:  It is okay.  That is all  
4       speculation.

5                   LIEUTENANT ESMERADO:  Okay.  But, the reason I  
6       don't agree with that is because he would have been  
7       torn up more than he was, with all the stantions that  
8       have --

9                   MR. JONES:  That is all right.  It would be  
10      hard to say what possibly could have happened to  
11      anybody in that.

12                   LIEUTENANT ESMERADO:  Right.  But, I remember  
13      that was one of the few areas, I got a picture of the  
14      area, but not with that guy in there and he was totally  
15      crushed.

16                   So, I got back down and I ask the guy again  
17      for fatality count, because now I am counting, I think  
18      five, plus the one I saw be carried out.  And they  
19      said, well, that brings it to 10 because there is four  
20      in the morgue.  So, I am figuring, well, 10.  That is  
21      unbelievable.  Plus, I am hearing at the time 30, 40  
22      injuries, you know.

23                   So, now I am looking for the vessel master.  
24      Oh, he is in the hospital trying tried to kill himself,  
25      shot himself with a pellet gun, the rumor we heard

1 onboard was swallowed turpentine and slit his wrists.  
2 So, was he alive? Well, they don't know, but later  
3 that night one of the cops said that he was dead, that  
4 we wouldn't be able to question. So, now it is about  
5 45, 50 minutes, I ask where are the Coast Guard people?  
6 Oh, they were up in the wheel house interviewing the  
7 vessel master. So, I go up there and I run into, I  
8 tell Mr. Cobb, I am here. I see Lieutenant Gonzalez  
9 and Lieutenant JG Sallit. And I am just about to  
10 interview this deck hand, I have got his name.

11 (Pause.)

12 LIEUTENANT ESMERADO: Joe Selz. So, I ask him  
13 what his position on the ferry, he says, he is an AB.  
14 And I said, well, why is the ferry damaged on that end?  
15 He goes, oh, we have got turned around by the tug. I  
16 go, let's do your interview in the wheel house, while  
17 these guys do the drug and alcohol testing, because Mr.  
18 Cobb said he was just getting ready to do an alcohol  
19 test on Gansas.

20 So, there is a couple detectives up there  
21 from the 120, I was told, and then I took, I started to  
22 walk Selz back and he said, oh, be careful, there is  
23 blood up here. Why is there blood up here? Well, sure  
24 enough from just aft of the, of the wheel house, there  
25 wasn't, you know, the wheel house on the Manhattan end,

1       there is blood that goes from that end, like a drip,  
2       all the way down to the wheel house where Smith was in,  
3       smudges on the door, and the air conditioner. It is  
4       under life, the life floats that are there. And it  
5       goes around in a circle. I am like, what is this? So  
6       this guy, Selz says, he thinks it is from Smith, that  
7       Smith wasn't sure how hard he hit, but Selz said he saw  
8       him come out of the wheel house, went down to the  
9       stairs, he saw that woman that was crushed by that  
10      Class A bulkhead, and he came back upstairs. So I  
11      figured he must have cut his hand on a piece of sheet  
12      metal or something, because I almost cut my, myself  
13      walking around in there. I also found where he threw  
14      up, which he threw up on the, as he hit, on the Staten  
15      Island end, he, he threw up on the, you know, what  
16      would have been the port side at the time of the  
17      accident.

18                   MR. JONES: Of the pilot house?

19                   LIEUTENANT ESMERADO: Yes. It was still there  
20      Friday, when we went back. I saw my boss, because  
21      Commander Surtinsky is a hunter and I said I thought  
22      this guy puked, does that look like, he said, yeah, it  
23      is still there. It looks like somebody threw up here.

