

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of: *

COLLISION OF LONG ISLAND RAIL ROAD *
(LIRR) TRAIN NO. 2817 WITH THE *
PLATFORM AT ATLANTIC TERMINAL, *
BROOKLYN, NEW YORK, JANUARY 4, 2017 *

* Accident No.: DCA17FR002

* * * * *

Interview of: STEPHEN OUTLAW

LIRR Facilities
Jamaica, New York

Thursday,
January 5, 2017

APPEARANCES:

TOMAS TORRES, Rail Accident Investigator
National Transportation Safety Board

ANNE GARCIA, Human Performance Investigator
National Transportation Safety Board

STEPHEN JENNER, Ph.D., Human Performance Investigator
National Transportation Safety Board

JOSEPH MEADE, Operating Practice Inspector
Federal Railroad Administration (FRA)

BOB TOMASZEWSKI, Operating Practices Inspector
Federal Railroad Administration

ROBERT MARALDO
Public Transportation Safety Board
New York State Department of Transportation

MARK ELLIOTT, Director of Investigations & Analysis
Long Island Rail Road (LIRR)

BRET BECKER, Superintendent of Engine Service
Long Island Rail Road

DONALD HILL
BLET Safety Task Force

WILLIAM BATES
SMART National Transportation Safety Team

WILLIAM NEARY
SMART National Transportation Safety Team

DOMINIC AMENDOLARE
SMART National Transportation Safety Team
(Observer)

KEVIN SEXTON, General Chairman
Brotherhood of Locomotive Engineers and Trainmen (BLET)
(On behalf of Mr. Outlaw)

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I N T E R V I E W

(3:53 p.m.)

1
2
3 MR. TORRES: Okay, we'll get started here. The time is 3:53
4 p.m. And we're at Brooklyn -- I mean, Long Island Railroad F&A
5 facility in Queens -- Jamaica, New York.

6 Okay. And we're going to interview a witness here. My name
7 is Tomas Torres, T-o-m-a-s, T-o-r-r-e-s, with the NTSB. And
8 today's date is January 5th, 2017.

9 And we are interviewing the engineer who was standing at the
10 platform in connection with an accident that occurred at Atlantic
11 Terminal on date January 4th, 2017. The NTSB accident number is
12 DCA17FR002.

13 The purpose of the investigation is to increase safety, not
14 to assign fault, blame or liability. NTSB cannot offer any
15 guarantee of confidentiality or immunity from legal or certificate
16 actions. A transcript or summary of the interview will go in the
17 public docket.

18 The interviewee can have one representative of the
19 interviewee's choice. Do you have somebody?

20 MR. OUTLAW: Yeah, Kevin Sexton.

21 MR. TORRES: Okay. Do you know -- do you understand that
22 this interview is being recorded?

23 MR. OUTLAW: Yes.

24 MR. TORRES: Okay. Please state your name and spell it.

25 MR. OUTLAW: Stephen Outlaw, S-t-e-p-h-e-n, O-u-t-l-a-w, III.

1 MS. GARCIA: Anne Garcia, G-a-r-c-i-a. I'm a human
2 performance investigator with the National Transportation Safety
3 Board.

4 MR. MEADE: Joe Meade, FRA Operating Practices Inspector.

5 MR. NEARY: William Neary, SMART Transportation Safety Team.

6 MR. ELLIOTT: Mark Elliott, E-l-l-i-o-t-t, Long Island
7 Director of Investigations and Analysis.

8 MR. AMENDOLARE: Dominic Amendolare, SMART Transportation
9 Safety Team, observer.

10 MR. TOMASZEWSKI: Bob Tomaszewski, T-o-m-a-s-z-e-w-s-k-i, OP
11 Inspector for the FRA.

12 MR. MARALDO: Rob Maraldo, M-a-r-a-l-d-o, New York State
13 Department of Transportation, Public Transportation Safety Board.

