

UNITED STATES OF AMERICA  
NATIONAL TRANSPORTATION SAFETY BOARD

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In the matter of: :

:

ALLISION WITH STATEN ISLAND FERRY :

TERMINAL MAINTENANCE PIER AT :

ST. GEORGE, STATEN ISLAND, NEW YORK : DCA04MM001 BY THE FERRY ANDREW J.

BARBERI :

ON OCTOBER 15, 2003 :

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INTERVIEW OF: :

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CAPTAIN PATRICK RYAN :

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Office of Marine Safety  
NTSB

October 23, 2003

The above captioned interview was conducted, pursuant to notice.

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PROCEEDINGS

CHAIRMAN TURRELL: Good morning. This is Morgan Turrell of the NTSB, October 23, 2003. We are interviewing Captain Ryan of Staten Island Ferries. We'll go around the room to introduce different group members, to my left. Go ahead.

MR. MURRELL: Robert Murrell, New York State Department of Transportation.

MR. WOODY: I'm Bill Woody, NTSB.

CHRISTINE: Christine ... Investigator.

MR. STEFANO: Nick Stefano, Coast Guard Investigations.

MR. COBB: Charles Cobb, Coast Guard Marine Investigator.

MR. HARDY: Detective Anthony Hardy, NYPD.

CHAIRMAN TURRELL: Captain Ryan.

CAPTAIN RYAN: Pat Ryan, New York City, Department of Transportation, Staten Island Ferry. ATTORNEY: John ... and Mahara.

CHAIRMAN TURRELL: Thank you. Are you the attorney for the city or Mr. Ryan's personal attorney?

ATTORNEY: We are the attorneys for the city and we are here with Captain Ryan in his capacity as an employee of the city.

CHAIRMAN TURRELL: And do you know the NTSB rules regarding counsel in a meeting interview?

ATTORNEY: We do.

CHAIRMAN TURRELL: Okay, thank you. Captain Ryan, would you please acknowledge that this is being recorded?

CAPTAIN RYAN: So acknowledged, it is being recorded.

CHAIRMAN TURRELL: Thank you. Captain Ryan would you please tell

1 us how old you are?

2 CAPTAIN RYAN: Fifty-one years old.

3 CHAIRMAN TURRELL: How long you have worked for the ferries?

4 CAPTAIN RYAN: Twenty-four years.

5 CHAIRMAN TURRELL: Can you describe your advancement? When  
6 you started with ferries and to where you are today.

7 CAPTAIN RYAN: Began as a deck hand, that's the entry level. Worked  
8 through Assistant Captain, Captain, Port Captain, Deputy Director, and Director of  
9 ferry operations.

10 CHAIRMAN TURRELL: And what is your current position?

11 CAPTAIN RYAN: Director of ferry operations.

12 CHAIRMAN TURRELL: And how long have you held that post?

13 CAPTAIN RYAN: Two years.

14 CHAIRMAN TURRELL: In your capacity as director of water boats, what  
15 does your detail include, what are your daily routines and responsibilities?

16 CAPTAIN RYAN: Full time manager of the operation and maintenance  
17 repair of the ferries.

18 CHAIRMAN TURRELL: And who do you answer to?

19 CAPTAIN RYAN: Assistant commissioner Joe ...

20 CHAIRMAN TURRELL: How long has he worked for the ferries?

21 CAPTAIN RYAN: Two years.

22 CHAIRMAN TURRELL: Have you ever served as a Captain of the Barberi  
23 class ships?

24 CAPTAIN RYAN: Yes, I have.

25 CHAIRMAN TURRELL: And have you served as Assistant Captain of the

1 Barberi class?

2 CAPTAIN RYAN: Yes, I have.

3 CHAIRMAN TURRELL: Do you have pilot licenses for the New York  
4 waters that ferries are required to have?

5 CAPTAIN RYAN: Yes, I do.

6 CHAIRMAN TURRELL: Could you describe in brief detail what those  
7 requirements are for Assistant Captain or Captain on your ferries?

8 CAPTAIN RYAN: For assistant captain we have to have a first class  
9 pilot's license, the extensions are the upper bay, New York Harbor, the East River from  
10 the Battery to Execution Rock, and West River from the Battery to the George  
11 Washington Bridge, and the Kills from the KV buoy to E port (ph).

12 CHAIRMAN TURRELL: Thank you. And all of your Captains or Assistant  
13 Captain hold that endorsement or endorsements?

14 CAPTAIN RYAN: No, that's a requirement for ... We allow people to sail  
15 as Assistant Captains as long as they have the first class pilot's license and the upper  
16 bay throughout their ferry travel.

17 CHAIRMAN TURRELL: What are the minimum requirements of  
18 experience for Assistant Captain and Captain as far as non-pilot endorsement? Other  
19 requirements?

20 CAPTAIN RYAN: When you ... the deck department is entry level or  
21 deck hand, right, to draw them up where they join as deck hands and work their way  
22 up through various aspects of the job. Some people come here with their licenses  
23 and within a couple months or a few months they are in the pilot house, or as mates.  
24 Captains -- we let them go as far as Mate or AC rather quickly, but Master we hold off  
25 a while.

1 CHAIRMAN TURRELL: And how long would a while be?

2 CAPTAIN RYAN: Six months?

3 CHAIRMAN TURRELL: How many total employees do the ferries  
4 employ?

5 CAPTAIN RYAN: Estimate --

6 ATTORNEY: Can I just make one point -- we talked about the pilots  
7 and then I think you mentioned licenses. And he didn't really give the information of  
8 what licenses they were.

9 CHAIRMAN TURRELL: Sure, Captain Ryan, go ahead and clarify the  
10 license requirements. You're referring to the Coast Guard license requirements?

11 CAPTAIN RYAN: Yes.

12 CHAIRMAN TURRELL: The unlimited Master Islander or some --

13 CAPTAIN RYAN: Oh, for the --

14 CHAIRMAN TURRELL: For the Captains.

15 CAPTAIN RYAN: Oh, for the Captains. The Coast Guard requires  
16 unlimited Master first class pilot.

17 CHAIRMAN TURRELL: Any restriction or unlimited Master license?

18 CAPTAIN RYAN: Unlimited.

19 CHAIRMAN TURRELL: Unlimited. And that's the minimum requirement?

20 CAPTAIN RYAN: Yes.

21 INVESTIGATOR: That's for Assistant Captains and Captains?

22 CAPTAIN RYAN: Just for the Captain.

23 INVESTIGATOR: Okay.

24 CHAIRMAN TURRELL: Alright how many total employees?

25 CAPTAIN RYAN: Approximately 430 to 450, total.

1                   CHAIRMAN TURRELL: How many of those employees are Captains or  
2 Assistant Captains?

3                   CAPTAIN RYAN: There are 19 Captains, 16 Assistant Captains.

4                   CHAIRMAN TURRELL: When a mate or a person is being interviewed for  
5 Captain position, or Assistant Captain, what are the type of questions you would ask  
6 them as their background or experience? What are you looking for as employer in  
7 one of these Captains or Assistant Captains?

8                   CAPTAIN RYAN: The license requirements first. Their knowledge of the  
9 routes the boat is on; their knowledge of our in-house procedures and the depth of  
10 their maritime background.

11                  CHAIRMAN TURRELL: And how would you -- how do you question these  
12 -- these different elements? Like their maritime background, how would you question  
13 that? What things are you looking for?

14                  CAPTAIN RYAN: Basically we look at their maritime background, and  
15 we're looking for people who are familiar with this area, the sailing in inland waterways  
16 are very congested, shallow waters, you know, a Master coming off a ship is a  
17 different thing.

18                  CHAIRMAN TURRELL: And so how would you ask them about their  
19 knowledge of routes? You mentioned knowledge of different routes.

20                  CAPTAIN RYAN: We ask two questions, some of the marks, the buoys,  
21 where they worked, what they worked on by just like, you know, you can tell by the  
22 companies that they worked for, where they worked for the companies.

23                  CHAIRMAN TURRELL: And their knowledge of company procedures?  
24 How is that established?

25                  CAPTAIN RYAN: Ask questions about company procedures.

1                   CHAIRMAN TURRELL: Are there any particular procedures you ask in  
2 the interview, in particular?

3                   CAPTAIN RYAN: Questions about -- stations questions. For the Master,  
4 crew responsibility, for the AC, bridge responsibilities.

5                   CHAIRMAN TURRELL: In these interviews, are they held strictly by  
6 yourself or additional interviews other people have -- is it one person, or two people?

7                   CAPTAIN RYAN: Well, usually it's myself, the Port captains -- two Port  
8 captains.

9                   CHAIRMAN TURRELL: And is the Port captain's experience similar to  
10 your own?

11                  CAPTAIN RYAN: Yes.

12                  CHAIRMAN TURRELL: Is there any psychological evaluation or  
13 temperament evaluation of these candidates that you perform or request?

14                  CAPTAIN RYAN: No.

15                  CHAIRMAN TURRELL: Do you know if the ferries have any programs for  
16 employees who may feel the need for psychological assistance?

17                  CAPTAIN RYAN: Yes, there are.

18                  CHAIRMAN TURRELL: Can you tell us about those -- that program or  
19 programs?

20                  CAPTAIN RYAN: The -- actually the EAP program. All employees are  
21 aware that they can contact them, that it's confidential.

22                  CHAIRMAN TURRELL: Is that the -- there is a placard on the bridge, I  
23 believe it was drinking and gambling and -- is that the program that you're referring  
24 to?

25                  CAPTAIN RYAN: That's part of it. It's an EEO Equal Employment

1 Opportunity program, where it's important to be behind the scenes, contact through  
2 the DOt -- everybody understands ...

3 CHAIRMAN TURRELL: So an employee who feels they may have some  
4 sort of difficulty can contact this number confidentially without notifying their  
5 employer?

6 CAPTAIN RYAN: Right, they don't have to go through anybody, they  
7 go directly to the EAP.

8 CHAIRMAN TURRELL: Does this EAP coordinator ever inform you the  
9 numbers or that there's been a contact? Is there any notification to Port Authority that  
10 -- or to yourself?

11 CAPTAIN RYAN: Only if the person that's in with some type of  
12 assistance or schedule modification from us, where they'll call and say this person  
13 won't be there, you know, won't be working for a while or expected to be out or  
14 something like that.

15 CHAIRMAN TURRELL: In your experience, in the two years as Director  
16 and Deputy Director, has that office ever contacted you to make those  
17 modifications?

18 CAPTAIN RYAN: Uh, yes.

19 CHAIRMAN TURRELL: Can you perhaps give us an idea of how often  
20 that might occur? Characterize that contact in any way?

21 CAPTAIN RYAN: It's essentially a signing off is all, through the personnel  
22 office and I would say a couple times a year, and it's mostly for either crew or a ...  
23 assignment or that someone is goign to be absent from work, and that they're under  
24 their care ...

25 CHAIRMAN TURRELL: Is there a higher level of attention paid to



1 individuals when they're in command positions, when there might be a problem -- of  
2 the EAP program or wherever these particular individuals are in these sensitive  
3 positions?

4 CAPTAIN RYAN: My opinion of this is they -- EAP realize these positions  
5 are different from, you know, the clerical or highway worker or something that --  
6 because they have to act differently towards these people in the federal guidelines if  
7 they come into different groups, so I believe so.

