



Motor Carrier Attachment 28:

BCPS Transportation Supervisor Interview

Baltimore, MD; 11/1/2016

HWY17MH007

(75 pages)

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

* * * * *

Investigation of:

*
*
*
*
*
*

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

Accident No.: HWY17MH007

* * * * *

Interview of: STEVEN JAMES

Office of Pupil Transportation
200 East North Avenue
Baltimore, Maryland

Wednesday,
November 30, 2016

APPEARANCES:

MICHAEL FOX, Accident Investigator
National Transportation Safety Board

RAPHAEL MARSHALL, Human Performance Investigator
National Transportation Safety Board

SEAN MATLOCK
Baltimore City Schools

MYRON BROWN, Esq.
(Attorney for Mr. James)

TAMMY TURNER, Esq.
Chief Legal Counsel
Baltimore City Public Schools

I N D E X

ITEM

PAGE

Interview of Steven James:

By Mr. Fox

7

I N T E R V I E W

1
2 MR. FOX: This is Michael Fox, investigator for the NTSB out
3 of the Washington, D.C. office. Today is November 30, 2016.
4 We're located at the Office of Pupil Transportation for the City
5 of Baltimore Schools, located at 200 East North Avenue in
6 Baltimore, Maryland. Today I'll be interviewing Mr. James.

7 For the record, we'll go around the room. There's several
8 folks in the room so we'll identify each person. And for the
9 record you'll say your first name, your last name, spell your last
10 name and your title. And we'll start with you, Mr. James.

11 MR. JAMES: Steven James, last name J-A-M-E-S, Safety
12 Supervisor for the Office of Pupil Transportation for City
13 Schools.

14 MR. BROWN: Myron Brown, B-R-O-W-N, counsel for Mr. James.

15 MR. MARSHALL: Raphael Marshall, M-A-R-S-H-A-L-L, Human
16 Performance Investigator with the NTSB.

17 MR. MATLOCK: Sean Matlock, Senior Counsel Transactions for
18 the office of legal counsel, Baltimore City Public Schools.

19 MR. FOX: So we'll start off by saying thank you all for
20 coming today. And we apologize for our delayed appearance today.
21 We got hung up in traffic. So we'll just take a breath and
22 realize that what we're doing today is we're just going to get a
23 better handle on the paperwork that was presented to us a couple
24 of weeks ago. There are some documents in here we don't quite
25 understand and that's the purpose, main purpose is just to kind of

1 get a handle on how your operation works and a better
2 understanding of the paperwork.

3 MR. JAMES: Sure.

4 MR. FOX: Okay.

5 MR. MATLOCK: I just want to make a note that the paperwork
6 was supplied by his, his supervisor Mr. Hughes not by him, so he
7 may not have seen some of it, so just in case.

8 MR. FOX: Okay. And so if necessary, Sean, maybe do we need
9 to go get that original file, the --

10 MR. MATLOCK: I don't think we need to. I just want to make
11 sure that, you know, he may not have seen -- what's, what's been
12 applied, he may not have seen yet, so whatever you're reviewing,
13 if you want to make copies for him, at some point I can do that.

14 MR. FOX: Is the file still available?

15 MR. MATLOCK: I don't have it, so it might be with Tammy or
16 it could be with -- just that I don't have the file.

17 MR. FOX: Okay. We may want to get that, so --

18 MR. MATLOCK: Okay.

19 MR. FOX: -- because my file may not be in the same order.
20 It's been, you know, pulled out and copied and I may not have put
21 it back in the same order. So I would request that we, we get a
22 -- we get that so that Mr. James can refer to it. You are
23 familiar with those files, right?

24 MR. JAMES: Yes, sir.

25 MR. FOX: Because mine is definitely not in the same order

1 that you have.

2 MR. MATLOCK: Yeah, and that was her file. That's why I'm
3 saying --

4 MR. FOX: Oh, okay.

5 MR. MATLOCK: -- so his -- he doesn't have access to all
6 those records.

7 MR. FOX: Oh, okay.

8 MR. MATLOCK: And that's what I'm getting at. So if you're
9 going to interview on that records that he doesn't have access
10 to --

11 MR. FOX: Okay.

12 MR. MATLOCK: -- you know.

13 MR. FOX: Fair enough. So if --

14 MR. MATLOCK: Because I asked him to bring what he had and he
15 didn't have anything additional to bring.

16 MR. FOX: Is that file in the building?

17 MR. MATLOCK: I'm going to check and see.

18 MR. FOX: All right. So --

19 MR. MATLOCK: All right. Can you pause here?

20 MR. FOX: Yeah. We're going to go ahead and take a pause and
21 see if we can't get the, get the document. Taking a moment to
22 find the driver file.

23 (Off the record.)

24 (On the record.)

25 MR. FOX: So at this time, we're going back on record. It is

1 now 11 o'clock.

2 INTERVIEW OF STEVEN JAMES

3 BY MR. FOX:

4 Q. So Mr. James, can you please tell me for the record what is
5 your title?

6 A. I'm the safety and training supervisor for the Office of
7 Pupil Transportation for City Schools.

8 Q. And how long have you held that position?

9 A. I've been in that position since 2003.

10 Q. Since 2003. And what did you do before then?

11 A. I was the safety supervisor and operations manager for Durham
12 School Services.

13 Q. I'm sorry. And you said you had this position since 2003?

14 A. 2003, yes, sir, about 13 years.

15 Q. Thirteen years, and you said you were in Durham?

16 A. Durham School Services.

17 Q. Durham, North Carolina?

18 A. No, Durham School Services here in Baltimore.

19 Q. Oh, okay. Durham is a county or?

20 A. No, Baltimore. It's a -- it's one of our contractors.

21 Q. Oh, one of your contractors.

22 A. Right.

23 Q. Okay. Durham --

24 A. School Services.

25 Q. And they were a contractor?

1 A. Yes, sir.

2 Q. And what, what was your position there?

3 A. Basically the same position.

4 Q. Safety --

5 A. Safety and Training.

6 Q. How big an operation was that?

7 A. Locally probably had about 60, between 60 to 75 drivers.

8 Q. Okay. All right, very good. All right. So you've been
9 here, been working for the city for 13 years.

10 A. Yes, sir.

11 Q. Can you explain what are your duties and responsibilities?

12 A. My current duties I do -- we do accident investigations,
13 which is part of my role. We do investigation into incidents as
14 far as school-related -- school bus-related incidents, maybe bus
15 driver to student, student to student. We investigate those. I
16 do site visits to schools to check for driver's compliance.

17 Q. Explain that a little bit further. What does that mean?

18 A. Okay. We go out to the different schools and check for
19 documentation. We may go out to a school, do a visit for the
20 morning when they come in, to make sure that the bus drivers are
21 all compliant, have their driver's license with them, have DOT
22 cards updated, so everything is updated and current.

23 Q. So you do like a spot check or?

24 A. Yes, absolutely.

25 Q. Okay. And just so that I understand the size, there is how

1 many school districts or how big is the school system?

2 A. Well, we've got almost 200 schools. Probably about maybe 150
3 have school bus service.

4 Q. 100 have school bus service?

5 A. 150.

6 Q. 150.

7 A. Yes, sir.

8 Q. And is that all contracted or some of it is city-owned?

9 A. We -- Baltimore City Schools does about 10 percent of the
10 transportation.

11 Q. Ten percent is government?

12 A. Yes.

13 Q. And then 90 percent is contracted out or they do MTA, right?

14 A. Yes, there is some MTA.

15 Q. And are there any other roles in your position? So you do
16 accident investigation, incident investigation, school bus driver
17 compliance, and then do you do anything else?

18 A. And a lot of things we do current complaints that I do. I
19 deal with. I do professional days whenever we have them. I do
20 training, certification training for our drivers and attendants.

21 Q. Do you do the driver files? Do you maintain the driver
22 files?

23 A. No longer. I did it at one point but I no longer do that.

24 Q. About when -- from what, do you remember what period of time
25 that you --

1 A. Probably within the last -- I started being transitioned out
2 of that about 2 years ago. And about a year and a couple of
3 months ago I was totally removed from that, so I don't -- no
4 longer have access to that.

5 Q. So can you remember when, you know, from when to when did you
6 manage the driver files?

7 A. From the time that I started probably up until about 2014.

8 Q. Okay. 2003 to approximately --

9 A. 2014.

10 Q. -- 2014.

11 A. Yes, sir.

12 Q. -- you managed the DQ or I call it driver -- DQ file, driver
13 qualification file.

14 A. Yes.

15 Q. Doo you call it the same thing?

16 A. Yes. I do.

17 Q. Okay. Got it. We speak the same language.

18 A. Oh, yeah.

19 Q. And who do you report to?

20 A. I report to Ms. Jacinta Hughes.

21 Q. Okay. And she's the director?

22 A. The interim director, yes.

23 Q. Interim director. Now, when you managed the files, that
24 would include putting in new paperwork, like drug tests or
25 whatever. If it came in you would --

1 A. Yes.

2 Q. -- put it in there. Physically you would manage their -- the
3 file?

4 A. I would oversee it. I did have someone that worked for me at
5 that time --

6 Q. Okay.

7 A. -- that did that.

8 Q. All right. How many drivers are in the system?

9 A. Probably 300 plus, somewhere right around there.

10 Q. And this is the contracted folks?

11 A. Plus Baltimore City Schools.

12 Q. Together?

13 A. Yes, sir.

14 Q. So that would include this population of the 10 percent?

15 A. Yes, sir.

16 Q. All right. So do you -- what did you say, 350?

17 A. No, I said 300 plus.

18 Q. 300 plus in the driver pool.

19 A. Yes, sir.

20 Q. And are they all in the same drug testing pool, do you know?

21 A. No, they are not. Contracted drivers are in a separate pool
22 from the Baltimore City Schools drivers.

23 Q. All right. I think Ms. Hughes touched on that. So there is
24 a separate pool for the government employees?

25 A. Yes.

1 Q. And the contracted is in their own pool, right?

2 A. Yes.

3 Q. Well, that's a pretty big group of people. How do you manage
4 when CDL -- or as a driver's CDL is about to expire or medical
5 card? I mean, do you have some kind of methodology in which you
6 follow?

