



SURVIVAL FACTORS ATTACHMENT 4

Witness Interviews

Chattanooga, TN

HWY17MH009

(18 pages)

Witness interviews Chattanooga, Tennessee- HWY17MH009

1. Parents

1.1 Mr. [REDACTED]

Mr. [REDACTED], the father of eight-year-old [REDACTED] was interviewed in the Intensive Care Unit at Erlanger Children's Hospital. Mr. [REDACTED] advised that he began to have concerns about the bus driver approximately 6 months prior to the crash. Mr. [REDACTED] advised that his son, [REDACTED], had reported to him about incidents that occurred on the bus. Mr. [REDACTED] advised that he initially did not act upon these complaints because he felt that his son had "exaggerated" some of the facts. However, Mr. [REDACTED] became aware of disturbing issues with the driver to include his abusive, threatening behavior and insults directed towards the kids on the bus. Mr. [REDACTED] advised that he decided to confront the driver and drove out to one of the bus stops and waited for him to arrive. The bus was late and during that time, Mr. [REDACTED] advised that he was able to "calm himself down" and realized that he would be "going to jail" if he encountered the driver. After 30 minutes, Mr. [REDACTED] left the scene and never spoke to the driver. Mr. [REDACTED] did not file a formal complaint.

Mr. [REDACTED] reports that he was acquainted with the driver and his family through a mutual acquaintance, his sister. Mr. [REDACTED] advised that in the past, on a number of occasions; he dated the woman he called "KeKe". On at least one occasion, "KeKe" had spoken to him about her brother. She stated that her brother had psychological issues and that he frequently "acted out". "Keke" hinted to Mr. [REDACTED] that her brother had been under psychiatric care. However, she gave no further details.

Note: Mr. [REDACTED] refused to provide any contact information for this subject. He advised that the mother of his son would be unhappy if she knew of his relationship with this woman. Mr. [REDACTED] advised that he did not keep her telephone number in his cellphone in the event that his son's mother would check. Mr. [REDACTED] refused to provide an address or a known location for the woman.

1.2 Ms. [REDACTED]

Ms. [REDACTED] is the mother of eight-year-old [REDACTED] and nine-year-old [REDACTED], who died in the crash. Ms. [REDACTED] advised that she made numerous complaints to Woodmore Elementary school about the driver starting at the beginning of the school year in August. Ms. [REDACTED] advised that at the beginning of each school year, the school provides each parent with a contact number in the event that a problem should arise or the parent wished to file a complaint. Ms. [REDACTED] advised that she called the number provided numerous times and then started to complain directly to the school. Ms. [REDACTED] advised that she harbored "no ill will" towards the school principal, who received many of her complaints. At one point, Ms. [REDACTED] wrote a letter to the principal outlining her concerns about the bus driver. Ms. [REDACTED] believes that this occurred around October of this year. [REDACTED], Ms. [REDACTED]'s daughter, reported to her mother that one day the principal had boarded the bus and read Ms. [REDACTED]'s letter of complaint aloud to the students and the driver. After reading the letter, the principal exited the bus without saying a word. [REDACTED] advised her mother that the driver turned to the kids on the bus and threatened them.

The driver stated that nothing would happen to him. [REDACTED] told her mother that the driver then drove away from the school recklessly as if he was trying to prove his point.

Ms. [REDACTED] advised that she was upset with the principal for her decision to read the letter aloud. However, Ms. [REDACTED] advised that the fault belonged to the driver. His actions and reactions were inappropriate, especially to her letter.

Ms. [REDACTED] provided additional examples of what she described as “acts of cruelty” perpetrated on the children by the driver. One example was the driver singling out [REDACTED] and began insulting her about the economic status of her family. The driver ridiculed the child, teasing her about her family’s inability to afford a car.

1.3 Ms. [REDACTED]

Ms. [REDACTED] is the mother of six-year-old [REDACTED]. [REDACTED] died in the crash. Ms. [REDACTED] advised that a female member of her family knew the driver and his family. This family member called Ms. [REDACTED] and provided her with information about the driver. The family member informed Ms. [REDACTED] of the arrest of the driver for assault 2 years ago. [REDACTED]

Ms. [REDACTED] could not provide any dates associated with this admission to the medical facility. Ms. [REDACTED] would not provide the contact information on the family member but would request that the family member call and speak to this investigator.

1.4 Ms. [REDACTED]

Ms. [REDACTED] is the mother of 10-year-old [REDACTED]. [REDACTED] survived the bus crash. Ms. [REDACTED] advised that she made multiple complaints against the driver starting on the first day of school, either the 10th or the 11th of August. Ms. [REDACTED] advised that on the first day of school, the driver failed to pick up her daughter. She believed that the bus had arrived early and did not wait for the children. Ms. [REDACTED] noted that the bus was always too early or too late. On one occasion, the kids were walking up to the bus stop at 6:57 a.m. The bus was due to pick up the kids at 7:00 a.m. at the bus stop at the top of the hill. Ms. [REDACTED] advised that the bus had driven by the children at a high rate of speed and did not stop at the bus stop. Ms. [REDACTED] advised that she made numerous complaints to the school and to the bus company. The school advised her that it was not a “Woodmore problem” but a dispatch issue that she needed to address with the bus company. Ms. [REDACTED] advised that she did contact the bus company and left a message outlining her complaint. Sometime later, the company called back and advised her that they were working on the problem. The principal had advised the same thing to Ms. [REDACTED]. However, Ms. [REDACTED] was never provided with an update or an outcome on her complaints. Ms. [REDACTED] advised that she was always reporting the driver for speeding. The road through which the bus had to travel was a narrow residential street. The school bus would travel through these streets at speeds that “literally rocked” the vehicles parked there. During one instance, Ms. [REDACTED] was riding in a vehicle and had observed the bus speeding through the neighborhood. Ms. [REDACTED] advised that she intended on stopping the bus and speak directly to the driver. Initially, she had been right behind the school bus but at one point, he was going so fast that he ended up three blocks in front of her.