8 CHAIRMAN TURRELL: Do the ferries keep track of employees physical  
9 or physical conditions?

10 CAPTAIN RYAN: Only if someone -- is unfit for duty, when they return to  
11 work after they're fit for duty, we track their absentee record, there's a procedure for  
12 how many days you can take off before there's any type of penalty.

13 CHAIRMAN TURRELL: So there's no program to bringing on physicals to  
14 the city DOT, is that correct?

15 CAPTAIN RYAN: Correct.

16 CHAIRMAN TURRELL: You keep track of the individual's license to  
17 ensure that it's up to date?

18 CAPTAIN RYAN: Yes, we do. To insure that it's up to date, we have a  
19 file of all the licenses, we try to keep track of them all.

20 CHAIRMAN TURRELL: Does the city, in your experience, provide you  
21 the resources to, given the legal framework that we have to work in, is there -- does  
22 the city provide you enough resources to track personnel and sensitive elements of  
23 personnel in your opinion? Things like medical evaluations? Is the EAP program really  
24 providing you enough resources to do this?

25 CAPTAIN RYAN: There are no resources here. Once they go to EAP,

1 EAP assesses the complaints and -- I don't think I'm understanding your question.

2 CHAIRMAN TURRELL: As far as the personnel tracking -- in house, the  
3 license tracking, the personnel -- does the city provide you enough resources to  
4 maintain a tracking of the different individuals, their licenses, and requirements?

5 CAPTAIN RYAN: Yes.

6 CHAIRMAN TURRELL: What is the annual budget for the Staten Island  
7 ferry operation?

8 CAPTAIN RYAN: Approximately \$452 million dollars. Mostly expense --  
9 some, a very little bit of that is capital ...

10 CHAIRMAN TURRELL: I'm going to shift now to the day of the accident,  
11 last Wednesday, October 15th. If you can start in the morning when you reported for  
12 the 1:30 shift and just describe what you experienced that day.

13 CAPTAIN RYAN: Actually it was a pretty quiet day, a little windy. I was  
14 actually in the port office, you know, just going over the day's events with the Port  
15 captain, John Morgan (ph). Actually considering going home because it was kind of  
16 quiet. And Charles Sodo, the clerk, opens the port office door, yells in, why the hell is  
17 the Barberi going to dock at -- I think he said either 69th Street or the maintenance  
18 facility. And both I and the port captain got up, ran out, I saw the boat half way. I ran  
19 towards the boat, the Port captain ran to the radio, trying to contact the boat.

20 I kind of think about from where I was to where the boat hit, it took me  
21 two and a half minutes to get over there the other day. And by the time I was there,  
22 the boat had already hit, was off the pier, and the tug boat was trying to get a line  
23 out.

24 There was already an incredible emergency response on that pier.  
25 There was ambulances, fire trucks, looking where to go. We instructed -- I didn't have

1 the VHS radio with me, I had my cell phone. I called the port office, told the port  
2 captain to have the boats get back to St. George, turn around, either by tug boat or  
3 ... The boat was going over that way, towards St. George. I saw the boat start to  
4 move. I started to go back towards the operating slip, called Commissioner Cameron  
5 (ph) on my phone to let him know this looks pretty bad. I didn't realize how bad it was.  
6 I thought it was only a 50 or 60 foot gash on the side of the boat. I knew there was  
7 some medical emergencies on the boat.

8 Started walking over, called Commissioner Cameron. After the boat  
9 hit and I was on the dock, time was -- I have no idea what time it was. So I go over,  
10 and I'm pretty sure I got there just as the boat was -- I don't remember waiting for the  
11 boat, I think the boat was pretty much coming into the slip or at least in the slip if not  
12 all the way hooked up yet. Jumped on the boat.

13 Again, there was an incredible amount of emergency responders  
14 waiting for the boat to get in. Jumped on the boat, all those emergency responders  
15 jumped on the boat. I'm not sure if I ran through the boat downstairs first or upstairs,  
16 but I ran to the boat and took a quick look at the -- I know I saw the damage to the  
17 structure and you know, all the medical conditions on the boat.

18 Went upstairs to the pilot house to try to -- I don't remember if I ran  
19 upstairs first or downstairs first. I was on the boat in both places. When I was getting on  
20 the boat -- when I was going up to the pilot house, I ran into Richie Smith at the --  
21 somewhere in that upper debarkation area before you get off the boat onto the  
22 gangways to the dock -- either inside the doors or outside the doors and I said, Richie,  
23 what happened? And he had this horrible look in his eyes, and he said, "Patty, I'm  
24 sorry. I blacked out. It's all my fault. I killed all these people."

25 I grabbed him by one arm, tried to pull him back on to the boat to see

1 the pilot, and I said, you have to get back up into the pilot house and see what went  
2 on here. He pulled away from me and ran up the apron. There were a lot of medical  
3 personnel out there, and I was hoping he was just running to get some medical  
4 attention. He had some blood on him. It didn't look like he was bleeding, but there  
5 was -- I remember some blood on his clothes, maybe a little on his face.

6 Went up to the pilot house, I could see Mike in the window starting to  
7 lose it, so I ran up there --

8 CHAIRMAN TURRELL: You can stop for a moment.

9 (Whereupon, the hearing was off the record for a brief period.)

10 CHAIRMAN TURRELL: Go ahead now. You saw Mike in the pilot house?

11 CAPTAIN RYAN: I saw Mike Gansas in the pilot house, right up there.  
12 Got in the pilot house, Mike was pacing. I said, Mike I saw Richie, he told me what  
13 happened, he passed out. What happened? What's going on? He said, he left me  
14 all alone. He blacked out. I don't know, he was slumped over the controls. I grabbed  
15 him off the controls. By the time I had control of the boat we had already hit.

16 I said, Mike, were you in the pilot house when this was going on? He  
17 said, yes. I tried to calm him down. And I called for a relief for him.

18 (Noise on tape.)

19 CHAIRMAN TURRELL: Sorry for that interruption. Now you called for a  
20 relief and the port captain ...

21 CAPTAIN RYAN: Yes, he asked me to stay with him until he came.  
22 Joey arrived on the boat and I left -- I don't know if I went downstairs, upstairs -- I  
23 remember meeting John White and Eugene Brady, and I dispatched them to try to  
24 find Richard, to bring him back and make sure he's all right, try to find him. They  
25 ended up ... and the whole thing. And just proceeded with coordinating efforts to get

1 the ferry -- take care of the boat passengers and crew. If you got off the boat it was  
2 hard to get back on, like getting to a crime scene, so if you got off it was hard to get  
3 back on.

4 CHAIRMAN TURRELL: Can you just step back for a moment and tell me  
5 what Captain Gansas told you on the bridge again?

6 CAPTAIN RYAN: Gansas told me -- I don't know what it was, but Richie  
7 had left him all alone. That he had collapsed or passed out. He found him slumped  
8 over the controls and he pulled him off the controls, took control of the boat, by that  
9 time they had hit. I asked him if he was in the pilot house, and he said yes.

10 INVESTIGATOR 2: Just -- you're using a lot of "he"s. It would be helpful if  
11 you could just -- when you're telling us what was said, which individual was saying it.  
12 Just take your time, all right?

13 CAPTAIN RYAN: So I was talking to Mike Gansas. I believe he was  
14 referring to Richie Smith. He said "He left me all alone." And Mike Gansas said that he  
15 had found Richie Smith slumped over the controls. He had to take him off the  
16 controls, remove him from the controls, take control of the boat. By the time he did  
17 that, the boat had hit. I had asked Mike Gansas, if he was in the pilot house? I don't  
18 know if ... I just said were you in the pilot house? And Mike Gansas told me, "Yes, I  
19 was."

20 CHAIRMAN TURRELL: The comment about being left all alone. Can  
21 you describe that again as to who was saying they left him in the pilot house alone --  
22 I'm a bit confused by that.

23 CAPTAIN RYAN: He said, "He left me all alone." Mike Gansas said, "He  
24 left me all alone." I assumed that that was Richie because that was -- I mean those  
25 are the two navigating officers, those are the people that should be together, right. I

1 assumed that he was talking about Richie Smith.

2 CHAIRMAN TURRELL: So Mike said Richie had left Captain Gansas all  
3 alone.

4 CAPTAIN RYAN: Right.

5 CHAIRMAN TURRELL: Did you have an occasion to see or speak to Mr.  
6 Rush that evening -- or that morning, or that afternoon, excuse me? Either during the  
7 accident sequence or after the accident?

8 CAPTAIN RYAN: I don't recall talking to him -- it may have been some -  
9 - we may have some conversations when the boat was in the dock there. But, no, the  
10 next time I remember talking to him, it was actually here, when we interviewed him.

11 INVESTIGATOR 2: Ms. Turrell, just before we leave this one topic, can I  
12 just ask one clarifying question on this point you just picked up on?

13 Mr. Ryan, you said that you assumed that Richie Smith is the person  
14 that Mike was referring to when he said he left me all alone, but he also said that he  
15 was -- he had pulled Richie back from the control deck, that Richard slumped over it.

16 CAPTAIN RYAN: Yes.

17 INVESTIGATOR 2: Do you know when Mike Gansas said that Richie had  
18 -- when he was referring to Richie and he said he left him all alone, what time frame  
19 was he talking about, if you know?

20 CAPTAIN RYAN: I don't know.

21 CHAIRMAN TURRELL: When this conversation occurred with you and  
22 Captain Gansas, were you confused? Were you confused when he told you these  
23 comments? That Richie had left him all alone and yet he was still in the wheel house?  
24 Was there a moment of concern in your mind -- or what were your thoughts when he  
25 said that to you?

1                   CAPTAIN RYAN: I can tell you what I was -- my assumption, and that I  
2 thought he was talking about Richie Smith, and I thought it was about trying to get the  
3 boat back around from the collision to the terminal operating dock. And it was a split  
4 second -- that's just what I thought.

5                   CHAIRMAN TURRELL: Did Captain Gansas at that point relate to you  
6 any difficulties with the maneuvering of the ship? Or any engine control problems?

7                   CAPTAIN RYAN: No, we didn't discuss that at all. He was -- I was trying  
8 to keep his calm. He started yelling and screaming, started throwing stuff around.  
9 Was pushing stuff around and saying like, I killed all these people.

10                  CHAIRMAN TURRELL: That was Captain Smith?

11                  CAPTAIN RYAN: That was Captain Gansas that said that.

12                  CHAIRMAN TURRELL: He was agitated.

13                  CAPTAIN RYAN: Yes.

14                  CHAIRMAN TURRELL: Did Captain Gansas at this point ask you, as his  
15 supervisor, about the consequences or any nature of any sort of talk about ferry  
16 policies or procedures or any conversation about that?

17                  CAPTAIN RYAN: No.

18                  CHAIRMAN TURRELL: Did you happen to see if there was any blood on  
19 the bridge or any sign of trauma on the bridge or the wheel house?

20                  CAPTAIN RYAN: I didn't notice any -- I didn't notice any at all.

21                  CHAIRMAN TURRELL: When you first arrived and was standing in the  
22 wheel house, did you see a chair or stool near the controls? Do you recall?

23                  CAPTAIN RYAN: I don't recall.

24                  CHAIRMAN TURRELL: Do you know if Captain Smith as one of your  
25 Captains, used to sit down or is he a stand-up guy?

1 CAPTAIN RYAN: I don't know. From what I remember he'd sit down,  
2 but I don't know.

3 CHAIRMAN TURRELL: How often do you actually ride the ferries with  
4 your Captains?

5 CAPTAIN RYAN: Several times a month.

6 CHAIRMAN TURRELL: Did you have occasion to ride with either  
7 Captain Gansas or Captain Smith in the previous sixty days?