7 A. Actually at this -- well, when I was managing it --

8 MR. MATLOCK: Well, let me -- could I just interject?

9 MR. JAMES: Sure.

10 MR. MATLOCK: At the time of the accident were you managing
11 this?

12 MR. JAMES: No, I was not.

13 MR. MATLOCK: And so he wasn't managing what you -- when this
14 accident occurred he was no longer managing it. And I think from
15 back in 2014 when he stopped managing that file, so that's why I'm
16 just pointing that out.

17 MR. FOX: Okay. But people underneath him managed this --

18 MR. JAMES: No.

19 MR. FOX: -- entity?

20 MR. MATLOCK: Not any more.

21 MR. JAMES: No, not anymore.

22 MR. MATLOCK: Not since 2014. He doesn't do driver
23 qualifications and handle that file any longer, the
24 certifications.

25 MR. FOX: Okay. Well, thank you for that -- for emphasizing

1 that.

2 BY MR. FOX:

3 Q. So who does then? From 2014 forward, who manages the driver
4 file?

5 A. Well, it's been we've had a couple of different changes.
6 There was an operations person that managed it probably back in
7 2014.

8 Q. Do you know who that person was?

9 A. It was a gentleman names Charles Davis.

10 Q. And was -- did he -- was he replaced by somebody else?

11 A. He has -- he's been gone. At the current time it's Gloria
12 Holt is the individual that manages that piece of it.

13 MR. FOX: Okay. Sean, maybe we can get a better -- you can
14 just put that as a note to follow up when, when Mr. Davis started
15 and stopped and then Gloria took over, if you could for me, sir?

16 MS. TURNER: Well, so you'll be able to get the dates of
17 employment.

18 MR. FOX: Oh, she won't know?

19 MS. TURNER: Well, I mean, she may know. So do you want him
20 to interview witnesses on your behalf?

21 MR. FOX: No.

22 MS. TURNER: Okay.

23 MR. FOX: So the question is, as I was pointing out to Mr.
24 James that Charles Davis took it over in 2014. We need to know
25 when did Gloria --

1 MS. TURNER: Okay.

2 MR. FOX: -- take over. Now, do I need to bring those people
3 in, counselor? Is that the question?

4 MS. TURNER: Well, so I just wanted to make sure that we're
5 just getting really preliminary information for you rather than
6 interviewing witnesses, because we don't want to cross those
7 boundaries.

8 MR. FOX: Okay. Well, why don't we set up a time and I'll
9 interview each one of those people.

10 MS. TURNER: Oh, we don't mind.

11 MR. FOX: Okay. Neither do I. I'll be happy to.

12 BY MR. FOX:

13 Q. So just for clarification, in your current position does
14 Charles Davis -- or did Charles Davis and did Gloria -- or does
15 Gloria Holt report to you?

16 A. No.

17 Q. Are they in your chain of command?

18 A. No.

19 Q. Not at all?

20 A. No, sir.

21 Q. So that is run by a separate department altogether?

22 A. Yes.

23 Q. And who, who heads that department now?

24 A. Well, Ms. Holt heads the department and that's basically
25 where I was separated. I had three trainers that worked for me,

1 three state-certified school bus driver trainers that report to
2 me. And the role that I have is basically the same role. I
3 oversee them. But the certification process, the paperwork, drug
4 tests, all those things are through the certification office.

5 Q. Oh, okay. It's been -- it's been turned into a new
6 department?

7 A. Yes. Yes, sir. Sort of separated the duties.

8 Q. All right. Well, thank you for clarifying so I understand.
9 I did not know that -- I was not aware that it was broken down
10 into a different -- so it's a different department now. And
11 that's been in effect since 2014, do you think?

12 A. The transition started in 2014 and then it probably became
13 full blown probably last year, maybe around September of last
14 year, where there'd be -- where there was a separation and the
15 duties that I had were -- you know, involving the certification
16 were sort of -- you know, were minimized and put into the hands
17 of, like, a manager in a separate office.

18 Q. So back in 2014, did you have a different title then?

19 A. No. Title -- my title's remained the same.

20 Q. It's just your duties have changed?

21 A. My duties -- just the duties have changed.

22 Q. Okay. Very good.

23 A. Yes, sir.

24 Q. Thank you for clarifying that.

25 A. Yes, sir.

1 Q. So when you did manage the driver file, files for the
2 drivers, was there a standard operating procedure or policy on how
3 to do that?

4 A. Yes. Yes.

5 Q. Okay. I need to get a copy of that policy, Sean.

6 MR. MATLOCK: I don't know of any policy.

7 MS. TURNER: There is no policy. There may have been an
8 operating procedure, an office manual, but there's no policy.

9 MR. MATLOCK: No policy.

10 MR. FOX: So if there's none, then I need the standard
11 operating procedure that Mr. James has described.

12 MR. MATLOCK: Okay.

13 MR. FOX: I need a copy of it.

14 MR. MATLOCK: Policy (indiscernible) --

15 MR. JAMES: And it would just give a flow of how the
16 paperwork should go. That's all.

17 BY MR. FOX:

18 Q. Is that something you authored?

19 A. Previous director pretty much authored it and I worked with
20 him.

21 Q. Was it a lengthy SOP? Was it -- I mean, did it have a lot of
22 pages or was it --

23 A. No.

24 Q. -- comprehensive? Do you remember?

25 A. It was broken down. It was broken down into different

1 sections as far as, you know, when someone came in for
2 certification, what steps would be gone through. So it could be
3 kind of lengthy.

4 Q. Do you -- can you take a guess at how -- do you know how
5 many pages or chapters it might be? Just so I -- when I get it, I
6 know that it's in its entirety?

7 A. It's divided into sections, probably about maybe 50 pages?

8 Q. Okay.

9 A. -- approximately.

10 MS. TURNER: May I ask him a question?

11 MR. FOX: Sure.

12 MS. TURNER: Do you know if any changes have been made since
13 you switched roles?

14 MR. JAMES: I'm, I'm not aware of it.

15 MS. TURNER: Okay.

16 MR. JAMES: I can't say. I don't know. I don't know. I
17 don't know.

18 MR. FOX: And I guess I'll follow up with interviewing the --

19 MS. TURNER: We'll see what's available.

20 MR. FOX: And then I can interview the appropriate staff
21 since it's changed what -- you know, it's 2 years ago now, so --

22 MS. TURNER: Right.

23 MR. FOX: -- a lot can happen.

24 BY MR. FOX:

25 Q. Do you know back in that position that you held, in that SOP,

1 did it have any procedures for how to handle an accident or
2 incident?

3 A. Yes.

4 Q. It did?

5 A. Yes.

6 Q. In going through the -- this file, I was wondering if there
7 was a summary page that described the historical milestones of a
8 driver? And I don't -- I know you don't have the file in front of
9 you so it's hard to remember, but there is -- there is -- here it
10 is right here. This activity log that I'm, I'm showing you.

11 A. Um-hum.

12 Q. For example for the driver. This to, to my knowledge this
13 was the only summary report so to speak of the driver's historical
14 information. Is that -- is that the --

15 A. Yes.

16 Q. -- way that you recall the file at the time you were --

17 A. Right. And this was --

18 Q. -- in the position?

19 A. Yes. This was developed well within that time frame as the
20 transition started. So but this would be the only thing that
21 would give you any type of historical other than the actual
22 paperwork itself.

23 Q. Okay. So this is a, this is a more -- this is a newer form.

24 A. Yes.

25 Q. And prior to that they didn't have a system like this?

1 A. No, sir.

2 Q. Okay. And what we're looking at is the Baltimore City School
3 System Department of Pupil Transportation activity log. And it
4 lists 11 items here for pre-service, in-service, fingerprinting,
5 et cetera, which I just wanted to confirm that this is the only,
6 to your knowledge at the time --

7 A. Yes, sir.

8 Q. -- that tracked the driver's historical milestones?

9 A. Yes, sir.

10 Q. Now, along these same lines, would what -- well, it's not on
11 here, but it doesn't -- there is no record of when a driver gets
12 suspended or there's some kind of disciplinary action against the
13 driver? There's no summary report like that?

14 A. No.

15 Q. Okay. Because I didn't see it in the file.

16 A. Yeah.

17 Q. This is the only file when I asked Ms. Hughes. I just wanted
18 to confirm, at least, that that was your recollection?

19 A. Yes, sir.

20 Q. Okay. Now, the file, the driver file, at least the way it
21 was presented to me, is broken down into different sections like
22 drug testing and training --

23 A. Yes, sir.

24 Q. -- things like that. And one of the -- one of -- when you
25 unfold the driver file, one of the tabs it's for accidents and

1 incidents.

2 A. Um-hum.

3 Q. Okay. One of the questions I had is is there a threshold of
4 how many accidents or incidents a driver can have or could, could
5 have had while you were in charge of this system?

6 A. The -- what I would do is go back to COMAR, Code of Maryland
7 Annotated Regulations, which would dictate whether an individual
8 was disqualified for certain -- it wasn't a specific number of
9 accidents but it would be an appreciable amount, a dollar amount,
10 which was \$1500. Two of those within a 24-month period would
11 disqualify an individual.

