



SURVIVAL FACTORS ATTACHMENT

NTSB Interview of Delray Beach Police Department's Incident Commander

Delray Beach, Florida

HWY23MH006

(23 pages)

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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FATAL GRADE CROSSING COLLISION
IN DELRAY BEACH, FLORIDA ON
FEBRUARY 8, 2023

Accident No.: HWY23MH006

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Interview of: LUIS SKEBERIS, Lieutenant
Delray Beach Police Department

Delray Beach, Florida

Monday,
February 13, 2023

APPEARANCES:

JASON ZEITLER, Survival Factors Group Chairman
National Transportation Safety Board

JOHN HUMM, Survival Factor Investigator
National Transportation Safety Board

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I N T E R V I E W

(9:31 p.m.)

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2
3 MR. ZEITLER: February 13, 2023. It's reference to the
4 Delray Beach, Florida. Time by my watch is 2131 hours. Present
5 at Delray Police Department located at -- let's see what's the
6 address?

7 UNIDENTIFIED SPEAKER: 300 West Atlantic.

8 MR. ZEITLER: 300 West Atlantic, Delray Beach, Florida.
9 Present with me in the room is Dr. John Humm from NTSB,
10 Survival Factors.

11 LT SKEBERIS: Lieutenant Skeberis.

12 MR. ZEITLER: Lieutenant Luis Skeberis from Delray Beach
13 Police Department.

14 My name is Jason Zeitler, Survival Factors, NTSB.

15 Purpose of this interview is interviewing Police Department,
16 incident commander for the Brightline and 2015 Nissan Rogue
17 collision that occurred on February 8, 2023, 2006 hours.

INTERVIEW OF LUIS SKEBERIS

18
19 BY MR. ZEITLER:

20 Q. For the record go ahead and state, state your name.

21 A. Luis Skeberis.

22 Q. Is it okay for me to record this, Luis?

23 A. Sure.

24 Q. And what's, what's a good contact, e-mail, phone number for
25 you?

1 A. It's my last name, Skeberis, [REDACTED].

2 Q. And what's your current, current rank?

3 A. Lieutenant.

4 Q. How long have you held this position?

5 A. Since September of '22.

6 Q. What's a good overview of your current role?

7 A. So I am the watch commander for alpha nightshift. I'm the
8 highest ranking during my, my tour. I supervise three sergeants
9 directly, and they supervise approximately 15 officers on road
10 patrol. That's not including other units that may be on at the
11 time.

12 Q. Okay. How long have you served in law enforcement all
13 together?

14 A. Started with military law enforcement 2004, and I was hired
15 with Delray Beach PD in 2007.

16 Q. Describe some of the previous job titles. I understand you
17 were a detective for quite awhile.

18 A. Yes.

19 Q. Sergeant, other things.

20 A. So I've done road patrol. I was an investigator, detective.
21 I was an intelligence detective also, problem oriented policing
22 where we did narcotics, various search warrants. Very active. I
23 was a sergeant on road patrol. I was the sergeant over the
24 Detective Bureau for Property Fraud. And then homicide and
25 violent crimes, and then I was promoted to lieutenant.

1 Q. How many employees sworn verse non-sworn does your agency --
2 actual staffing approximately?

3 A. I think sworn we have vacancies for up to 160. I don't know
4 what we're staffed at now. Maybe 150. And I think -- that's
5 sworn. And the non-sworn my best guess would be 50 or so.

6 Q. Okay. Do you guys employ any volunteers or reserve units?

7 A. We no longer do.

8 Q. Okay. And how many people do you currently oversee?

9 A. I directly oversee 18.

10 Q. 18. Now, on like an average or stereotypical night that you,
11 you come out, what is the shift set up like, you know, officers?

12 I think you mentioned a little bit officers, and how many
13 sergeants you oversee in a given night?

14 A. Correct. So we have three -- we divide the city into three
15 sectors, East, Central and West. Each sector has one sergeant and
16 up to five officers. And then within each sector it's divided
17 into three beats, and each beat contains at least one officer
18 assigned to that beat, usually two.