Ms. [REDACTED] eventually called Durham school services and left a message in regards to this complaint. A “dispatcher” called back and advised, “They were looking into it”. Another safety concern for Ms. [REDACTED] involved information she received from her daughter in regards to how the driver slamming on the brakes to get the children to comply with his orders.

Another incident involving the bus driver has occurred earlier in the school year. The driver had failed to drop her daughter off at her bus stop after school. The driver ordered her 10-year-old daughter off the bus, stating that it was 6 p.m. and he was off duty. It was unknown whether the child had gotten on the wrong bus, however, school regulations require the driver to return any child not dropped off at their designated stop back to the school. The driver did not do this. He ordered the child off the bus, in a neighborhood other than her own and drove away. Ms. [REDACTED] advised that her daughter did not possess a cell phone and could not call for help. Luckily, the child was familiar with the area and was able to walk to a relative’s home who called Ms. [REDACTED].

Ms. [REDACTED] advised that she has made approximately 15 complaints since the beginning of the school year about this driver. No one has ever contacted her to provide updates on her complaints or dispositions. She was never provided with a procedure for filing further complaints up the chain of command or how to contest the findings related to a complaint. Durham School Services has never provided her with any follow-ups to her complaints and she does not know the outcomes to any of them.

2. Survivors (All the survivors were interviewed by the staff at the Chattanooga Children Advocacy Center)

2.1 [REDACTED], female 8 years old

Seating position:

[REDACTED] advised that she got on the “red bus” and sat on the right side close to the rear door. She advised that she sat in the next to the last row and was alone in the seat. No one sat behind her and an unidentified 5th grade girl sat in front of her. Directly across the aisle was her cousin, [REDACTED] who was in the 3rd grade. In front of [REDACTED] was an unidentified 4th grade male. [REDACTED] friend, [REDACTED], seated several rows in front of her on the right side, was close to the point where the tree penetrated the bus. [REDACTED] sustained serious injuries because of the impact with the tree. [REDACTED] advised that the seat backs were high and she sat kneeling on the seat in order to see in front of her.

Crash event:

[REDACTED] advised that she heard the driver say to the children “are you ready to die” twice from her seat in the rear of the bus. She also claimed that she could see the driver as he drove and he appeared not to be paying attention to his driving. The child advised that when the driver left the school grounds, he went the wrong way. She explained that when the driver went the correct way, the bus would travel down a long steep hill that the children loved. This was a popular and regular event for the kids on this bus.

Prior to the crash, the bus had been traveling at a high rate of speed and swayed from side to side. [REDACTED] believed that the driver was speeding because he went the wrong way and he was trying to get them home quickly.

As the bus traveled along its route towards the crash scene, it drove over several “bumps” in the roadway. The bus struck a “TV” pole, and the tree. ██████ believed that at one point she observed someone “underneath the bus”.

After the crash, the bus came to rest on its side and the windows had broken out. ██████ advised kids were exiting the bus from the top hatch. She stated that the other way out was “blocked”. (Note: the child did not specify which exit she was referring to or how it was blocked). A stranger assisted ██████ and a 5th grade girl with evacuating the overturned bus. Once outside, bystanders assisted the children across the street.

Prior incidents:

██████ advised that the driver was always chastising the kids on the bus for talking too loud. He would frequently stop the bus (usually at a stop sign), get out of his seat and walk to the rear of the bus to quiet the kids. On the day of the crash, the children on the bus were only talking “a little bit”. She believed that the crash had been deliberate because the driver had never gone that way (the crash route) before.

Sustained injury:

██████ sustained a severe injury to her forehead and a minor ankle injury.
(Note: ██████ admitted to watching a lot of media coverage surrounding the crash. Some statements made by ██████ appeared to be influenced by news accounts of the incident).

2.2 ██████ male 7 years old, second grader

Seating position:

██████ advised that he boarded the bus and sat on the boy’s side, the left side of the bus behind the driver. He could not remember which row he sat in but he believed that he sat with another boy, a 3rd grader. ██████ sat by the window and the other boy sat on the aisle. ██████ reported that three of his classmates were also on the bus. ██████, who sat up front, close to the driver on the girl’s (right) side; ██████ who sat several rows in front of ██████ on the boys side and ██████, who was seated somewhere behind ██████. ██████ noted that only two kids were allowed to sit in each row.