14 MR. BATES: William Bates, B-a-t-e-s, SMART National
15 Transportation Safety Team.

16 MR. HILL: Donald Hill, H-i-l-l, BLET Safety Task Force.

17 MR. BECKER: Bret Becker, Superintendent of Engine Service,
18 Long Island Rail Road.

19 DR. JENNER: Stephen Jenner, S-t-e-p-h-e-n, J-e-n-n-e-r,
20 Human Performance Investigator with the NTSB.

21 MR. SEXTON: Kevin Sexton, K-e-v-i-n, S-e-x-t-o-n, General
22 Chairman, Brotherhood of Locomotive Engineers and Trainmen.

23 MR. TORRES: Okay, Tomas Torres with NTSB. Do you mind if we
24 call you by your first name, Stephen?

25 MR. OUTLAW: Yes.

1 INTERVIEW OF STEPHEN OUTLAW, III

2 BY MR. TORRES:

3 Q. Okay, Stephen. Now on the day of the incident, can you
4 describe where you were at, what you were doing, and what you saw?5 A. I was on Track 5, on the same platform where the accident
6 happened. I was walking up to get on my train. I was at about
7 the second car of my train, but I was still on the platform. I
8 usually wait for that train to come in because when that train
9 empties, if I'm walking up, it's like trying to swim upstream.
10 And so I usually wait for them to empty out, and then I walk up.
11 But they were a little late that day, so -- and there's another
12 conductor I usually talk to; he wasn't in. So, at 8:15, I started
13 walking up. I usually do everything around the same time, all the
14 time.15 So, about 8:15, I'm walking up, and when I get to about the
16 second car of my train, I see his headlights coming in to Track 6.
17 And the first thing with the headlights was the sound. When
18 you're coming in to Track 6, with the wheels hitting, the flange
19 of the wheels hitting the tracks, you usually hear eee, eee, like
20 a little screech every now and then, intermittent, but this was
21 constant. It was eeeee. It's really what caught my attention.22 And then as I'm watching the train, I'm just standing there,
23 the first car went past me and I thought to myself that's pretty
24 fast for Track 6, because 6 is on a curve and it's 5 miles an
25 hour. But it's on a curve and I wouldn't even -- I couldn't see

1 myself going that fast. But I saw the first car go past me, and
2 then the second car go past me. So I'm waiting to see, like, when
3 the brakes come on. And then the third car went past me and I
4 said, no, this is not going to work, because I know how short the
5 track is.

6 So I turned to kind of -- my mind said to turn and try to get
7 the conductor's attention and maybe tell him to dump the train.
8 But that wouldn't have happened, but that was the thought that was
9 in my mind, to turn and do that. And as I turned to go, the next
10 couple cars went past me and then -- I never seen anything happen
11 like that; like it was moving and then it just stopped, like a
12 sudden stop, and then this big explosion, kaboom. And then by
13 that time when the sound came, my conductor, he ran out. He was
14 in the second car, on the train. He came out. He said, Steve, we
15 got to get these people off the train.

16 So we ran up front. The first car was up in the air kind of,
17 and there was a big pile of smoke over there, so I was thinking
18 fire. So I didn't want to go over there, so I went to the -- as
19 I'm running up, the conductor, she put her head out the window and
20 she said what happened, what happened? And I said your train
21 crashed. I said open the door. She said I can't get the door.
22 So we tried the key from the outside; didn't work from the
23 outside. So we broke the -- he did two and I broke two. We
24 pulled the levers. It's glass, too. I thought it was plastic.

25 And we pulled the levers, pulled the door open. I climbed on

1 the back end of the first car. He stayed on the platform but he
2 went, my conductor, down to the front end, because they had
3 somehow gotten that door open and he didn't want them to come down
4 to where the smoke was because we thought it was a fire or
5 something. So he told them to go back, and I got on the train and
6 told them to walk to me. So they were coming down, and we got as
7 many people as we could get out from that door.

8 And then there was still a few up there, so I walked up
9 there. There was a lady on the ground, she said her arm was
10 broken. There was another lady standing in the vestibule; she was
11 in shock. So I checked them out, and then I went past them to get
12 to the engineer, and he was in the cab and he was like in a daze.
13 You know, he was just walking, pacing. He was just walking, like
14 from side to side. So I told him to come with me because I didn't
15 think -- again, I was thinking it was going to be a fire, so we
16 can't stay on this end of the train.