24                   MR. JONES: Port side of the pilot house,  
25      Staten Island end.

1                   LIEUTENANT ESMERADO: Yes.

2                   MR. JONES: Okay.

3                   LIEUTENANT ESMERADO: So, now, I was still  
4 looking around for stuff like, we are thinking the  
5 worse, was he drunk, was he drugged, does he wear  
6 glasses. We are looking around for things he might  
7 have left behind, you know. So, they got a giant tool  
8 box there with like barbecue supplies in it, but I  
9 don't find anything out of the ordinary in there, you  
10 know. They got another box, that used to be used, I  
11 guess for deck phone, but it is too hard to get open.  
12 So, he wouldn't have ditched anything in there. So, we  
13 are looking under the life floats and nothing, just  
14 this blood track. So, by this time Commander Hawkins  
15 is getting there and he wants to know what we are doing  
16 and he wants to break off in teams. And him and  
17 Commander Cameron are there. And they tell me they  
18 want to start photographing the scenes. So, and they  
19 want to photos of the deceased. So, I say, well, you  
20 know, I am not sure that is good idea. I said, you  
21 know, these people are just pretty much beyond  
22 recognition. There is so much physical evidence in  
23 terms of vessel structure, and the structure of the  
24 pier, that I am not sure what we would get out of that.

25                   And also, when I was the lead on the barge

1 explosion, I went into the house to find the second  
2 missing guy. He was, you know, obviously burned to  
3 death, but when I went in there, I got to see my boss,  
4 what are you doing, what are you nuts, you don't need  
5 to see that. But, we went to the school in the Coast  
6 Guard, Investigations Officer's School, we just signed  
7 a MOU with ATF, and they said in case of a fire, there  
8 is a lot of physical evidence n the body. As it turned  
9 out on the barge explosion, there was a tile on this  
10 guy that, on his back, that showed me he was looking  
11 out the window at the time of the explosion. To me I  
12 thought maybe he heard something. So, I thought it  
13 paid off.

14 But, I don't want to get in trouble again, so  
15 I am telling my bosses, we probably don't need to take  
16 pictures, if we just concentrate on the structure and  
17 the pier, we could probably put this together and if we  
18 can interview this guy Smith, but, you know, at the  
19 time we thought he was critical at best, but like I  
20 said, we heard he was dead from the cops.

21 So, they are asking me what, what, spit it  
22 out, spit it out? I am like, well, so I give my  
23 opinion, you know, it is the military so, you really  
24 don't have an opinion, you know. So, they say, well,  
25 do the best you can, something like that. So, I go

1 back downstairs, I am walking around and I don't know,  
2 they are starting to shore it up, and they, the one guy  
3 we found at the aft most part of the gash, he is  
4 removed. So, the firemen say they have got to remove  
5 him. Nobody is thinking there is a crime scene yet.  
6 They have got to remove him to shore up that area.  
7 Because, you know, it was just totally ripped out.

8 MR. JONES: Just to corroborate, this is the  
9 guy with the eye?

10 LIEUTENANT ESMERADO: Right, right.

11 MR. JONES: Okay.

12 LIEUTENANT ESMERADO: This is right. And the  
13 reason I mentioned that to Richie, during the week, is  
14 because there was no, no documentation that somebody  
15 was found in that area.

16 MR. JONES: That was a dead --

17 LIEUTENANT ESMERADO: Yes, yes.

18 MR. JONES: Okay.

19 LIEUTENANT ESMERADO: So, I am working with  
20 the cops, working with the firemen, and we are trying  
21 to get all the information we can. And now the Staten  
22 Island Ferry crew is over here. I see the Inspectors,  
23 Mr. Castillo, Chief Warrant Officer Jerome, Lieutenant  
24 Lally. I got Lieutenant JG Sallit with me. And at  
25 that time, Lieutenant Gonzalez comes over and he says,



1 you know, Commander Hawkins is looking for you. And I  
2 said, well, I am with Commander Cameron. Well, at the  
3 time Commander Cameron assigns me to this NYPD  
4 photographer. And Cameron knows how jammed up I was at  
5 the barge explosion, so he says, well, it doesn't have  
6 to be you that takes these pictures. But, I am going  
7 to give it to the new guy? I mean, why ask me if I am  
8 not doing it. I am sorry.

