Email from Joel Cohen-Attorney 11 East Broadway New York, NY 10038

to

NTSB Human Performance Investigator Barry Strauch

Regarding statement of Hallie Smith, daughter of Assistant Captain Smith

Transcribed to Word document for entry into docket.

Provided October 24, 2003

Barry Starch NTSB

Mr. Starch:

The following is, to the best of my recollection, the substance of my debriefing of Hallie Smith earlier this evening, which I related to you in a prior telephone conversation. Hallie Smith, age 18, is the daughter of Richard Smith. On the afternoon of the accident, she was home taking care of her infant nephew. She received a telephone call from her mother Lorraine asking if she'd heard about an accident on the ferry; Lorraine then asked that she turn on the news. Hallie did so, and immediately heard that a Staten Island bound boat had been involved in a collision.

While still speaking with her mom, Hallie recalls her dad coming home. He was extremely upset and emotional, and Hallie noticed that his wrist was bleeding. He was crying and sobbing as he entered the home, and asked Hallie if she was speaking with her mom. When Hallie said yes, he asked her for the phone.

Hallie then heard Mr. Smith telling his wife that he loved her, that he was so sorry and that he had messed up. He kept repeating that he was sorry and that he loved Lorraine. After a few moments, the telephone conversation ended. Mr. Smith then hugged Hallie, told her that he was sorry and that he loved her. He then began walking upstairs to the second floor. Hallie recalls that by this time she too was extremely emotional and had begun to cry.. She asked her dad to come back downstairs and speak to her, but he was rambling and crying and continued up the stairs.

She heard him walking around the second floor for a couple of minutes still sobbing and crying, and again asked him to come down to talk.

At this point, Mr. Smith told Hallie to take the baby and leave immediately and go to her aunt's home a few blocks away. Hallie was extremely frightened at what her father was doing, and fell to the floor, having placed the baby in a playpen. The baby was also frightened and crying.

Moments later, her mother came home; Hallie told her that Mr. Smith was upstairs, and Mrs. Smith immediately went upstairs. Hallie heard her mom repeating to her dad that it was an accident, that it wasn't his fault and that he should come out of the bathroom. She also heard Lorraine say something like "Don't put your children through this."

A moment or two later, her mom told her to take the baby outside, which she did. Almost immediately, two men who she believed were co-workers of her dad (because of how they were dressed and because they asked if Richie was there) arrived, and entered the house.

Later, she saw emergency workers arrive and remove her dad. She was interviewed by a uniformed police officer, who took notes in a spiral notebook.

I have not reviewed the details of this interview with Hallie owing to the lateness of the hour. I will do so tomorrow morning, and if need be I will email you additions or corrections.

Joel S. Cohen