Crash event:

██████ advised that the driver had been going fast and going over the speed limit. ██████ explained that he believed that the bus was going over the speed limit because the bus had passed a stationary car so fast, he knew the bus was speeding. At the time of the crash, ██████ advised that the bus driver hit the brakes before the bus struck the curb. The bus then hit a light pole and finally the tree.

After the crash, some of the kids exited the bus by the rear exit door. ██████ did not know how the door came to be open. Once outside, he sat on the ground. This was the first time since the crash, he saw the driver. The driver appeared uninjured as he sat on a log.

Prior incidents:

█████ advised that the driver of bus “366” was new. He did not know the driver’s name and only described him as “mixed” with braids. In the past, he rode with Mr. █████ on that route. █████ advised that the new driver always drove fast and hit the brakes frequently and came to “hard stops”.

Sustained injury:

█████ sustained a minor injury (a bruise) to his left leg. He believed that the injury occurred when he fell out of his seat and landed on the floor of the bus during the crash.

2.3 █████, male 9 years old, fourth grader**Seating position:**

█████ advised that he sat on the boy’s side (left side behind the driver) in the third row. He sat at the window with his friend █████ seated next to him on the aisle. He remembered that █████ and her sisters were also on the bus. The sister, nicknamed █████ died in the crash. █████ advised that █████, “aka █████”, sat on the boy’s side “dead in the middle of the bus”. This was where the impact between the tree and the bus occurred.

Crash event:

On the day of the crash, █████ advised that he and the other kids boarded “Red bus 366”. The kids were yelling, screaming and talking very loud. They were also “switching seats” and walking to the front of the bus. The driver got mad and told the kids three times to “shut up and sit down”. Each time, the driver’s voice got louder. The driver pulled away from the loading area in a manner referred to by █████ as “jerked off”. █████ explained that the crash bus was in a line of buses. There were buses both in front and behind the crash vehicle. The bus driver pulled off abruptly, pulling around the buses in front of him and driving off at a high rate of speed. █████ advised that when the driver left the school, he went the wrong way turning left rather than going to the right, the correct way. The driver then slowed for a time before accelerating again near a building with a “large yard”. As the bus traveled at a high rate of speed, the vehicle swayed from side to side. █████ advised that he gripped the seat in front of him to maintain his balance but noted that he was beginning to slide across the seat. █████ advised that █████ was also having trouble staying in his seat and he observed █████ trying to use his legs to brace himself. █████ advised that the bus “hit” something, possibly a curb or a pole. He was not sure what the bus actually struck. After hitting this object, the bus rolled over, flipping onto the girl’s side. █████ had no memory of evacuating the bus. He believed that he “blacked out”. When he re-gained consciousness, he was lying on the ground outside of the bus. He observed the driver of the bus sitting on a pile of bricks (rocks). He overheard the driver telling the police officers that he did not know how the crash occurred. Several of the children started shouting that the driver was “driving too fast and should have never been driving the bus”. █████ remembers that the driver was wearing a seatbelt prior to the collision.

Prior incident:

██████ reports that the driver had a history of driving fast. He habitually stomped on the brakes and caused the kids to hit their heads on the seat in front of them. He reported that the driver frequently would be late or would not show up at all, forcing the kids to ride on bus 312 with Mr. ██████.

██████ advised that during one incident, the driver and one of the younger students got into an argument on the bus. An adult, Mr. "Shacker", boarded the bus and began cursing at the students. Mr. Shacker blamed the students for the driver's behavior and used inappropriate language. According to ██████, the dressing down continued for several minutes before the man left the bus. After Mr. "Shacker" got off the bus, the driver told the student "that there was nothing they could do to him". Several of the students advised that would report the incident to the principal. ██████ advised that several of the children wrote letters to the principal. It was because of this incident that the principal rode the bus with them. ██████ advised that the principal only rode the bus once.

Note: The identity of "Mr. Shacker" was never established. It is unknown whether he was a teacher or another bus driver.

2.4 ██████, male 9 years old**Seating position:**

██████ advised that he boarded the bus and sat on the left side next to ██████, who was 8 years old. ██████ sat at the window and Yahmad was next to the aisle. Another classmate, ██████ sat on the right side of the bus at the point where the bus hit the tree. ██████ and ██████ sat together in front of him and ██████. ██████ sat on the left side in the rear by himself on the seat.

Crash event:

██████ advised that the bus had been traveling fast when it hit a bump causing the kids on the bus to bounce upward and strike their heads on the interior ceiling. Prior to the crash, ██████ heard the driver yelling at someone to "get out of the way". ██████ observed two people (adults) standing in the middle of the roadway. He believed that they were trying to cross and the driver of the bus did not want to stop for them. Just before striking the mailbox, the driver of the bus looked back towards the kids on the bus. ██████ advised that he thought the driver was checking to ensure that all the kids were in their seats and no more than two kids occupied a seat row. After striking the mailbox, the driver struck a garbage can before flipping over at the tree. ██████ believed that the bus had flipped twice before coming to rest. ██████ advised that after the crash, he exited the bus via the broken front windshield. ██████ also exited through the windshield just before ██████. After exiting the bus, ██████ advised that he felt light-headed, sleepy and dizzy. ██████ advised that he does not remember losing consciousness but remembers "waking up". ██████ advised that ██████ and ██████ had exited the bus by the rear door. ██████ had broken his foot. He told ██████ that it happened as he tried to kick the rear door open. During the crash, ██████ advised that something under his seat opened. He believed that it was some type of device or attachment underneath the seat and that open up on its own. He could not explain what the device or attachment was.