17 So we got out and we went to the middle of the train. I sat
18 him down. And then a police officer, a little small lady, got on
19 and she said I'll take it from here with him. And then I went
20 back on the platform, did what we could do with the passengers.
21 And then there was a manager there. He told us he needed our
22 train out of the station. It was about 8:35 then, so we ran and
23 jumped on the train and took it east.

24 Q. So on that day, you were going to leave duty on --

25 A. I was on duty. I had made two -- three trains already. I

1 started in West Hempstead, I made one to Valley Stream, back to
2 West Hempstead, and I made one to Brooklyn. I got there at a
3 quarter to 8. So, my normal is to -- my wife is usually on my
4 train. I take her to the bus stop, I get a cup of coffee, and
5 then I stand there and wait for that train to empty out because I
6 don't like to walk through the people.

7 So, the usual people I'm there to speak to, they weren't
8 there that day, so I just waited. I do everything on time. So
9 8:15 is when I walk up. So 8:15, I started walking up, which will
10 put me in the seat at 8:20, which gives me 10 minutes to set the
11 train up, which gets me out at 8:30. That's how it works. So --

12 Q. And as you saw the train coming in to Track 6, were you able
13 to see in the cab?

14 A. No.

15 Q. Were you able to see the engineer?

16 A. I know who the regular engineer is. And as I was telling
17 somebody else, I've been doing this for 27 years, and when you
18 pass another engineer, you usually wave. I'm tired of waving. So
19 I don't even look because that's my normal. I don't want to be
20 bothered. If you look, you got to wave, and I don't want to wave,
21 so I didn't even look. So it's not normal for me not to look, so
22 I didn't see that part. Because I didn't think nothing was up
23 until I heard the sound, and then the sound is what made me start
24 to think. I just stood there and I said, wow, that's fast.

25 Q. So when you heard the screeching, you know, or the wheels

1 against the curve of the track, the lead car was already past you?

2 A. He just started. He just began on the track. But that
3 curve, it gets tight right there, really right, so that's when the
4 screeching started taking off. But I didn't think at that speed
5 that -- that I saw, that you can make that turn. So I'm kind of
6 in a daze and I'm like, I wouldn't do that, but -- you know,
7 that's not normal. That's what I thought to myself, that's not
8 normal.

9 Q. Have you ever seen anything like that before?

10 A. No. No. No.

11 MR. TORRES: Anne?

12 BY MS. GARCIA:

13 Q. Anne Garcia. Just a couple questions, some standards ones.
14 Had your day been going as a normal day until then?

15 A. Yes.

16 Q. What time did you come on duty?

17 A. My report time is 5:22, but I'm usually there by 5:15. I
18 always leave extra time just in case, just in case.

19 Q. Okay. What are your regular duty hours during the week? If
20 you could just run down that for me?

21 A. During the week, 5:20, and I'm done at 3:50. But I do, like,
22 a scoot route. It's just back and forth to -- it's a 15-minute
23 ride: 15 minutes, then a break, 15 minutes, then a break, 15 --
24 most of the day, from 5:20 to 3:54, something like that.

25 Q. And how many days? Which days of the week is that?

1 A. Oh, Monday to Friday.

2 Q. Monday through Friday. Okay. And that's 5:20 a.m.?

3 A. A.M. to 3:54 p.m.

4 Q. Okay. Okay. Good.

5 Do you know the engineer or the crew from that train? Had
6 you ever me them before?

7 A. Yeah. Yeah. Yeah.

8 Q. Talked with them?

9 A. Yeah.

10 Q. About how long have you known each of them?

11 A. The engineer? I take Book of Rules every 2 years. He's
12 usually in my class. So we just did that in November.

13 Q. Okay. And that's your refresher training?

14 A. Yes.

15 Q. Okay. Good. And the crew?

16 A. I didn't see the brakeman. I've known the conductor for
17 about 10 years.

18 Q. Okay. And you mentioned the conductor asked you what had
19 happened?

20 A. When I was -- as I'm walking up, she put her head out the
21 window and said what happened? Because I guess she didn't know
22 what happened, you know, but that's what she did, yeah.