19 Q. And you're the highest ranking officer?

20 A. On the shift, yes.

21 Q. On the shift. And then you guys have a fixed or rotating
22 schedule?

23 A. We have rotating schedule. We work -- it's referred to like
24 Panama schedule or the 2-2-3 where we're off every Monday,
25 Tuesday, Wednesday, Thursday, and Friday, Saturday, Sunday.

1 Q. Okay.

2 A. On 12-hour shifts.

3 Q. 12 hours. And you guys get like a Kelly Day or --

4 A. We have one day where it's our early day. So it averages out
5 to 80 hours a week.

6 Q. I see.

7 A. Or 80 hours every two weeks.

8 Q. How do the officers start their day? Do they attend a lineup
9 or --

10 A. Beginning of every shift there's a briefing or it's also
11 referred to as a lineup.

12 Q. Okay. Do you guys use plain English or 10-code signals when
13 communicating on the radio?

14 A. On the radio routinely we use 10-codes and signals. Only
15 reason why we wouldn't is if there's like an ICS situation, and we
16 have mutual aid to where not everyone understands the 10-codes and
17 signals.

18 Q. Okay. Does your department have its own dispatch center?

19 A. We do.

20 Q. Is it in-house in the police department?

21 A. Yes.

22 Q. And then describe your radio setup. Do you have like a, like
23 a second channel for plain English, and you guys get to talk to
24 one another like that?

25 A. Yes. We have several channels. The one most commonly used

1 is Channel 1, which is for regular law enforcement communication.
2 Channel 2 would be to run someone for warrants or get information,
3 and that would be to a dispatcher or we call it teletype operator.
4 Channel 3 would be a -- like a (indiscernible) temporary if I need
5 to speak in plain English I can clear someone in Channel 3. We
6 can use that. Channel 5 more of like a long-term maybe an
7 operation. So you have certain people designated that channel.
8 You request dispatch. And those are the ones primarily we use.
9 We also have LeCom channels to patch in with other agencies. We
10 have encrypted channels, and several more.

11 Q. If you have a major event do you have -- do you guys go to a
12 backup channel for routine people that aren't involved in the
13 major event?

14 A. Yes. Usually we -- depending on how many people are utilized
15 we either move it to another channel. If it's multi-channel,
16 we'll usually use like an LeCom.

17 Q. LeCom.

18 A. If not, if the majority of the folks are on said call, we may
19 move everyone else to another channel including a supervisor to
20 kind of run the road operations, and the rest of us will stay on
21 the main channel if needed

22 Q. And in that second channel do you guys use that for, you
23 know, if you -- someone needs to run some DL or tag or --

24 A. Channel 2, yes. Channel 2 would be for checking for
25 warrants, drivers' licenses, addresses, phone numbers.

1 Q. Okay. Makes sense. Does your dispatch center dispatch for
2 any other agencies besides Delray Beach Police?

3 A. We have two more law enforcement agencies. They're smaller.
4 It's Highland Beach and Gulf Stream. And combined they have, I
5 believe, five sworn on the chain. I think it's one supervisor on
6 each side, and one has like two officers, and the other one has
7 one.

8 Q. And then for Delray Beach Fire Rescue are they a part of you
9 guys channel?

10 A. They are not part of our channel.

11 Q. Where are they dispatched out of?

12 A. My understanding is the county. They're dispatched with
13 county fire rescue.

14 Q. Okay. Palm Beach County Fire Rescue?

15 A. Yes.

16 Q. Okay. I think that's up in, in West Palm --

17 A. I think it's the West Palm area. We usually transfer over or
18 merge lines (indiscernible) request them.

19 Q. Do you ever respond to other -- I'm sorry. Do you ever
20 respond to -- with other agencies to larger more complicated type
21 calls?