Prior incident:

█████ advised that he has ridden this bus since the start of the school year. The driver drove very fast down the steep hill the kids called "the mountain". Usually, the driver would "hit" the speed bumps without slowing. █████ believed that the driver never used the brakes on the hill because the brakes would not work.

█████ advised that in the past █████, who was 5 years old and in the first grade, had cussed out the bus driver. The driver would turn the bus around and go back to the school in order to send █████ to the principal's office. This did not occur on the day of the crash.

Sustained injury:

█████ reports that doctors had diagnosed him with a concussion.

2.5 █████, female 5 years old**Seating position:**

█████ advised that she sat in the front of the bus, behind the driver. She alternately places herself on both the boy's and the girl's side. However, she is certain that she and █████ were occupying the second seat. █████ sat on the aisle while her friend █████ was occupying the window seat. █████ reported that █████ was "knocked out" of the window and struck her head on a tree. This occurred when the children shifted towards the right and fell on top of one another. █████ advised that another female student, █████ sat next to her and █████ (across the aisle). █████ was alone in her seat.

Crash event:

█████ reported that the bus driver had been speeding on the day of the crash and ran over several "bumps" in the road without slowing. This caused the bus to flip over and hit the tree. As the bus flipped over █████ stated that she saw the bus "fly over a lady" before it landed. The child did not specify whether this was a student or if she believed it was someone else. She recalls several of the students falling on top of one another. █████ reported that her brother █████ fell out of the bus and sustained a broken shoulder. █████ was unable to get up without assistance. A bystander carried the boy away from the bus. █████ advised that █████ had been thrown forward and out of the driver's window (front windshield) after the crash. █████ advised that an object, possibly a broom head (bristle end) hit her on the head. She reports that a broom was on the bus prior to the crash and believed that it broken into two pieces. She believed the broom handle struck her brother █████. From her seated position, █████ could only see the driver's hair and could not discern any other actions prior to the crash. When asked about the driver and any statements he made prior to the crash, █████ reported that several kids were saying that the driver had said, "Are you ready to die". █████ advised that the statements made by the kids were lies. She reports that she was the closest to the driver and never heard him say anything. █████ identified the kids making the false statements as █████ and █████. █████ and █████ were siblings and lived next door to █████ and her brother █████. The kids were friends and played frequently together.

On the day of the crash, [REDACTED] was not on the bus. [REDACTED] reported that the school principal came to the crash scene.

Prior incident:

[REDACTED] advised that the bus driver was always speeding. [REDACTED] stated that her mother frequently told her that the driver was going to get into a crash if he did not slow down. [REDACTED] usually rode this same bus, known as the “red” bus to and from school each day.

Sustained injury:

[REDACTED] advised that she sustained a minor injury to the head, scratches and bruises.

Note: [REDACTED] advised that she and her mother frequently watched TV coverage of the crash. All the information she obtained in regards to the number of deceased and whether a child died at the scene or at the hospital, she obtained from the media.

2.6 [REDACTED], male 7 years old, first grader

Seating position:

[REDACTED] advised that he sat next to [REDACTED] in the second seat on the boy’s side (behind the driver). [REDACTED] sat at the window while [REDACTED] sat on the aisle. He remembered that [REDACTED] sat near him but could not remember exactly where. Across from his seat, on the right side was a seat occupied by an unidentified girl. [REDACTED] could not place any of the other students on the bus.

Crash event:

[REDACTED] advised that when he got on the bus, the students were talking very loudly. [REDACTED] believed that this was the reason that the driver “ran off” the side of the road and caused the bus to flip over. He believed that the bus rolled twice before coming to a stop on its side. He remembered ending up outside of the bus and believed that he “fell through” the front windshield. [REDACTED] advised that he could not move and a police officer carried him to the other side of the road. There he saw his sister, [REDACTED], and his best friend, [REDACTED]. They were uninjured and standing up on the other side of the road.

When asked about the driver and any statements made by him prior to the crash, [REDACTED] advised that a neighbor of his was telling lies about the bus driver. He identified the neighbor as a girl named [REDACTED]. He advised that she was telling everyone that the driver had stated “Are you ready to die” before the bus crashed. [REDACTED] advised that he was up front, near the driver and did not hear the driver say that. In addition, [REDACTED] was not on the bus on the day of the crash.

Prior incident:

[REDACTED] advised that the driver would get upset if the kids on the bus were too loud, seated three kids in a row or turned around in their seats. His mother frequently complained about the bus driver driving too fast.

Injuries:

█████ advised that he sustained a broken shoulder in the crash. The cause of the injury was unknown.

2.7 ██████████, female 10 years old, fifth grader

Seating Position:

█████ reports that she sat on the girl's side, second or third seat from the rear of the bus and the rear exit door. She advised that no one sat immediately in front of her or behind her. Her friend, ██████████, sat on the girl's side in the first seat, closest to the front.

