



**Crashworthiness/Survival Factors  
Investigation Attachment Amtrak Crew  
Interviews**

**Joplin, Montana**

**RRD21MR017**

(283 pages)

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of: \*

\*

FATAL AMTRAK DERAILMENT \*

NEAR JOPLIN, MONTANA \* Accident No.: RRD21MR017

ON SEPTEMBER 25, 2021 \*

\*

\* \* \* \* \*

Interview of: DANIELLE TRAVERS, Server  
Amtrak

Via Zoom videoconference

Tuesday,  
October 19, 2021

APPEARANCES:

SHERYL HARLEY, Assistant Investigator  
National Transportation Safety Board

KARINA (KARI) JACOBSEN, Mechanical Engineer  
Volpe Center

KRISTINE (KRIS) SEVERSON, Mechanical Engineer  
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JOHN HIATT, Investigator  
Bremseth Law Firm

JUSTIN TALMADGE, Supervisor  
Amtrak

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I N T E R V I E W

(5:31 p.m. EDT)

1  
2  
3 MS. HARLEY: Okay. So good afternoon, everyone. So, once  
4 again, my name is Sheryl Harley, last name H-A-R-L-E-Y. So I'm  
5 the Assistant Investigator in charge with the NTSB and we are  
6 investigating the Amtrak derailment that occurred in Joplin,  
7 Montana on Saturday, September the 25th, 2021 at approximately  
8 3:47 p.m., and today's date is October the 19th of 2021 and it is  
9 5:31 p.m. That's Eastern Daylight Time, and on the call with me  
10 is -- Ms. Travers, can I get you to identify yourself for the  
11 tape, please?

12 MS. TRAVERS: My name is Danielle Travers.

13 MS. HARLEY: Okay. Thank you. In addition to Ms. Travers,  
14 your representative, Mr. Hiatt?

15 MR. HIATT: Yes. John Hiatt, J-O-H-N H-I-A-T-T.

16 MS. HARLEY: Thank you. In addition, there are two members  
17 of the investigative team.

18 Kris?

19 MS. SEVERSON: Hello. My name is Kris Severson. I'm a  
20 mechanical engineer with the US DOT supporting FRA on this  
21 investigation. Kari and I are trying to understand how people  
22 were hurt and make recommendations or remedies, if we can. Thank  
23 you.

24 MS. HARLEY: Thank you, Kris.

25 MS. JACOBSEN: Hi there. My name is Kari Jacobsen and Kris

1 and I were out at the accident -- when was that, a month ago --  
2 and we're looking forward to hearing all about your experience and  
3 who you met, what you saw in order to help us piece it all  
4 together. So thanks for taking the time today.

5 MS. HARLEY: And in addition --

6 MR. TALMADGE: (Indiscernible).

7 MS. HARLEY: -- there is a representative from Amtrak.  
8 Justin?

9 MR. TALMADGE: Hey. You've got Justin Talmadge, OBS  
10 supervisor for the Empire Builder based out of Seattle here.

11 MS. HARLEY: Okay. Thank you very much. So before we get  
12 started, I kind of want to explain what this is all about. So as  
13 you heard from both Kris and Kari, this is what we call an  
14 investigation into the survival factors and the crashworthiness,  
15 and what we're looking at is what happened in the accident, how  
16 people were injured.

17 Ultimately how they emergency response occurred and how the  
18 passengers were cared for, and one of the things that do is we  
19 talk to the crew because as a member of that crew, you know a lot  
20 about that train. You know about the operation. You know about  
21 everything from the emergency response. You know when the train  
22 -- how the train feels, how it rides.

23 So that's one of the reasons why we're looking to you to  
24 provide us with some information. So to start off with, what I'm  
25 going to do is I'm going to ask you a series of basic questions

1 just to get some idea about your employment, your work experience  
2 and just some basic information.