12 Q. Two, two accidents with a \$2500 --

13 A. No, \$1500.

14 Q. 1500.

15 A. Right, two preventable accidents.

16 Q. Within a how long?

17 A. Twenty-four month period.

18 Q. And that would disqualify the driver?

19 A. For 5 years.

20 Q. For 5 years.

21 A. Yes, sir.

22 Q. With the exception to that this COMAR regulation which you're
23 referring to, there is, again, no number of threshold of events
24 that a driver would have that would -- there's no policy against
25 that?

1 A. No, there's no number to say that, you know, someone had X, X
2 amount of accidents. But we did start a few years back going
3 remedial training -- when an individual had a preventable
4 accident, we would bring them in, take them to the scene of the
5 accident that they had, go over that with them so that we could
6 take corrective measures on it.

7 Q. Okay. When there is an accident or an incident, how did the
8 -- at the time that you were there, how did you receive that
9 information?

10 A. Usually it was received via phone call from the contractor.

11 Q. The contractor would call in?

12 A. Yes.

13 Q. Was there a stipulation on, on the -- how soon or?

14 A. We needed to know as soon as the accident happened. We
15 needed to be made aware.

16 Q. So as soon as practical --

17 A. Yes, sir.

18 Q. -- to call.

19 A. Absolutely.

20 Q. And did the contractor have a procedure? Were they -- part
21 of their contract, are they obligated to do a certain procedure
22 for --

23 A. Yes.

24 Q. -- reporting an accident?

25 A. Yes.

1 Q. And did they have specific paperwork to, to turn in?

2 A. There's an accident form you have. There's an accident
3 report that was -- that's' what they had to fill out for the
4 accident. But there was procedure that they had to call us
5 immediately as the accident occurred so that we could get
6 preliminary information on the accident.

7 Q. So there -- the procedure is they call in as soon as
8 possible, and then walk me through the steps as if a generic crash
9 if it were to happen back in the day?

10 A. They would call in. They may reach me directly. They may
11 reach our dispatcher. They would give the location of the
12 accident. You know, we would inquire if anyone's injured, make
13 sure the police were called, if there were children on the bus,
14 that any parents were notified.

15 Q. Okay.

16 A. We always inform them that, you know, post-accident the
17 driver must go for a post-accident drug and alcohol testing. The
18 accident had to be to us within 24 hours or 1 business day.

19 Q. The accident, you mean the paperwork?

20 A. The paperwork, yes, sir.

21 Q. The accident report?

22 A. Right.

23 Q. And that would include any, you know -- you had a -- which
24 we're referring to, you have a city report that they fill out.

25 A. Yes, sir.

1 Q. And then it would be notes or pictures or whatever else might
2 pertain to it?

3 A. Maybe, you know, someone was there and took pictures, that
4 would be in. You know, we would ask for that to be included as
5 well.

6 Q. Okay. Did you ever receive any accident reports by fax or
7 email?

8 A. Yes.

9 Q. And did you -- so going back to the procedures at the time,
10 the contractor would call in and then the paperwork would come
11 into your office. Do you have like a -- did you, when you had the
12 position, did you have a board or did you have a computer program
13 or anything like that to track these accidents when they'd come
14 in?

15 A. No. I would just -- I developed just a spreadsheet to say
16 when they would come in, and normally what we would do at the time
17 is we would request a driver, the actual driver involved to bring
18 the accident report in.

19 Q. You would ask the accident driver to physically bring in the
20 accident report?

21 A. Yes.

22 Q. And not the contractor?

23 A. No. Well, you know, the actual driver.

24 Q. The actual driver would bring in the police --

25 A. Yes.

1 Q. -- report and the --

2 A. Not the police report, just the accident report.

3 Q. He would just bring in the accident report.

4 A. Yes, sir.

5 Q. And the police report and other evidence regarding the
6 accident would come in?

7 A. Yeah, the insurance company would maintain that, would get
8 that. We would then -- we would have the claim number for the
9 initial officer that did the -- that responded to the scene and
10 the insurance company would get the -- you know, would actually
11 get the accident report or the police report.

12 Q. And typically it would be your own police force, right, that
13 would come in?

14 A. Sometimes it may be; sometimes it might be Baltimore City
15 Police.

16 Q. Okay. Did you have a policy or procedure for disqualifying
17 drivers?

18 A. It depends on the situation.

19 Q. Can you elaborate?

20 A. Well, if it were based on accidents under the COMAR
21 regulation absolutely. But if there was something that were
22 outside of that scope, and we would look at each situation
23 individually, each individual individually just to determine. And
24 I would always, before we would make any moves like that, I would
25 always seek legal counsel and the -- to make sure that's something

1 that is, I would say, defensible. Because we want to make sure
2 that what we're doing or what I was doing was within the scope of
3 Baltimore City Schools, and to make sure that there was something
4 that we could look at and make sure we were within the guidelines
5 of the law, because I'm not an expert on law. But I wanted to
6 make sure what the law is and labor relations were involved also
7 so before we did any disqualifications.

8 Q. Okay. Are you knowledgeable of the Federal Motor Carrier
9 Safety Regulations or some of them?

10 A. Some of them.

11 Q. Some of them.

12 A. Not as knowledgeable as you are.

13 Q. So the ones that mostly apply in this -- in your area would
14 be CDL.

15 A. Yes, sir.

16 Q. Some parts of 391, which is driver qualifications, medical
17 cards specifically.

18 A. Right.

19 Q. And drug and alcohol, 382.

20 A. Right.

21 Q. Okay. And I know you've said it, but just for the record,
22 you are knowledgeable of the COMARs -

23 A. Yes.

24 Q. -- the COMAR regulations?

25 A. Yes, sir.

1 Q. Okay. Is the -- is your school system, are they audited by
2 Maryland?

3 A. MSDE.

4 Q. Or DOE, Department of Education or?

5 A. We are audited by the Maryland State Department of Education.

6 Q. Maryland State Department of Education.

7 A. Yes, sir.

8 Q. That's a state agency, right?

9 A. Yes, sir.

10 Q. How often do they do that?

11 A. I know with us I think it's once every other year.

12 Q. And is that -- is it called like a compliance review or
13 something like that or an audit or does it have --

14 A. I think it's called an audit.

15 Q. And when was the last time that you're aware that the school
16 system was audited?

17 A. 2015?

18 Q. Are you part of that procedure?

19 A. I was.

20 Q. You were?

21 A. No longer.

22 MR. FOX: All right. So Sean, I'll need a copy of the last
23 inspection or audit or compliance review by the state for the
24 city, if it was in 2015 or when the last inspection was, please.

25 BY MR. FOX:

1 Q. Going back to accidents, back when you had it, did you -- I
2 know I think you said you had a spreadsheet that you maintained.
3 Do you have -- you know, I come from the industry.

4 A. Yes.

5 Q. So I understand what you go through.

6 A. Sure.

7 Q. We have a board that would say how many days since the last
8 accident or we tried to reach zero was our goal --

9 A. Right.

10 Q. -- back when I was in the industry, a long time ago. Did you
11 -- do you -- did you track it? Did you -- besides the
12 spreadsheet, was there any other mechanism that you tracked or?

13 A. No, sir.

14 Q. No?

15 A. No, sir.

16 Q. As far as frequency, how many do you think you have in a day
17 or a month or a year or, you know, do you know?

18 A. It would vary. It would vary.

19 Q. I mean, are they -- are they weekly? Is that a fair
20 statement? I'm trying to get a --

21 A. It would -- there could be an accident -- we could go a week
22 without an accident and then you could go a week where there's an
23 accident per day. So it really varied. So it would be impossible
24 to say that there was a standard. So, you know, I wish the
25 standard was zero, but unfortunately, again, maybe go a week with

1 nothing.

2 Q. Right. Well, under the federal regulations, motor carriers
3 are required to maintain an accident register. Do you maintain
4 such a form or did you at that time?

5 A. No, sir, I did not.

6 Q. So do you know if the city does maintain such a form?

7 A. I do not know.

8 Q. Is there any tracking of the -- back when you had the
9 position, of how many you had in a month or a year? Do you recall
10 what the number would be? Can you get -- take an estimation?

11 A. Probably, and this is just a guess, maybe around 75 --
12 between 75 and 100, but that would be preventable and non-
13 preventable.

14 Q. Seventy-five approximate --

15 A. Right.

16 Q. -- in a year?

17 A. Right, during the course of the school year.

18 Q. So 10 to 12 or something like 10 to 15 a month or something?

19 I'm just --

20 A. Yes, sir.

21 Q. -- throwing out a guess.

22 A. That's an average.

23 Q. I just was trying to get a handle on --

24 A. Sure.

25 Q. -- how big the numbers are or how little the numbers are.

1 And this was just a simple spreadsheet or Excel program that you
2 did?

3 A. Yeah, just a simple Excel spreadsheet.

4 Q. Okay. A little more specific, our accident driver, Mr.
5 Chappell, do you remember him at all?

6 A. Yes.

7 Q. Is -- was he somebody who you were familiar with?

8 A. Yes.

9 Q. Or you had knowledge of?

10 A. Yes.

11 Q. You did. Okay. Before this accident?

12 A. Yes.

13 Q. I had -- I have specific questions about his accidents and
14 incidents that we have. Ms. Hughes provided these files. I know
15 you have -- probably haven't looked at them in many years, so
16 we'll just take our time. I just want to present these back to
17 you so you can look at them. There were four according to the
18 files, according to Ms. Hughes when we looked at it the last
19 visit --

20 A. Okay.

21 Q. -- that Mr. Chappell had. So together I wanted to kind of go
22 through this paperwork because I'm a little confused or I have
23 some questions.