22 A. Yes. If it's outside jurisdiction we have mutual aid within
23 the county. Sometimes it's law enforcement related. Sometimes
24 it's not. If it's a traffic issue or a major crash. Recently we
25 had a tanker flip over, and it was a fire on 95. So we assisted

1 FHB and fire rescue, PBSO, Boca.

2 Q. And would you say this occurs a lot, or how often does it
3 occur?

4 A. I mean, I only work a quarter of the time, and I wouldn't say
5 it's often. But it's routine enough to where it's not uncommon.

6 Q. Okay. Now, I know when you respond with other law
7 enforcement agencies you go to LeCom and have a common channel to
8 speak with. Do you have a similar capability when dealing with
9 fire rescue on a large-scale incident where you can go to a com
10 channel and speak to them?

11 A. Fire rescue can also go to those channels.

12 Q. Okay.

13 A. And then worst case wherever the ICB incident command post is
14 we'll have someone from FD. We had a missing child the other day.
15 Set up incident command. FD supervisor was there with us.

16 Q. Okay. So Delray Beach Fire Rescue can patch LeCom to you
17 guys?

18 A. Yes.

19 Q. Okay. How often do you co-respond to large-scale incidents
20 with fire rescue?

21 A. I can't put a number on it, but I mean this month we've done
22 it once. We didn't, we didn't -- we co-responded, but we didn't
23 share the channel for the crash.

24 Q. Okay. So it didn't require --

25 A. But. yeah, but we, we co-respond a lot with FD. Every

1 overdose. We have a lot of things that kind of intermingle.
2 Health and wellness with law enforcement. As far as major scenes
3 a few.

4 Q. Okay. So it doesn't often require --

5 A. No.

6 Q. So I don't know that I would consider this particular
7 incident that we're going to talk about in just a couple seconds,
8 but to be a mass casualty event, but if you're able to just
9 describe your agency's just general approach to a mass casualty
10 type incident, if you're able to.

11 A. Sure. So first you have to be able to determine if it's a
12 mass casualty. In this case because the scene was contained,
13 hospitals weren't being overburdened with folks and injuries, we
14 didn't utilize a quote, unquote, mass casualty approach or what we
15 call like a uncommon occurrence. So but normally we would first
16 respond directly to the scene depending on what it is. Because
17 mass casualty, you know, active shooter, it could be hazmat, it
18 could be any one of those things. So we first go there in this
19 case because of the injuries we go code which is lights and sirens
20 to get there as quickly as possible, and we determine what we
21 have. If it were to be something mass casualty immediately we
22 start calling in resources, setting up incident command post.
23 Securing the scene would be our primary goal. So everyone's
24 safety first. And then once we're able to start triaging the
25 victims, then that would be secondary. And then there's a

1 plethora of resources that would go in after that. I'd probably
2 be replaced eventually as incident commander. Depending on if
3 it's hazmat and eventually FD would probably take the IC. But,
4 yeah, we'd have inner and outer perimeter. We'd call specialty
5 units if needed, SWAT. In this case it was THI. And so on and so
6 forth. We have general orders that are more specific to events
7 like bomb threats, and unusual occurrence. But I think we
8 practice it every few years.

9 Q. Okay. Sounds good. And we'll get into training in just a
10 little bit. So for the purpose of these questions we talk about
11 regarding this case we're talking about the Brightline crash with
12 the 2015 Nissan Rogue. So with this particular case how did you
13 receive or get notified about, about this case?

14 A. Dispatch received multiple 911 calls.

15 Q. Okay. And then from the time your agency received the call
16 describe your agency's response. More specifically how you
17 acknowledged the call, and kind of proceeded with it, the steps
18 that you took to contain and control the situation.

19 A. Sure. So we had officers to include a supervisor, a sergeant
20 en route. Moments later they were there; maybe a few minutes
21 (indiscernible) they go code. Once you're there, they were able
22 to basically determine that the survivability was, was not there
23 after they responded shortly after, and pronounced two subjects
24 deceased. I showed up a little after, started making
25 notifications, and requesting resources.

