



**SURVIVAL FACTORS GROUP
CHAIRMAN'S FACTUAL REPORT**

**ATTACHMENT 8
STATEMENTS AND INTERVIEWS**

REDACTED

**Fatal Grade Crossing Accident
Midland, TX; 11/15/2012**

**HWY-13-MH-003
(21 Pages)**

Midland Police Department Statement Notes

1A: [redacted]

Detective [redacted] [redacted]

Where were you seated on the trailer?

We were the first people on the trailer, there was a set of chairs on the gooseneck, but there wasn't anyone in them. I was on the driver side she was on the passenger side.

What did you see and hear?

We were crossing the tracks and I saw the train coming. I thought the driver would speed up, but he kept going the same speed. We saw the arms coming down.

Where did they come down?

They started coming down just behind the gooseneck, the arms were a bit high for me, but people behind me started pushing them up. The arm hit the flags on the trailer.

Was the trailer moving?

Yes, I think so, but not very fast.

When you saw the arms coming down, is that when you jumped?

We didn't jump because we thought we were going to clear, so we rode it out, but then we rolled off the trailer, and we didn't have time to stand up before the train hit.

What part of the trailer did it hit?

I think in the rear part near the tires.

Upon impact the trailer went into industrial street.

How many people were still on the trailer at the time of impact?

I don't know, maybe 6, 7, 8.

Described where they were.

Did you see any injured?

Yes, there was a lot, Described where some were, noted that one was near curb and another near the tires of the truck.

u see anyone on scene?

[redacted] was sitting down with my wife next to him. Paramedics told her to lay down.

How is your wife?

She broke her right collar bone, left elbow, and is in CAT scan for her lower back.

I think the injuries were from rolling. My wife rolled to the right of the trailer, I think I rolled to the right also, I'm a little sore where I think the chair hit me.

I didn't hear the train until we started crossing the tracks. I heard the train horn about the same time as the arms were coming.

2B: [redacted]

November 15, 2012, hospital, 7:16 PM, [redacted]

what happened today

we got towards the end of the parade we were coming towards the river tracks the first truck went over we were on the second truck has been I were sitting on the second row we saw train down further and then the arms started coming down and we started screaming to the driver that there was a train he didn't hear us next thing we knew the truck stopped my husband pushed me out of the way and in my husband jumped and then I saw the train hit the truck and everybody went flying.

3A: _____ 3B: _____

November 15, 2012, Accident Site,

Explain where you were sitting and what you saw?

I was in the third row of the second truck, on the left side.

We saw the flags coming down and the train coming. I guess he thought we'd get past. We saw the arms coming down and ducked, they went over our heads. We did not jump, I can't jump. People were wanting to jump off, and people tried, but it was a little too late. I was laying on the ground and looked around for my wife.

I didn't try to jump, I went off the right side and rolled.

I went off the left side, there were too many of the tie downs for me to move around.

_____ es went down behind the truck and we had to duck. I don't think the driver saw the arms

When did you notice the train?

I heard the train horn blowing, and that was when were stuck under the arms.

Was the truck in motion?

Yes. I think a lot of people in the back were worried about jumping off and ending up right in front of the track.

(he has right leg injury from combat)

8A: _____

Detective _____ Midland Memorial Hospital, 7:21 PM

Take me through the events of today.

Described the earlier part of the day. We were on the second truck near the back. We got to the RR crossing and the truck stopped. I looked to my right and saw the train coming. The arms came down behind the tractor, in the front part of the trailer. He was on the driver side of the truck.

Did you hear a horn?

I heard the ding of the crossing.

People started jumping off. Meg jumped off and I jumped behind her.

I jumped towards the passenger side. I heard the train hit the trailer. I turned around and saw my wife laying in the street.

How long before you saw the arms before the train came?

As soon as I noticed the arms I looked to my right and saw the train. It was just seconds before it hit us.

Did you happen to hear the train horn?

No

Did any of the horns in the procession sound like a train horn?

Yea, but I don't know if it was our truck or the one in front of us.

How many rows behind you?

There was probably 3 or 4.

9A: [redacted]

Detective [redacted] accident site November 15 5:53 PM

Where were you sitting?

I was on the second semi, driver side, about 4 seats from the back.

We approached the crossing and heard the ding ding of the crossing.

The guards hit the top of the truck and then the flag poles, and that was like 2 seconds, and then I saw the train coming. And it was going fast, and I turned to my wife and told her to jump.