Crash event:

█████ advised that in the past, the driver had attempted to assign seats. The kids on the bus never liked it and on the day of the crash, the driver had allowed the kids to sit wherever they wanted to. The driver had gotten mad because the kids were yelling and screaming. She advised that it was at that time that she heard the driver state "Are you ready to die". ██████ advised that she heard the driver say it from her seat in the rear of the bus. She advised that the driver said it numerous times, even when the kids on the bus had quieted down. The driver made the statements prior to the bus leaving the school property. Before the crash, ██████ advised that the driver had been going very fast and hit several "bumps" in the road before hitting the curb and tipping the bus over. After the crash, ██████ stated that she could see all the way to the front of the bus and saw the driver leave the bus by way of the front boarding door. She advised that the driver did not help the children evacuate the bus. ██████ advised that she evacuated the bus unaided by way of the rear "emergency exit". Once outside, she assisted other students evacuate the bus. The child advised that once she was outside, she observed the bus driver sitting down on the side of the bus crying. ██████ advised that her family came to the crash scene and transported her to the hospital.

Injuries:

█████ sustained a fractured right hand and a concussion in the crash.

Prior incident:

█████ advised that the day of the crash was the first time she was aware of the driver saying, "Are you ready to die". She reports that the driver was known to drive fast and on several occasions she could feel the wheels of the bus "lift up" off the ground.

3. Witnesses

3.1 ██████████

Ms. ██████████ advised that in the day of the crash, she drove to the Woodmore Elementary school to pick up her great granddaughter. Private vehicles waiting to pick up students were located in a place separate from the school buses.

After retrieving her great granddaughter, Ms. [REDACTED] drove off the school property. As she was exiting the school property, she first observed the crash bus and its driver. She advised that the driver sat upright and appeared attentive. However, she also noted that he was looking around nervously, anxious almost frantic like. She watched the bus as it came to a stop at a stop sign. Then the driver pulled away at a speed she felt was unreasonable and imprudent. She believed that the speed was not safe. Ms. [REDACTED] followed behind the bus. Ms. [REDACTED] advised that the roadway in that area narrows and curves. The driver did not react to the changes in the roadway and continued to drive, in her opinion, too fast for conditions.

She advised that when her vehicle had approached the first downhill grade, the bus was traveling up the second hill. The bus was riding on the extreme right edge of the roadway. When Ms. [REDACTED]'s vehicle arrived at that second hill; the bus had disappeared and was no longer in view. It was at that time that she notice smoke in the area. Ms. [REDACTED] advised that she initially thought that something was on fire. Later, she realized that it was dust caused by the overturned bus in the yard. Because of the presence of a small child in her vehicle, Ms. [REDACTED] took the time to park away from the overturned bus and walked to the scene. As she approached the scene, she saw a mailbox that had been lying down, facing the direction the bus had come from. She believed that the rear of the bus must have struck the mailbox as the bus passed. In addition to the mailbox, the bus had struck a utility pole and wires were lying in the branches of the tree that the bus hit. Upon her arrival, she observed the bus driver assisting the children out of the bus along with several other individuals. Several of the children removed from the bus were lying on the ground by the bus's front tire. Ms. [REDACTED] advised that she used her cellphone to call 911 to report the crash. Her cell phone captured the call time as 3:21 p.m. Initially she spoke to a male call-taker who took down all the information. 2 or 3 minutes later, a female dispatcher called back and asked if first responders had arrived. During that call, Ms. [REDACTED] reported hearing sirens from the approaching emergency equipment.

Last thoughts:

Ms. [REDACTED] advised that she has always had concerns about the safety of school buses. She reports that her church utilizes the same type of bus and the lack of support, padding and the presence of the metal railing above the seats made these vehicles inherently dangerous. She questioned the lack of seatbelts in these types of vehicles especially since they were top-heavy and prone to rolling over.

Ms. [REDACTED] also stated that drivers in general were ill equipped and ill trained to handle their job. The lack of monitors (aides) on the bus made it difficult for the drivers to manage the children and operate the vehicle simultaneously. Lack of control and proper behavior exhibited by the children makes matters worse. She believed that a lack of safety awareness could not be remedy by placing "teddy bears" everywhere.

3.2 [REDACTED]

Ms. [REDACTED] reports that she lives at [REDACTED]. On the day of the crash, she was outside in her backyard. Ms. [REDACTED] advised that she walked around to the front of her home and stopped at the mailbox located at the road. She heard a large group of children screaming as if in delight rather than fear. The sound was so loud and so clear; Ms. [REDACTED] thought it must have emanated from Talley Road and [REDACTED], which is behind her residence. This intersection is notorious for vehicle crashes due to the configuration of the intersection. Talley Road has no stop and vehicles on [REDACTED], which has the stop signs, are blind and cannot see around the corner. Ms. [REDACTED] walked to the corner of Talley Road and Howard Circle and looked to the right, up the hill towards [REDACTED]. She observed the school bus traveling at a high rate of speed downhill pass her as she stood on the other side of the roadway. Another vehicle passed the bus traveling in the opposite direction without incident. A white van/small bus was traveling behind the bus at a slower speed. Ms. [REDACTED] reports that the speed of the bus caused her to continue to watch it. Ms. [REDACTED] advised that she was certain that the bus would not safely negotiate the curve that it was fast approaching.