8 CAPTAIN RYAN: No.

9 CHAIRMAN TURRELL: Now prior to that time, your observations of  
10 Captain Smith as one of your captains, what were your observations as his supervisor,  
11 of Captain Smith's performance or capabilities?

12 CAPTAIN RYAN: Very cautious. He was like the kind of people, you  
13 know, they try to maintain a certain amount of time performance level. And that was  
14 not his major concern, he was very carefully, slowly, doc...

15 CHAIRMAN TURRELL: His time performance, you said this is one of the  
16 elements that you rate captains on?

17 CAPTAIN RYAN: Yes.

18 CHAIRMAN TURRELL: Was time performance an issue with Staten Island  
19 ferries or the Captains?

20 CAPTAIN RYAN: Yes, try to maintain a certain level of service we're  
21 trying to provide. And we like to keep ...

22 CHAIRMAN TURRELL: Is that based on on time performance or is that  
23 based on number of runs completed?

24 CAPTAIN RYAN: It's based on on time performance.

25 CHAIRMAN TURRELL: I'll go ahead now and start the group members.



1 CAPTAIN RYAN: Can I add something on the on time performance?

2 CHAIRMAN TURRELL: Sure.

3 CAPTAIN RYAN: 96 percent is a very attainable performance record,  
4 you know, can be very safe, very cautious. We're not pushing the envelope.

5 CHAIRMAN TURRELL: Just on that note, what would reduce on time  
6 performance from 100 percent to 96 percent? What factors would reduce that?

7 CAPTAIN RYAN: Well, trip delays for medical emergencies, or trip  
8 delays for police actions, the harbor traffic, weather.

9 CHAIRMAN TURRELL: Robert?

10 MR. MURRELL: No. No questions.

11 CHAIRMAN TURRELL: Bill?

12 MR. WOODY: Yes, I'd like to go, I guess, through the specs of the  
13 people. I think you made a point that people come in as deck hands and then they  
14 work their way up. How do you become aware of somebody who is aspiring to get to  
15 the pilot house, or to get to be a mate?

16 CAPTAIN RYAN: They usually inquire about the position, how do you  
17 go about getting a license so someone can help them get ready. We have Coast  
18 Guard packages here for original license, upgrades. We actually have some contact  
19 in the -- in my office to put them in touch with people to get more information.

20 MR. WOODY: Do you have any schools that you recommend to them  
21 they can go to to learn?

22 CAPTAIN RYAN: No.

23 MR. WOODY: Do you have any SPCW (ph) requirements, other than  
24 safety officer or that kind of thing?

25 CAPTAIN RYAN: No, we don't require it. A lot of officers took

1 advantage of the ... school, and a lot of the officers took advantage of it and went  
2 and got the SPCW (ph) endorsement.

3 MR. WOODY: Okay. And so there's no particular training that you  
4 point to except just how to get their license, direct them to the Coast Guard, talk to  
5 the Coast Guard and the license package. Anything besides that?

6 CAPTAIN RYAN: To get them -- to prepare them to up --

7 MR. WOODY: For upgrading, right.

8 CAPTAIN RYAN: To prepare them to get a license to come up through  
9 the ranks here, or just for the license?

10 MR. WOODY: Particular to how they come through the ranks here, but  
11 you need to prepare people, or what the company has for them to elevate people.

12 CAPTAIN RYAN: We encourage them. The officers on the boat  
13 encourage it. People who are serious and under the Captain's -- under the Master's  
14 supervision, will let them start to steer the boat and they'll help them with preparing for  
15 the exam, from what they remember of taking the exam. A lot of times people will get  
16 together and study for the mate's exam or pilot's exams together, to share some of  
17 their books and charts that they use. We encourage this. There's no structure to the  
18 way we approach it. We encourage it.

19 MR. WOODY: Is there anything in the performance appraisals, reflect  
20 that people have aspirations to get to the pilot house, is that something that you fill in  
21 at the end?

22 CAPTAIN RYAN: It probably would be noted. I would say yes, that if a  
23 person has -- looks like -- advance himself like that it would show up in his performance  
24 evaluation and yes, they have a license that's waiting, they're trying.

25 MR. WOODY: You mentioned some people come to the boat with a

1 license.

2 CAPTAIN RYAN: Yes.

3 MR. WOODY: And can you give me some idea of how long they  
4 would be -- say working on deck before they get some type of promotion? Would it  
5 be the mate? Would it be the pilot house?

6 CAPTAIN RYAN: Anywhere from several years to -- it could be a  
7 couple of months.

8 MR. WOODY: I understand from talking to personnel that whenever  
9 there's a vacancy, it's advertised. Could you tell us the advertising process that would  
10 let people on the vessel know that there's an opening, say, for an Assistant Captain or  
11 the Captain?

12 CAPTAIN RYAN: It's a pretty general posting. It's posted in the dock  
13 office, and on the boats. You know, there's a position available. Submit your resumes.

14 MR. WOODY: When you say resume, what would -- is there any kind of  
15 a special form that you have for the resume, or just -- or you ask them to tell just what  
16 they've done, or -- just describe the resume I guess, should be my question.

17 CAPTAIN RYAN: Yes, it's a basic resume. I mean we're interested in  
18 their maritime background, they have to show licenses.

19 MR. WOODY: And you mentioned that there's interviews with two  
20 people, and you mentioned a couple names, and this would be yourself and two port  
21 captains?

22 CAPTAIN RYAN: Yes, it depends on where the -- if it's above deck, it's  
23 the port captains and the Director; if it's the below deck, it's the port engineers and the  
24 Director.

25 MR. WOODY: Okay. Now is there just one, or do you have a series of

1 interviews or just one interview and make a selection?

2 CAPTAIN RYAN: One interview and make selection. Let me just go  
3 back a little bit. For deck hands and for oilers, it's usually the Port captain, somebody  
4 from the dock side like John White; for the oilers, the entry level for the oilers, it's a port  
5 engineer or an oiler or another marine engineer. A lot of times you put Billy Kane (ph),  
6 the person in charge of fuel oil facility, ...

7 MR. WOODY: So once you have an opening for, let's say a mate, for  
8 example, and an assistant captain. And you've had -- these openings have been  
9 advertised, got the resumes and you've had interviews. Do the three of you get  
10 together and decide among yourselves who is the best candidate?

11 CAPTAIN RYAN: Well, the Port captains and myself will talk with the  
12 people he's worked with ... bring -- what they think of his ship handling abilities, what  
13 they think of him as a bridge officer, if he is best one for the job. That goes into the  
14 decision, and ... process and experience, how he presents himself or herself for the  
15 interview.

16 MR. WOODY: And if a person -- once selected, is there a probationary  
17 period that they go through to make sure that they're -- this is --

18 CAPTAIN RYAN: ... title provisional --

19 MR. WOODY: ... title?

20 CAPTAIN RYAN: Since we are ... the city process cannot keep up with  
21 that, so we know the people here with licenses. We'll post for it. We'll post for the job.  
22 We'll see the person, and then we will -- he'll pass the interview, and we're satisfied that  
23 we think they'll be competent, we promote them and we call it out of title. And they  
24 get paid hour by hour for working that different title. Their real title will be deck hand,  
25 but it'll be out of title, whatever the title is. As soon as the city processes can keep up

1 with the vacancy that created that job, then they're promoted to the position.

2 MR. WOODY: Thank you very much. I just wanted to understand.

3 CAPTAIN RYAN: Civil service exams come around every 12, 13 years,  
4 and it's just -- and everything just gets all turned upside down.

5 MR. WOODY: Are the people on any of the vessels subject to the city-  
6 wide exam?

7 CAPTAIN RYAN: Oh, yes. Yes.

8 MR. WOODY: And these are just -- are they geared or directed toward  
9 maritime employment or are they general purpose exams?

10 CAPTAIN RYAN: For the -- all the officers on the boat ... King's Point, the  
11 DGS, the Department of General Services, DCAP, I'm sorry, will construct the exams,  
12 give the exams, mark the exams. They have input from us, they have input from some  
13 maritime institution, you know, people ... , people are in on the exams, the interviews,  
14 the practicals end of it.

15 Now they just had an oilers exam also. King's Point worked with DCAP  
16 on that one.

17 MR. WOODY: Okay, so an oiler might take the same exams. So the  
18 exams are designed for maritime employment. Are they designed for the different  
19 grades, like an exam for deck hand, an exam for Assistant Captain, things like that?  
20 Or are they all the same?

21 CAPTAIN RYAN: No, they're different. Entry level is deck hands or oiler;  
22 and then you have to be a permanent deck hand or oiler to take the marine  
23 engineer, engineer on the engine side; Mate, Assistant Captain or Captain on the  
24 deck side.

25 MR. WOODY: Okay.

1 CAPTAIN RYAN: And then some ... deck hand, general terms,  
2 supervisor, city service exams for that.

3 MR. WOODY: Thank you very much. I understand that. Now when  
4 you pick that person for out of title, would he have taken -- necessarily would he have  
5 taken one of these exams?

6 CAPTAIN RYAN: They have taken an exam --

7 MR. WOODY: For a lower grade?

8 CAPTAIN RYAN: For a lower grade. You know, permanent Assistant  
9 Captain, could be picked for an out of title Captain.

10 MR. WOODY: If you pick a person for an out of title position, would he  
11 eventually be required to take an examination appropriate to his position?

12 CAPTAIN RYAN: It would -- if -- when the exam given by the city?

13 MR. WOODY: Uh-huh.

14 CAPTAIN RYAN: It's up to him to take it or not. If he doesn't take it and  
15 they establish the listing and he's not on it, he would be replaced with somebody on  
16 the list.

17 MR. WOODY: I see.

18 CAPTAIN RYAN: I'm sorry, I keep saying "he", but there's --

19 MR. WOODY: I understand, ...

20 CAPTAIN RYAN: I say him because there's no female ... but we have a  
21 couple ...

22 MR. WOODY: Now once the person is working -- you were asked a  
23 question a while ago about riding the boat, or the other port captain riding the boat.  
24 And we've heard that if one port captain goes up to -- I believe the port captain goes  
25 up to Manhattan frequently and rides the boats. Whenever you ride the boats, do

1 you always go to the pilot house?

2 CAPTAIN RYAN: Yes, it's kind of set up -- there's one port captain --  
3 keeps pretty regular hours and keeps control of the office -- that's John Morgan. He's  
4 very good with scheduling and crew assignments and where people should be, and  
5 at the last minute, shuffling things around. Joe ..., the other port captain, his schedule  
6 changes all the time, and he works. He works nights, afternoons, weekends, weekdays  
7 -- we try to rotate them through all the cycles so they get a chance to get on all the  
8 boats, all the crews. If we think of it, you know, if we hear off the boat, maybe  
9 something's going on on the boat that there isn't harmony there. We'll make sure that  
10 the port captain gets on there and rides that a little more frequently to try to see  
11 what's going on.

12 We encourage the Master to settle their own -- their ship. We  
13 encourage them to take that responsibility and settle it. If they don't bring it to us and  
14 if we start to hear about it, we will try to see what's going on, if we need to.

15 MR. WOODY: Do you have any particular kind of procedure of  
16 feedback from the Captains of the boats, and/or -- or do they have a procedure  
17 whereby they periodically come into the office and talk to you?