24 A. Sure.

25 Q. So we're looking at -- this is an incident report that

1 occurred on 9/7/2011, and a accident report was filled out for
2 this using the City of Baltimore -- there's a standardized form.
3 I'm sorry, I have these notes here. So we're looking at this form
4 that is a standard form that the city provides the contractors so
5 when there is an accident they fill it out, and then this is the
6 same -- the, the start of the paperwork that we were talking about
7 earlier.

8 A. Um-hum.

9 Q. And from what I can understand of this particular incident
10 that involved our accident driver, Glen Chappell, as I said, it
11 happened 9/7 of 2011. It appears that -- I mean there was not --
12 maybe not necessarily an accident but there was a child that was
13 left behind, I believe. And if you want I'll pass this over so
14 you can kind of refresh your memory. And I have questions about
15 your notes that you took.

16 A. Um-hum.

17 Q. I can't -- I'm sorry, I can't read. You must have been a
18 doctor before you came here because I can't read those, so --

19 A. In a previous life, I'm sure.

20 Q. Yeah. So why don't you just take a look at that. I just had
21 a few questions. It's my understanding that he did not follow
22 his normal route or he -- the problem was he didn't pick up a
23 child. I believe that that's the way that the report is written.
24 And I just wanted to see if you could interpret your notes for me
25 so that -- and you can read them aloud so I can better understand

1 what you're saying. So just take a second to look at them.

2 MR. MARSHALL: I apologize, Mike. I'm going to have to --

3 MR. FOX: You have to go? Okay.

4 MR. MARSHALL: Yeah.

5 MR. FOX: All right. Raphael is going to take off.

6 MR. MATLOCK: I want to take a moment, too.

7 MR. FOX: Sure.

8 MR. MATLOCK: But take your time.

9 (Long pause.)

10 MR. JAMES: He must have gotten tired then.

11 MR. FOX: Did he go?

12 MR. JAMES: (Indiscernible).

13 MR. FOX: So I just had a hard -- I struggled to follow it,
14 so that's why I wanted to go through it. A couple are like that,
15 so that's why I just need clarification. I can't -- I can't read
16 the notes.

17 MR. JAMES: What are the questions? You just wanted me to
18 read through and --

19 BY MR. FOX:

20 Q. Well, let's just start at the top. I think we -- that would
21 be easy. You could just read those off again. I wanted to take a
22 look at this form because I don't see the carrier or the
23 contractor on here. And I believe it's Reliable?

24 A. Yes, sir.

25 Q. According to the email.

1 A. Yes.

2 Q. But I just wanted you to confirm that, that that's --

3 A. Yes.

4 Q. -- what it is.

5 A. Right.

6 Q. So we're -- this, this 9/11 -- correction. Scratch that.

7 9/7/2011 incident is for Reliable Transportation?

8 A. That's correct.

9 Q. Correct. Okay. All right. So this is Reliable.

10 A. Yes.

11 Q. All right. And it's my understanding that a child was left
12 behind. Is that the way -- do you recall this incident?

13 A. I really don't recall, you know, other than looking at the
14 notes.

15 Q. Sure. All right. And I understand. It's 6 -- 5 years ago
16 or whatever. So it may be difficult to recall, and I understand
17 that. So we'll do the best we can.

18 A. Sure.

19 Q. So from what I can understand, and there's really no official
20 report, it just is this series of emails.

21 A. Yes, sir.

22 Q. And that's the way I understand it. Is that the way you --
23 you are looking at it --

24 A. Yes, sir.

25 Q. -- just like I am? And it -- from the email dialogue that's

1 in this paperwork, that does come from you and a series of other
2 folks in this that I guess leads all the way back to maybe the
3 parent --

4 A. Yes, sir.

5 Q. -- or parents of the child, that his child was not picked up.
6 That's the gist of what happened.

7 A. Right.

8 Q. And I can get it. What I don't understand is what happened
9 after? Did -- was he suspended? Did he -- do you know?

10 A. Based on, and I can only base it on what I wrote.

11 Q. And maybe we need to look at that big -- this big form.
12 That's why I was asking my earlier question. I didn't know --
13 does this, does this help us, this one? And that was my main
14 question was I didn't -- I really could not gather from the
15 paperwork provided. Maybe Ms. Hughes knows it better than I do.
16 What was the consequences? What, what happened to the driver
17 after this event? I don't really -- I can't quite figure out
18 because there's just emails.

19 A. Yeah. Based on this, it looks like a suspension -- his
20 certification got suspended, which meant he couldn't drive until
21 we looked into why the child was left.

22 Q. Right. I see that. I did notice that, that it will continue
23 this investigation. So my question to you is that, you know, so
24 is there another report or there's a findings report or a summary?

25 A. No.

1 Q. Did you do anything like that?

2 A. Never did.

3 Q. Or did you do anything like that?

4 A. No, I did not. I do not recall doing anything like that.

5 Q. Okay. And it wouldn't be documented on this activity log?

6 A. No, sir. No, sir.

7 Q. Okay. So that clears that up. So we're only going by memory
8 that he lost his certification, and I can't hold you to it; you
9 have no idea if, you know, it was one day or 5 days or whatever.
10 But there's no paperwork for us to refer to.

11 A. Yeah.

12 Q. Okay. This, this signature here?

13 A. That's a -- that looks like Sutton, the owner's signature.

14 Q. The owner's signature.

15 MS. TURNER: I couldn't hear you, Steve. I couldn't hear
16 you.

17 MR. JAMES: The owner's signature.

18 BY MR. FOX:

19 Q. The owner's signature?

20 A. Um-hum.

21 Q. Is there -- it's such a late date on here. The accident
22 happened on 9/7/11 and then the owner or supervisor is signing off
23 on 11/10. It seems like such a long time. Is there a reason for
24 that do you know? Or --

25 A. Other than we weren't able to obtain the report from the

1 company because they have to actually bring that in to us.

2 Q. So do I understand that you think that this might have come
3 in at that time or -- no, it couldn't have because the emails are
4 dated the day after.

5 A. Right.

6 Q. These emails are the day after. So that just didn't make
7 sense to me why the date was so late. I couldn't figure that one
8 out.

9 A. Right.

10 MR. MATLOCK: What was the date of the signature?

11 MR. FOX: It says --

12 MR. JAMES: 11/10.

13 MR. MATLOCK: 11/10/11?

14 MR. FOX: Yeah, and I just -- I was curious why the date was
15 so off. So at this point we just don't know. That's the only
16 fair thing to say. We just -- we don't know. He can't recall.

17 BY MR. FOX:

18 Q. Okay. All right. That cleared that up. Is there -- is
19 there a standard procedure if there's a child left behind like
20 that or can you recall back when you had the job in the SOP book?
21 I call it -- I'm an old Army man. I call it SOP, standard
22 operating procedure.

23 A. Yes -- procedure. Sure.

24 Q. Is that what they would call that? Do you know, sir? Or, or
25 the book, the policy book, procedure book?

1 A. I don't know. I don't think there's any written policy as
2 far as when a student is left behind. You know, normally the
3 school will contact --

4 Q. Um-hum.

5 A. -- the transportation and we'll make arrangements for the
6 child to get home. Then we'll have to find out why the child was
7 left. They could not -- they may -- possibly may not have been
8 the bus driver's fault.

9 Q. Right. He could have had a flat tire. I'm making it up.

10 A. Anything could have happened. The child may have been inside
11 of the school and not came out when the other students came out,
12 so it would -- it's a myriad of reasons why that -- that a child
13 could be left behind.

14 Q. And as you recall to the best of your knowledge, there would
15 be consequences, though, back in the day when you had the position
16 if the driver -- if he was -- if it was not related to traffic or
17 mechanical failure of the bus, that it was on his or her own
18 accord, there would be disciplinary action, if I can use that
19 word?

20 A. Well, we would take corrective measures, you know, with the
21 individual. You know, maybe have them in for a conference, sit
22 down and go over the policies again and update the things that
23 they learned in class about making sure the students were -- every
24 student was on the bus, who to ask for. So it may not involve
25 necessarily a suspension, but it may just involve making sure that

1 that does not happen again.

2 Q. Right. And according to the paperwork that we have on this
3 particular incident, we don't know how long he was -- his
4 certification was suspended --

5 A. No.

6 Q. -- and if -- if that's the terminology. That's what the
7 terminology used. I just want to repeat the same language. You
8 say his certification was suspended, but we don't know how long
9 the -- that took place. Okay. So that's that one.

10 And then the next one that we have is this one -- oh. We
11 missed the best part, the notes. You have them. Can you please
12 tell me what these notes say, as best as you can recall or reread
13 them to me? Just start from number one and so forth.

14 A. Looks like I -- looks like I spoke with Mr. Chappell because
15 his regular aide was absent. Was about 45 minutes late. C. Duffy
16 (ph.) was the student that was on the bus. Said that he started
17 on 9/6. The regular aide has paperwork on sixth child. So a
18 student was dropped off okay on the first day, on the day that
19 they came, the first day.

20 Q. And basically what we're looking at is this would be like
21 your investigation?

22 A. Right.

23 Q. Or your investigative notes on the incident?

24 A. Yes, sir.

25 Q. And you're just writing that down?

1 A. Yes, sir.

2 (Phone ringing.)

3 MR. FOX: Excuse me. I apologize. I'll have to answer that.

4 I apologize.

5 BY MR. FOX:

6 Q. Go ahead, sir.

7 A. Yeah, so that would have just been, you know, in speaking
8 with him any notes that I would have jotted down.

9 Q. Okay. All right. So continuing on, I guess, number 5?

10 A. Okay. So the accident -- he claimed the acting aide onto the
11 bus told him to go down to --

12 Q. Can you just speak a little louder?

13 A. I'm sorry. It looks like the aide -- the aide that was on
14 the bus told him to go down -- it looks like Windwood Court.