9 So, I said I have got it, sir. But, then  
10 NYPD photographer never, I don't know what happened to  
11 him, I turned around and he was, he was gone. I know  
12 he was with some big bosses. I know he was with some  
13 inspectors. So, I am taking pictures of the structural  
14 damage with the camera I brought, I borrowed from Mr.  
15 Castillo, and by that, I mean, it was getting late. It  
16 was just getting dark. And I didn't really know how to  
17 work this camera, you know, everybody is an expert, you  
18 know, and they just brought this new camera. And I  
19 thought it was auto focus, but it wasn't, so, I  
20 understand a lot of, I haven't looked at them again,  
21 but, I understand a lot of the pictures I took didn't  
22 come out too well.

23 Well, anyway, about this time, I am with  
24 Commander Cameron and this, this top inspector, I have  
25 got his name here, Mecel, Kenny, Deputy Inspector

1 M-E-C-E-L, Deputy Inspector, Office Chief of Detectives  
2 for Staten Island. He said he was sent over and they  
3 are going to treat it as a crime scene. So, Commander  
4 Cameron is glad to hear that, so now the CSU unit comes  
5 in. I don't know what time it is, maybe eight o'clock,  
6 I guess. So, it is just getting dark.

7 So, now they start to unwrap the deceased,  
8 so, that is when we realized, you know, it was just  
9 unbelievable.

10 So, I asked for the camera again, but  
11 Castillo has it, Mr. Jerome finds Castillo, he calls my  
12 name out, gives me the camera. So, what I did was just  
13 mere the ME. You know, I am not, I mean, I don't think  
14 I am a bad photographer, but I am not an ME, you know  
15 what I mean. But, you know, what do you say, you just,  
16 I took notes and positions where the guys were before I  
17 got the camera, and basically it looked like to me  
18 these guys were wiped out at the same time. And they  
19 start to do the names and then I recognize this girl  
20 from the ME, from after September 11, I had to go down  
21 to the ME's office a few weeks later. She didn't  
22 remember me, but I remembered her, and I asked her why,  
23 why are not you not matching the names of the ID that  
24 you are finding these guys to your report? She said,  
25 well, we didn't have any success with that at the World

1 Trade Center. So we are going to wait. But, I mean, I  
2 can tell there were pulling these guy's drivers  
3 licenses right out of their pants and their wallets,  
4 you know.

5 So, the first guy they did was Bagga Rosa, xx  
6 xxxx xxxxxxxx xxxxxxx, Staten Island. And he had some  
7 serious, you know, his head was basically ripped open  
8 from above the eyebrow and he was, he was just crushed,  
9 both sides.

10 MR. JONES: Well, Lieutenant --

11 LIEUTENANT ESMERADO: You don't need all of  
12 that.

13 MR. JONES: Well, instead of going through  
14 every, let's look at it this way, can you identify or  
15 at least approximate where the 10 bodies were>

16 LIEUTENANT ESMERADO: Yeah, I wrote it down.

17 MR. JONES: Well, let's, why don't we stop the  
18 tape right now.

19 LIEUTENANT ESMERADO: All right.

20 MR. JONES: And just go to a drawing.

21 LIEUTENANT ESMERADO: All right.

22 MR. JONES: And we will do that, and then,  
23 with names.

24 LIEUTENANT ESMERADO: I have two of the names  
25 and then after I talked to that girl from the ME, I

1 didn't write the other two down.

2 MR. JONES: Okay. Well, maybe we can get that  
3 later from the ME.

4 LIEUTENANT ESMERADO: All right.

5 MR. JONES: All right.

6 (Change of tape.)