23 Q. Okay. And she recognized you? That's why I was asking.

24 A. Yeah. Yes.

25 Q. All right. Did you talk with -- you said you didn't see the

1 brakeman.

2 A. No.

3 Q. Did you talk with the conductor afterwards? Did you go to
4 see how she was doing?

5 A. Yeah. I asked her how she was doing. She said she hit her
6 head, and that was pretty much it. She was busy. So I was busy,
7 too. I just checked on her.

8 Q. Okay. Okay, that's all I have right now. Thank you.

9 BY MR. MEADE:

10 Q. Joe Meade, FRA. You stated that as you were -- after the
11 incident happened, the conductor, or rear brake conductor -- the
12 female conductor?

13 A. Yes. Yes.

14 Q. That she stuck her head out the window.

15 A. Yes.

16 Q. And she stated that she couldn't open the doors?

17 A. She said she couldn't -- the doors are not working, doors not
18 working.

19 Q. Okay.

20 A. Because people were, like, panicking. I said open the doors,
21 open the doors; the doors are not working. So we tried from the
22 outside; nothing worked.

23 Q. When you say you tried from the outside?

24 A. There's a panel on the outside, you stick your key in and
25 turn; nothing happened.

1 Q. Okay. So that did not break?

2 A. No.

3 Q. And then just follow up on that for me.

4 A. So we went to -- I started that in the second car; it didn't
5 work. Went to the first car; it didn't work. So I figured they
6 were all dead, so we just started to punch the glass, which is
7 glass.

8 Q. Right.

9 A. And pull the lever and pry the door open. That worked.

10 Q. Okay. And how many doors did you pull?

11 A. I did the R-2 door of the first car and the L-2 door of the
12 second west car. And my conductor did, I think, the L-1 door of
13 the second car and then the next door in the third car, the R-1
14 door of the third car.

15 Q. Okay. Did you notice anyone else evacuating?

16 A. We were right there. My brakeman, I think I saw him, because
17 he's in the back of my train. And I think he ran over, but he was
18 where the people are.

19 Q. Got it. Okay.

20 A. But the train thing was me and John Fiorino, the conductor.

21 Q. Okay. You also stated that after you opened, after you
22 manually opened the doors, you went in the train. Did you notice
23 the lighting?

24 A. The lights were on.

25 Q. The lights were on?

1 A. Yeah.

2 Q. Okay. Okay. Thank you. That's all I have.

3 UNIDENTIFIED SPEAKER: No questions, sir.

4 MR. OUTLAW: Okay.

5 UNIDENTIFIED SPEAKER: No questions.

6 BY MR. TOMASZEWSKI:

7 Q. Bob Tomaszewski, FRA. Do you have -- roughly, do you have
8 any idea how long it took for the first responders to show up, the
9 fire department, the police department?

10 A. Okay. The police, they were in the station when I left where
11 the board is. But I would say 5 minutes for the police. The fire
12 department, when I finally got through on the train, another 5
13 minutes to 7 minutes they were there. I noticed them there. I
14 didn't see EMTs. The fire department and police were there,
15 police first, then fire department. I didn't see EMTs. I left at
16 5 -- well, I walked away at 5:35, so -- I mean, I'm sorry, 8:35.

17 MR. MARALDO: I'm good. Thank you. I'm sorry. Rob Maraldo,
18 no questions.

19 BY MR. BATES:

20 Q. William Bates, B-a-t-e-s. First of all, thank you for your
21 help. Did you get injured in any way?

22 A. No. I scratched my finger, and my back is hurting. But I
23 realized I did the whole thing with my backpack on and my -- I had
24 a sandwich from McDonald's. I saved the sandwich, too. I don't
25 know I did that. While all that was happening, I took care of the

1 sandwich.