I went to push her off and she jumped off the passenger side, I jumped off the driver side and then we ran the 6 to 7 feet back and the train hit within about 5 seconds and you could feel the train hit and she ran to me. It took a long time for the train to stop and we could tell people were injured. He went back and started doing CPR on an injured woman while others were giving her chest compressions. I did it about 30 cycles, and she started breathing and coming around. I assessed around me and saw a Hispanic man, and then immediately to my left I saw [redacted] in front of me and realized that this was [redacted]. Both her legs looked amputated above the knees. They waited with her for a few minutes until paramedics arrived and started to back brace her. I went to the next victim, who was [redacted] who said her back hurt and could not straighten her leg, he cleared blood from her face. He asked if she could breathe OK. She said she could but that her head hurt, so he checked for open wounds, did not find one, but saw a big knot coming up on her right temple above her eye. She said she was dizzy. He told her it was because she got a hard hit on the head, but she'll be OK. So he asked about what happened to see if she was coherent. She said the train hit and she blacked out. He tagged her with her name and blood type. He looked around and saw that all others were being attended to. There were a lot of people asking questions if they were OK. We could see a guy who jumped off the truck on the driver side, and you could see where the trailer hit him and he slid and hit the curb and was clearly deceased. He escaped from the trailer on the north side of the train. When the ding ding ding happened the the front tires of the truck were just a foot or two in front of the tracks. It was just the over the cab tracks when arms came down. He felt like the train was going faster than it normally would through a town, and knew that something must be wrong with the bells or arms coming down because the train came so quickly after the arms started coming down.

9B: [redacted]

detective [redacted] accident site, November 15 5:53 PM

date of birth [redacted]

take me through the events of the accident

we picked up a little speed I think because we were towards the end of the parade

we did not see or hear the train until it was there. The semi in front of us has a train horn and we were hearing it on parade. The rail was not down by the time the train hit. It was barely coming down and the train was already there. My husband yelled to jump and we both jumped off the back part. After the train stopped my husband did CPR on the person that was in front of us. I'm pretty sure she lost at least one leg if not both. That was one chair in front of us. The train was going full speed.

Going back before the parade when you were getting ready for their assigned seats?

Yes there were you knew where to sit.

There were two semi's with flatbed trailers and there were two of these correct? and which one were you on?

We were on the second one.

Spoke about route and which direction they were going.

How many people were in front of you on the truck?

I don't know how many chairs were in front of me but there were only four in back and and the people in front of us jumped forward and we jumped back. We were in the seat that was the cutoff

how many vehicles were in front of you in the parade?

There was the semi truck in front of us some police cars and at one point there was a band in front of us but they had turned off I don't know who else was in front.

(Spoke about position in parade and reiterated the point that the front truck horn sounds like a train horn.)

On the semi itself you said you were sitting in the middle?

I was four rows up there were three rows behind me.

(Reiterated earlier points)

The Rails the top of the flagpoles mounted on the side of the truck so the rail was not all the way down when the train hit. I don't think the driver ever saw the train because he didn't hit his brakes or step on the gas. Anybody that was on the driver side of truck would have gotten hit by the trailer. we jumped off the passenger side of the truck. The girl in front of me jumped off the same side and I thought she was going to hit but her husband is away.

11A: and 11B:

Note: Passenger 12B provided most of the direct response, with 12A agreeing or adding comments.

November 15, detective , Midland police department, emergency room, Midland Memorial Hospital, 7:07 PM

Detective: What Happened?

we were in the parade on the float, the first truck made across the railroad tracks, we were going over the river tracks, I don't know if our driver was trying to keep up the first truck and he did not stop at the tracks, I saw the arm and people were yelling there's a train, and then the railroad arm came down and it was knocking off chairs, the train was still coming in I was dead center with it.

Where are you located on the trailer

I was second to last row

where you seated with her sir, and what is your name

when the arms hit the trailer, did they go back up?

no

did any body try to push them up?

Yes, there were some guys pushing them up so that they would not knock people in the face. I was looking at the train and how fast it was going and how close it was getting

The first truck was coming over, and then your truck and trailer were coming over, did the arms come down in front of your truck?

No the arms came down where this chairs were in about the second row, everybody said jump, and then I jumped off, and blacked out, and the next thing I remember I was in a lot of pain, and I was on the ground and my nose was bloody, and that's all I remember.

After you heard the crossing going down, how long did it take for the train to come?

There was no time after the rails went down it was less than 5 seconds the train was less than a football field away

When the when the first truck went over the tracks did you happen to see train?

No there was no train we were really paying attention until we saw the arms coming down and people were yelling that there's a train. And people started jumping off left and right and he said he pushed me off. If he didn't push me off I would've hit because I was dead center with the train

Which way did you push her off?

She jumped to the right side and ended up on the opposite side of where the truck went to

12A: , 12B

Detective , accident site, November 15, 6:45 PM,

Discussed items lost in accident.

Where were you seated?

We were on the last 2 seats on the back of the trailer.

How many people on the trailer, did they have a log of names.

There were signs on the side of the trailer with our names, I don't know how many total.

What did you see or hear?

We were going along, and the truck in front of us was honking their horn, which sounds just like a train, so if the

I looked ahead and saw the lights flashing first, then the gates came down.