7 MR. JONES: Continuing the interview.

8 LIEUTENANT ESMERADO: - says that the  
9 Captain, the J said, that he hit so hard, that the  
10 ferry bounced off and then went dead ship. So, he  
11 tried to throw a line into the ship, he doesn't know if  
12 it was a civilian grabbed it or one of the deck hands  
13 was helping out. And then he turned this ferry around,  
14 the Barberi around, and that is why the crushed head  
15 was facing Manhattan. So, but I really didn't know  
16 that until I talked to him. He left me a bunch of  
17 numbers. He also said, he tried to hail, I thought he  
18 said, I wrote down channel 19, he tried to hail that  
19 ferry twice on 19 and he couldn't get an answer. This  
20 guy, Selz said that he noticed there were right on  
21 course at the KB buoy and then he notices they are off  
22 course and of course it is going 20 knots, you know,  
23 close to top speed, which is, what, 16, 17 knots.

24 MR. JONES: Selz is who?

25 LIEUTENANT ESMERADO: Selz is the deck hand.

1                   LIEUTENANT ESMERADO: I told you he showed me  
2 the track line, the blood track up top.

3                   MR. JONES: Yeah. But, he notices that --

4                   LIEUTENANT ESMERADO: He notices that it is  
5 off course. He is noticing that they are off, him and  
6 Smith are talking about home remodeling, and then about  
7 the time they get to the KB buoy, Selz says, I am going  
8 to go down, his job is to get the gates ready and  
9 stuff, right. And then it was just too late to do  
10 anything, they started hitting here, scraping sound.  
11 He runs back up to the wheel house, and he sees Smith,  
12 I remember, I remember Selz telling us with his hands  
13 above his head, trying to reach for something,  
14 overhead, you know. A lot of motion.

15                  MR. JONES: Selz was in the wheelhouse at the  
16 KB buoy.

17                  LIEUTENANT ESMERADO: Yes, talking.

18                  MR. JONES: To Smith.

19                  LIEUTENANT ESMERADO: Yes. About home  
20 remodeling. Because Smith just remodeled his kitchen or  
21 something.

22                  MR. JONES: And he goes down, which deck is on  
23 the gates? The upper --

24                  LIEUTENANT ESMERADO: I guess he went down to  
25 the, I am not sure, sir. I didn't, upper, I guess it

1 was the first deck, because he said he ran right back  
2 up when he heard the ripping and tearing sound. And  
3 that is when he saw Smith in the wheel house with his  
4 hands in the air. And then he was up there again when  
5 Smith went down, and Selz explained he must have saw  
6 that woman, and then came back upstairs. He didn't  
7 know what to do, and then he left the boat. Because  
8 when I asked Selz where did he go? He said he left the  
9 boat. He hadn't heard he had tried to shoot himself. I  
10 told him that.

11 MR. JONES: Yes.

12 LIEUTENANT ESMERADO: But that he was in, you  
13 know, we didn't have, we didn't know if he was alive or  
14 dead until later.

15 MR. JONES: Okay.

16 LIEUTENANT ESMERADO: So, the tugboat captain  
17 was saying that he tried to reach in twice, 19 and  
18 there was just no cobbs and he couldn't understand why  
19 the ferry was so far off his track line.

20 MR. JONES: And that is the regular channel,  
21 the working channel 19.

22 LIEUTENANT ESMERADO: Channel 19, yes, sir. I  
23 made a mistake yesterday, I am glad I wrote it down,  
24 because I was telling somebody this and I said, 18, and  
25 the other NTSB guy, said, oh, no, they work on 19.

1 MR. JONES: You already got interviewed?

2 LIEUTENANT ESMERADO: No, no, this was over  
3 the weekend, we had duty all weekend long, so, I was  
4 just, Mark Biliary, Lieutenant Biliary said I should  
5 talk to Rich about. This guy here, we had no  
6 documentation on, and some of the facts I had from the  
7 tugboat captain.