3 INTERVIEW OF DANIELLE TRAVERS

4 BY MS. HARLEY:

5 Q. So I'm going to start by asking, when were you hired by  
6 Amtrak?

7 A. 5/5/05.

8 Q. Okay, and your job title?

9 A. Currently, I'm a server.

10 Q. Okay. All right, and are you normally assigned to the Empire  
11 Builder?

12 A. Yes.

13 Q. Okay, and what kind of duty schedule do you normally have?

14 A. We have to be in the dining car at about 6 o'clock in the  
15 morning. We hope to get a break between 10:00 -- 10:00 to 11:00  
16 and then we'll start lunch. We'll be back in the dining car at  
17 lunchtime from about 11:30 until -- well, until we're done usually  
18 about 2:30, 3:00.

19 Then at dinnertime, you get another break -- little break and  
20 then you'll come back for dinner about 5:00 -- 4:30ish and you  
21 serve until about 9:00 p.m.

22 Q. Okay, and then are you done at 9:00 p.m. or is there some  
23 cleanup you have to do before you're completed?

24 A. Our goal is 9:00 p.m. I should say but, no -- yes, there's  
25 always things that we have to clean up and stuff. We don't leave

1 the dining car until 9:30. We're just -- but typically we're  
2 there later than that.

3 Q. Understood. Okay. So excluding the accident trip, when was  
4 the last time you were on the Empire Builder working?

5 A. Six days prior to that.

6 Q. Six days prior?

7 A. Yes.

8 Q. So in the last --

9 A. I'm six on (indiscernible).

10 Q. Okay. In the last two months, how many trips have you made  
11 on the Empire Builder?

12 A. Four. I took a week off. So four or five.

13 Q. Okay, and I'm going to ask you. Is that in the same  
14 direction as the accident or was this back and forth? I guess  
15 that's Train 7 and Train 8.

16 A. Correct. So back and forth I'm on those other trips.

17 Q. Okay. Got it. Okay. So explain to me what training you  
18 received in regards to the procedures when there's an emergency,  
19 such as a derailment?

20 A. Well, over the last 16 years, you get training every year.  
21 So every year it could be a little bit different, but I mean we've  
22 gotten training in anywhere from how you exit the cars to CPR, the  
23 defibrillator. We've got training, I mean -- they beat it into  
24 us.

25 Q. Okay.



1 A. I was, like, every day -- every day when we go to work, we  
2 get a brief -- a safety briefing of some sort. So, I mean,  
3 there's a lot of training.

4 Q. Okay. So in the event of, for example, like a derailment  
5 such as this, explain to me what would be the procedures as far as  
6 dealing with the passengers and the decision making process as far  
7 as evacuation or not?

8 A. Well, the rule is if it's safer to get off the train -- or  
9 once it's safe to get off the train, and if that's the safest  
10 thing to do, then you remove from the train. With this one, it  
11 was so bad it was -- I mean it was chaotic. So we didn't -- you  
12 know, the best that we could from our training to make sure all  
13 passengers were removed.

14 We were trying to account for everybody and get everything  
15 taken care of make sure everybody was in one spot to go to that  
16 section. We were trained to do that so that you can get a  
17 headcount on everybody.

18 Q. Okay.

19 A. Like, it -- I don't know how to explain the training. It  
20 kind of just -- you just do it. I don't know. I don't know how  
21 to explain it.

22 Q. Okay. No problem. So who is actually in charge of making  
23 the decision whether or not passengers evacuate or not?

24 A. At this point, like in this derailment or every time? I  
25 mean, because technically it's the conductor that would make that

1 decision.

2 Q. Okay.

3 A. Our conductors were very busy. I mean everybody was busy.  
4 They were -- I didn't even know where they were at. So I mean  
5 there was no making any announcements or anything like that.  
6 There was nothing -- they can't, at that point, you couldn't do  
7 that in this derailment.

8 Q. Okay. Okay. So who ultimately took charge then?

9 A. I did.

10 Q. Okay.

11 A. I took charge of the situation that I was in.

12 Q. Okay, and okay. So I'll tell you what. Walk me through the  
13 day of the accident exactly what went on.

14 A. Do you want me to start from when I woke up or when it was  
15 happening -- when it started to happen?

16 Q. Tell you what. Just start when you woke up -- when you woke  
17 up.

18 A. Okay. So I woke up approximately 5:00 so that I could get  
19 ready. I'm in the dining car by 6:00. We were open by 6:30. We  
20 served breakfast until about 9:00, 9:00 -- or 9:30 and then we got  
21 a break between 10:00 and -- 10:00 to 11:00. I was back in the  
22 dining car. We served lunch until approximately -- I think I left  
23 the dining car at, like, 3:15 or so.