18 CAPTAIN RYAN: And this is the port captains? The captains or port  
19 captains?

20 MR. WOODY: Port captain.

21 CAPTAIN RYAN: It's the port office. The Port Captains are reporting to  
22 ... There are Captains, deck hands, mates, oilers -- they're in there all day long, in  
23 between shifts, when they sign in and sign out, that is where all the information gets  
24 put together and people are just checking in. Or they'll walk in and say, you know, I  
25 think you ought to check it out -- there are a lot of things that get said in that office,

1 and it's always been like that, and that is our source for that type of information.

2 MR. WOODY: Well, if an Assistant Captain, or the Captain, had some  
3 misgivings about his colleague, his associate, this might be a hard place to talk about  
4 it. Would it be a private channel that you would have to talk to the port captain?

5 CAPTAIN RYAN: Hey, can I see you alone that there's something they  
6 want to talk about.

7 MR. WOODY: And does that happen?

8 CAPTAIN RYAN: Yes, sometimes.

9 MR. WOODY: We heard from one of the mates, we heard from one of  
10 the Captains that sometimes they're not always in the pilot house, that sometimes they  
11 have such as a medical concern, or some sort of dispute that would cause them to  
12 leave the pilot house. Were you aware of anything like that, causing people to leave  
13 the pilot house?

14 CAPTAIN RYAN: Yes. When I go on the boat, everybody's on station;  
15 when the port captains go on the boat, everybody's on station. We know when we're  
16 not there, sometimes people are lax. Weekly, the Port Captain reminds everybody of  
17 their responsibilities to be on station, especially after 9/11, we drive this home, we try to  
18 establish every week -- I think we're getting to it about every two, twice a month.

19 MR. WOODY: Is there any kind of a directive that you hand to your  
20 captains about staying on the bridge, that they're supposed to read and sign, like  
21 that?

22 CAPTAIN RYAN: Not that they sign when they receive, but there's  
23 operating SOP, there's ... posted all over the boat. That's another procedure, posted in  
24 the pilot house ... stuff like that.

25 MR. WOODY: It would seem to me that the critical times that you'd be



1 in the pilot house would certainly when the boat is coming into the slip.

2 CAPTAIN RYAN: And in weather, fog --

3 MR. WOODY: And fog.

4 CAPTAIN RYAN: We have fog twelve, 15 days a year you can't see the  
5 pointer on the front of the boat, never mind the dock or the slip. They make 32,000  
6 trips a year. 32,000 dockings in all types of weather, wind, all types of harbor traffic.  
7 16,000 ... tidal conditions ...

8 MR. WOODY: Let me go back a couple seconds and see if I have  
9 anything -- yes, you mentioned that you saw Richie Smith and he had blood on him. I  
10 think you mentioned -- you made some indication about his face.

11 CAPTAIN RYAN: I think I recall -- I think I saw this -- it looked like he  
12 bumped into or rubbed into something, that's what I would have thought it was. I  
13 didn't think it was from him.

14 MR. WOODY: Are you quite sure?

15 CAPTAIN RYAN: To tell you the truth, I couldn't say what he was  
16 wearing -- what color he was wearing. I want to say it was up around here.

17 CHAIRMAN TURRELL: Do you remember what Mike Gansas was  
18 wearing?

19 CAPTAIN RYAN: No, I don't.

20 CHAIRMAN TURRELL: When you talked to him and he was agitated on  
21 the bridge?

22 CAPTAIN RYAN: I couldn't tell you if he was naked.

23 CHAIRMAN TURRELL: Was it cold on the bridge? Were you wearing a  
24 coat?

25 CAPTAIN RYAN: I never wear a coat. 20 degrees is my perfect

1 temperature.

2 CHAIRMAN TURRELL: Do you recall if the windows were open on the  
3 bridge?

4 CAPTAIN RYAN: I don't recall.

5 MR. WOODY: I did have one more question. On the physical exam,  
6 was this exam for employees on the vessel. Who does those exams? Like, the Coast  
7 Guard requires, for example, an annual exam for a person holding a first class pilot  
8 license.

9 CAPTAIN RYAN: Right.

10 MR. WOODY: Who does those exams?

11 CAPTAIN RYAN: The person's private physician.

12 MR. WOODY: Does the city have any kind of medical service or  
13 physician that would give any to ferry employees?

14 CAPTAIN RYAN: For preemployment or return to duty, drug screening,  
15 MRO, they require a letter from the person's physician stating that they are either not fit  
16 for duty or fit for duty.

17 MR. WOODY: We've had some explanations from the personnel office  
18 that when a person is going to be out for medical reasons they have a certain number  
19 of times a year where they can just call in and say I'm sick today, and then they have  
20 other days where they do require a piece of paper signed by a physician. Can you  
21 explain those two types of medical records?

22 CAPTAIN RYAN: Yes, we call it the efficacy control calendar or the  
23 step six. It just works out the maritime union's contract fits so well with those control  
24 policies that a person can probably take off two days a month all year long and not  
25 receive any type of absentee control warning or letter. But there is an efficacy control

1 policy in place where you're allowed two days without a doctor's note. Anything after  
2 two days you have to have a doctor's note, with step one, step two, step three, on  
3 points, how many -- how bad of a violation it is. If you get up to step three you get a  
4 warning, you've got to go on sanction status. And sanction status if you take off any  
5 more time you go on leave without pay. And that can carry over, it's a six month  
6 cycle, that can carry over to the next six if you don't comply. Once you're on sanction  
7 status, you cannot take off any time without a doctor's note for the next six months. If  
8 you do, you'll remain on sanction status.

9 MR. WOODY: I think that's all I have. CHAIRMAN TURRELL:  
10 Christine?

11 CHRISTINE: Yes, Mr. Ryan, earlier you said that Captains in ... were  
12 evaluated based on their knowledge of in house procedures. What procedures are  
13 those?

14 CAPTAIN RYAN: Well, special operating procedures, uhm -- special  
15 operating procedures, the general operating procedures for the department -- where  
16 people belong, who they're supposed to contact if something happens; you know,  
17 when do you call the FTS, making sure they know how to contact the FTS, Coast  
18 Guard, ... policies comes up sometimes.

19 CHRISTINE: And you said that they're questioned on them?

20 CAPTAIN RYAN: Yes, they're questioned to see if they're aware of  
21 them.

22 CHRISTINE: So what are the actions, are they given some forms or  
23 procedures to study?

24 CAPTAIN RYAN: For the interview?

25 CHRISTINE: Right.

1 CAPTAIN RYAN: No. We just -- they're coming up through the ranks,  
2 and they seek this stuff out themselves, and if they work hard enough and aware  
3 enough of everything, they're promoted, if they haven't done it, they're not promoted.  
4 It's up to them to prepare themselves for it.

5 CHRISTINE: My other question was, does the Port Captain actually go  
6 out and explore the performance of any new hiree, like the Captain or the Assistant  
7 Captains, or --

8 CAPTAIN RYAN: Yes, he would. Yes, they do.

9 CHRISTINE: Is there an SOP on that?

10 CAPTAIN RYAN: No, it's just something they do if they're concerned  
11 about someone they will go out and observe them. New people, especially the  
12 Mates at the first promotion out of the deck hand, keep an eye on them to make sure  
13 -- they'll watch them do a couple drills, you know, fire drills, that sort of thing.

14 CHRISTINE: And do they write anything up, like an evaluation of what  
15 they observed or anything?

16 CAPTAIN RYAN: It's an annual evaluation for all employees, and that's  
17 where it's noted.

18 CHRISTINE: But there's no formal training, then, for new Captains or  
19 Assistant Captains ...

20 CAPTAIN RYAN: Yes.

21 CHRISTINE: And when were the operating procedures for the Captains  
22 and Assistant Captains -- when were these written, do you know?

23 CAPTAIN RYAN: There's something written in 1952 or '58. In 1987 there  
24 was another one published. Right after 9/11, there was -- it was published -- you know,  
25 written and distributed again.

1 CHRISTINE: And how are they enforced, if at all?

2 CAPTAIN RYAN: They're basically enforced by the officers on the boat.  
3 We'll check up -- the Port officers and myself will try to get on the boat to try to sneak  
4 on the boat, though it's very hard to do. We've actually have had department head  
5 ... people go on the boat unannounced. We've actually had people working ... DOI,  
6 but just people who know in operations and sit on the boat and take notes of what  
7 they see, to see if they're where they're supposed to be or not.

8 CHRISTINE: And the people that are written up, I mean if there are  
9 laws broken or anything?

10 CAPTAIN RYAN: Yes. ... it could be on the Captain's ... it could be an  
11 unusual report, that's where we kind of document anything out of the ordinary, any  
12 police, medical, crew problem, anything out of the ordinary, we put on a piece of  
13 paper ... report ...

14 CHRISTINE: And the last thing is these are posted throughout the boat -  
15 - the pilot house -- what would be on it?

16 CAPTAIN RYAN: In the pilot house there's boxes and drawers where we  
17 have the ship's papers, SOPs, copies of the ... listed up on the wall, Coast Guard  
18 literature, any security alerts, notice to Mariners. The thing with those papers, the ...  
19 documentations are kind of by themselves. There's tide tables and that kind of stuff --  
20 on the boat.

21 CHRISTINE: Okay, thank you.

22 INVESTIGATOR 6: Continue with Christine's line of -- about this here.  
23 You said that there was previous written procedures in regards to where everyone  
24 should be and what they should be doing. 1952, 1987 --

25 CAPTAIN RYAN: Yes, 1987 is the --

1 INVESTIGATOR 6: And after 9/11.

2 CAPTAIN RYAN: Yes, and the one you have there was the one that  
3 was after 9/11.

4 INVESTIGATOR 6: When was that instituted?

5 CAPTAIN RYAN: Right after that. Right after 9/11. Actually it was in  
6 practice before but we just -- after 9/11 it was put out. And there was some input  
7 there from the union. If you notice some differences, especially on the Austin class  
8 boats, the one from 1987 was a little confusing, what responsibilities a person had for --  
9 including responsibilities, but it was a little confusing. So we worked up now so it's  
10 smoother, a little easier for the ... job ... SOP or, you know.

11 INVESTIGATOR 6: But after this was completed, after 9/11, the union  
12 would -- would the union have a copy, or would the Captain have a copy? All the  
13 Captains?

14 CAPTAIN RYAN: Yes.

15 INVESTIGATOR 6: So could we assume that the Captains have seen it?  
16 Captain Smith had seen it?

17 CAPTAIN RYAN: Yes. Definitely -- if not that one, the '87 one ...

18 INVESTIGATOR 6: But there's no procedure where they would have  
19 signed -- signed for it?

20 CAPTAIN RYAN: No.

21 INVESTIGATOR 6: And it was your understanding, then, as Director of  
22 ferry operations, is that the boat Captains are in pilot house at all times except that  
23 short period when they're transferring power from one to the other.

24 CAPTAIN RYAN: Right.

25 INVESTIGATOR 6: And are there any other situations then --

1 emergencies on the boat where one of the Captain might leave -- could the pilot  
2 house?

3 CAPTAIN RYAN: If the Assistant Captain ... if the Captain feels the need  
4 to dispatch him somewhere for some reason, he can do that under emergency  
5 situations. Or ... all the time, in any weather conditions, channel conditions, docking --  
6 those conditions they are really -- that's when they both need to be there.

7 INVESTIGATOR 6: ... mate and dispatch the Assistant Captain to --

8 CAPTAIN RYAN: ... the pilot. The Captain needs someone up there to  
9 help him. It has to be a pretty severe situation for the Captain to give up the only  
10 other navigating -- you know, who knows the controls of the ship and the exactly ...,  
11 the PA system, to give up that person, it would have to be a pretty extreme situation.