Arms came down on the second half of the trailer, and people in front of us were pushing the arms back up. There were about 8 or 10 rows in front of us. Looked to right and saw the lights of the train and screamed for everyone to jump. I jumped and looked back up and saw she was still on the trailer and I told her to jump. She jumped and I caught her. The arm guard was to my back and she was in front of me and the train was right there. We jumped to the side on the other side of the truck and trailer. We were on the other side of the train from where the trailer was. This couple here were on the same side as us, there were only 4 of us on that jumped on this side of the train.

Asked about timing.

It happened really fast, I saw the arms come down and people were pushing them up, but I told them to jump and the train was right there really fast.

Reiterated the points.

We were almost across the tracks when the train hit.

Described where they jumped off. I looked down to see if there was anyone under the tracks. I saw people on the ground on the other side, but there was no one under the track or thing that fell to our side of the train. They didn't know any of the people from the group. I heard the train blow it's horn, but I thought it was the truck in front of us, until I realized it was the train. We just stayed on our side and out of the way until they called for everyone for accountability.

[redacted]
Detective [redacted] November 15, 5:32 PM, accident site, [redacted]
tell me what you saw.

I was just coming down front Street.

This is your vehicle the white van?

Yes.

You are headed eastbound?

Yes on front Street in the outside lane. Police would start coming in blocking the traffic that the parade started coming. The parade was coming southbound. There was a truck pulling a float. There was a train coming and people started jumping off the float. It's got the end of it it looked like it got the end of it and turned like that.

So the truck had already started to cross?

It was kind of like in the center when I saw the train coming.

When I look back I saw the train coming at the truck and it was already going across.

So the bars were and weren't down yet?

The bars went down on the people that were on the float.

The bars went down on the trailer?

On the trailer. The truck had made it crossed when the bars started coming down everybody started jumping off. Some didn't see it I don't think some of them ever saw it. When it hit it all went to the other side.

It went to the south side of the tracks?

Yes right.

Witness:

[redacted]
Detective [redacted] November 15, 2012, 5:40 PM, accident site , [redacted]
where were you at and what did you say?

I was on the tailgate of the silver drillers team pick up in the parade. We were behind the trailer that got hit. We had to slam on the brakes and a few of us in the back got thrown around.

What did you see as far as the placement of the truck and the trailer

the trailer was on the tracks the arm bars were coming down. But I don't think the driver realized because the people were on the trailer. They were going very slowly. Before anything the train was there. Traffic was backed up or he could not have gone backwards. The train caught the end of their trailer.

How many were on the trailer?

I don't know I couldn't see the so quick?

Anything I haven't asked you?

Just that the time between arms coming down in the train coming was too quick.

How much time was it?

At most it was maybe 5 to 10 seconds, from what I could see maybe others could see it earlier.

Witness:

[redacted]

Detective [redacted] accident site, [redacted] (between 5:40 PM and 5:55PM)

where were you and what did you see?

we were on the drilling team truck. I was sitting where the pump is sticking out on the truck the sun was shining so bright I think that's why they didn't see it. None of us saw it everyone was so relaxed and calm. The trailer was there when the arms came down and we were just there, and in the glare of the sun we could see that that things were coming down and the train was already too close. Train was about that Baldwin Street. The last guy that was on the trailer stood up. And you could tell his natural reaction was to get off and he looked back and yelled. And people started lodging themselves off, and you could see one person get taken so fast off the train and people were getting thrown by the impact. And there were about three people on this side of the train.

About coming people are still on the trailer?

I don't know I didn't see it. A I'd say maybe six for sure that were hurt.

Did you hear the train?

No I didn't hear anything from the train no horns are nothing. But there were cops everywhere, they were part of the parade, but I didn't hear sirens or anything.

How fast of the arms come down?

I had enough time to see the arms come down and look at the people but then the train hit so fast.

Was anybody injured in your truck?

No. We had two boys inside and all the girls were in the back.

[redacted]

Detective [redacted] November 15, 2012, accident site(between 5:40 PM and 5:55PM)

where are you in relation to the accident and what did you see

we run the back of the driller truck, sitting on the tailgate. I turned around really fast and thought one of the girls push on me and so we started running. And then I heard the loud boom and people screaming. I didn't know people were hit until people came this way and said for us to stay here. I didn't see anything.

Did you see the impact?

No I just heard it.

Did you hear the horn the train?

No I don't think I was paying attention.

Witness:

[redacted]

Detective [redacted] November 15, 2012, accident site, 5:55 PM, [redacted]

where were you and what you see?

I was in the driller truck behind the truck that got hit. I was in the bed of the truck. The truck in front of us was passing the tracks. It had the veterans on it they were seated 2 x 2. As it was passing the gates to the train were coming down. As it hit it bounced back up and I could see people jumping off of it. And some people got hit in flying. That's all I saw was things flying everywhere.