24 And then I was -- go to the dorm car, the 32 car, for my  
25 break. I was laying down and when you've been on the railroad for

1 as long as I have, when you hit something like that you kind of --  
2 and then you usually wait to hear the wheels turning again.  
3 You're, like, oh, okay. We're good.

4 When we hit it, I was, like, oh, that's not good. Like, oh,  
5 that's not good. So I was throwing on my shoes. When we came to  
6 a stop, I came out of my room and I started running towards the  
7 dining car. I ran into Peyton and I was, like, telling the  
8 passengers, "Stay in your room."

9 I told him -- he's very new. I said, "Account for your  
10 passengers. Account for your passengers," and I just kept  
11 running. I ran into Younus (ph.) and I told him the same thing.  
12 I was telling passengers to stay in their room at that point.

13 I was, like, "Account for your passengers. Account for your  
14 passengers," and then I ran right into Tashi in the 30 car. Same  
15 thing. Telling passengers to stay in their room and telling the  
16 crew to account for their passengers.

17 I got to the dining car and James was on the ground, so I  
18 tried to help him up and he was, like, "No, I can't. Give me a  
19 minute. Give me a minute," and he was breathing and everything.  
20 So I was, like, I think he broke a couple ribs. At that point, I  
21 looked and you couldn't see into the 11 car.

22 So I ran down the stairs in the dining car and I looked out  
23 one way and we were kind of tilted off, so I opened the other door  
24 and I jumped down and I looked back and alls I could see is the  
25 three cars that had dis-attached. So I just started running down

1 there.

2 I saw some stuff on the left that I didn't want to see. It  
3 didn't even register to me at first, and then I got to that car  
4 and we were helping people down. All of a sudden, some lady says  
5 to me, I don't know who she is. I didn't help her off the train.

6 There was one lady that we could to, but she couldn't get up  
7 so we were helping everybody off and I was talking to her, telling  
8 her to. "Stay there. We're coming. Hold on," and we helped  
9 everybody that we could that could move get off the fallen car and  
10 then this guy was, like, I'm going in and he jumped in to go help  
11 the lady that's stuck.

12 At that point, I turned around and my conductor was there and  
13 I was, like, "I'm going around," because we had that end cleared  
14 off. So I ran around the -- to the end of the train, to the 2830  
15 and -- or 2730, and then I got down there, I -- this cover was  
16 cupboard was open, so we ripped out -- I was ripping out all the  
17 stuff so that I could get the cupboard door to shut.

18 And so I -- once I could rip most of the stuff out, I jumped  
19 up there, shut the door, and that lady's behind me again. She's  
20 amazing, and so then we helped everybody we could. We had to  
21 cover up a bunch of stuff -- of the glass and stuff. The doors  
22 were falling in.

23 I saw Alberto, like, through the car. I could see him  
24 standing up and I was, like, I've got (indiscernible). So he went  
25 and said, "I'm going to clear my lower level." So he was clearing

1 downstairs. By the time I got all the way to Room 1, after we got  
2 everybody out that was in those rooms, by that time, he had  
3 cleared his lower level.

4 The only way out was going up. So I went up, and so now  
5 we're on top of the train. There was people stuck in Room D or E.  
6 I think -- I want to say D, and I was, like, "Just stay right  
7 there. We've got, you know" -- by this time, people are come --  
8 starting to show up.

9 I wasn't really paying attention to the things that were  
10 outside of the train. I was just trying to get people out of the  
11 train. I went -- I told them, "We'll get a ladder. Just wait  
12 right there," because they were -- that was the only way for them  
13 to get out.

14 So they waited, and then I went to the next car. I jumped  
15 over to the next car and I saw Savonne (ph.) and she was hurt and  
16 laying down and there was a passenger that was with her and she  
17 was, like, she's hurt but I was, like, "Are you okay? Is she  
18 breathing?"