1 Q. Okay. As part of securing the scene to make it safe, did you
2 guys, you guys block traffic and --

3 A. So in this case specifically it was at an intersection. So I
4 called and requested for Streets to come because the lights were
5 off. It's Dixie Highway and Lindell. So it's a decently traveled
6 area, a dark area. So I wanted to make sure it was well lit.
7 There was also a crowd of people forming I'm sure because of the
8 noise that it made and, obviously, all the officers and fire
9 rescue that was there. So we had an inner perimeter which is
10 obviously for evidentiary purposes. And then we had an outer
11 perimeter. So we were able to kind of stay within those two; have
12 onlookers stay outside. Streets came in, and assisted with some
13 signs, but we also had marked units, lights -- well, not -- yeah,
14 lights, no sirens, just to slow anybody down and divert traffic.

15 Q. And did you get in contact with FEC or Brightline to ensure
16 that trains would not travel through this area while you guys were
17 securing the scene or --

18 A. Yeah. So FEC -- Brightline for sure, and then FEC showed up,
19 and then also to kind of start getting the lights working again.
20 And they were very -- I think there was a -- I don't know -- refer
21 -- like a shuttle train to get everyone that was on the train off,
22 and they would request if it was okay to, you know, for it to come
23 at a slow speed. But no other trains passed by. They were very
24 cooperative.

25 Q. Okay. Very good. And then regarding the officers that are

1 under your span of control, they can check on the passengers
2 inside of the train, ensure everyone is okay if they -- were there
3 any injuries or anything like that that you know of?

4 A. They reported to me that there were no injuries on the train.

5 Q. Okay. So you guys secured the train, made sure the
6 passengers had -- have -- exit off the scene?

7 A. And we also requested a manifest. And they have a video or
8 CCTV in a sense. So we know to request that. But I wouldn't step
9 too far into that because our THI team responded, and it then
10 becomes their investigation.

11 Q. THI stands for?

12 A. Traffic Homicide Investigators.

13 Q. Okay. And as far as leaking fuel from the vehicle, any --
14 dealing with anything hazardous, hazmat type from the bus -- or
15 I'm sorry, from the, the SUV or the train?

16 A. There was nothing overtly as far as anything leaking. The
17 engine compartment was several, several yards away, and there were
18 pieces of the vehicle everywhere. I think one vehicle kind of got
19 struck with maybe some debris as it was going by. But the -- I
20 think (indiscernible) this case was just the decedents, and the
21 state they were in. One of them was impaled. So the blood and
22 that kind of biohazard was the only thing that, that I was aware
23 of, the significant --

24 Q. So you guys secured, secured the scene. And then did fire
25 rescue either arrive, I guess, the same time as you guys or a

1 little before or after if you remember?

2 A. I don't. Because they were there right as -- they were there
3 before I got there. So my officers and fire rescue were both
4 there. Matter of fact, they already said that they were deceased.
5 They pronounced that they were deceased prior to my arrival. And
6 FDE stayed there, and I actually asked them what they had going
7 on, and they just -- they made me aware that they were probably
8 going to have to use some tools to get the -- one of the decedents
9 out because he was impaled. So -- actually stood by for the ME.

10 Q. Do you know where the, the female passenger was located, if
11 she was in the vehicle or outside the vehicle?

12 A. I saw her just outside the vehicle. I don't know if she was
13 removed. The first responding officer would have then on their
14 body camera.

15 Q. Okay. And then as far as special resources you mentioned
16 Traffic Homicide. Any other special resources (indiscernible)
17 deployed --

18 A. We put a drone up just to, to see what kind of damage there
19 was, to figure out where the actual scene was, if we were missing
20 anything else. THI, Streets, you know, we notified our PIO which
21 is our Public Information Officer, just because the media was
22 going to show up. Other than that, there weren't any other
23 resources we (indiscernible) deploy to be effective.