15 Q. Okay.

16 A. Looks like then --

17 Q. Then --

18 A. It looks like then -- it looks like she then recanted and
19 took back whatever she said.

20 Q. Oh, she didn't -- the lady recanted. Okay.

21 A. Um-hum. The father usually met the bus and it looks like he
22 said after he hit the car, he started knocking on doors, gave
23 information to a neighbor.

24 Q. Now who would that be? Was that referring to the driver or?

25 A. That was -- I would highly -- I don't know. It may have been

1 referring to the driver.

2 Q. Okay.

3 A. It could have possibly been the aide. Looks like claimed
4 that the owner of the company called --

5 Q. Ms. Sutton?

6 A. Right. And advised her of the accident after it happened.

7 Q. And then number 9 is?

8 MR. MATLOCK: What, what was the date of this accident?

9 MR. FOX: This is 9 --

10 MR. JAMES: 9/7/11.

11 MR. FOX: -- 9/7/11.

12 MR. MATLOCK: Okay. So this wasn't an accident. It was a
13 student left behind, right?

14 MR. FOX: Yes.

15 MR. JAMES: Right.

16 MR. FOX: And we're -- right now we're just going over his
17 investigative notes that I, I can't read.

18 MR. JAMES: Sorry.

19 MR. FOX: And I --

20 MR. MATLOCK: I just heard accident and I was thinking am I
21 on the wrong thing?

22 MR. FOX: No, it's an incident.

23 MR. JAMES: It's an incident.

24 MR. FOX: The child was left behind and I just couldn't read
25 these notes.

1 BY MR. FOX:

2 Q. All right. And then so number 10, I think we're on?

3 A. Man, my writing was so bad when it goes cold.

4 MR. MATLOCK: There was also a time too, being away from it.

5 MR. FOX: Oh, right, right. He's been away from it. So you
6 can't read your number 10 then?

7 MR. JAMES: I can't. I'm sorry.

8 MR. FOX: That's okay. Well, if you can't do it, you can't
9 do it.

10 BY MR. FOX:

11 Q. And then this here is -- looks like Glen Chappell --

12 A. Um-hum.

13 Q. -- 1132. I don't know that that is. Maybe the time?

14 A. It's the bus number.

15 Q. Oh, the bus number, okay.

16 A. Yeah, the bus number.

17 Q. And then something driver did not --

18 A. He did not read the route.

19 Q. Did not read the route. Also did not -- oh, did not read the
20 route, okay. And then this is -- sorry child something then
21 called the --

22 A. Called the mother. Called her at 5:30. Apparently the owner
23 called at 5:30. Ms. Sutton would have called at 5:30 that the
24 child was late getting home. I think what they did is they may
25 have put the child on another bus.

1 Q. Okay. All right. And then the last page, close to 6 p.m.

2 A. And the owner Patricia Sutton spoke with the mother and
3 Patricia Sutton said that she was not -- said the driver did not
4 follow the --

5 Q. The route. I guess?

6 A. Right.

7 Q. The driver didn't follow the right route.

8 A. Right.

9 Q. And approximately nine students, eight plus --

10 A. Yeah, plus one.

11 Q. -- the aide or the child, and then it says here --

12 A. Suspended until further notice -- investigation.

13 Q. The driver was suspended until further investigation.

14 A. Right.

15 Q. All right. So again, we don't, we don't know what --

16 A. I don't recall how long the suspension happened.

17 Q. Right. So that was something I've been trying to determine
18 and I could not make that determination from this report. Okay.

19 Then we have this one here. This is -- we're looking at
20 10/14/11. This was an accident. So why don't you refresh your
21 memory and page through that for a minute?

22 (Pause.)

23 MR. JAMES: I don't recall seeing this.

24 BY MR. FOX:

25 Q. Are you -- is this -- do you recall it now looking at it,

1 taking a look at this?

2 A. I recall the accident. I have never seen these documents. I
3 do not recall these documents being with this.

4 Q. So you're saying you never saw these documents before?

5 A. No, sir. I do not remember seeing those documents.

6 Q. All right. Well, this is the paperwork that Ms. Hughes
7 handed me. Maybe it went to a different person, but at the time
8 we're talking about, October the 14th, 2011 -- and this accident,
9 this is, just for the record, this is Barber Transportation? Is
10 that the way I understand it? Because again, it's not filled out
11 on this form who is the contractor. According to the additional
12 paperwork in there, it says -- oh, I stand corrected.

13 A. Barber.

14 Q. Yeah, it does say Barber Transportation. So I take that
15 back. It is on this document that it shows Barber Transportation.
16 It says "other." It should be -- some of them are up here --

17 A. It should be up here.

18 Q. -- in then the bureau name --

19 A. Yes, sir.

20 Q. -- as the contractor. So if we can go through this report,
21 it says here in the notes that "See attached report by Krista
22 Showanda Calloway (ph.) about what happened." So it says on this
23 -- this you would have seen. This is part of this.

24 A. Right.

25 Q. It says that there was an additional report. "I have picked

1 up a child at 2203 Roslyn. Then went to a stoplight at Garrison
2 and Clifton and didn't remember anything until the policeman told
3 me that I had passed out." That's this statement from the driver
4 that he had passed out.

5 A. Um-hum.

6 Q. Go ahead.

7 MR. MATLOCK: I just want to reiterate this, you know, what
8 he said in terms of he doesn't remember seeing the report, so --

9 MR. FOX: Right. He says he doesn't -

10 MR. MATLOCK: I want to mention --

11 MR. FOX: -- he doesn't remember seeing this report.

12 MR. MATLOCK: Yes, exactly.

13 MR. FOX: But he would have -- he does remember seeing this?

14 MR. JAMES: Yes.

15 MR. MATLOCK: Okay.

16 MR. FOX: So he does remember seeing this report.

17 MR. MATLOCK: Okay.

18 MR. FOX: Just for clarification.

19 MR. MATLOCK: Okay.

20 MR. FOX: So he remembers this original notification and
21 probably this one, right? Doesn't this come -- this one come
22 in --

23 MR. JAMES: Yes, sir.

24 MR. FOX: -- too?

25 MR. JAMES: Yes. They all come together.

1 MR. FOX: Right. This here. But he doesn't remember this
2 other narrative that I guess -- and if I'm saying this correctly -
3 - oh, it's hard to pronounce her name -- Ms. Calloway, she wrote a
4 statement on this report here and evidently Mr. James doesn't
5 remember that.

6 BY MR. FOX:

7 Q. Well, I don't know why. You know, this is the paperwork that
8 Ms. Hughes gave me pertaining to this accident, so I don't know
9 why you would not have seen it, being in the position that you
10 were at the time.

11 A. Um-hum.

12 Q. So according to this addendum to this report that's written
13 by the aide on the bus. Am I saying that correctly?

14 A. Yes.

15 Q. This is by Ms. Calloway and she says -- this is her
16 statement. She says that at approximately 6:45 a.m. on Garrison
17 and Clifton we pulled up to a light. The light was red. We
18 stopped and then the light changed green. I told him, quote, "You
19 can keep straight been that he was a new driver. Then proceed --
20 proceeded on his feet on the accelerator, hands still on steering
21 wheel, everything seemed fine to me. As we started turning he --
22 I yelled," quote, "Keep straight. Keep straight," unquote. "Then
23 I realized that when I realized he was going into a pole. After
24 he hit the first pole, I got up to protect the child by holding
25 him. Then raining [sic] into two more poles, jumping the curb and

1 rained into parked car. I jerked hitting my back and neck on the
2 seat. The second pole was behind and wires was knocked down.
3 When the bus stopped I asked the driver," quote, "What happened?"
4 unquote. "He was woke and eyes was open. He turned around and
5 mumbled some words. Barely understood what he was saying. When I
6 look to my right I noticed that the front had crushed into parked
7 car. I turned around," continuing on next page, "and asked Dante,
8 you -- you okay? I took his hand, proceeded out of the back door
9 of the bus. The child was shaking and very upset. I called the
10 job, spoke to Pat, explained to her what happened. She stated
11 call police. The fire police was there and seen the whole thing.
12 The fire police called the ambulance for the driver. I asked
13 don't the student" --

14 MS. TURNER: Excuse me. So is there a question?

15 MR. FOX: Pardon me?

16 MS. TURNER: Is there a question?

17 MR. FOX: I'm reading this for the record.

18 MS. TURNER: Oh, okay.

19 MR. FOX: And he doesn't recall. He says -- he claims he
20 didn't get this, but this was in the paperwork that was provided
21 by --

22 MS. TURNER: Right, so --

23 MR. FOX: -- by your director.

24 MS. TURNER: Correct. I understand that. I guess I'm just
25 wondering why you're reading it into the record for yourself, but

1 go ahead.

2 BY MR. FOX:

3 Q. Okay. Very good. Continuing on, "I asked, don't the student
4 call his parent? I had left my book on the bus with the numbers.
5 Upon arriving of the parent, he asked what happened and his son
6 okay? I suggested to the parent, Dante that he should go to the
7 hospital because of the impact that we endure. The fire police
8 suggested that I should go to the hospital." That's the end of
9 her statement.

10 And you, again, for the record, you claim you've never seen
11 this document before?

12 A. I've never seen that document. I have not.

13 Q. Okay. And this is -- this is what looks like some corrective
14 action or continuation of the --

15 A. That's all part of the accident report.

16 Q. -- accident report.

17 A. Yes, sir.

18 Q. All right. So you say for the record that you never saw that
19 document or documents pertaining to the aide, what her statement
20 was?

21 A. Yes.

22 Q. Okay. So going back to this particular crash, pertaining to
23 the information that was provided to you at the time, going back
24 to the driver's statement as stating that "I passed out," would
25 that, by procedure, cause you to do something, any kind of

1 corrective action?