19 You know, she -- so she's talking back to me and the  
20 passenger's, like, "I'll stay with her," and I was, like, "Okay.  
21 Stay there." I was, like, "If you hear ambulances," I was, like,  
22 "They're coming so just stay there." I proceeded to clear the car  
23 from on top of it to make sure I knew where everybody was at.

24 I made it all the way back through the 14 car and I turn  
25 around and then it's, like, EMTs were -- people were everywhere

1 but -- and I was, like -- so I just pointed to where they needed  
2 ladders. I was, like, "You need a ladder here, a stretcher here,  
3 a ladder there, a ladder here."

4 Then they threw up the ladder and I was, like, okay, I have  
5 to get down. But by that time, I knew only in that back car were  
6 six more people -- or those back three cars there was only six  
7 people, but there was no way I could have gotten to them. So I  
8 got off the ladder and I came back down.

9 And I started -- I mean passengers were everywhere and I was,  
10 like, "No. We all have to get over here. We have to get over  
11 here." But mind you, I was on my break so I wasn't in uniform so,  
12 like, people weren't listening to me and I was, like, "No. I work  
13 here. We have to get a headcount. We have to get a headcount."

14 So I told everybody, "We're going right there," because there  
15 was already a group of people over there. They were in the field.  
16 They were out -- they were in no harm's way. So I started getting  
17 everybody -- I was, like, "We've got to go. That's where we're  
18 going. That's the meeting spot. Go. Go."

19 So I'm getting people over there. As I get back towards the  
20 lounge car, as I'm walking back over there to help, because the  
21 six people are going to now be taken care of. There was EMTs at  
22 this point were everywhere, so I was, like, okay. We're good back  
23 here. I know we're good. Those six people have one person -- at  
24 least person on each of them.

25 I got back over there and now I was running back into some of

1 the crew members and I was, like, "Okay, everybody. We've got to  
2 get everybody to go over there." I was telling them. "Everybody,  
3 let's get them into a group. We've got to get a headcount. We've  
4 got to get this going."

5 I ran into Dennis at some point during this too and he agreed  
6 with me to put them over there and JP was, like, "Here. You can  
7 take my EMT so you can start to get a headcount," and I was, like,  
8 "That's not going to help me, like, I -- I don't know how to use  
9 those things, I mean, to, I don't know, do that to get a headcount  
10 and stuff."

11 So I was, like, "That's" -- I said, "I'm just going to keep  
12 on going. So I went back and I went in the 30 car and I was,  
13 like, "Tashi, everybody. We've got to get everybody out." So we  
14 cleared -- I said, "You go to the end and I'll start helping them  
15 down and we've got to get them all over there."

16 I know we cleared that car. Then we got to the 31 car and I  
17 had to help carry a lady, me and a passenger, like, Army hooked  
18 her and because she was just older and frail, so Army hooked her  
19 and carried her as long as we could and then two other guys took  
20 over for us and then -- so I went back and I cleared the -- made  
21 sure the 31 was clear.

22 At that point, the 32 car had almost been cleared. I don't  
23 know who was clearing that and then at that point, I couldn't --  
24 it's, like, I don't know what just happened, right, trying to  
25 collect myself and this guy comes up to me.

1 He was leaving in his truck and he stopped and he came up to  
2 me and he -- he gave me a big hug and he's, like, "You did  
3 amazing." He's, like, "I'm fire and rescue." He was, like, my  
4 wife is shaking right now but she wanted to say thank you so  
5 much," and I looked and it was the lady that kept showing up  
6 behind. They happened to be driving me he said.

7 And then most of the crew had gotten their stuff and we were  
8 getting over there at this point, every passenger was, so I  
9 finally took a minute and I went and grabbed my bag and then I  
10 went and met everybody over there because the train had been  
11 cleared. So we went -- we all went over there to the field where  
12 everybody was at.

13 And by the time I got over there, they had already taken,  
14 like, a busload of people and I was, like, how are we getting the  
15 count -- and thank God, this other lady said, "Don't worry. I've  
16 got everybody's name that's written down. Before they get on the  
17 bus, I get their name and we've got everything. We know who's in  
18 the EMTs. We know," this and that and I was, like, okay.