As the bus entered the curve, it was on the far right side of the road. The bus swerved and the rear of the bus "swung out" to the left towards the center of the roadway. The bus looked as if it was about to tip over. The driver appeared to be "fighting" the bus. Ms. [REDACTED] advised that she saw a white vehicle coming down the hill, approaching the bus's position from the opposite direction. The school bus, which had been on the far right side of the road, suddenly was on the left side of the roadway. Ms. [REDACTED] advised that though she had been watching, she really did not see the bus "drive" over to the other side. She saw it flip over on the left side of the road and wrap around a tree. Ms. [REDACTED] yelled to family members for help and ran to the scene. As she approached the bus from the rear, she observed a mailbox that had been struck lying on the ground. Ms. [REDACTED] noted that the mailbox was "facing the wrong direction". She advised that the mailbox was pointed towards the direction the bus had come from, and not in the direction, the bus was actually going. As she got closer, she noted that the rear tire on the bus that was on the side facing up was spinning in the air. She observed several people assisting the children inside of the bus. The emergency rear door was already open upon her arrival. Ms. [REDACTED] advised that she had no contact with the driver but her father sat with him until the arrival of the police. Ms. [REDACTED] and her daughter provided first aid to the victims. Both had first aid training. Ms. [REDACTED] especially noted one female child with an obvious hand fracture.

Last thoughts:

Both Ms. [REDACTED] and her father noted that the driver of the white vehicle had passed the bus just prior to it flipping over stopped on the scene. The driver stood by his vehicle but did not attempt to help. Both Ms. [REDACTED] and her father made these observations to members of the Chattanooga Police Department when they gave their statements on the scene.

3.3 [REDACTED]

Ms. [REDACTED] reports that she lives on [REDACTED]. She advised that she frequently observed the bus as it travels on her road daily. She had seen the crash driver on numerous occasions driving at a high rate of speed in the area. Ms. [REDACTED] did not witness the crash but recognized the driver's face when shown on TV.

3.4 [REDACTED]

Mr. [REDACTED] advised that he was traveling on Talley Road just off Brainerd Road when he heard the crash. He traveled approximately two blocks to the crash scene and there were no other vehicles in the area to impede his progress. He arrived quickly on the scene. Mr. [REDACTED] noted that he arrived on the scene at 3:18 p.m. When he arrived on the scene, he observed the bus laying on the ground in the front yard of the residence. Three partially ejected victims were visible hanging from the side of the bus. The rear emergency door was already open and several individuals were already assisting victims with evacuating the bus. Mr. [REDACTED] estimated that between seventeen and twenty children were still inside of the school bus upon his arrival.

With the assistance of a police officer, Mr. [REDACTED] removed the rear emergency roof hatch, which was still intact after the crash. After removing the hatch cover, Mr. [REDACTED] assisted several victims escape through the opening. Mr. [REDACTED] advised that utilizing the hatch to extricate the children had been successful.

Mr. [REDACTED] noted that several police officers and at least one fire truck had arrived very quickly in the early stages of the event. He noted that it appeared to have taken some time for additional equipment to arrive.

3.5 [REDACTED]

Mr. [REDACTED] notified the Chattanooga Police Department in regards to an encounter with the school bus driver prior to the crash. Mr. [REDACTED] reports that he works at an "Assisted Living" facility in Red Bank, Tennessee. Mr. [REDACTED] was driving the agency's 25-person van occupied by several of the facility's residents and an aide on an all day excursion to a battlefield in the state of Georgia. The group left the state of Georgia at approximately 1 p.m. to return home. Due to traffic congestion caused by road construction on Tennessee Interstate 24, Mr. [REDACTED] elected to travel on the back roads. In the area of Brainerd Road and Lee Highway near Germantown Road, Mr. [REDACTED] advised that he encountered two speeding school buses. The buses appeared to be racing one another or chasing one another up the highway. The first bus passed Mr. [REDACTED]'s van while traveling on the opposite side of the road. It passed too quickly for Mr. [REDACTED] to get a look at the driver. However, Mr. [REDACTED] advised that he was able to get the bus number off the side of the vehicle and recorded that number. Mr. [REDACTED] believed that the bus number was 438. The second bus was traveling behind the first and at a high rate of speed. However, Mr. [REDACTED] advised that he was able to observe the individual driving that vehicle. He also noted the bus number, writing both of them down so that he could report the incident to the police. Today, Mr. [REDACTED] does not remember the number of the second bus but does recall two of the three digits.