2 Q. All right. That's all I got.

3 MR. HILL: Don Hill, BLET Safety Task Force. No questions
4 for you.

5 MR. OUTLAW: Okay.

6 BY MR. BECKER:

7 Q. Bret Becker, Long Island. Just a couple quick questions.
8 First of all, thank you. You know, you performed the service
9 well, above and beyond. I just wanted to ask you, you had
10 mentioned that you saw the conductor.

11 A. Yeah.

12 Q. Are you sure that was the conductor?

13 A. Well, usually, the conductor is in the second car back from
14 the engineer. So I saw the person that was in the second car and
15 I assumed it was the conductor.

16 Q. Did you recognize her from other jobs that she was a
17 qualified conductor?

18 A. Yes. Yeah.

19 Q. Okay. All right. And you mentioned when you got in there to
20 the car, the lead car or the first car, that you were able to see
21 the engineer and actually escorted him into the --

22 A. Yes. Yes.

23 Q. Was the door open?

24 A. The door was open.

25 Q. For the cab?

1 A. Yes.

2 Q. And was there any -- did you notice if there was any other
3 individuals inside the cab besides --

4 A. Nobody in there. He was by himself.

5 Q. Okay. Thank you.

6 BY DR. JENNER:

7 Q. Steve Jenner, NTSB. When you saw the engineer, I think you
8 described that he was pacing?

9 A. Yeah.

10 Q. Where was he pacing?

11 A. In the cab. He was in the cab. There's enough room to walk
12 from one side to the other. And he walked from there to that
13 side, back to the -- he was holding his head and he was just back
14 and forth, maybe like two or three times by the time I got there.

15 Q. And you know him?

16 A. Yeah. Yeah.

17 Q. All right. Did you have a conversation?

18 A. No, there's nothing to talk about, really, at that point. I
19 didn't want to upset him, so I kept my mouth shut. I asked him if
20 he was okay. And I told him to walk with me, because where he was
21 I didn't think it was safe, so come out of there. And then there
22 was people on the platform with cameras taking his picture and he
23 complained about that, so I put my jacket like that to try to
24 block. But then when the cop came, she told me to leave, so I
25 left.

1 Q. Okay. Did he ask you any questions?

2 A. No. He was ah, ah, just upset.

3 Q. How do you know he was upset from --

4 A. He was just ah, shh, going like that.

5 Q. Okay.

6 A. I assume that's being upset.

7 Q. Right. Okay. Did it appear that he knew what just happened?

8 A. I don't know. I can't speak to that. I don't know. Because
9 he came out of the cab, he didn't really look around. He just
10 walked. He kept like that. He sat down and he just kept, you
11 know -- I don't know what he was thinking. I can't speak to that.

12 Q. Did you see his grip in the cab?

13 A. His grip? What's that?

14 Q. His personal belongings?

15 A. No. No. I wasn't looking for that. No.

16 Q. Okay. Did he carry any personal belongings out with him?

17 A. I think he had his bag with him when he left the cab, yeah.
18 But I wasn't looking at it, no. I'm assuming -- he grabbed,
19 picked up something and he walked with me, and he sat something on
20 the seat. Maybe that's what that was, I don't know. I was
21 looking at him. I was looking at the people. I was listening.

22 DR. JENNER: Okay. Thank you.

23 MR. TOMASZEWSKI: I got one question.

24 BY MR. TOMASZEWSKI:

25 Q. Bob Tomaszewski with the FRA. Did you happen to notice while

1 everything was going on, was it the first responders that knocked
2 windows out or was it the people on the train?

3 A. No, the people on the train. That first car, the right side,
4 engineer's side of the train, the middle pullout window, that was
5 already down. So that was one of the reasons we opened up the
6 train, too, because they were getting ready --

7 UNIDENTIFIED SPEAKER: Self-evacuate.

8 MR. OUTLAW: Yeah, to self-evacuate. And they had somehow
9 got the first door open. I don't know if it was all the way open,
10 but it was cracked or something. So my conductor went down there
11 to keep them back, out of that door, because it was a big drop.
12 And I got on and said come to me. But that window was already
13 open. When I got there, it was already laying down. And I walked
14 through to speak to the conductor, and it was one on the other
15 side in that car down. So I'm walking west -- walking east, so on
16 this side, which is the wrong side. But that was down, too.