19 We waited until the last bus because that's what we're  
20 trained to do, wait until the last bus unless you have to -- you  
21 know, there was crew members that needed -- they went directly to  
22 the hospital. We were functionable, so we waited until the last  
23 bus and then they bussed us to the school.

24 Once we were at the school, I had to call my husband. He  
25 also works on the railroad, so I -- I knew he was going to be



1 hearing things. So I needed to make sure he knew that I was okay  
2 and then I called my mom and then they were, like, "Okay. We need  
3 for you guys to go now whoever feels they need medical attention,"  
4 and I was, like, "I'm going because I know," I -- I was, like, "I  
5 just want to get checked out."

6 So I got checked -- we ended up going to a little town called  
7 Fort Benton at a hospital over there, got checked out. They  
8 didn't like the way the ligaments looked in my neck, so they put a  
9 neck brace on. We were all released, four of us and one passenger  
10 went there because all the nearer hospitals were already full. We  
11 got there.

12 We got back to the hotel in Shelby at about 4:30 a.m. I mean  
13 it was between 4:00 and 4:30 am. we got back to the hotel. I  
14 checked in and I was checking, helping the passenger get checked  
15 in because it was kind of confusion on how we had to check her in.  
16 Well, once I got that process going, I needed to step outside.

17 I was, like, "I need to step outside and have a cigarette,"  
18 and I was outside smoking a cigarette and there was right behind  
19 us our van. I -- or our bus. The -- a van had pulled up. Well,  
20 it was all BNSF workers.

21 And so the guy that was outside, I asked -- I said, "Do you  
22 got to go back tomorrow. I know you guys didn't get that mess  
23 cleaned up," and he's, like, "Oh, no. We're investigators," and I  
24 said, "Oh, yeah." I said, "Well, I saw that there was, like, a 30  
25 foot dip in that rail," and he said, "Yes. The ballast gave way."

1           And he goes, "That part of the track was just repaired three  
2 days ago," and I got kind of really mad and then the lady was  
3 giving me food, because I hadn't eaten, and so then after they all  
4 checked in, I checked in and I think I got back to my hotel room  
5 by, like, 4:30, 4:45 in the morning.

6           I took a shower and I got a couple hours sleep that night.

7 Q.    Okay.

8 A.    And, like, that was that day.

9 Q.    Yeah. First of all, thank you. I know this is really,  
10 really tough for you and you're doing great and if you don't mind,  
11 hang on -- hang in there with me for a little bit. I promise,  
12 okay? So --

13 A.    Uh-huh.

14 Q.    I want to go back to -- so when you first realized there was  
15 something wrong, was it that -- explain that to me. Was it a  
16 bump? Was it a jolt? Exactly what told you that there was just  
17 something not right about the ride?

18 A.    Okay. So you'll hit these dips. You know, you'll hit the  
19 dips but -- and those are the ones that freak me out the most, and  
20 so that's what it felt like, we hit one of the dips makes it -- I  
21 don't know how to explain it unless you're in -- you go up and  
22 down instead of side to side when this happens.

23           And I was, like, if you're not a railroader, it's kind of  
24 hard to explain. You just -- it kind of, like -- it's, like, kind  
25 of like a rollercoaster, you know --

- 1 Q. Uh-huh.
- 2 A. It dips out, like, your stomach a little bit and you --
- 3 Q. Yeah.
- 4 A. Does that make sense?
- 5 Q. Yes.
- 6 A. That's how it started. That's how it starts and I was, like,
- 7 that's when I first sat up and then it was, like, side to side,
- 8 back and forth, shaking like this and that and that's when I was,
- 9 like, oh, no. I knew what was about to happen. Like, I knew we
- 10 were on the ground, like, somewhere.
- 11 I did not know it was nearly as bad as it was, but I knew we
- 12 were on the ground.
- 13 Q. Okay. All right. Okay. So at that particular point, you
- 14 get your shoes on and the first person that you meet is Tarrick
- 15 Peyton, is that correct?
- 16 A. Yes.
- 17 Q. Okay. All right. So at that particular point, you tell him
- 18 to keep the passengers in the train, but just to account for them,
- 19 is that correct?
- 20 A. Correct.
- 21 Q. Okay, and then you see Younus, who's in the 30 car, and you
- 22 do the same thing for him?
- 23 A. Younus was in the 31 car.
- 24 Q. He -- Younus was in the 31 car.
- 25 A. But yes.