He advised that the bus's identification number started with a three and ended with a six. He was unsure of the middle digit and stated that it could be a one but that it had been too long to remember (one and a half months later). Mr. [REDACTED] also noted that the second bus had run a stop sign. He noted that the time of the incident was approximately 2 p.m. The bus aide made notes of the incident to corroborate Mr. [REDACTED]'s complaint he planned to file with the police. Mr. [REDACTED] advised that the group returned to the Assisted Living facility at 3 p.m. It was his intention to notify the police upon his return to the facility; however, he was unable to do so. Mr. [REDACTED] advised that he intended to notify the police on the following day. At approximately 6 p.m., on the day that he observed the school buses, Mr. [REDACTED] was at home and watching television. At that time, a news story appeared on the television about the school bus crash. Mr. [REDACTED] advised that he immediately identified the bus (by design and number) and the driver by the photograph displayed by the media. Mr. [REDACTED] checked his written notes that he had made at the time of the initial incident and confirmed his belief that it was the same driver and bus that passed his van on Brainerd Road. Mr. [REDACTED] also checked with the facility's aide that was riding in the van. She had made her own written record of the events. She too verified that the crash bus was one of the buses that they had observed traveling at a high rate of speed and driving recklessly on Brainerd Road. Mr. [REDACTED] notified the Chattanooga Police Department.

The majority of the complaints started in August from the first day of school and continued up to approximately one week before the crash. Several of the parents reported that they spoke to the former driver of the school bus route, Mr. [REDACTED]. Mr. [REDACTED] [REDACTED] is an employee of Durham School Services. Mr. [REDACTED] drives a school bus and has been with the company approximately 4 years ago.

3.6 [REDACTED] [REDACTED]

Mr. [REDACTED] advised that he spoke to the crash driver earlier in the year (approximately in August) in regards to a complaint he received from a parent. That complaint involved the driver missing bus stops and not picking up students. Mr. [REDACTED] advised that he believed that this was due to the driver's unfamiliarity with the bus routes. Mr. [REDACTED] advised that he provided the driver with some remedial training and believed that the matter had been resolved. Mr. [REDACTED] contradicted statements made by several parents that he received numerous complaints and that these complaints involved more serious safety related issues. Mr. [REDACTED] advised that he did not notify a supervisor of the complaint he received.

4. Hamilton County Department of Education

4.1 [REDACTED], Transportation Supervisor

An interview conducted with Mr. [REDACTED], Transportation Supervisor for the Hamilton County Department of Education, provided background information in regards to the transportation services for the area school systems. Mr. [REDACTED] advised that prior to 2003 the two school systems were separate and provided their own transportation services. In 2003, the two systems merged and under the Hamilton County Department of Education, a single transportation system provides the necessary services to both school systems.

To accomplish this, the Hamilton County Board of Education began the process to contract pupil transportation and phase out the use of the Independent Owner Operators. The committee to select the transportation services for Hamilton County was comprised of Mr. [REDACTED], a representative from the purchasing department, and two individuals that represent the various types of transportation needs, special education as opposed to regular transportation services. The first contract awarded went to First Student. The number of Independent owner operators contracted to provide student transportation was reduced from 84 to 49. Mr. [REDACTED] advised that due to performance issues, the contract with First Student was not renewed. In 2012, a new selection made to provide transportation services went to Durham School Services. The Hamilton County Board of Education decided to maintain the level of Independent Owner Operators currently at 49. Mr. [REDACTED] advised that the oversight performed for each system was different; Durham School Services versus the Independent Owner Operator. For the Independent Owner Operator, the Hamilton County Board of Education maintains closely scrutinized the carrier to include driver criminal checks, qualifications, random drug/alcohol testing, etc. Hamilton County Department of Education also performs periodic audits of their Independent Owner Operators. Durham School Services, on the other hand, is a self-regulating agency that does not undergo any periodic audit or review by the Hamilton County Department of Education. Durham School Services is not required to present paperwork related to the operation of its transportation service except to provide a copy of the annual periodic inspection for each bus in the fleet to the Hamilton County Department of Education. At this time, the Hamilton County Department of Education is attempting to develop a monthly inspection program for Durham School Services.

Mr. [REDACTED] advised that principals have the authority to refuse to place a student on any bus if that principal feels that it is unsafe to do so. No policy exists that prevents principals from taking action. Mr. [REDACTED] advised that no policy exists that outlines the procedures that a principal should take. The principal can call his office and request that a replacement driver or bus be provided to transport students.

Mr. [REDACTED] advised this occurred approximately two years ago, following a concern by a school principal regarding the sobriety of a bus driver. The principal refused to allow the students to be loaded onto the bus. Mr. [REDACTED] contacted a representative of Durham School Services and both responded to the school. Another driver performed the transportation of the students. Durham School Services reportedly sent the first driver to be tested. There was no follow up by Mr. [REDACTED] and the final disposition of the driver is unknown. Since there is no set procedure for these types of incidents, the individual principal decides the course of action. Mr. [REDACTED] advised that it is a judgement call on the part of the involved school principal whether to allow children to be loaded aboard the bus.

The current policy of the Hamilton County Department of Education is to forward complaints to Durham School Services for investigation and disposition. Hamilton County does not record the receipt of individual complaints. This does not preclude the Hamilton County Department of Education from getting involved; however, it is less likely. The telephone number provided to the public on the Hamilton County Department of Education website for the Transportation Services goes to the main operator at Durham School Services. Mr. [REDACTED] advised that the system was set up in this manner since most of the calls concerning transportation issues are handled by the company. The caller has the option to be transferred back to the Hamilton County Department of Education switchboard but only if the caller specifically makes the request.