8 MR. JONES: Okay. All right, can anybody think  
9 of any questions right now.

10 MR. GONZALEZ: Lieutenant Gonzalez. When the  
11 captain of Dorothy J tell you that he had tried to  
12 raise the ferry on Channel 19, was this prior to or  
13 post casualty?

14 LIEUTENANT ESMERADO: Prior.

15 MR. GONZALEZ: Prior to --

16 LIEUTENANT ESMERADO: And he wouldn't answer.

17 MR. JONES: That is before the accident.

18 LIEUTENANT ESMERADO: Yes, sir. He said, I  
19 called him once, no answer. It looked like he was  
20 getting closer, I called him again, and I backed my tug  
21 out of there.

22 MR. CALDERONE: Who is the tugboat captain you  
23 are talking about, do you have his name there?

24 LIEUTENANT ESMERADO: Yeah, his name is Robert  
25 Seckers(ph).

1 MR. CALDERONE: Spell it for me.

2 LIEUTENANT ESMERADO: S-E-C-K-E-R-S. He is  
3 the tugboat captain of the Dorothy J, which is a  
4 tugboat that, it is still down there.

5 MR. CALDERONE: Yeah, I know where that is.

6 LIEUTENANT ESMERADO: He works for Henny  
7 Marine, and he gave me two phone numbers. The phone  
8 number on the tugboat is 917 --

9 MR. CALDERONE: I got that.

10 LIEUTENANT ESMERADO: Oh, you got that.

11 MR. CALDERONE: I have, and you said he tried  
12 to raise, you specifically said Channel 19, right?

13 LIEUTENANT ESMERADO: Yes, sir. I wrote it  
14 down.

15 MR. CALDERONE: Do you know if Channel 19 is  
16 recorded or not?

17 LIEUTENANT ESMERADO: I believe it is not  
18 recorded.

19 MR. CALDERONE: Okay.

20 LIEUTENANT ESMERADO: It is a working  
21 frequency.

22 MR. CALDERONE: You had said earlier that you  
23 had some cases down at the ferry with people hitting  
24 the docks too hard.

25 LIEUTENANT ESMERADO: Yeah.



1 MR. CALDERONE: Was it any one pilot in  
2 particular, was it different pilots?

3 LIEUTENANT ESMERADO: No, it wasn't this guy.  
4 I looked, it wasn't Smith or Gansas.

5 MR. CALDERONE: Who was it, do you know?

6 LIEUTENANT ESMERADO: I don't remember and I  
7 will probably --

8 MR. CALDERONE: Okay.

9 LIEUTENANT ESMERADO: Can we turn that off?

10 MR. CALDERONE: Well, just, that is all right.  
11 We will --

12 LIEUTENANT ESMERADO: The case is -- We have a  
13 big case work backlog and my case from the Staten  
14 Island ferries, my notes, it is entered just so that I  
15 can have the case in record. But, if the case isn't  
16 complete.

17 MR. CALDERONE: Don't worry about it.

18 LIEUTENANT ESMERADO: All right.

19 MR. CALDERONE: But, is it the same name  
20 coming up or is just different people?

21 LIEUTENANT ESMERADO: No, no, it is just  
22 different people. And I have been down there waiting  
23 for people who have to pick up sometimes for base and  
24 it is just a hard hit.

25 MR. CALDERONE: In your investigation, was it

1 never Smith or it was never Gansas.

2 LIEUTENANT ESMERADO: No, no, sir.

3 MR. CALDERONE: Okay.

4 LIEUTENANT ESMERADO: But, that is when I  
5 first learned about assistant captain and captain. I  
6 hadn't known that until I was down there.

7 MR. CALDERONE: Okay.

8 LIEUTENANT ESMERADO: I think it was four or  
9 five people went to the hospital back in January, it  
10 was.

11 MR. CALDERONE: Okay. Let me, you said someone  
12 showed you where Smith had thrown up.

13 LIEUTENANT ESMERADO: Well I thought it looked  
14 it like throw up and didn't tell anybody. I brought my  
15 boss back, he is a hunter, and I said, sir, it looks  
16 like he puked. He goes, yeah, that is definitely  
17 somebody threw up.