24 Q. Makes sense. And then as far as mutual aid did any other
25 agencies besides yourself and fire -- Delray Beach Fire Rescue

1 respond to this incident?

2 A. No. Outside of, like, our Streets Team, and FEC and
3 Brightline, no.

4 Q. Did Delray Beach Police Department institute any mass
5 casualty ICS plans for this case?

6 A. No.

7 Q. And then did you guys establish a command post or anything
8 like that?

9 A. The command post was the first supervisor that was there on
10 scene. So we kind of kept it there once we determined that that
11 was the extent of the scene. They basically got relieved as soon
12 as our Traffic Homicide Investigators arrived.

13 Q. Okay. Now as far as breaking the scene down at the
14 conclusion were you still on duty when that happened?

15 A. I was on duty, but I was not on scene.

16 Q. Okay. Did you guys do any type of debrief or hotwash for
17 this incident?

18 A. Traffic Homicide would. We wouldn't necessarily unless I saw
19 like some deficiencies I would, I would address with, with any
20 officers or we call it CISM which is kind of like a debrief or
21 Critical Incident Stress Management. So death of a child or
22 coworker. And this didn't really meet the criteria for that. So
23 there was no further debrief.

24 Q. Okay. No EAT claims or anything?

25 A. No.

1 Q. So there's like no written after action plan or anything you
2 guys --

3 A. No.

4 Q. Do you guys -- you specifically or any of the guys that fall
5 under your command, did you face any severe difficulties or
6 challenges for this case in particular?

7 A. I wouldn't say challenges. There were several witnesses. We
8 got 911 immediately. Officers responded code. The train was, I
9 guess, stopped already when we got there. So there wasn't really
10 much of a delay. Some things just take time. The medical
11 examiner to arrive. FEC and Brightline actually arrived even
12 before the medical examiner. I wish we could have got the, the
13 lights up and running a little quicker. But it just comes with
14 the territory. We can't have everything as soon as we want all
15 the time.

16 Q. For sure. Medical examiner (indiscernible)?

17 A. Yes.

18 Q. And then just getting into some basic training stuff. Do you
19 -- does Delray Beach Police Department require mass casualty
20 training? If so, do you know -- about how often do you guys train
21 for that?

22 A. I don't know that we have -- I think that kind of falls under
23 like some of our GO's, and we -- some of them we do yearly. And,
24 if not, I think, like, ICS we're required to do it every three
25 years or less.

1 Q. Okay.

2 A. So that's usually what it comes down to for our mass casualty
3 training. We get the forms out. We go over, you know, someone's
4 running operations, admin, resources, going through the, you know,
5 rigmarole with all the forms and how you would respond. Triage
6 area, hospitals, whatever resources you'd have.

7 Q. Covers some of the stuff in lineup once in awhile?

8 A. Yeah.

9 Q. Mass casualty stuff?

10 A. Yeah. Especially once something like this happens we, we
11 cover -- we also debrief when we do good things. Like in this
12 case they were able to set up two perimeters, an inner and an
13 outer, and THI came right away, officers responded well. So we
14 talk about that in briefing also.

15 Q. Very good. And then what type of GO's do you guys have for,
16 for mass casualty?

17 A. I'd have to check, but I don't know that necessarily we have
18 one specific to mass casualties, but I think it, it's covered
19 under our unusual occurrence or, like, active shooter, or, like,
20 our -- hazmat and stuff like that. So --

21 Q. Okay. And then this is more of a specific question in
22 dealing with the vehicle inspection. I talked to the
23 (indiscernible) earlier today, and asked him the same thing. Do
24 you know -- did you or any of your guys that you know of turn the
25 light switch off on the, the Nissan Rogue?