2 A. Not necessarily because I don't know -- you know, I'm not a
3 medical professional so I couldn't determine why. It could have
4 been a one-time situation. I don't know. But no, I did not.

5 Q. Is there a policy or procedure if a driver passes out or what
6 -- during the time that you had the position?

7 A. No.

8 Q. There was no procedure?

9 A. No.

10 Q. If a driver passed out there was no procedure?

11 A. Well, we would ask, you know, ask. But again, if it was not
12 revealed that it was something that it was -- you know, it could
13 have been a one-time thing. I don't know.

14 Q. Um-hum. So can we gather from this report what, what the --
15 what your actions were regarding this driver? Did he -- do you
16 have any idea what were the consequences after this?

17 A. Other than possibly going through some remedial training,
18 there would have been no -- I don't -- I do not remember any
19 corrective action that I would have taken on that.

20 Q. All right. And again, there was no procedure if a driver
21 passes out or during the time that you had the position there was
22 no procedure if a drive passed out?

23 A. Not to send him -- give any consequences for it, no, but --

24 Q. Not go -- to go see your doctor or get a clearance for duty
25 or anything like that?

1 A. No.

2 Q. Okay. All right. Very good. Let's move on. Next one here
3 is, I believe C&T Transportation. I'm not sure, but maybe it's
4 the same type of paperwork we're going to --

5 A. Yes, sir.

6 Q. Take a minute. Take a minute and refresh your memory if you
7 can?

8 A. Okay.

9 (Pause.)

10 MR. MATLOCK: What was the date of that incident?

11 MR. FOX: This one, Sean, is 3/20/2012.

12 MR. JAMES: 3/2.

13 MR. MATLOCK: Was it an incident or an accident?

14 MR. FOX: I'm sorry, correction, 3/2/2012 and it is an --

15 MR. JAMES: Accident.

16 MR. FOX: -- it's an accident.

17 (Pause.)

18 BY MR. FOX:

19 Q. Good to go?

20 A. Yes.

21 Q. All right. So we're going to just take a look at this. This
22 is a crash on 3/2 of 2012 and it involves C&T, I believe.

23 A. Yes, that's the company. Yeah, C&T Transportation.

24 Q. Okay, yeah, C&T Transportation. And this looks like the bus
25 hit a left front mirror, is the gist of what I'm understanding.

1 And there -- looks like there was an attendant on board and then
2 there was a post-accident drug test that ensued. Again, I was
3 curious if we knew what the -- was there any kind of corrective
4 action that took place or if the guy got counseling or retraining
5 or anything like that, do you know? I can't make any
6 determination from what I'm --

7 A. Not at --

8 Q. -- from what I've been provided.

9 A. I don't recall. I don't recall, because if something had
10 been done it should have been documented and put in the file.

11 Q. Right.

12 A. As far as any remedial training or anything like that.

13 Q. Okay. All right. I have more, but you stated for the record
14 that you came off of that position in 2014?

15 A. Yes, something like that.

16 Q. So you don't -- you didn't do this, this part of accidents
17 after that, that time, right? It went to the other --Gloria or
18 whatever her name is?

19 A. Well --

20 Q. Charles Davis?

21 A. Well, I would have still seen the accident, but --

22 Q. Did you still vet accidents after 2014?

23 A. Yes. Yes.

24 Q. You were still --

25 A. I would still see them. We'd still get them. My department

1 still gets them.

2 Q. Okay.

3 A. And then the paperwork is turned into the certification
4 department.

5 Q. Okay. So you still -- as of today, you still review accident
6 reports?

7 A. Yes. Yes, sir.

8 Q. Oh, you do?

9 A. Yes.

10 Q. Okay. All right. All right, then the others are -- so
11 here's another one. This is for 9/23/2015, and I'll give you a
12 minute to look at this one. This is 9/23/15 and I think this is
13 Affordable, I think. Yeah. Ironically that's the same bus that
14 was in the accident.

15 A. Yeah.

16 Q. 1876. So this is what we believe to be Affordable, I think.
17 I didn't see --

18 A. It would have. It would have been their bus.

19 Q. Yeah, I don't -- I don't see --

20 A. Yeah, it is.

21 Q. It's not -- the bureau is left off and it doesn't -- it's not
22 here in "other" so I just wanted to make sure that we had it
23 factually correct.

24 A. Yes, it is.

25 Q. Yeah, it's on this other report --

1 A. Yeah.

2 Q. -- of AA Affordable, but it's not on the accident report.

3 A. Okay. Well, this is all part of one form.

4 Q. Right. It's just not filled out on this particular page --

5 A. I'm sorry.

6 Q. -- which it appears to be the start of it. I could be wrong.

7 A. Oh, no. You're absolutely right.

8 (Pause.)

9 BY MR. FOX:

10 Q. Oh, this is my notes here.

11 Is this your handwriting?

12 A. Yes. Yes, it is.

13 Okay. Are we -- are we good to go?

14 A. Yes, sir.

15 Q. Okay.

16 A. Yes.

17 Q. All right. So we're, we're just going to look through this
18 report real quick, this 9/23/15. We've determined that this
19 accident occurred with AA Affordable Transportation and it
20 involved a bus, a school bus hitting a vehicle, and I think it
21 took -- hit the side, broke the mirror and did some damage to the
22 driver's side from what I can understand.

23 One of the things that I was -- and I was going back here to
24 your notes, which was my confusion is that in this -- in these
25 notes you also have Reliable and that made me curious.

1 A. Um-hum. I didn't write this.

2 Q. Oh, you did not write this one?

3 A. I did not write this. No, I don't --

4 Q. This, this --

5 A. Yes, where the light.

6 Q. The light penmanship was your writing?

7 A. That's correct.

8 Q. All right. So I was just -- I just -- that, again, it says
9 that Triple A -- or AA Affordable and then it also has Reliable,
10 which you also worked for at one point, and I just wanted to
11 clarify that we were in fact talking about the right bus company?

12 A. Right.

13 Q. And it is our determination that it is AAA?

14 A. Right. Someone initially thought it was Reliable but it was
15 not.

16 Q. Right. And in here I think there is some dialogue in here,
17 Major Hamm. Is that a police officer?

18 A. Yes, he's now an interim chief of police now.

19 Q. Major Hamm is your interim chief of police?

20 A. Um-hum.

21 Q. Okay. And this is a similar question that I had earlier,
22 where this is an email that you authored and it's saying that,
23 that -- oh, it's saying that his suspension has been lifted. That
24 was the point I guess I was trying to make figure out was how long
25 --

1 A. It was 3 months.

2 Q. He was suspended for 3 months?

3 A. Um-hum.

4 Q. Do you --

5 A. Initially the accident was --

6 Q. Yeah. It says Reliable but it's not.

7 A. Right.

8 Q. It's AA Affordable.

9 A. Right.

10 Q. So you gave him 90 days suspension?

11 A. Um-hum.

12 Q. You did?

13 A. Well, I suspended along with the -- you know, with

14 notification to the director at the time.

15 Q. Okay. And is that documented anywhere? Is it -- is there

16 actually a personnel file that those documents would be or this is

17 it what I'm looking at?

18 A. This is all we would have.

19 Q. All right. So the driver is disqualified and, and is that by

20 policy or where do the 90 days' suspension --

21 A. Well, by the time we went through --

22 Q. -- originate?

23 A. It was just a time factor. By the time we went through and

24 found out -- because he didn't -- you know, I took it to the

25 director at the time, the interim director at the time.

1 Q. Ms. Hughes?

2 A. No, that was Ms. Neal at the time.

3 Q. Ms. Neal?

4 A. Yes, Ms. Roberta Neal.

5 Q. Okay.

6 A. And I met with her after this happened. And I don't know
7 what prompted the meeting to bring him back, but it was 3 months
8 after the fact, and it's December.

9 Q. Well, this is -- this is September.

10 A. Yeah, that's September. And it's September, so --

11 Q. Let me just see if we -- the crash was 9/23.

12 A. Right.

13 Q. 9/23 and then when do we -- when was the email that says he's
14 good to go?

15 A. That's sometime in December.

16 Q. Is it this one?

17 A. This one.

18 Q. So on December 11th you send the email to AA Affordable
19 saying that his suspension has been lifted.

20 A. Um-hum.

21 Q. Or suspension of certification has been lifted. So let me
22 look right here. December 11th --

23 A. Um-hum.

24 Q. -- 9, 10, so let's see. One month, 2 months, 12 -- 12/23
25 would be 90 days suspension.

1 A. Yes, sir.

2 Q. So but you lifted it prior to then. So it was like an 80-day
3 suspension or whatever.

4 A. Right. There's no set time limit.

5 Q. Because that's why I was -- that was something that I was
6 trying to question you on. So there is no -- for different
7 infractions is there a policy guide that says this is a 1-day
8 suspension, a 30-day suspension, a 90-day suspension?

9 A. No, sir.

10 Q. There isn't? There is no set guidelines?

11 A. No, sir.

12 Q. And this 90-day or 80-day suspension, that was discussed
13 between Ms. Neal and yourself, and that was what you came up with?

14 A. Yes, sir.

15 Q. What do you think was the --

16 MR. FOX: I'm sorry, can you get by?

17 MS. TURNER: No, that's fine.

18 BY MR. FOX:

19 Q. Shoot. She broke my train of thought. So there is no policy
20 or procedure. It's just a discussion between, or at the time a
21 discussion between you and the acting director?

22 A. Yes, sir.

23 Q. And currently today in place, is there any kind of policy
24 guide for infractions and the penalty, if we can use that term or
25 the suspension time frames?