Had the truck made across the tracks?

The truck was across the tracks but the trailer was not across the tracks. It did not stop.

Did you hear the train horn?

No I just heard things getting hit and the boom boom.

The arms were coming up and down.

Was the truck you are enabled to stop?

Yes it was not involved in the accident.

Witness:

Detective November 12, 2012, accident site, 6 PM,

Where were you and what did you see?

I was on the tailgate of the drilling team truck. I turned around and I saw the train. And by the time I saw it half the trailer was under the arms. And after someone on the trailers tried to lift the arms the train hit. The arms hit at the end of the trailer.

Was the trailer stopped on the tracks?

As soon as we stopped I think they tried to keep going. I couldn't tell if they were moving.

How did the arms come down?

The arms were hitting flags, I didn't see if anyone was struck by the arms, but I saw people trying to get off the thing.

Did you ever hear the train horn?

No I didn't hear anything.

How far in between from the time the arms came down to the train.

As soon as those arms came those arms hit.

Was anybody injured in your vehicle?

No.

Was there any contact between the accident and your vehicle?

No, it was a good enough distance behind but close enough that it could've been hit.

Anything else I didn't ask?

I think the train should have either not have been going so fast or should have made a horn which I didn't here and no one else seemed to either our drivers didn't see it coming they just saw it hit.

Witness:

Detective November 15, 2012, 6:06 PM,

where you at the time of the incident with the juicy?

We were right here under the light at front road. I was sitting in the back of the truck. We saw the things go down. Someone said why are they going down? I saw him and stand up and he tried hitting it sending them back up, and then he started to run and I saw everyone get up and start to jump, and then the train came and hit.

Was the vehicle that was pulling the trailer on the tracks?

No not the truck but the trailer was still on the track the backend.

Did you hear a horn?

No I didn't hear anything.

From the time you saw the arms coming down to the time that train struck the trailer about how long would you say that was?

From what I remember it wasn't that long it was maybe 5 seconds. But then again I didn't see the arms coming down I just heard someone say why are the arms coming down?

How many people were still on the trailer?

I only saw a couple jump off. I don't know.

Was there anything that came to the side of the tracks?

No I don't think anyone ended up on this side.

Witness:

[redacted]
Detective [redacted] November 15, 2012, accident site, 6:11 PM, [redacted] (start 31:40)
owner of drillers football director of this net operation

I was the mascot at the trailer I was dressed as a mascot

where were you in relation to the accident and what did you see or hear

I was in the pickup truck. I was in the bed of the truck.

I was holding a flag and I heard the girls screaming.

I was facing the crowd towards the Corvettes I saw the train coming, I took the costume head off and I saw the ladies jumping off the truck, truck got hit and people were flying off and got caught under the trailer. People jumped off and helped the others.

Did you ever hear the train?

Yes I heard the horn and I also heard a lot of screaming.

I have a camera.

Did you take any pictures here?

I don't know I dropped my camera.

Can you get that camera for me?

Yes (looking for camera, made arrangements to get the camera).

Witness:

[redacted]
[redacted]

Describe what you saw.

She was on the front truck and heard the train coming. Everyone started screaming to stop, and we saw that the train hit the back of the truck and people flying in the air. So we jumped down and ran back to help. I saw a guy on the sidewall and could tell he was dead. No one was going over to him, so I ran to him and covered him.

When you were passed the intersection, what did you hear.

We saw the lights while the truck was crossing the track and saw the arms coming down. The truck part was already over tracks when the arms came down. The truck started coming over before the signal.

Remember anything else?

My husband and everyone jumped off and started helping everyone.

Witness:

[redacted]

November 15, 2012, February 18, 1993, ended at 1805 p.m.

what did you see?

I was on the back pickup of the drillers truck and we play breaks real hard at the crossing the river guards came down onto the truck and the veterans are trying to push them off the train was coming down very fast as a normal speed. When they realized the train was coming they jumped off the float. And then the train collided with the back of the float. I saw several people under the train and deflected off the train.

How many people did you see on the float.

I saw maybe 20.

What happened after the train at the float?

The train continued and I saw people bouncing back and forth under the tracks.

Witness:

[redacted]

6:07 PM, [redacted] accident site

what did you see

we were behind the trailer that got hit. As we were coming up we saw the train coming really fast. Then we saw the crossing guard arms coming down amid came back up and then came back down again. I remember seeing the train hit the trailer and the guy was dragged and then the train kept going and I couldn't see anything else. We were sitting in the truck bed.

Witness:

[redacted]

6:11 PM, [redacted]

where were you and what did you see?

We were in the parade riding in the truck behind the trailer. The truck stopped about halfway across the tracks on the arm started coming down. We saw everybody trying to jump off. We saw the train hit the trailer near the tires maybe the last 4 feet. I was sitting in the back of the pickup truck.

When the trade flow what did you see?