17 MR. TOMASZEWSKI: Thank you.

18 MS. GARCIA: Any questions? Any questions?

19 UNIDENTIFIED SPEAKER: No.

20 BY MS. GARCIA:

21 Q. Okay, I have just a couple of quick questions. Were there
22 any other Long Island Rail Road folks there, on the scene at the
23 time of the accident, besides you and your conductor?

24 A. After we got the doors open, I saw Ralph Wetzels, saw police,
25 and my brakeman, Derrick Mack. That was it, just us three.

1 Q. And Ralph Wetzel, what's his position?

2 A. Manager.

3 Q. Okay. Would he normally be on the platform, or he came to
4 the platform?

5 A. No, no, he would be in the back.

6 Q. Okay. So he came on scene?

7 A. Yeah. This is once it was going, I saw him. And he's the
8 one that said to get on my train and take the train. So we left.

9 Q. Right. Okay. You mentioned that the first car was up?

10 A. Um-hum.

11 Q. What do you mean?

12 A. Well, it was higher than the rear of the car. The whole
13 thing was kind of -- it was like in between the married pairs was
14 even more smashed than it is. Because they have a little bit of
15 play in the plate, but they were tight as I walked through. Each
16 one was tight. I mean, when that train came in, it came in and it
17 went from whatever it was doing to a complete stop. And if you
18 can imagine a car accident, there's a little give or a little skid
19 or something. This thing didn't move at all, it just -- bang.
20 I've never seen that before. And it just crunched. And so --
21 what was the question again?

22 Q. The first car was (indiscernible) --

23 A. Oh, the first car was up in the air. But the second door was
24 kind of close enough where you could get off. But we didn't want
25 them out that way because that's where the smoke was, so come back

1 this way. So I got on and said walk to me, walk to me. Once they
2 saw the door open, they kind of calmed down. They saw the door
3 was open. But before that, they were -- it was -- because I could
4 see them in the train and they were going crazy on the train.

5 Q. So just for my understanding, the first car, the front of it
6 was elevated?

7 A. The car where the engineer was, his side, his end of the
8 train was up higher than the, yeah, the next car.

9 Q. About how much?

10 A. Two feet, 3 feet.

11 Q. Okay. Good. Thank you.

12 MS. GARCIA: That's all I have.

13 UNIDENTIFIED SPEAKER: That's it.

14 BY MR. TORRES:

15 Q. Tomas Torres with the NTSB. Can you just give us a brief
16 description of your work history?

17 A. My work history?

18 Q. Yeah.

19 A. What do you want to know?

20 Q. When you hired on, you know, your duties, stuff like that.

21 A. Oh, I got hired May 28th, 1990. I went to the engineer
22 program in December '93; I graduated January or February of '95,
23 and I've been an engineer ever since. I try to stay out of
24 trouble. I'm a good guy.

25 (Laughter)

1 MR. OUTLAW: You know, I try not to work hard.

2 UNIDENTIFIED SPEAKER: You don't.

3 MR. TORRES: That's all I have. Anybody have any more
4 questions?

5 (No response)

6 Okay, this will conclude the interview at 4:17 p.m. We thank
7 you for --

8 (Whereupon, at 4:17 p.m., the interview was concluded.)
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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: COLLISION OF LONG ISLAND RAIL ROAD (LIRR)
 TRAIN NO. 2817 WITH THE PLATFORM AT
 ATLANTIC TERMINAL, BROOKLYN, NEW YORK,
 JANUARY 4, 2017
 Interview of Stephen Outlaw, III

ACCIDENT NUMBER: DCA17FR002

PLACE: Jamaica, NY

DATE: January 5, 2017

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

Lisa Fuerstenberg
Transcriber