1 A. Not that I would have put in place, so --

2 Q. Not that you're aware of?

3 A. Not that I'm aware of that I put --

4 Q. But you still are part of -- you still were actively
5 participating in incoming accident reports?

6 A. Yes.

7 Q. And part of the vetting process of what happens with
8 accidents; is that correct?

9 A. I get the accidents initially. You know, I initially get
10 them and if there's something that stands out or something, I will
11 make recommendations with the director as to what should happen.

12 Q. So for clarification on, on that process, is it just you
13 vetting along with the director? It's just a two-person team, so
14 to speak?

15 A. Well, it depends on the specific situation involved in the
16 accident. If there's something that stands out or if someone has
17 multiple accidents -- and again, it's tough for me since because I
18 don't have immediate access to pull someone's record and see,
19 because it may change from year to year with that -- you know,
20 even with the sheet that I keep, it may change from year to year.
21 So, again, if I see something stands out, I'll bring it to the
22 director's attention. I have a team of trainers who work with me
23 also, so we'll do an accident review board and look at the
24 accidents.

25 Q. So there is an accident review board?

1 A. Yes.

2 Q. And what is that comprised of?

3 A. Okay. What we do is we review the accidents and go over them
4 for preventability and non-preventability.

5 Q. And you vote on whether it's preventable or not?

6 A. Yes.

7 Q. Or make a determination --

8 A. To make, to make a determination based on the facts.

9 Q. All right. And what -- who is on this board?

10 A. Well, I have myself, the training staff, and the certified
11 trainers.

12 Q. How many people are we talking about?

13 A. Probably, let me see, one, two, three, four, five, six on --
14 six other individuals, and we just restarted this, this process,
15 the accident review board.

16 Q. And how long has this been in place?

17 A. Well, we just restarted it back in October.

18 Q. This year?

19 A. Yes, sir.

20 Q. So it's new.

21 A. Yeah, it's -- we've done it in the past but it's -- you know,
22 we restarted it.

23 Q. Now, when you -- when you do this process now is there a form
24 or is there a report or is there something that memorializes the
25 outcome of the review board?

1 A. There is a sheet that we have that we will check off and, you
2 know, if it was determined preventable or non-preventable.

3 Q. Perhaps you can get me a copy please --

4 A. Okay.

5 Q. -- of what a blank one looks like?

6 A. Okay. It's just a simple, you know, a simple form that lists
7 the date of the accident, you know, the bus number and the
8 determination.

9 Q. So is there -- when you have the review board is there a,
10 like, a call to the meeting and, you know, is there any kind of
11 formality to it? You know, we're going to look at, you know, 2
12 elements or 10 elements or, you know, what is -- so what I'm
13 getting at is, is there a criteria that you use to determine
14 preventability?

15 A. Yes. We have a form we've gotten from the -- oh, gosh -- I
16 think the Maryland Safety Council, and we also got one from MSDE
17 that talks about determining preventability of accidents, and we
18 use that as a guideline.

19 Q. So when you review an accident and whatever -- however many
20 elements are in there, do you check it off and say it meets it or
21 it doesn't -- N/A or, you know, is it filled out, is what I'm
22 asking?

23 A. No, it's all part of the discussion that we have regarding a
24 specific accident.

25 Q. So you use it as a guide?

1 A. Yes, sir.

2 Q. But it's not annotated in any fashion, whether the -- you
3 know, like, impairment, fatigue, mechanical operation, things of
4 that nature that may go into preventability --

5 A. No.

6 Q. -- determining preventability, you know, at least under DOT
7 standards, for example? And this was started in October of this
8 year, 2016?

9 A. Yes, sir.

10 Q. Prior to the accident review board, in these crashes that we
11 are -- we've been discussing today, it would be just yourself and
12 somebody else or?

13 A. Myself, and I would look at it -- look at it with my safety
14 team.

15 Q. You would look at it with your safety team?

16 A. Right.

17 Q. And would these accidents be determined as preventable or not
18 preventable?

19 A. Yes.

20 Q. And would that be memorialized somewhere in these papers?

21 A. Probably not. It may not have been written that it was
22 preventable other than actually looking at it, looking at the
23 circumstances, you know, based on what the driver wrote.

24 Q. Right. But so is there a reason why it wouldn't be
25 memorialized if you're taking the time to go through this

1 procedure, and not put it on a form?

2 A. Other than -- a form, no, I've never had a form. Now in the
3 spreadsheet that I kept, we would put on there whether it was
4 preventable or not, but it wouldn't be in there.

5 Q. I see.

6 A. Not in the actual form, no.

7 Q. Do you have a spreadsheet that goes back this far determining
8 if it was preventable or not preventable?

9 A. I should. I should.

10 Q. So --

11 A. I'll check. I will check and see.

12 Q. So if it is can you do a print screen or something and --

13 A. Sure.

14 Q. -- and then email it to me?

15 MR. FOX: Or, counselor, could you do that for me,
16 please?

17 MR. JAMES: Sure. Let me take a look again and see if we
18 have --

19 BY MR. FOX:

20 Q. So the ones that we've been discussing today, see if you did
21 do a -- the procedure you're talking about and if you did put it
22 in there.

23 A. Um-hum.

24 Q. And if you could email that to me, it would be great, or fax,
25 whichever is easiest for you.

1 A. Sure.

2 Q. Thank you.

3 MR. MATLOCK: Steve, make sure I get a copy of that?

4 MR. JAMES: Sure. Absolutely.

5 BY MR. FOX:

6 Q. Oh -- no, I think that's all on this crash. Let me put this
7 one aside. We did this one. We did this one.

8 So I don't know how you may respond to this one, but there is
9 an accident report that I have received from another carrier that
10 is not in your paperwork. And I'll have you look through it.

11 MR. MATLOCK: What date was that accident?

12 MR. FOX: This accident was 7/19/2016. So it is -- this
13 paperwork is not here. Ms. Hughes did not provide it for me.
14 It's not in here at all. And there is, however, paperwork and
15 emails from your office, from you, saying that you have received
16 it. So if you could take a look at it?

17 (Pause.)

18 MR. MATLOCK: Mike, can you clarify that in terms of --

19 MR. FOX: This, this paperwork that you're looking at, minus
20 the two emails at the back end of, was obtained through Reliable
21 Transportation.

22 MR. MATLOCK: Okay.

23 MR. FOX: So, you know, what I did was I went backwards in
24 time and visited with the other folks that he worked for --

25 MR. MATLOCK: Um-hum.

1 MR. FOX: -- and got the paperwork and --

2 MR. MATLOCK: Was this one -- was this one Reliable or AA
3 Affordable?

4 MR. FOX: Reliable.

5 MR. JAMES: Reliable.

6 MR. FOX: And this happened this year, July, and the
7 paperwork was sent over to the office here according to the
8 carrier. And there's emails that I have --

9 MR. MATLOCK: I'm trying to understand something. So he
10 worked at AA Affordable in 2015, then he had an accident with
11 Reliable in 2016, and then he had another accident in 2016 with AA
12 Affordable?

13 MR. FOX: '15.

14 MR. MATLOCK: No, '16, this current one.

15 MR. FOX: Oh, oh.

16 MR. JAMES: This is Reliable.

17 MR. FOX: This is Reliable.

18 MR. MATLOCK: I know that.

19 MR. FOX: Oh, oh, and now you're talking about the current
20 one?

21 MR. MATLOCK: Yes.

22 MR. FOX: Yeah.

23 MR. MATLOCK: So it's like he went from one -- like that?

24 MR. FOX: Yes. Yes.

25 MR. MATLOCK: Okay.

1 MR. FOX: Are you with me?

2 MR. MATLOCK: Yeah.

3 MR. FOX: So he did jump back and forth to other --

4 MR. MATLOCK: I don't even know.

5 MR. FOX: Well, I know. I mean, that's what I've --

6 MR. MATLOCK: Well, let me ask this question.

7 MR. FOX: Let me say I don't know. This is what, I mean,

8 what we're discovering. It's still fluid.

9 MR. MATLOCK: Okay. There are some things I can't say that
10 may raise questions about whether or not that in fact was Mr.
11 Chappell.

12 MR. FOX: I can only go off -- this is --

13 MR. MATLOCK: No, what I'm saying to you is there -- they are
14 -- they may have written down that it was Mr. Chappell that was in
15 the accident, but we have reason to -- I might have reason to cast
16 doubt, I'll say..

17 MR. FOX: Well, all --

18 MR. MATLOCK: Yeah. I understand what you're saying, but --

19 MR. FOX: So let's, let's start at the top. According to the
20 paperwork that, that Ms. Hughes gave me, all the driver file --

21 MR. MATLOCK: Right.

22 MR. FOX: -- that we went through, and I questioned her the
23 last time here were --

24 MR. MATLOCK: No, I'm not disputing -- I'm not disputing --

25 MR. FOX: Four. Four.

1 MR. MATLOCK: I understand what you're telling me.

2 MR. FOX: Four accidents.

3 MR. MATLOCK: Right. What I'm saying to you is, and I have
4 to go and do some checking --

5 MR. FOX: Sure.

6 MR. MATLOCK: -- but I have, for reasons that I can't
7 actually disclose --

8 MR. FOX: Maybe --

9 MR. MATLOCK: -- at this point --I need to check with my
10 boss, but there is good reason to believe that even though the
11 accident may have occurred and they may have written down that Mr.
12 Chappell was the driver that was -- the driver, it might not have
13 been. So let me check. I'll need to speak with --

14 MR. FOX: All I can do is go -- they have a police report.
15 They have evidence.

16 MR. MATLOCK: I understand.

17 MR. FOX: You know, I can only go off of the evidence that's
18 been provided.

19 MR. MATLOCK: Okay. I'm sorry.

20 MR. FOX: So and, and there's emails to your, your
21 subordinate that he says, "Thank you. I acknowledge receipt of
22 the -- of information."