We saw some people jump on the side of the tracks the ladies fell down and the guys jumped off and helped pull them away. After the accident we climbed over the train to the other side to try and help over there.

Anything else?

Maybe I was looking at the wrong spot but I didn't see anything other than the arms coming down? It seemed like there wasn't enough time the train came very soon.

Witness:

[redacted]

Detective [redacted] November 15, 2012, 7:16 PM, [redacted]

what did you see

we went over the train tracks. I remember I saw the headlight of the train on the right. I commented to my husband about the train. It seemed like it was pretty close. We were in second front row and so I turned around and watched as the train kept coming. I was looking at the truck

to see if they would make it. I saw the arm the crossing arm, it came down while the truck was already on the tracks. I thought maybe the truck had gone over the tracks. I saw the arm comedown hit something and go back up and then just before the train hit I saw people jump and that's when I knew the truck was not all the way over. In a saw the backend of the trailer flipped around. That's when I saw bodies fly at that point and that's when we jumped off and ran back. I turned around and went back and got a blanket.

That will point did you notice the lights burn notice of the train

I didn't notice I was surprised the arm didn't come down already and it hit something I don't know what and came back up. I know the cab came over but I but I didn't know the back was over.

How fast was the train going?

I'm around her so I judge the distance of cars and I felt the train was within 800 m when we were in the first truck went past the tracks. The train blow it's horn.

Witness:

November 15, 2012 6:09 PM,

what happened

I was in the first semi-crossing the tracks I was in the very front in the elevated section. I had a great view as we approached the track I could see a train coming. It was coming from left to right. I'm blind in one eye so I don't have depth perception. But I could see lights but I couldn't tell how fast. My wife commented and said there was a train coming. I say the trend is maybe 500 yards away. But I couldn't detect any movement so I thought it was either faraway or maybe it was stopped. We turned around to watch the second truck and the arms had still not comedown. And my wife said nothing is moving and arms had just started to come down. They grazed the cab of the second semi. The truck was probably only going five or 10 miles an hour and he was caught. The army hid behind the cabin bounced and try to come down again. At that point people started yelling and I could see the train coming fast. People were already in the process of jumping when the train hit. We were about 20 yards in front of the truck. The arm did not hit the cabin I saw it come down past the cabin and hit the flatbed portion, maybe right in the elevated portion.

Did you hear any warning?

I saw the lights as it started to come down and at that point the train might have been talking but then at that point I heard thinking dang.

When did you notice the light?

I noticed the lights after the arms came down I could be wrong but it seems the arms came down before the lights. Either the train should've been gone a lot slower or the arms should have come down a lot sooner I don't see any other way it could have been avoided. I ran up to the front that I saw the lady in named with a traumatic leg invitation she seemed to be the worst person that was savable. I pulled off my belt and did an emergency tourniquet and got the bleeding stopped. Someone else did CPR and she came around.

[redacted]

Detective [redacted] November 15, 2012, 6:04 PM, [redacted]
where are you when it happened?

I was one of the first guys on the front trailer. After he went over the tracks about 10 feet behind us we heard the bells go off and the lights started flashing. Our truck stopped and we knew within 5 seconds but the truck was hit by the train. The crossing arms never came down all the way. I started counting bodies I found three they were killed and maybe two more on the other side. I started making sure to get a headcount everybody but it was chaos.

Where were you when you heard the warning?

We were just passed it on the down ramp maybe 10 feet beyond it and we can hear the bells. Once we heard the bells we turned around and we saw the cab of the truck drive over but it didn't make it all the way over. After he was hit our truck kept going.

Witness:

[redacted]

November 15, 2012, 6 PM, [redacted]
where you at and what does

I was in the first trailer about the fourth room. As we were coming over the tracks someone said there was a train coming. At that point I saw the light blanket.

Which light was that

it was the light that tells you not to cross tracks. And right as we went over, the light blinked and we were wondering if they were going to keep going. I remember someone saying are they going to keep going and it looked like whoever was driving the other trailer Going and then we saw people trying to jump off and the train hit the vehicle. After we jumped off the trailer and I took my shirt off and helped the woman with a leg injury and helped with CPR.

So you're pretty sure you saw the light that says don't come over turn on before you were across?
By the time the lot first light blanked the tires of the first trailer were just starting to come off the tracks.

Witness:

[redacted]

Detective [redacted] November 15, 2012
can you tell me what you have in the scene

I was on the first float. About the time we were on the tracks we look down the tracks and we could see the train and its lights so we started pointing and yelling. When the bells started ringing I'm not sure. I saw the arm comedown in the middle of the second float. And then I saw the train come flying from the left and people jumping off the back of the trailer. I ran over to see what we can do to help.

How fast you think the train was going?

I don't know maybe 30.

Can you member how long it took from the time the arms went down to the train?

I don't know, seconds. It all happened so fast.