12 INVESTIGATOR 6: What would be a situation -- would be if it was a  
13 passenger injury somewhere on the vessel or incident or two of the deck hands having  
14 a dispute or any of the other crew members having a problem? Would something like  
15 that make the ... or is that usually handled by the mates?

16 CAPTAIN RYAN: That's the mate's job. Outside the pilot house doors,  
17 on the main deck, that's the mate's responsibility. He's there, the deck hands are  
18 instructed to get this information to him right away ... get the information right away to  
19 the mate, the mate's supposed to go assess the situation, report it to the pilot house. It  
20 happens every day, I mean every day -- there's medical emergencies, police  
21 emergencies -- every day.

22 INVESTIGATOR 6: Well, prior to the accident, the vessel made a  
23 crossing --

24 CAPTAIN RYAN: Two crossings.

25 INVESTIGATOR 6: Two crossings, right. There was nothing that you were

1 aware of in the office that there was anything --

2 CAPTAIN RYAN: Nothing unusual --

3 INVESTIGATOR 6: -- on that vessel --

4 CAPTAIN RYAN: No, no.

5 INVESTIGATOR 6: -- reported to you that anything happened out of  
6 the ordinary?

7 CAPTAIN RYAN: I'm surprised I didn't hear about those doors, because  
8 usually they're -- I'm surprised I didn't hear about those doors swinging around  
9 because that's something that it should have been taken care of. I don't know if it was  
10 being taken care of and that's why I didn't hear about it, but I should have heard  
11 about those doors swinging around.

12 INVESTIGATOR 4: Yes. Which doors were these?

13 CAPTAIN RYAN: The saloon deck doors -- one other point -- had  
14 broken free from the mechanism that you could open, with the wind, you know, just  
15 swinging back and forth, they were all tied shut. They were secure.

16 INVESTIGATOR 6: The mate Rush told us that he was goign to get a  
17 work order in on those doors, and some other work orders. But normally in a situation  
18 like that would be they would make a telephone notification or ...

19 CAPTAIN RYAN: They wouldn't wait for a work order --

20 INVESTIGATOR 4: They would wait for a work order to --

21 CAPTAIN RYAN: Yes, or something -- the pilot noticed something that  
22 needed -- or the mate -- saw there was something required immediate attention, they  
23 would call off the boat and get the deck people waiting for them when the boat got  
24 in. A lot of time it has to do with gates. You know, the gates coming off the -- can't  
25 open the gates, can't get this get -- get the welders and they're waiting for the boat



1 when it gets in.

2 INVESTIGATOR 4: So those doors would have normally would have ...  
3 you would have expected to get a phone call for immediate --

4 CAPTAIN RYAN: Yes, the one thing we're talking about, because it's a  
5 passenger safety issue, you know, that's ...

6 INVESTIGATOR 4: But at this time --

7 CAPTAIN RYAN: Well in any situation.

8 INVESTIGATOR 4: The incident that occurred between the Mate Hyde  
9 and Dan Ennis -- Dave Hyde and Dan Ennis -- prior to the vessel getting underway at  
10 1:30 for the first trip --

11 CAPTAIN RYAN: Right.

12 INVESTIGATOR 4: -- and then subsequent to that, I understand it  
13 involved Mike Gansas, it involved one of the Port Captains, the telephone -- whatever.

14 CAPTAIN RYAN: Right.

15 INVESTIGATOR 4: What was -- did you find out what that was about?

16 CAPTAIN RYAN: I never found out what it was about. John Morgan,  
17 the Port Captain, told me Dave Hyde had just put a deck hand off the boat, the mate  
18 Dave Hyde had put a deck hand off the boat. The Captain didn't -- he was ... The  
19 Captain had put a deck hand off the boat -- the mate had put a deck hand off the  
20 boat --

21 INVESTIGATOR 4: Hyde put him off the boat.

22 CAPTAIN RYAN: Never talked to the Captain about doing it. And so  
23 when he reported back to the Captain, then after the Captain knew what was goign  
24 on, he didn't want this to happen, and the Captain, who was Mike Gansas, called the  
25 deck hand back on the boat and whatever he did, you know, discipline-wise, or -- it

1 was taken care of and he was allowed to go back to the boat. He wasn't suspended  
2 or left off the boat any longer for whatever happened.

3 INVESTIGATOR 4: Was someone -- when he was put off the boat, was  
4 someone put back on the boat to take his position?

5 CAPTAIN RYAN: I'm not -- I'm not clear if the boat left without him. If  
6 he wasn't on the boat, there was someone in his place, absolutely. Because the boat  
7 has to have the crew -- the Captain, the mate and the pilot wouldn't sail a person  
8 short in the crew -- or the Chief. They don't sail. We don't allow them to. If they do,  
9 they're in as much trouble as we are for doing it.

10 INVESTIGATOR 4: So you don't know if he missed the trip or not. But if  
11 he did, there was a substitute put on to take his place?

12 CAPTAIN RYAN: Yes.

13 INVESTIGATOR 4: There was a complete crew for those trips?

14 CAPTAIN RYAN: Yes.

15 INVESTIGATOR 4: Regarding Mike Gansas, how was he informed of  
16 that Hyde had put the man off the boat? Was it through the Port Captain calling him  
17 and telling him?

18 CAPTAIN RYAN: Yes.

19 INVESTIGATOR 4: So Hyde didn't tell the Captain and he was right on  
20 the boat with him?

21 CAPTAIN RYAN: Probably -- that's what -- I never got to talk to Mike  
22 about it. We want to make sure that the Captain knew what was going on on his  
23 boat, that he was the one taking care of this, it was his responsibility, and that the folks  
24 were on the trip and ... like this.

25 INVESTIGATOR 4: So Gansas actually intervened in Hyde's action?

1 CAPTAIN RYAN: Correct.

2 INVESTIGATOR 4: Do you think this -- in any way, this incident would  
3 have had any effect on -- with Gansas -- with his ability later on down the road as to  
4 how he would conduct business. Did this in any way impact, subsequently, his being  
5 in the pilot house later on or not being in the pilot house?

6 CAPTAIN RYAN: I don't think --

7 INVESTIGATOR 4: That kind of gravity that would --

8 CAPTAIN RYAN: No.

9 INVESTIGATOR 4: -- that should affect it later -- his actions later on?

10 CAPTAIN RYAN: No, I can give you my opinion, that Captain Gansas  
11 would be -- he was not affected, not afraid to take responsibility for things. He would  
12 deal with things as he thought was appropriate. Wouldn't let things get out of hand.  
13 Squabbles -- you know if he was on the boat and there was a squabble between a  
14 mate and a deck hand, I'm sure he backed up his mate. I'm sure he did let the deck  
15 hand know -- from what I know of him, because I'm sure he let the deck hand know  
16 that you don't do this stuff to a mate on my boat.

17 INVESTIGATOR 4: He wouldn't be upset with Hyde, though, for taking  
18 the action and not telling him about it?

19 CAPTAIN RYAN: I'm sure there was some discussion about that. I'm  
20 sure there was.

21 INVESTIGATOR 4: But you don't see anything in it, any of it that would  
22 affect Gansas' behavior later on?

23 CAPTAIN RYAN: No. No.

24 INVESTIGATOR 4: Down the road, a few trips later that would --

25 CAPTAIN RYAN: No.

1 INVESTIGATOR 4: -- have anything --

2 CAPTAIN RYAN: No.

3 INVESTIGATOR 4: And as far as you know, there was nothing else said?  
4 No other incident that occurred?

5 CAPTAIN RYAN: I was going to go home. I thought, this is great, I'm  
6 out of here.

7 INVESTIGATOR 4: Alright. I just have one other question from before  
8 when we were talking about the employees. What about getting employees -- where  
9 abouts do the Captains come from? Do they come from the -- primarily from the  
10 ferries? Do they come from the tugs? From work in the harbor, the commercial tugs?

11 CAPTAIN RYAN: A lot of --

12 INVESTIGATOR 4: Where do they get their skills in the harbor?

13 CAPTAIN RYAN: A lot of commercial fishing, circle line, pretty much just  
14 the kind of stuff that goes on in this area. Some of them grow up right here. Some of  
15 them come -- start as a deck hand, they would have had to have had two years of  
16 sea time to qualify to be a deck hand, you know. After you're a deck hand you can  
17 go in the deck department, for an oiler, it's two years in the engine room department.  
18 They would have had to have that, and it's mostly local. There's very few people from  
19 far away that work here. But they will start here as a deck hand and work their way,  
20 with no license, and work their way up.

21 INVESTIGATOR 4: And do some employees work their way so they get  
22 their sea time right on one of the -- right on the bridge of one of the ferries?

23 CAPTAIN RYAN: Yes, they can --

24 INVESTIGATOR 4: And their licenses?

25 CAPTAIN RYAN: Yes, especially if their first promotion is given, to

1 advance they have to have time in that license to go and get the next license, so if  
2 they work in here this would be the time to upgrade.

3 INVESTIGATOR 4: And the Captains would let them do that, under their  
4 supervision, to get that free time?

5 CAPTAIN RYAN: Yes.

6 INVESTIGATOR 4: Is that how Richie -- Captains Gansas and Smith -- is  
7 that how they came up?

8 CAPTAIN RYAN: Yes, absolutely.

9 INVESTIGATOR 4: There's something else I remembered. This SOP here,  
10 is this part of a larger manual or is this it.

11 CAPTAIN RYAN: There's no specific manual. It's a bunch of directives,  
12 memos, there's no specific manual.

13 INVESTIGATOR 4: And who is this maintained by?

14 CAPTAIN RYAN: Maintained by --

15 INVESTIGATOR 4: Who drafted the new one after 9/11?

16 CAPTAIN RYAN: The new ones were myself, legal representative, union  
17 representative, Morgan asked me the other day, because of a little boat. 633 (ph)  
18 had some concerns about how their deck hands were -- the way their descriptions  
19 were broke up. Neither representative thought ... before it went out.

20 INVESTIGATOR 4: The union would have to have quite an impact on  
21 operating systems.

22 CAPTAIN RYAN: Yes, they do, yes.

23 INVESTIGATOR 4: How was this generally put out to everybody?

24 CAPTAIN RYAN: You mean ... or hand delivered or --

25 INVESTIGATOR 4: Generally, did everyone have an opportunity --

1 CAPTAIN RYAN: They are definitely available, if anybody would ask for  
2 it.

3 INVESTIGATOR 4: Now the licenses -- you talked about the licenses  
4 earlier, about somebody maintaining licenses, who is current or not current.

5 CAPTAIN RYAN: Right.

6 MR. WOODY: Who actually does that?

7 CAPTAIN RYAN: Currently -- I would say just right after 9/11 we  
8 established -- we're tracking everybody's training now, what training they're goign  
9 through. We're putting together all the licenses. We're tracking the licenses. That's  
10 within the last two years, that's George Aswat.

11 CHAIRMAN TURRELL: Could you spell that name?

12 CAPTAIN RYAN: A-S-W-A-T. He's the chief of ... facility, in charge of  
13 monitoring the training, assigning the training, monitoring the licenses now and making  
14 sure they're up to date.