23 MR. MATLOCK: There's, there's no question -- what I'm saying
24 to you is I'm not questioning whether what was said or received --

25 MR. FOX: Got you.

1 MR. MATLOCK: -- or any of that stuff. I just have a --
2 there's some history, and I can't really disclose it yet, but let
3 me see what I can find out.

4 MR. FOX: Well, that would be -- that would be very telling,
5 but for the record, the driver had multiple employers over the
6 years.

7 MR. MATLOCK: Right.

8 MR. FOX: As we've been going through this, as -- you know,
9 this is no secret that what we're showing you is --

10 MR. MATLOCK: No, no, no.

11 MR. FOX: -- he's gone from one carrier to the next.

12 MR. MATLOCK: No, no, there's no dispute about that. I just
13 -- I'm not really sure --

14 MR. FOX: So and actually, you know, some of the people still
15 had him on the books and didn't realize he jumped ship. So which,
16 again --

17 MR. MATLOCK: Could we go off record for just a moment?

18 MR. FOX: Yes. So at the moment we're going to take a pause.

19 (Off the record.)

20 (On the record.)

21 MR. FOX: So we are back on the record after a brief break
22 and we're now discussing and reviewing the accident that I
23 obtained from Reliable Transportation dated 7/19/2016. All of
24 this paperwork was provided by Reliable Transportation and was not
25 provided in the driver file that Ms. Hughes presented to me. And

1 Mr. James has been reviewing it, and to his knowledge this is the
2 first time you've seen this report?

3 MR. JAMES: Yes, sir.

4 MR. FOX: Sean, is there a reason why this paperwork is not -
5 - was not provided to me?

6 MR. MATLOCK: To the best of my knowledge, we don't have it.
7 If it was -- if it was supplied to the Office of Transportation,
8 it should have been included in the file, so I have no reason to
9 know without doing some investigation why it wasn't in there.

10 MR. FOX: Okay. And --

11 MR. MATLOCK: Though I have my suspicions.

12 MR. FOX: And have you had issues with Reliable
13 Transportation in the past?

14 MR. MATLOCK: Yes. We have -- I'm not testifying, but yes,
15 we have. They're not our best -- we've had issues, yes, where
16 we've had to internally fine them.

17 MR. FOX: You penalized them?

18 MR. MATLOCK: Yes.

19 MR. FOX: And what was the infractions for?

20 MR. MATLOCK: Well, I couldn't testify to it here. That
21 would have to be -- come from the director of transportation
22 because I didn't actually deal with it, but I am aware that they
23 violated the contract in multiple ways.

24 MR. FOX: Okay. So taking it on face value, we're looking at
25 an accident report dated 7/19/2016 in which Mr. Chappell evidently

1 hit a truck, a pickup truck and there was some damage to the
2 driver's door and also damage to the rear of the bus and there was
3 color photos that we're looking at. There was also a workers'
4 comp claim filed by the aide on the bus, so there is -- there is
5 quite a bit of paperwork that we're looking at.

6 BY MR. FOX:

7 Q. And specifically I wanted to draw attention to Mr. James that
8 there are two emails that I have in front of you in which it's
9 from Reliable to you stating that they had an accident on this
10 date, and do you recall these emails?

11 A. I don't -- can't say that I do.

12 Q. All right.

13 A. I can't say that I do.

14 Q. Um-hum. All right. Well, from, from what we -- from what
15 has been provided to me, it looks like Ms. Sutton over at Reliable
16 emailed you on July 19th describing the crash that happened with
17 bus 1739 at approximately 3:25 p.m. and the consequences that
18 happened. And then you replied, you know, thanks, that this --
19 this email came from you and you acknowledged that thank you, you
20 got it.

21 But to your knowledge you don't recall --

22 Q. No, sir.

23 Q. -- these emails.

24 A. No.

25 Q. And you don't recall this paperwork here at all?

1 A. No, sir, I don't. No, sir, I don't.

2 MR. FOX: And Sean, you're going to follow up on --

3 MR. MATLOCK: I'll find out. I'll find out what I can find
4 out.

5 MR. FOX: -- why it was not in there.

6 MR. MATLOCK: Right.

7 BY MR. FOX:

8 Q. Do you track any workers' comp claims? Is that something
9 that comes into your office at all?

10 A. I just record them just for City Schools employees.

11 Q. Only for City Schools employees.

12 A. Only for -- only for City Schools.

13 Q. Not for contractors?

14 A. No.

15 Q. Can you explain how the background check system works that
16 you -- your -- that the city uses?

17 A. Okay. Now, I'm not involved in that any longer.

18 Q. But back when you --

19 A. Right. Prior --

20 Q. -- did do this --

21 A. Prior to, they would go to CJIS, who is our vendor. They
22 would get the -- you know, we'd do a form for them. They'd take
23 the form to CJIS and we'd get the results back. Usually they
24 would come back -- they would come back on computer. It would
25 come back via email. And we'd go through them and make sure that

1 the met the qualification for COMAR and they would either be
2 rejected or they would be accepted.

3 Q. This, this -- CJIS is a, like, a software program then
4 that --

5 A. No, it's a company, Criminal Justice and Information Systems.

6 Q. Okay.

7 A. They actually do the fingerprinting.

8 Q. Okay. Is that -- is it only done once when the driver just
9 comes into the system, into the pool?

10 A. Yes. Usually it's done once.

11 Q. It's only done once?

12 A. Right. And --

13 Q. Is there any follow-up on an annual basis or?

14 A. There are alerts that they send if there's any activity on
15 the individual's background, if they were arrested for something
16 or something -- anything at all, it would come as an alert that
17 would come via email.

18 Q. It comes in via email?

19 A. Yes, sir.

20 Q. And it would come to you or to some other staff member?

21 A. At, at -- back when it was coming to me. It no longer does
22 though.

23 Q. It did come to you?

24 A. Right. It doesn't any longer though.

25 Q. And can you recall off the top of your head if this driver

1 had any alerts?

2 A. There were so many. If they would have come, it would have
3 been placed in his file.

4 Q. All right. Hmm. I don't have that at my fingertips here.
5 And if there were any alerts, that would be -- if there were any
6 alerts what would be the procedure?

7 A. If the alerts were something that was a disqualifying, the
8 contractor would be immediately contacted and that individual
9 could no longer drive.

10 Q. Okay.

11 A. Or work as an attendant, because we have that for our
12 attendants also.

13 Q. Oh, for the attendants also.

14 A. Yes.

15 Q. And those alerts, they don't come in monthly? They're just
16 only if there is an incident?

17 A. Yes. Yes.

18 Q. Or an arrest or some event that causes an alert?

19 A. Yes.

20 Q. In the same regard, do you have any connection with an
21 alerting system with the DMV, the Maryland Motor Vehicle
22 Department, as far as licensing, CDL?

23 A. There used to be a -- they would actually mail them to us,
24 but that was years back.

25 Q. Um-hum.

1 A. Since then there is a -- there is an alert system that sends
2 if there's any activity on an individual's MVA record. That --
3 and that also would come via email.

4 Q. And if there were issues or a disqualification notifications
5 or suspensions, it would have been in the file?

6 A. Yes, sir.

7 Q. Okay.

8 A. And then I -- again, I wouldn't, wouldn't be privy to those
9 any longer.

10 Q. You don't get those any longer?

11 A. That's right. They come to my email but I have been not the
12 one -- since I don't deal with the certification portion of it,
13 that goes strictly to our certification office.

14 Q. Okay. So you as of lately, within this calendar year, you
15 wouldn't have had any knowledge of any notifications coming in
16 regarding Mr. Chappell's CDL?

17 A. No, sir.

18 Q. Do you ever communicate with other counties outside of
19 Baltimore? Do you ever -- do you ever communicate with other
20 sister counties regarding drivers?

21 A. Sure.

22 Q. And what does that entail?

23 A. Well, it depends on the nature of the call. Normally what
24 will happen is -- and again, this is something that there's a
25 process for when I'm no longer involved in that. If a county is

1 looking to -- if an individual goes to recertify in another
2 county, I would ask them to send a form -- it may be in the form
3 of an email that such-and-such certified, and we would then
4 respond in kind, you know, either they were or they weren't
5 certified at the time.

6 Q. I see. So, for example, did you know that Mr. Chappell was
7 disqualified in Howard County?

8 A. No, sir, I did not.

9 Q. Okay.

10 A. I did not know.

11 Can I ask what he was disqualified for?

12 Q. I can't get into that if --

13 A. Okay.

14 Q. -- if you were not aware of it.

15 A. Okay.

16 Q. I'm just going to review my notes here to see if I have some
17 other questions before we conclude.

18 Since this accident, has your department made any new
19 policies or procedures?

20 A. That would be -- Ms. Hughes would be in a sense, as an
21 interim director, she would be the one to make any policy changes.
22 And I know they are looking at some procedural things to change.

23 Q. I see. But none that you're aware of right now?

24 A. No, sir, not at this point I'm not.

25 Q. Okay. Well, I think I've asked all the questions that I

1 needed to cover, I believe. So at this point I think I'm done.
2 Is there anything that you wish to add as we conclude this
3 interview?

4 A. No.

5 MR. FOX: No? So at this point we're going to end the
6 interview. It is now 12:55 p.m.

7 (Whereupon, at 12:55 p.m., the interview was concluded.)

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: SCHOOL BUS/COMMUTER BUS ACCIDENT
 IN BALTIMORE, MARYLAND ON
 NOVEMBER 1, 2016
 Interview of Steven James

DOCKET NUMBER: HWY17MH007

PLACE: Baltimore, Maryland

DATE: November 30, 2016

was held according to the record, and that this is the original,
complete, true and accurate transcript which has been transcribed
to the best of my skill and ability.

Teresa Holevas
Transcriber