[redacted] Detective [redacted] November 15, 2012, 5:50 PM, [redacted]

please tell me what you saw

I was on the first trailer and the very back seat. After we crossed over the railroad tracks, I first heard the train whistles. When I heard that I had turned around, and the first thing I saw was people jumping off and then I saw the impact. By then our truck had stopped and we were all jumping and running.

How fast was the train going?

It was going very fast.

Anything else you can think of?

It just seemed to me like the bells happened almost simultaneously with the train crossing the track. Normally it seems like you have to wait for 30 seconds or something for the train to come but this seemed like the time between the crossbars coming down and that impact itself was very short.

Witness:

[redacted]
[redacted] 12, 5:54 PM

what happened?

We were coming up to the railroad tracks. I told my wife there would be a bump. Our trailer was on the center of the railroad tracks when the blinking lights started. We came over and there's a train coming. And it's right there and I thought the next trucks not going to make it. I turned around and the gate thing did not come down in front of the other truck. It came down on the bed of the other truck and then went back up and then came back down, and that's when everybody started jumping off. Right after people started jumping off the train hit the back end of the trailer. It jackknifed the trailer. That's when we all jumped off and ran back.

Did you hear a horn?

I heard the train horn after I looked down the tracks and saw the train. The first time the train horn sounded we were on this side of the tracks.

When did you see the blinking lights?

The blinking lights started right when my seat was in the middle of the tracks. Then the gate came down after the second trucks and tractor had passed through.

It seems like the second trailer tried to speed up?

No I don't think he even saw the train.

Witness:

[redacted]
5:56 PM
work said CED Midland Texas

what they say

we were watching the parade we watched the first troubled past with the van behind it.

As we're watching the second truck come over, and all of a sudden there was a large bang.

I hear the bells of the train, and I'm looking over, and I barely see that other truck, and as it comes across the train slams into, and then I ran over.

Did you hear horn?

No I didn't hear any horns.

You know how many jump off before the train hit?

I don't know not many there was a guy laying dead right there at the curb.

I don't know how many people got up the truck but it didn't look like it was in a hurry to get over the tracks.

[REDACTED]

Detective [REDACTED], accident site, [REDACTED] November 15, 2012, 6 PM.

what happened?

We passed the train tracks. We were on the first truck.

Did you have a light? Were you being escorted by the police?

I don't know about the light. Yes we are being escorted by the police.

As we were crossing we heard the bells ringing and looked back, and the other truck was already on the tracks and we could see the train.

When you heard the bells was the truck already over the tracks?

When we heard the bells I think the truck was already partially over the tracks. It looked like he would make it. The bars had just started coming down and they barely skimmed the top of the flags, and then the train is already there. It seemed like the bars were even down and the train was there. The train was going very fast.

When you cross the train when did you see the train?

When we crossed the tracks we saw the train, and it was maybe a mile. I remember looking and thinking of is a train coming.

How fast were you going in this truck?

I don't know maybe 10 miles an hour.

Witness:

[REDACTED]

Detective [REDACTED], November 15, 2012, 6:10 PM, accident site, [REDACTED]

what happened today?

We were coming across the train tracks and we saw the train. And then we saw the other truck start to come across, and the signal arm started coming down. It looked like it was hitting people in the back and they were trying to push it off. Some of them started jumping and then the train hit the trailer. As we were crossing over we saw the train and my husband said that the train was coming too fast.

Where did you see the train?

we were the third back from our trailer.

How far was the train?

I'm not good with distances I couldn't tell you.

When did you hear the bells?

I don't remember the bells. Everyone was talking about how fast the train is coming.

I asked why aren't they stopping and my husband said they can't see it there truck is already across. The arms looked like they came down on top of his cab.

The train came a few seconds after the arms came down.

What happened after the train hit?

We saw people jump just as the train was hitting it, and the trailer swung around. It took a while for the train to stop.

[redacted]

Detective [redacted] accident site, 6:07 PM, May 11, 1967

Walk me through your day leading up to the accident.

She described the day, and then loaded onto the first trailer. We had assigned seats.

We were sitting towards the back. She remembers the band turning off to go to their bus, and the speed picked up a bit. There were police cars around us and lots of people.

Asked about directions.

The trucks and vehicles were honking throughout the journey. After crossing the tracks, she heard the horn and knew it was a train. We turned around and saw the bar go down. I thought they'd have time to get through because usually there is time after the bar comes down before the train comes. We saw people jump. I remember hearing the train because we were second from the back of the trailer. Our truck and the truck behind us were blowing our horns. I know the two truck horns were different.

Do you remember what the truck horns sounded like?

No.

Witness:

[redacted]

[redacted] accident site, November 15, 2012, 5:50 PM, [redacted]

What happened?

The police cars were around the intersection before we went over the tracks.

There were no bells and we could see the train coming, and we thought that it was odd.