15 INVESTIGATOR 5: How long has Mr. Aswat been with the ferry?

16 CAPTAIN RYAN: I would say at least twelve years.

17 INVESTIGATOR 5: And along the lines of the training again, how are  
18 the Captains and Assistant Captains evaluated? Is there like an annual that they have  
19 to be evaluated by a specific person for their evaluation?

20 CAPTAIN RYAN: The evaluation is performed by the Port Captain for  
21 the Captain. The Captain evaluates the Assistant Captain. The Captain evaluates the  
22 mate. The mates evaluates the deck hands. The Chief of Operations -- the Chief ...  
23 evaluates the oilers. The first term supervisors evaluate the deck hands on the dock.

24 INVESTIGATOR 5: Is there an official fitness report filled out or an  
25 evaluation form filled out?

1 CAPTAIN RYAN: It's an evaluation form issued by DOT, and it, you  
2 know, pretty much describes duties and responsibilities.

3 (Brief interruption in the room.)

4 CHAIRMAN TURRELL: Please continue.

5 INVESTIGATOR 5: You stated earlier that in certain situations the  
6 Captain must be present on the bridge. Such as, you know, weather -- Is that in this  
7 SOP or is that in a different directive?

8 CAPTAIN RYAN: In that SOP, you can't read one -- you can't read one  
9 job station at a time. You have to kind of put them together. You'll see that -- in the  
10 Captain's room you'll see he's stationed here during this period. And then you read  
11 the AC one, where he's supposed to be stationed. And you put them together, you  
12 see that they're to be together. In weather, absolutely, positively together all the time.

13 INVESTIGATOR 5: Even ...

14 CAPTAIN RYAN: No, this directive -- it's not worded like that in there. It's  
15 worded as they're to be together all the time.

16 INVESTIGATOR 5: There's nothing that states during these -- this type --

17 CAPTAIN RYAN: It's crucial --

18 INVESTIGATOR 5: -- of operation on this vessel, this procedure must be  
19 followed.

20 CAPTAIN RYAN: No, that procedure must be followed all the time. The  
21 procedure that's there. That's our standard operating procedure. That's what's out  
22 there to be followed all the time.

23 INVESTIGATOR 5: If you found out, as Director of Operations, that a  
24 Captain was not following these, what action would you take?

25 CAPTAIN RYAN: I would talk to him to see that, you know, if they

1 understands what it is, and why they changed it. And if they refused to -- they had no  
2 good reason -- they refused to follow procedures, I would discipline them. There's a  
3 disciplinary procedure that we have that says it.

4 INVESTIGATOR 5: Now, I know this is stepping out a little bit, but your  
5 ability to discipline somebody for not following the rules, that's regulated by union  
6 representation also?

7 CAPTAIN RYAN: It's regulated by DOT and then the union has the  
8 ability to assent.

9 MR. WOODY: With that in mind, is there any provision based on the  
10 safety of the passengers, that the union and DOT policy at that point could be  
11 superseded?

12 CAPTAIN RYAN: The immediate -- if there is something that will  
13 jeopardize the safety of the crew, passengers or vessel, that person is immediately  
14 removed and then we'll work around -- then the policies will work out.

15 CHAIRMAN TURRELL: ... is that a ...

16 CAPTAIN RYAN: It starts with the Captain on the boat and then it just  
17 works up the chain. The port captain will do it, the Captain will do it, the mate -- it  
18 generally starts with the Captain or the Chief. You know, the mate's going to have to  
19 sell his case to the Captain and the marine to the Chief. But they'll do it immediately  
20 and then we'll work it out afterwards, if anything is going to upset --

21 INVESTIGATOR 5: I had one more question. The action that mate  
22 Hyde took, then, in having Ennis put off the boat. Does he have that authority?

23 CAPTAIN RYAN: No, the Captain has that authority. The mate can tell  
24 the Captain this is what he wants. The mate has to figure it out. If the mate is really  
25 unhappy with the Captain, they'll go out to the Port office.



1                   INVESTIGATOR 5: So this is not a normal situation that would happen?  
2 That a mate would just say, you're out of here. You know, you're being insubordinate  
3 and I'm kicking you off the boat and having this other guy stay.

4                   CAPTAIN RYAN: It's not up to the mate to kick him off the boat. The  
5 Captain -- it's not him to put him off the boat, but there are times the Captain or Chief  
6 will put somebody off the boat. It could be for something like they think it's a 12 hour  
7 rule or they're not clear when the person worked last. They put people off the boat if  
8 they're not clear -- if the Master or the Chief aren't clear on when they worked last,  
9 they put him right off the boat.

10                  INVESTIGATOR 5: In that case, on the 12 hour rule.

11                  CAPTAIN RYAN: The 12 hour rule.

12                  INVESTIGATOR 5: And who maintains a list of overtime for people --

13                  CAPTAIN RYAN: The the assignment office, with George Aswat. And  
14 it's kept -- when the assignment office is closed, it's kept in the dock office.

15                  INVESTIGATOR 5: With Mr. Morgan or --

16                  CAPTAIN RYAN: With ... . But there's a supervisor there 24 hours a day,  
17 seven days a week -- then you determine, when are you are topped. They have a  
18 meeting then -- Port Captains meet, engineers.

19                  INVESTIGATOR 5: Because I notice that on this particular crew, there  
20 were a lot of people who were not normal employees of that route at that time. A lot  
21 of fill-ins.

22                  CAPTAIN RYAN: Yes, all but two were ... Tuesday morning, Thursday  
23 afternoon -- is how our weekday crews combine with the weekend crews and days on  
24 and days off. You see a lot of that kind of stuff going on.

25                  INVESTIGATOR 5: And does that make the scheduling pretty difficult,

1 usually?

2 CAPTAIN RYAN: It's complicated. It's a complicated schedule, you  
3 know, with so many shift changes within a half hour of each other between the dock  
4 and the boat -- 12 or 14 crew changes every day.

5 INVESTIGATOR 5: Okay.

6 CHAIRMAN TURRELL: Detective Hardy.

7 MR. HARDY: When you went out to the 69th Street slip, could you see  
8 who was in control of the ship at that time?

9 CAPTAIN RYAN: I'm thinking I saw Mike. You know, when I got out  
10 there, I'm pretty sure it was Mike Gansas up there. Because the boat was already off, I  
11 could see a guy in the tug boat jumping off the tug ... shoulder. Yes, I'm pretty sure it  
12 was Mike.

13 MR. HARDY: And then it backs up and it pulls into the number five slip.

14 CAPTAIN RYAN: Uh-huh.

15 MR. HARDY: And you board the Barberi, do you look up? Is it Mike  
16 again?

17 CAPTAIN RYAN: I -- I tell you I don't know. I don't know -- I can't  
18 remember if I got upstairs first or downstairs first.

19 MR. HARDY: But you did go up in the pilot house?

20 CAPTAIN RYAN: Yes, I did.

21 MR. HARDY: And the only one in the pilot house was Mike?

22 CAPTAIN RYAN: And I had just -- Richie had just walked by me.

23 MR. HARDY: From the pilot house?

24 CAPTAIN RYAN: From -- well, I'm assuming. I was on that upper level  
25 embarkation area a half a deck down. So he's already a half a deck down, going

1 through those doors, and I met him somewhere inside those doors. I know it was  
2 downstairs and I know it was somewhere on the boat.

3 MR. HARDY: Did you see Richie again after that?

4 CAPTAIN RYAN: No, I never saw Richie again.

5 MR. HARDY: He didn't go up to the pilot house again?

6 CAPTAIN RYAN: No.

7 MR. HARDY: As far as uniforms, is there like a uniform code for the  
8 Captain and Assistant Captain?

9 CAPTAIN RYAN: Yes.

10 MR. HARDY: Both wear the -- what they --

11 CAPTAIN RYAN: Yes, the deck officers all wear them -- the Captains,  
12 the Assistant Captains and the Mates.

13 MR. HARDY: Was that inspected on a daily basis?

14 CAPTAIN RYAN: No. The uniforms are one of the things the Port  
15 Captain looks out for, trying to keep ... just so the crew is identifiable, easily identifiable.

16 MR. HARDY: You don't remember what they were wearing on that  
17 day?

18 CAPTAIN RYAN: No, I would assume that the black and white -- both  
19 Richie and Mike were good with that stuff.

20 MR. HARDY: That's all I have.

21 CHAIRMAN TURRELL: Captain Ryan, can you very briefly tell us from  
22 your experience about the bridge control, in your experience, are they -- were these  
23 sort of easy controls compared to other boats? In your experience, describe the  
24 maneuvering ability of the ship.

25 CAPTAIN RYAN: Myself, I like the Barberi class controls -- you know, set

1 up -- I think it's set up very nicely. The boat's easy to control. The boat has an  
2 incredible amount of thrust instantly and in any kind of direction you can think of, to  
3 make the boat go sideways, turn around, et cetera.

4 CHAIRMAN TURRELL: For a mate who first becomes Assistant Captain,  
5 the mates generally don't seem to drive the boat very often --

6 CAPTAIN RYAN: Well, all mates -- all -- what we call people ... policies,  
7 license instruction.

8 CHAIRMAN TURRELL: So how does a mate who becomes an Assistant  
9 Captain, learn the controls of the Barberi?

10 CAPTAIN RYAN: They would -- some people come on their own time;  
11 some people -- you know, they have a boat and the boat's underway.

12 CHAIRMAN TURRELL: And that's allowed or encouraged?

13 CAPTAIN RYAN: Yes, to help them.

14 CHAIRMAN TURRELL: Alright, can you -- I'm just going to ask you one at  
15 a time -- if you would give us your personal evaluation of Captain Smith?

16 CAPTAIN RYAN: Captain Smith was a -- somehow he was -- he was like  
17 cool, everything was calm and cool. But he would -- he could -- in situations he would  
18 get -- he didn't maintain that total coolness when something out of the ordinary went  
19 on. I don't want to go so far as to say he was nervous or out of control, but he would  
20 get edgy, maybe. Nothing enough to draw concern to, but he would -- he would --  
21 he didn't maintain that composure through the range of situations.

22 CHAIRMAN TURRELL: And do you consider him to be a fair person?

23 CAPTAIN RYAN: Yes.

24 CHAIRMAN TURRELL: Otherwise a competent boat handler?

25 CAPTAIN RYAN: Yes, very competent. Very cautious.

1                   CHAIRMAN TURRELL: So this event, when we found out that a vessel  
2 had strayed off its intended course and hit a dock, and you knew or suspected it was  
3 Captain Smith, did it take you by surprise?

4                   CAPTAIN RYAN: Yes, I thought it was a catastrophe ... I was surprised  
5 when I heard it was him.

6                   CHAIRMAN TURRELL: Would you please -- I'll ask you the same type of  
7 description on Captain Gansas?

8                   CAPTAIN RYAN: Mike was -- Mike is -- he had a -- stayed pretty much  
9 the same, in control, confident, thoughtful, takes charge of whatever's goign on. He  
10 came up through the ranks. He understood everybody's position, what they were  
11 doing, you know, it was going to be a hard time trying to B.S. him about a job on the  
12 boat. Cautious. Very cautious. Reliable.

13                  CHAIRMAN TURRELL: Can you -- before the day, on Wednesday -- can  
14 you please tell me what your last conversations with Captain Smith and Captain  
15 Gansas were? The last time you saw the people before the accident, what was your  
16 interaction with them?

17                  CAPTAIN RYAN: You know, I don't know. It was nothing that was -- if it  
18 was here, I'm sure, because I would have remembered something like that.

19                  CHAIRMAN TURRELL: Was that at ... or was he in the port office, or can  
20 you describe the last time you saw them?