18 MR. CALDERONE: So, you just are guessing that  
19 was Smith.

20 LIEUTENANT ESMERADO: Yeah, because who else  
21 is up there? Probably saw what he saw, disgusting  
22 site, and puked.

23 MR. CALDERONE: Like you said it is just, you  
24 are still just guessing, no one actually confirmed  
25 that.

1                   LIEUTENANT ESMERADO: No, no one confirmed,  
2 but it definitely, I was glad to hear my boss, who  
3 lives in the woods, you know, he says, yeah, it looks  
4 like somebody threw up here. I said, that, we found  
5 this right after the crash.

6                   MR. CALDERONE: And you said Selz told you he  
7 went back into the wheel house and he had his hands in  
8 the air?

9                   LIEUTENANT ESMERADO: He didn't actually go in  
10 it, but he saw what Smith was doing and I remember  
11 Selz, you know, he was reaching for something, is what  
12 he said. But, we looked overhead, and there is nothing  
13 up there. There is a radar over here. All the radios  
14 are down here on the controls, so.

15                  MR. CALDERONE: Where is the horn?

16                  LIEUTENANT ESMERADO: There is a horn up  
17 there, but, again, I have two witnesses saying there  
18 were no horns, no alarms.

19                  MR. CALDERONE: Okay. That is all I have.

20                  MR. JONES: The way you describe it, because  
21 we are on tape recorder here, is it is a secondhand  
22 testimony from Selz, but the way you are waving your  
23 arms, you are waving your arms over your head in an  
24 erratic fashion. Is that a --

25                  LIEUTENANT ESMERADO: In fact, Selz said he,

1 that is what he noticed. He didn't use the word  
2 erratic, but he used a word like, you know --

3 MR. JONES: Wildly, confused.

4 LIEUTENANT ESMERADO: Wild, yeah, emotional,  
5 something like that.

6 MR. JONES: It wasn't a direct motion as to  
7 pointing somewhere. It was just --

8 LIEUTENANT ESMERADO: No, no, no.

9 MR. JONES: It was --

10 LIEUTENANT ESMERADO: I was almost like, the  
11 way he described it to me, it is all conjecture right  
12 now, but, the way he described it to me is like, you  
13 know, he was startled, like he was startled and maybe  
14 that was his first reaction or something like that.

15 MR. JONES: Okay.

16 LIEUTENANT ESMERADO: And that is before he  
17 went downstairs.

18 MR. JONES: Right. Okay. Lieutenant Esmerado  
19 has given a drawing for us of six DOAs at the ferry and  
20 we will get a copy of that and submit that with this,  
21 with this tape.

22 Anybody else have any questions right now?

23 I have one more for you, Lieutenant. The,  
24 what avenues are open to the public with regards to  
25 reporting hard hit ferry dockings?

1                   LIEUTENANT ESMERADO: They call here. But,  
2                   because a marine casualty means it is, one of the  
3                   reasons would be, medical treatment beyond first aid.  
4                   In the case I had in January, it was like four or five  
5                   people went to the hospital. Nobody stayed overnight.

6                   MR. JONES: Do you keep a record of all the  
7                   calls, or just those that rank in regards to first aid?

8                   LIEUTENANT ESMERADO: Those that rank in  
9                   regard to marine casualty. And medical treatment  
10                  beyond first aid is only one parameter of what a Coast  
11                  Guard marine casualty is. Often times what you would  
12                  get a lot from the Staten Island Ferry, it is, it is,  
13                  you know, just things we say back in the IO shop, it is  
14                  like the ferry is direct, direct drive. It is really  
15                  an electric diesel or electric propulsion system. So,  
16                  they have four engines at any time, right. So, if they  
17                  lose an engine, which we would say lost of propulsion  
18                  or lost of maneuverability, that means it ours as well.