We were talking about the train moving closer. And then we went over the tracks. And then we heard the bells ringing, but the second truck has not finished coming over.

The arms came down right in the middle of the float. The truck was still moving, and the bells were ringing, and the train was blowing it's horn. And people jumped off the wrong side and were hit mid air, and the back end of the truck went in the same direction as the train. We stopped. And we were yelling at the people to get off the float. The driver had already started over the track and then the bells started going.

Witness:

[redacted]

November 15, 2012, 5:59 PM, [redacted]

What happened today?

We were on the first trailer. When we went over the tracks, we could already see the train off in the distance, and were kind of concerned. We turned around and saw the second truck coming through, and the arms were coming down and people were jumping off, and the train came through and smashed into it. We were on the second row, from where the bed goes down. I don't understand why the second truck went through, because you could see the train.

[redacted]

Detective [redacted] November 15, 6:05 PM, Accident site, [redacted]

Tell me what happened.

When we came over the tracks, I heard someone say train. I looked to the right and saw the train. Then after we went over, I looked back and saw the train was a lot closer. I saw the truck go over and saw the arms come down and thought that the truck made it over. That's when I heard the loud crash and saw the trailer swing around. The train kept going. We yelled to stop the truck and we ran over to check on people. The arms came down on the truck, looked like they bumped back up, and then they went back down and that's when the train hit. We were sitting on the 2nd row of the first trailer. I was on the left, my right was on the right. I don't understand why the driver kept going, cause we are a ways beyond the tracks. He did not gun it, he kept creeping across. The train was going much too fast for city limits.

[redacted]

Detective [redacted] November 15, 6:33 PM, Hospital

What happened today.

We crossed the RR tracks, we got about 30 or 40 yards beyond the tracks and my wife said there was a train coming. When the truck was going through and the arms came down and went back up, the trailer swung around when it hit. He saw 2 dead on scene, he went looking for [redacted] and he was under the trailer with his wife next to him.

Did you see the trailer before it got hit?

The trailer was about half way, with the truck creeping over.

[redacted]

November 15, 2012, 6:55 PM, Hospital

Tell me some of the things you noticed.

We were going over the tracks and we could see the train. After we went over we thought that the second truck and does he have time to make it. My husband though, oh, he's not going to go. But then we looked and thought, no, he's coming. I don't think he saw it, I think he was just following the parade. Then we saw the arm go down and we thought, oh, he made it, but then the arm rose up, and then people were jumping and the train hit it, and knocked the float this way. Everybody on our float jumped off to go help them.

When you guys were going over, were the light blinking?

I don't know, but when we went over I saw some blinking and looked to the right and saw that there was a train.

Do you think the truck should have waited for the train?

Yes.

I think he thought everything was handled and they were cop cars on all sides of this and that he thought that we were just going and I don't think he saw the train and you can judge how far it is I think he was just basically following the procession.

Witness:

Detective accident site, November 15, 2012 , 6:20 PM,
what did you see today?

I was sitting at the light at the Southwest intersection of industrial and Garfield. The first semi-cleared the second semi was about halfway over . The bar started coming down. The bar started to come down and went back up. And then people started jumping off and the train hit the trailer and bodies flew everywhere.

What about the indication of the train coming?

The time between the time between the bars coming down the train coming there was maybe 10 seconds. If it had been functioning normally the train would've been there after the bars were down.

When the truck was halfway the tracks did you happen to see the train?

No I was focused on what was about to happen. The train was running probably at least 40.

The parade was moving together?

Yes the parade was moving together. As soon as I saw it happen I pulled my truck up on the curb and ran to the nearest person I could see and that was the lady named mag who was at the tracks and her left leg was just hamburger. I immediately fixed the double tourniquet on it to stop the bleeding.

Witness:

Detective November 15 5:36 PM, accident site
explain lease on where you were.

We were in the back of a pickup truck behind the trailer and we had to step's on the brakes. I turn right when the train was about to hit the trailer and I saw people jumping off. And I saw a man being dragged by the train. The truck was over the tracks and the trailer that was attached was still on the tracks. The arms came down and was dropping on people's heads in the back of the trailer and then the train came and hit the back of the trailer.

From the times of the arms went down to the time that the train came across was that?

I don't know but the arms came down and then raised up a couple of times I guess something was blocking them.

Was anyone in your truck injured?

No none of us was hurt.

Passenger interviews at Midland Memorial Hospital

3A: [redacted] 3B: [redacted]

The truck started across and I heard someone yell "Train!" The gates started to drop. They came just in front of us and would have hit us in the chest. The train was coming so I pushed her off the trailer. She remembers getting pushed and felt the impact of the train onto the trailer. I pushed her off to the right. I was still on the train and jumped just as it hit, I could feel the trailer move under my shoes. We could see a man who hit the concrete dead. I fell onto all 4 and felt something hit me in the back. I rolled onto my back and called my wife. I self assessed my injuries and asked if there was blood around me. My wife said there was no blood. I could not feel my legs, so I figured I broke my back. I heard people yelling. I do not remember where I was in relation to the train. We called our parents. An EMT came up and spoke to us about my injuries. [redacted] was the army medic. I was put on a backboard and put in an ambulance. There was a second person who rode in the ambulance with me and he died enroute.