21                  CAPTAIN RYAN: The last conversation I had with Richie was when the  
22 layoff process was going on and he had just certified that Civil Service for Assistant  
23 Captain, and I said I don't want to lose you, hang in here because this is better ...  
24 better hours, I can make more money. He was going to stay with Gansas, he was  
25 goign to stay with the Captain.

1 CHAIRMAN TURRELL: That was --

2 CAPTAIN RYAN: That was back in June. That's the last -- anything to do  
3 with business that I was talking to him about it. He lives not too far from me, so I may  
4 have waved to him in the street, but that's it.

5 CHAIRMAN TURRELL: And Mr. Rush?

6 CAPTAIN RYAN: I don't recall the last time I talked to him.

7 CHAIRMAN TURRELL: Can you describe again Mr. Rush's competency  
8 and your evaluation of him?

9 CAPTAIN RYAN: Based on our working relationship, he's very  
10 professional, just like Richie or Mike, stands up to the plate, always trying to promote  
11 the ferry, you know, as a -- what a great thing we do here, took pride in his job. Safety  
12 first, always safety first.

13 CHAIRMAN TURRELL: You mentioned that sometimes city inspectors  
14 would drive and took notes.

15 CAPTAIN RYAN: Uh-huh.

16 CHAIRMAN TURRELL: Where are those records kept?

17 CAPTAIN RYAN: The last time -- I'm thinking of the letters ... I'm going to  
18 have to --

19 CHAIRMAN TURRELL: Can you provide that information to us?

20 CAPTAIN RYAN: Yes, there was an organization, kind of like a watch-  
21 dog group that was set up and they had those people on the boat, that was before  
22 9/11.

23 CHAIRMAN TURRELL: Is it a city group or a community action?

24 CAPTAIN RYAN: It's actually a DOT group. We also had some written  
25 reports that we would respond to, you know, this is what they observed, what does this

1 mean? But that -- I'm pretty sure that was prior to 9/11. That long -- during the time  
2 when the city was -- the departments were goign to have to reduce the ferry service  
3 by one boat. There was a lot of union involved since they were afraid of ... the  
4 department of investigation, undercover agents were all over -- some undercover,  
5 some totally announced themselves were all over the place, riding the boats, in the  
6 terminals, talking to the Captain, knocking on the engine doors trying to get the  
7 engine officer ... and that was going on in June and July.

8 CHAIRMAN TURRELL: Did that prompt the -- your operation to draft --  
9 redraft the SOP. You said it came down before 9/11.

10 CAPTAIN RYAN: Yes, it was after that.

11 CHAIRMAN TURRELL: So if the city department of inspections -- is that  
12 the -- department of investigations?

13 CAPTAIN RYAN: Department of investigations.

14 CHAIRMAN TURRELL: You wouldn't -- just want to clarify that when you  
15 left the bridge, that Captain Gansas was taking responsibility for what happened? Is  
16 that your characterization of it?

17 CAPTAIN RYAN: I said, Mike, you've got to calm down. This is just -- I  
18 saw Richie, he told me he blacked out. What happened? What's going on? He said,  
19 "Don't tell me to calm down. All these people are dead. I killed all these people."  
20 How he said it or how many words it took him to say it --

21 CHAIRMAN TURRELL: Was this the sense of a ship's Master taking  
22 responsibility for the actions of an employee or he personally felt --

23 CAPTAIN RYAN: He personally -- I think he did an incredible job getting  
24 the boat around, and under those conditions, be able to organize that whole thing,  
25 get the boat off the dock and then turn it around and dock it, was incredible. He was

1 able to hold it together to get the boat in.

2 CHAIRMAN TURRELL: I'll go around the table once more. Any more  
3 questions?

4 MR. WOODY: Yes, I just have one more question. To your knowledge,  
5 had the Captain or Assistant Captain ever been disciplined for leaving the pilot house  
6 during a trip?

7 CAPTAIN RYAN: I really don't recall. Off the top of my head, I can't  
8 remember.

9 MR. WOODY: No further questions.

10 MR. HARDY: You just described about June and July, the city  
11 department investigations. What prompted that inquiry?

12 CAPTAIN RYAN: It was prompted by -- they had a couple of  
13 mechanical failures which were real -- I mean -- these were real mechanical failures,  
14 and DOI thought it was some type of -- well, they wanted to make sure it wasn't some  
15 type of -- they tried to reduce the ... but it showed up that by reducing the service by  
16 one boat means that you lose one boat due to mechanical failure, and now it's two  
17 boats, and that was utter chaos, and they thought maybe someone was trying to ...

18 MR. HARDY: To sabotage?

19 CAPTAIN RYAN: Yes, I don't think anybody used the word --

20 MR. HARDY: I know.

21 CAPTAIN RYAN: Nobody down here would do that to a boat. And the  
22 instances that happened were -- we kept the parts. There were parts destroyed, you  
23 know, it's nothing somebody's goign to take apart. These were just totally a  
24 mechanical failure. I think that prompted it. They may have been -- I think that  
25 prompted it.



1 MR. HARDY: You get any kind of reports from the public that you take  
2 note of? I mean do they have any kind of benefit or suggestions that they can drop in  
3 a box or comments that they've made, or reports that they've made?

4 CAPTAIN RYAN: Recently there's a 311 system, which you can report  
5 any type of incident or suggestions to the DOT in the city and the Staten Island ferry.  
6 They get some calls on that. Before that they would either call the commissioner's  
7 office or call down here, or write a letter. All those correspondences -- they had  
8 tracking numbers. There's an office up in ... just to track all that stuff.

9 MR. HARDY: Now, a question about people going to the pilot house to  
10 steer. The person to make sure that he's competent to steer the boat, what kind of a  
11 process do you have to ensure that he's --

12 CAPTAIN RYAN: It's the Captain's responsibility. It's solely the Captain's  
13 responsibility. If we know what's going on, in the port office, I hope that we know  
14 what's goign on and we don't think the person's competent, we can step in. But it's a  
15 big responsibility for the Captain to take after we do that, but he ...

16 MR. HARDY: So that when an Assistant Captain is hired, the Captain of  
17 the boat has to concur with the accepting the Assistant Captain, is that what you're  
18 saying?

19 CAPTAIN RYAN: If using due process, we select an Assistant Captain,  
20 and we send him to a boat and the Captain says, I don't want him. Then, that's it. It's  
21 just all over. He doesn't want him. He doesn't think he's competent or anything.

22 MR. HARDY: Do you have a process for --

23 CAPTAIN RYAN: Anything happens below deck, any problems with  
24 any crew member, however they want it, if they don't feel safe with them, ... if they  
25 don't like it, we transfer them out.

1 MR. HARDY: I just have one last question, I think it's the last. Have you  
2 heard of any reports from anybody else as to why Captain Gansas may have left the  
3 bridge?

4 CAPTAIN RYAN: No.

5 MR. HARDY: Can you remember if you might have heard why he left  
6 the bridge, or was not there?

7 CAPTAIN RYAN: You know I told you I heard it both ways: he's there,  
8 he's not there. He wasn't on the boat -- I've heard everything.

9 MR. HARDY: With respect to this incident?

10 CAPTAIN RYAN: With respect to this incident.

11 CHAIRMAN TURRELL: We'll stop for just a moment.

12 (Whereupon, the hearing was off the record for a brief period.)

13 CHAIRMAN TURRELL: Any more questions here? Christine?

14 CHRISTINE: No questions.

15 MR. WOODY: I have just one more.

16 CHAIRMAN TURRELL: Oh, come on.

17 MR. WOODY: Just a statement -- one more -- when you first  
18 encountered Richie Smith on the ramp, the ramp between the bridge deck and the  
19 lower deck, right?

20 CAPTAIN RYAN: Right. Well, somewhere in there.

21 MR. WOODY: Exactly what were -- did you say "What happened?" or  
22 did he -- who spoke first?

23 CAPTAIN RYAN: I -- I don't remember. I just remember him saying,  
24 "Patty, I'm sorry. I killed all those people." I don't think he said much other than that.

25 MR. WOODY: Here's what I wrote: "Patty, I'm sorry. This is all my fault. I

1     blacked out. I killed all those people."

2                   CAPTAIN RYAN: Yes. Yes.

3                   MR. WOODY: Is that pretty much how you remember --

4                   CAPTAIN RYAN: Yes, I don't know about the order, but he definitely  
5     said "Patty, I'm sorry" and then I blacked out and killed all these people, all these  
6     people are dead and --

7                   MR. WOODY: You said you tried to get him to do something. You tried  
8     to get him to come with you, come back to the pilot house.

9                   CAPTAIN RYAN: Right, yes.

10                  MR. WOODY: And what -- did he say anything or what?

11                  CAPTAIN RYAN: No, I don't remember --

12                  MR. WOODY: Do you remember what direction you gave him?

13                  CAPTAIN RYAN: Come on, Richie, let's get back to the pilot house and  
14     find out what happened -- some words to that effect, and then I remember seeing all  
15     the medical -- there was a lot of medical response up there at the end of the apron,  
16     and I thought maybe -- I thought maybe he was going there for some kind of ... His  
17     eyes looked really bad.

18                  MR. WOODY: Okay, that's good -- you were going up the ramp, he  
19     was coming down?

20                  CAPTAIN RYAN: Yes -- I don't -

21                  MR. WOODY: Or he was going --

22                  CAPTAIN RYAN: Yes, he was going out, I was going up.

23                  MR. WOODY: And you were going to the pilot house.

24                  CAPTAIN RYAN: Right.

25                  MR. WOODY: And you told him, you've got to get back to the pilot

1 house.

2 CAPTAIN RYAN: Right.

3 MR. WOODY: And then he just didn't come up with you. And then  
4 when you first went up the steps and into the pilot house, describe again Captain  
5 Gansas.

6 CAPTAIN RYAN: He was pacing, not out of control, but getting to the  
7 point where it looked like he was goign to lose control. Pushing stuff. He said, what  
8 are you doing, he was pushing stuff out of his way in the station.

9 MR. WOODY: And then you spoke first?

10 CAPTAIN RYAN: Yes, I think I did. I said, Mike, I talked to Richie, he told  
11 me what happened. Richie told me he blacked out. What went on? What  
12 happened? And he -- he said those things: "He left me all alone --

13 MR. WOODY: And again, meaning that he left him all alone after the  
14 impact?

15 CAPTAIN RYAN: I don't know. I just -- I'm assuming that --

16 MR. WOODY: What did Captain Gansas say again?

17 CAPTAIN RYAN: He left me all alone. He used some dirty words ...  
18 Then he said that Richie had slumped over the controls and he had to physically  
19 remove him from there, take control. By that time, the boat hit.

20 MR. WOODY: And then you asked him where he was?

21 CAPTAIN RYAN: I asked him, I said, were you in the pilot house, and he  
22 said yes.

23 MR. WOODY: When it happened.

24 CAPTAIN RYAN: I said were you in the pilot -- I don't recall my exact  
25 words, but I know I asked him if he was in the pilot house and he told me yes. And I

1 said, good.

2 MR. WOODY: But he had definitely lost his composure, but still he was  
3 able to function.

4 CAPTAIN RYAN: Yes, you could communicate with him, you could  
5 understand, but he was very upset, very, very upset. I don't think he saw -- I don't think  
6 he ever saw it before -- I think he heard. I don't think he ever went downstairs and saw  
7 what happened. Probably -- I just don't know how to say it. I just don't think he did.