1 Q. Okay. All right, and so you said that when you entered into  
2 the dining car, who was in there? I know you said that James was  
3 on the ground. Was there anybody else in that car?

4 A. Yeah. Oh, yeah. Donald Buggy was in there. He was trying  
5 to help him up and then Heather showed up -- or Heather was there.  
6 I was, like, I don't know if she was already there or -- yeah. I  
7 was, like, but she was there.

8 So I don't know if she came in behind me because when I sat  
9 down to make sure that he was okay and stuff like that, I don't  
10 know if she was behind me at that point or that's where she was at  
11 before. I don't know. But Donald Buggy was in there too and he  
12 was trying to help James up.

13 And that's when I was, like, "Is he okay," and talked to him  
14 and he's breathing and then those two were there, so that's when I  
15 left.

16 Q. Okay. So at that particular point, you said that you left  
17 that car and did you go to the lounge car or did you go to the  
18 three uncoupled car that were the farthest east?

19 A. I didn't even see the lounge car because -- because of the  
20 way the train was leaning where I got off, when I looked back,  
21 alls I saw was those three cars on the ground. I didn't -- I -- I  
22 mean the 11 car was there and it was still standing and leaning,  
23 but the lounge car was way over to the left.

24 Like, where I was standing, alls I could see was those three  
25 cars on the ground.

- 1 Q. Okay.
- 2 A. And that's where I took off to.
- 3 Q. Okay. So the first car that you went to, would that be the  
4 farthest car, the last sleeper in the train, or did you go to the  
5 closest car to --
- 6 A. No.
- 7 Q. -- the rest of the train?
- 8 A. The closest car.
- 9 Q. Okay.
- 10 A. Which is the 14 car.
- 11 Q. Okay.
- 12 A. We call it the 14 car.
- 13 Q. Okay. All right.
- 14 A. And that was the coach car, the one that was supposed to be  
15 attached to the lounge.
- 16 Q. Okay. All right, and then at -- once you got there, you said  
17 that there were -- you found -- where were the passengers? You  
18 said up -- were they on top of the car by that time?
- 19 A. No, no, no. The car was on its side. So they were coming  
20 out way -- I was helping them get out of the door.
- 21 Q. Okay.
- 22 A. Like, the side. Where it's supposed to be attached to the  
23 train. I -- that's where I was removing them from.
- 24 Q. Okay. So they were coming out of the end of the car -- at  
25 the end of the car door. All right. All right, and where was

1 Alberto?

2 A. I didn't see Alberto until we cleared who we could in the 14  
3 car. And the guy was jumping in and I -- so now he's going to go  
4 and help that person on the ground. So that's when I turned  
5 around and I saw Dennis and I ran to that end of the car.

6 Q. Okay.

7 A. So I went past the 14, past the 15 and all the way to the end  
8 of the 2730 where again, we were helping people get out from the  
9 end door.

10 Q. Okay. All right. So at that time, you didn't go to the 15  
11 car? You went straight to the 2730, which is the one on the end?

12 A. Yeah. You couldn't get to the 15 unless you went through the  
13 train.

14 Q. Okay, and --

15 A. Or on top. When I checked and made sure it was clear, I had  
16 to do that from on top.

17 Q. Okay, and did you see Alberto from outside on the ground or  
18 were you on top of the train when you first saw him?

19 A. I had pulled myself inside the train.

20 Q. Okay.

21 A. By the time -- and I was helping -- there was some of the  
22 passengers were having problems and getting out and so I was -- I  
23 helped them get out that way. We were trying to -- there's doors  
24 that you're climbing over and some of them are shut. Some of them  
25 are caved in. Glass was broke.

1 I mean, it -- so it was, like, I was helping, like, this one  
2 guy who's head was bleeding and stuff and I was trying to get him  
3 to get down first to -- and so I had him and his wife, like four  
4 other people. I just kept grabbing them and we were sliding them  
5 to the end.