[redacted]
We were in the second row on the lower portion of the trailer. There was a camera man on the elevated portion, but not during the crossing. The two seats on the elevated portion were for a couple who were going to be guest speakers, but they were still working on the speech and so did not come on the float. I saw them on the side waving. When we went onto the tracks I saw the lights of the crossing gate. The arms came down on us and people were holding them up. Then people were jumping and pushing. I jumped and looked back for my husband. I went to him and he was right up against the center curb. Another soldier came to us. I called our unit and then our parents. We saw the triage, he was marked green/yellow and was put in an ambulance. Mr [redacted] was in the ambulance also and went black. I suffered contusions to my knees and pulled a muscle. The parade was going about walking speed and sped up a little after the marching band left. The trucks were blowing their horns. The truck in front of us sounded just like a train and we could not tell the difference. There were patrol cars around us but dropped behind during the crossing. She asked about some personal belongings that were lost. She asked about how to stop photos of the accident from being published. Attorney was present.

9A: [redacted]

Midland Memorial Hospital November 18, 2012, [redacted]

[redacted]

they were on the flatbed is going walking speed. I'm safety conscious I felt comfortable on the route. I didn't realize there was a railroad crossing. We slowed down to a crawl and all of a sudden the arms came down behind the truck cab. I noticed lights after the arms raised my attention I didn't notice the light or sound before. I felt like the truck stopped. I didn't understand why the truck didn't continue and I did not hear a horn. I threw made off the trailer on the train side to be upwind from the debris. I saw her hit the ground and start moving and then I jumped. I jumped off the same side and I felt the impact in the soles of my shoes. I saw the trailer sling people into the air. I look to the right and saw her laying there. I ran and grabbed her. Soldiers from the first truck came running back. The same medic I knew worked on my wife and a construction worker who used his belt as a tourniquet. The EMT guys were in a state of shock some were overwhelmed. The soldiers were grabbing equipment to help. [redacted] at medic I knew from the war and 89 did CPR my wife and [redacted] the first responder put in the IV. I rode in the ambulance with her. The man with the tourniquet came into the ambulance and would not let her go. He was holding her leg. The ambulance wasn't leaving it was waiting. They told us they needed to wait for another patient to join in. We yelled at the driver to get going. After 30 seconds or a minute we left. We were worried the ambulance waited and we could not have fit anyone else in the ambulance anyway. I felt like there was not enough time between the arms coming down and the impact. The driver must not have seen the signal he could not have ignored that he must have been worried about jostling the people in back and didn't realize there was a train. The bars came down behind the truck and hit [redacted] in the head. There was not proper warning. 10 seconds is not enough time. I ruptured a disc in my back but I didn't notice until the adrenaline had gone down later in hospital.

Attached is a witness statement concerning the train / parade vehicle collision that occurred in Midland, TX on November 15, 2012. The witness came forward on the evening of November 19 and provided the written statement on November 20th. The witness stated he had not provided a statement to any investigative agency prior to my interview.

Thanks,

[Redacted]

**Special Agent
Union Pacific Police Department
2900 Highway 80 East
Odessa, Texas 79763**

[Redacted]

My name is [Redacted] and this is what I believe I saw and heard on Nov. 15 during the Veterans parade as it crossed the railroad tracks. I was standing outside of my office building on the south side of the tracks west of the Garfield and Industrial intersection. I was 75 yards from the railroad crossing as the first truck and trailer had crossed and two SUV type vehicles behind it crossed, then a sheriff's car crossed going faster than the parade and then the second truck and trailer started up the north side of the crossing. At that time the lights and bells began to ring and the truck kept moving at the same speed and crossed over the tracks after the lights and bell had started. The cab of the truck had made it passed the tracks when the crossing arm came down and hit at the front of the trailer and someone on the trailer stopped it and it wobbled back up. The truck never stopped and never moved faster and as the crossing arm came down again, I believe the truck began to honk his horn. He honked three times and people on the trailer began to try and get off and then the train hit.

I never heard the horn of the train, and only knew that the train was coming because of the bells and lights at the crossing were going off. When the train hit the trailer I ran 75 yards to the scene and did not notice the train slowing until I was on the street between the truck and the train.

I saw no law enforcement around the crossing area other than the sheiffs car that crossed going faster than the parade. They had Front street blocked and Industrial block but no one monitoring the railroad tracks.

[Redacted]

[Redacted]

Texas Peace Office
Union Pacific PD

[Redacted]

UP

[Redacted]

11.20.12

8:46 AM