1 A. No, not that I know of, no. I didn't, and no one else
2 (indiscernible) did.

3 Q. Okay. Sounds good. And then --

4 MR. ZEITLER: Do you have anything, John?

5 BY MR. HUMM:

6 Q. How do you guys define a mass casualty? Like, is there a
7 certain number of --

8 A. We don't have --

9 Q. -- or -- okay, unusual -- what is it?

10 A. Unusual occurrence.

11 Q. Yeah. How do you --

12 A. Unusual occurrence is very broad.

13 Q. Okay.

14 A. So in the GO it would be something, like I said, where
15 several people are injured, and it kind of overwhelms what we have
16 as far as resources here. So if I couldn't handle with my
17 personnel the issue at hand, I'd notify the chain of command. And
18 for a specifically mass casualty I would make the determination
19 of, well, I know that too many people are either dead or injured
20 for us to be able to handle this on our own so we would bring in
21 other agencies. And then I would say that's how I would determine
22 something as mass casualty. I don't think we have anything that
23 defines, that gives us a number --

24 Q. Okay.

25 A. -- or a timeframe or anything like that.

1 Q. Yeah. So it's not like 20 people and above gets --

2 A. No, no.

3 Q. It's kind of your call?

4 A. Correct. But 20 --

5 Q. Right.

6 A. -- that being said, I would say, yes. There's no way I can
7 handle 20 deaths, 40 injured with the personnel that we have and
8 the resources.

9 Q. Understood. And so for my benefit, so how do you handle like
10 the IC role? Let's say you did have a -- not, you know, a fairly
11 large incident, the IC role. So when you get first on scene,
12 you're, like, that first person's IC, and then how do you share
13 that with, like, the fire department if it's, like, a largely a
14 fire department rescue?

15 A. So it goes chain of command. So, like, the senior person on
16 scene first would start the incident command post. And that could
17 be at their call. Usually it's not at the best location initially
18 because the first one arrived. We never know who is going to get
19 there first. They'll call it out. So once someone addresses,
20 starts addressing the issue, and someone's available to start the
21 incident command post they will. They're usually relieved by a
22 sergeant. And then I would be the one relieving the sergeant. If
23 it was something that would fall into our unusual occurrence, most
24 likely our captain would respond as well, and then he would take
25 the incident commander role. Now, if it's -- we're utilizing

1 multiple agencies to include fire and PD, we would determine if it
2 was a law enforcement matter or health, safety, wellness, fire,
3 right? So in the example I gave before when it was a traffic
4 crash, and a tanker flipped over, and it was burning up on 95, I'd
5 say that falls into the realm of fire rescue. So they took the
6 lead IC role, and we, we were all together in the incident command
7 post, and whatever assistance we could provide we did. If it was
8 something where there's an active shooter, then I would say law
9 enforcement would take that incident commander role, and FDE would
10 assist us with triaging, and they'd have teams going with our
11 folks to start gathering victims out. Did that answer your
12 question or --

13 Q. Oh, yes.

14 A. Okay.

15 Q. Thank you. Appreciate it.

16 BY MR. ZEITLER:

17 Q. Anything you feel we didn't touch on, anything like that?

18 A. No. First time I'm being interviewed by the NTSB. So if you
19 need anything else, any follow-ups, let me know. That's it.
20 That's all I got.

21 MR. ZEITLER: Going to end the interview. It's 2155 by my
22 watch.

23 (Whereupon, at 9:55 p.m., on February 13, 2023, the interview
24 was concluded.)

25

CERTIFICATE

This is to certify that the attached proceeding before the
NATIONAL TRANSPORTATION SAFETY BOARD


IN THE MATTER OF: FATAL GRADE CROSSING COLLISION
IN DELRAY BEACH, FLORIDA
ON FEBRUARY 8, 2023
Interview of Luis Skeberis

ACCIDENT NO.: HWY23MH006

PLACE: Delray Beach, Florida

DATE: February 13, 2023

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.


Katherine Motley
Transcriber