19                 We get these forms, they are called Coast Guard 2692s,  
20                 which is industry accident report to us, based on the  
21                 parameters of what a marine casualty is. You know, we  
22                 always, I am sorry to say now, we always laugh, we are  
23                 like, it is really a lost of propulsion. I mean, they  
24                 have a fixed track line. Is it really a lost or  
25                 maneuverability? They are on a 15 minute voyage. It

1 is really a marine casualty? They have two captains  
2 onboard, you know. This is just stuff we say among  
3 ourselves. So, they are very strong, very strong union  
4 there, too. And that is what I learned last January  
5 about the assistant captain and the captain, those are  
6 more like union terms. They are not really industry  
7 terms that we refer to. What we go after is what type  
8 of license. Do they have those licenses to be there?  
9 And I guess the way it works, is the assistant captain  
10 just works his way up to be a captain. It is common  
11 knowledge here in this shop, you know, that is a tight  
12 union down there. I mean, these guys, you are talking  
13 grandsons working there, you know.

14 MR. JONES: Nepotism.

15 LIEUTENANT ESMERADO: I am, I mean, it has  
16 never come up in an official investigation, but, yes,  
17 sir. You have to know somebody that knows somebody or  
18 you are born into that union. And your grandfather or  
19 whatever worked the Staten Island ferry. I wouldn't  
20 say nepotism, I get this job because Richie my cousin.

21 You go in the wheel house, you have to be qualified,  
22 you can't, you can't bs your way into that job. But, a  
23 lot of the deck hands, you know what I mean. You find  
24 a lot of retired guys down there, too. Hell I ran into  
25 a retired chief that I knew from here. He is a Staten

1 Island ferry dispatcher.

2 MR. JONES: So you have done previous  
3 investigations of the ferry?

4 LIEUTENANT ESMERADO: Yes, sir, yes, sir.

5 MR. JONES: That one incident where you said  
6 there were four injuries.

7 LIEUTENANT ESMERADO: Yes, sir. I just had  
8 another one recently, I believe it was five injuries.  
9 But, I just had another one where a deck hand, they did  
10 a COI inspection on the ferry, and the deck plate was  
11 left open in the engine room. I don't know how this  
12 kid did this, but he went back to use a phone, to radio  
13 upstairs, but to get to this phone in this box, you  
14 have to walk pass this open area, deck plate, and he  
15 walked right into it. He went to the hospital. Again,  
16 he was the, he is the son of an employee there. And  
17 they said he wasn't a very good worker, so they doubted  
18 how his injury was.

19 MR. JONES: Well, while you are conducting  
20 these investigations, how is the cooperation between,  
21 and the deck hands and the --

22 LIEUTENANT ESMERADO: Well, the second, the  
23 last time I was down there, which was a month ago, it  
24 was real good. I hooked up with the port engineer,  
25 hell of a good guy, very knowledgeable. Known

1 throughout the harbor, except I forget his name.

2 MR. JONES: Lubby Shawn something?

3 LIEUTENANT ESMERADO: No, I think it is Mark  
4 something.

5 MR. JONES: Okay.

6 LIEUTENANT ESMERADO: And he took me around.  
7 We went over the whole propulsion system. I got back  
8 to the office I told my boss, I learned more from this  
9 guy than I did from two D draft guys that should be  
10 giving the training. So, of the federal civilians that  
11 we have here. But, anyway, the first, and the last  
12 winter I was down there, with that hard hit, ambulances  
13 showed up and this and that. I thought the cooperation  
14 was okay. Right away they are worried about drug and  
15 alcohol testing.

16 MR. JONES: As long as that is, that is all.  
17 It is okay, that is fine.

18 LIEUTENANT ESMERADO: Yeah.

19 MR. JONES: Okay. Anybody else got any other  
20 questions?

21 Okay. All right.

22 (Whereupon, the interview was concluded.)