8 MR. WOODY: And then so basically his actions were then he had to  
9 get -- he basically had to get -- he had to get the engineer -- he had to get someone  
10 from engineering up in the pilot house -- to transfer the pilot, because Richie had left.

11 CAPTAIN RYAN: Yes, --

12 MR. WOODY: That's the way it was goign?

13 CAPTAIN RYAN: Yes, he had no ... no regular communications. He  
14 dispatched somebody down. By that time the Chief had already come up and they  
15 made some -- he told him how to transfer -- so Charlie would have run through that, so  
16 Charlie would have transferred the controls to the chief engineer, transferred the pilot  
17 house controls to Mike Gansas.

18 MR. WOODY: Well, he was pretty much still -- in spite of everything, he  
19 was still functioning pretty rough -- very rough I guess.

20 CAPTAIN RYAN: Well, yes, to get the boat around. Adrenaline, instinct,  
21 training.

22 MR. WOODY: So the engineer up there --

23 CAPTAIN RYAN: His background as a submarine, and so --

24 MR. WOODY: Right, he didn't have Richie to go over to the other pilot  
25 house.

1 CAPTAIN RYAN: Right.

2 MR. WOODY: So Richie then was not functioning, but he was. Bottom  
3 line.

4 CAPTAIN RYAN: Yes.

5 MR. WOODY: Okay, thanks.

6 INVESTIGATOR 4: How much do you know about Gansas, besides his  
7 working?

8 CAPTAIN RYAN: He was my pilot for a while, and I think he was a deck  
9 hand with me when I was Captain. His wife and my wife were pregnant at the same  
10 time, about five years ago, and we got a little closer then. And then I just know him  
11 from seeing him here, and talking to him here. I really have no social connection with  
12 him.

13 INVESTIGATOR 4: He's relatively young compared to a lot of the other  
14 Captains, I know.

15 CAPTAIN RYAN: Yes.

16 INVESTIGATOR 4: What is he 35?

17 CAPTAIN RYAN: 38.

18 INVESTIGATOR 4: 38?

19 CAPTAIN RYAN: Yes.

20 INVESTIGATOR 4: And he's been a Captain or an AC for --

21 CAPTAIN RYAN: I'm pretty sure Mike has been a deck hand, a mate,  
22 an Assistant Captain, and a Captain -- I think -- he didn't miss one rung.

23 INVESTIGATOR 4: I mean you just mentioned that he was from the  
24 submarines.

25 CAPTAIN RYAN: Yes, his navy background, he was on the submarines.

1 INVESTIGATOR 4: Do you know how long --

2 CAPTAIN RYAN: No, and that's just from us talking and you know,  
3 there's a few submarines, you don't see them every day.

4 INVESTIGATOR 4: Now, when you were serving as Captain and he was  
5 AC, was he a competent AC?

6 CAPTAIN RYAN: Yes, learned on the boat very quick.

7 INVESTIGATOR 4: Never had any issues that you can recall?

8 CAPTAIN RYAN: No. Very competent, very collected.

9 INVESTIGATOR 4: Off duty, did you know, did he have any hobbies or  
10 anything?

11 CAPTAIN RYAN: No, I don't know.

12 INVESTIGATOR 4: I overheard from somebody that he was in a band  
13 or something --

14 CAPTAIN RYAN: Yes, when he said that it triggered I had heard  
15 something, but I really don't know for sure. I think I remember something that he might  
16 be in a band. And that other person saying it triggered a memory, but I don't --

17 INVESTIGATOR 4: You're not -- you're not any more aware of it than  
18 that?

19 CAPTAIN RYAN: No.

20 INVESTIGATOR 4: That's all I have.

21 CHAIRMAN TURRELL: Detective?

22 MR. HARDY: No.

23 CHAIRMAN TURRELL: Just a few follow ups. Captain Ryan, when you  
24 saw Captain Smith, do you recall if he was wearing glasses?

25 CAPTAIN RYAN: No, I don't.

1 CHAIRMAN TURRELL: Do you recall if he was shaved?

2 CAPTAIN RYAN: No, I don't. When I saw him, I saw Captain Smith as a  
3 person I know. You know, his hair was combed -- I saw Captain Smith.

4 CHAIRMAN TURRELL: Do you recall if Captain Gansas was in the U.S.  
5 Navy submarines force? What his position --

6 CAPTAIN RYAN: No.

7 CHAIRMAN TURRELL: Anyone else. Before I get through on this, the  
8 attorney has let you, allowed you, Captain Ryan, to provide the Safety Board with any  
9 other knowledge, recollection, information that might lend any sort of light on this  
10 incident, please feel free to call us if there's anything that you'd like us to know from  
11 your point of view, the city's point of view, from your experience, the opportunity is  
12 provided for anything you might think might have contributed to this.

13 CAPTAIN RYAN: Just after the fact, before the fact, you know, we  
14 really don't know, but after the fact, the professionalism and the bravery of the crew  
15 was just incredible under those circumstances. I mean I saw the boat as soon as it got  
16 around, and that was several minutes later, and they were stuck on the boat all by  
17 themselves for that period of time. That was just incredible, how they helped -- how  
18 they held it together and got the boat around -- I have nothing but the highest respect  
19 for all of them for doing that.

20 Billy Doyle helping, the two police officers down there; and then the  
21 response from the emergency -- the response from the emergency responders, I --  
22 wow -- that was within seconds.

23 CHAIRMAN TURRELL: Are there any changes in procedures that you've  
24 instituted since this accident? We've heard of course, but we allow you the  
25 opportunity to tell us.



1                   CAPTAIN RYAN: Yes, we're going to add a procedure, or just put in  
2 writing the procedure for preparing to dock. There's going to be an announcement  
3 made that -- instead of waiting for everyone individually to decide when they should  
4 go and be on their docking stations, we're goign to make an announcement that the  
5 crew should prepare to dock, and they report to their stations. And it'll be triggered by  
6 the Captain and the AC telling the lookout to make the announcement at a specific  
7 geographical location.

8                   It's going to advance -- the Coast Guard is going to be involved with  
9 us a little bit, because we are on a scheduled route, we're not required to check out  
10 of ... we just check in when we leave. So we're goign to add some density to our  
11 advancing, where we have to check out and we will check out at these  
12 geographical locations, just to let them know, and that's signalling them that we are  
13 preparing to dock and that the boat and the crew are ready to dock.

14                   And then we're going to have some procedures if those things, if the  
15 boat isn't ready to dock, you know, what's going to happen with the procedure on the  
16 boat. We're goign to have some -- we're goign to establish a procedure where the  
17 dock office can actually talk by VHS radio to the engine room, so if they can't contact  
18 either the Captain or the Mate -- the first thing they'll try to call the Captain, then call  
19 the mate, and they can call the engine room and the engine room will have a  
20 communications, real quick to dispatch -- there's not much time, but we'll work out  
21 some reasonable procedure.

22                   And we're trying not to overload the pilot house. You know, here we  
23 are, getting ready to dock, and there's a lot of stuff starting to go on, so we're trying  
24 not to overload the pilot house with too many things to do at this time, or the engine  
25 room. So it's a quick balance. And right now, it's just people at a geographical

1 location and make an announcement that crew prepare for docking; the crew  
2 reports to their stations and they verify it. Check with the engine room, let them know  
3 they're getting ready to go into the maneuvering mode, and they're set to start to  
4 dock.

5 CHAIRMAN TURRELL: And then the other -- I think radio -- crew radios  
6 and --

7 CAPTAIN RYAN: All the deck hands will have a UHF radio, instead of  
8 just one on deck. All mates already have them, but all deck hands will have them  
9 now. There's a few boats left that don't have GPS. We'll put that on there right now.  
10 It's a simple system -- the GPS. We're also working with the Coast Guard to -- to stop ..S  
11 system, we actually have a couple years before we have to do it. The Coast Guard is  
12 telling us they're setting up something in November. They may have theirs on line by  
13 January, so we're trying to get a compatible system with theirs and -- they're all looking  
14 at black boxes. We thought we could do it with GPS stuff, but you know, because of  
15 the relative motion of GPS ... especially up at Whitehall, the boat is heading north, but  
16 the boat's moving sideways to go forward, so the GPS track is going to throw the  
17 boat going east when it's actually heading north, and that's why you never dock with  
18 the GPS. At first we thought it was a good idea, but we're not going to use GPS for any  
19 kind of tracking. We'll come up with some real black box technology. A few boats do  
20 have it.

21 CHAIRMAN TURRELL: Okay thank you for that, and I'll allow your  
22 attorney to make a couple notations or comments.

23 ATTORNEY: Captain Ryan, does the SOP give any discretion to the  
24 Master?

25 CAPTAIN RYAN: Yes, the SOP does give discretion to the Master,

1 especially in emergency situations, or any situations he needs to change the  
2 procedure. It could happen, if there's a crewman situation, operating the boat with  
3 that crew members, he has to have the discretion to change stuff around, and we're  
4 given that responsibility on the training instructors licenses and the open book, they will  
5 pull the license and put a lot stuff in there.

6 ATTORNEY: The uniforms that the Mate, the ACs and the Captains  
7 wear, does that uniform include a dark sweater in the fall and winter?

8 CAPTAIN RYAN: It may. They can wear a dark sweater.

9 ATTORNEY: Richard Smith, had he ever served as Captain on the  
10 Barberi class?

11 CAPTAIN RYAN: Yes, he has.

12 ATTORNEY: Did you know how much time he had as Captain on the  
13 Barberi class?

14 CAPTAIN RYAN: I would say several years.

15 ATTORNEY: And how much time did Captain Gansas have as Captain  
16 on the Barberi class?

17 CAPTAIN RYAN: Not as much as Richie -- not as much as Captain  
18 Smith. You know the boats are light to drive, the hours you like to work, but then with  
19 seniority, you have to be able -- I know that Mike liked the Barberi class better than --  
20 and he had the opportunity --

21 ATTORNEY: But in terms of experience, Captain Smith had more  
22 experience as a Captain on the Barberi class than Captain Gansas?

23 CAPTAIN RYAN: Yes.

24 ATTORNEY: There are a few things that I want to follow up. The other  
25 point that I wanted to ask you about, Captain Ryan, was you said that you would

1 monitor whether the SOP was being followed, and you said that you knew that when  
2 you were on there, or anyone from administration was on there, it was being followed.  
3 But you knew that at times the crew would be lax on that. Were there any instances  
4 where it came to your attention that either Captain Gansas or Captain Smith were not  
5 following the SOPs, to your knowledge?

6 CAPTAIN RYAN: No. I worked with both of them on -- both of those  
7 officers ... who were always -- they insisted on -- the two navigation officers put  
8 together were just -- I mean I actually worked more with Mike than with Richard Smith,  
9 and --

10 ATTORNEY: Okay, one other question. About the licenses.

11 (Pause.)

12 ATTORNEY: You said that copies of the muster lists that were kept in the  
13 drawers.

14 CAPTAIN RYAN: Uh-huh.

15 ATTORNEY: Are those additional copies?

16 CAPTAIN RYAN: They're additional copies.

17 ATTORNEY: I think that's it. Thank you.

18 CHAIRMAN TURRELL: Okay, ... information in any other future ... Thanks  
19 a lot for your cooperation.

20 CAPTAIN RYAN: You're welcome.

21 CHAIRMAN TURRELL: End of interview.

22 (Whereupon, the interview of Captain Ryan in the above captioned  
23 matter was adjourned.)