Mr. [REDACTED] advised that most complaints received in his office are forwarded directly to Durham School Services. Mr. [REDACTED] advised that if he became aware of five or more complaints involving one driver, he would initiate an investigation if the complaints came from multiple sources. Mr. [REDACTED] advised he believed that multiple complaints from the same source indicated of a personality conflict or some type of personal vendetta; rather than a legitimate complaint.

In regards to the drivers employed by Durham School Services, Mr. [REDACTED] noted an obvious lack of experience. He advised that of the independent owner operators, 35 of them have 15 or more years of experience driving school buses. Mr. [REDACTED] advised that the drivers at Durham School Services have 5 years or less.

Currently, Mr. [REDACTED]'s office is investigating a complaint involving the crash driver and his operation of the school bus while students were aboard. The complaint received the week before the crash was still under review.

5. Emergency Response

5.1 Fire/EMS response

The rescue operation conducted at the crash scene was a combined operation between the Hamilton County Emergency Medical Services and the City of Chattanooga Fire Department. The Hamilton County Emergency Medical Services provides all ambulance and advanced life support services. The City of Chattanooga Fire Department handles the on scene rescue operations.

Interviews conducted with Fire and EMS personnel provided information in regards to the on scene operation. The first arriving emergency response unit was a paramedic unit stationed approximately three minutes away from the crash scene. Medic 11 was the first to arrive. Upon arrival, the Paramedic in Charge (PMIC) performed a quick scene size up and radioed the number of patients, their injury priority and the need for additional equipment to the dispatcher. PMIC [REDACTED] [REDACTED] reported that several members of the Chattanooga Police Department were already on the scene and had begun extricating the victims from the bus.

The second arriving piece of apparatus was the City of Chattanooga Fire Department's Quint 13. The officer in charge of Quint 13, Captain Alfred [REDACTED], assumed the position of Incident Commander upon arrival. After a debriefing by PMIC [REDACTED], Captain [REDACTED] requested additional Fire Department equipment be sent to the scene. A Hamilton County EMS supervisor arrived on board the second paramedic unit (Medic 7) and immediately requested an additional four trucks (ambulances), activated the Mass Casualty protocol and requested notification to all county EMS supervisors and the State EMS District supervisor.

The State District supervisor, radio designation EMS 10, activated the county protocol for mutual-aid and sent all available units to the scene to include private contract ambulances. In addition, local hospitals received notification of incoming patients.

The City of Chattanooga Fire Department provided five pieces of apparatus: two fire trucks and three rescue squads tasked with the heavy rescue operations required to free those still entrapped in the bus. The first piece of fire apparatus arrived on the scene approximately four minutes after the initial notification of the incident. In addition, three fire department Battalion Chiefs responded to the scene. The first of these to arrive, Battalion Chief 2, Chief [REDACTED], assumed the role of Incident Commander from the captain of the first arriving fire truck, Quint 13.

Fire Department personnel noted that several of the victims sustained injuries consistent with being “thrown” around the interior of the bus. Several of the smaller victims entrapped under the adjacent seats appeared to have “submerged” under the seats during the crash. Fire Department personnel noted that the position of the bus presented additional obstacles in the extrication of victims. The completion of the extrication of the last viable victim occurred at approximately 5:30 p.m.

Fire Department officials advised that one of the issues encountered in this incident included school officials’ inability to provide an accurate list of students on the bus. This interfered with the ability to account for all the victims. In another instance, a school official without consulting the on-scene command post, made a “death notification” to the family of a student believed to have been on the bus and died. Ultimately, it was determined that this student was not amongst the fatalities.

Order of Fire Department/EMS services response:

- Medic 11: Dispatched 3:22 p.m. Arrived 3:24 p.m.
- Medic 7: Dispatched 3:22 p.m. Arrived 3:32 p.m.
- Quint 13: Dispatched 3:22 p.m. Arrived 3:27 p.m.
- Squad 13: Dispatched 3:23 p.m. Arrived 3:43 p.m.
- Battalion Chief 2: Dispatched 3:24 p.m. Arrived 3:30 p.m.
- Squad 1: Dispatched 3:28 p.m. Arrived 3:37 p.m.
- Squad 7: Dispatched 3:24 p.m. Arrived 3:37 p.m.
- Quint 7: Dispatched 3:32 p.m. Arrived 3:45 p.m.
- Battalion Chief 1: Dispatched 3:33 p.m. Arrived 3:35 p.m.
- Battalion Chief 3: Dispatched 3:33 p.m. Arrived 3:46 p.m.

5.2 Law Enforcement response

Interviews conducted with responding officers indicated that several of the responding officers were minutes from the scene when they received the radio call. Several officers diverted to the scene from other calls and immediately started extricating victims and setting up traffic control points to block unnecessary vehicular traffic from entering the area.

The Emergency Communications Center received the initial call at 3:20 p.m. and dispatched to the first officer at 3:21 p.m. The four officers listed below were the first to arrive.

- Officer [REDACTED]: Dispatched 3:22 p.m. Arrived 3:27 p.m.
- Officer [REDACTED]: Dispatched 3:24 p.m. Arrived 3:27 p.m.
- Officer [REDACTED]: Dispatched 3:21 p.m. Arrived 3:35 p.m.
- Officer [REDACTED]: Dispatched 3:22 p.m. Arrived 3:35 p.m.