6 I don't know how to explain it because these hallways are  
7 only, I think, not even, like -- they're a little wider than my  
8 shoulders and we're crawling in it.

9 Q. Uh-huh.

10 A. So some of these people are bigger than I was -- we were  
11 trying to drag them. They were hurt and so we got them all across  
12 the top.

13 Q. Okay. All right, and you said that there were people stuck  
14 in the D and E rooms. Is that on the lower level?

15 A. No. No, that's on the top level but no, I -- it was just D  
16 at that point.

17 Q. Just D?

18 A. Not D. I was trying to remember which room, and I'm almost  
19 certain it was D.

20 Q. Okay.

21 A. But mind you, by the time I'm (indiscernible) at that time,  
22 that's when I crawled through one -- or basically 10 to one is  
23 because I'm coming in the car reversed --

24 Q. Okay.

25 A. I crawled there and then I had to go out up the top. So then

1 when I started checking, I want to say it was D, and then Alberto  
2 is telling me he had cleared his lower level, because we had to  
3 break somebody out of one of the rooms. But he was, like, "No.  
4 This one's -- that one's empty and then this one's," you know, and  
5 I was, like, "Okay. But we need a ladder here because they  
6 couldn't get out on the other side."

7 Q. Okay. Do you have any idea who was -- who the person was  
8 that was stuck in the D room?

9 A. It was a husband and wife. I don't, no.

10 Q. Okay.

11 A. I mean I had served them.

12 Q. Okay. All right. Okay. Were you aware of anyone else  
13 trapped in the train outside of that room?

14 A. By that time? Nobody else was in the 2730 but those two  
15 people and they were standing.

16 Q. Okay.

17 A. They -- and they were, like, fine -- they were, like, "We  
18 just need help getting out."

19 Q. Okay.

20 A. So they were -- both him and his wife were fine. They were  
21 just -- they -- there just nowhere to go, so they -- and the  
22 window was broken. So we were, like, "Just stay there. We're" --  
23 they just needed a ladder so they could get out. There just no  
24 way for them to get out.

25 Q. Got it. All right. All right. Okay, and at that particular



1 point, is that when you went to the 15, or the middle car?

2 A. Correct.

3 Q. Okay, and you said that that Savonne was there and she was  
4 hurt. Where was she in the car?

5 A. She was at the very back of the car, the 15 car. That's  
6 typically where the attendants sit, and she was on the ground on  
7 the other side of the -- all the way on the other side of the  
8 train and I was talking to through the window on -- that was on  
9 the upside of the train.

10 Q. Okay.

11 A. And she was with -- there was a passenger with her.

12 Q. All right. To your knowledge was there anybody else in that  
13 train car besides Savonne and the passenger that was staying with  
14 her?

15 A. Yes. There was another lady that was hurt and she was laying  
16 in there and her husband kept trying to jump back into the train  
17 and I was, like, just lay right here and talk to her. Like -- I  
18 was, like, but don't go back in there. Just go -- lay right here.  
19 she's talking. She's fine.

20 Q. Okay.

21 A. And so we were knowing where to get these ladders put up.

22 Q. And did the husband explain to you why she couldn't get out  
23 of the train?

24 A. I didn't have time for that. No.

25 Q. Okay.

1 A. I -- I just was trying to keep him out of the train. Like, I  
2 was, like, "Do not go back in there and just lay right here on the  
3 window and talk to her. We're getting help. Like, don't. Please  
4 don't get back in."

5 Q. Okay. So when you were talking to -- I don't know if you  
6 were talking to the conductor or the assistant conductor -- and he  
7 was talking about getting a headcount, what was he asking you to  
8 do exactly?

9 A. No, no, no. I went up to him and that was -- I went up to  
10 JP and the assistant conductor at that point. But that was after  
11 I got down and everything. I went up to him and I was, like,  
12 "We've got to get everybody, like, together, like" -- and so he's,  
13 like, "I know." I think I was, like -- I was, like, "We've got to  
14 get a headcount," and he's, like, "I know."

15 And so and then he was, like, "Here's my EMD," and I was,  
16 like -- or whatever they call it. I don't know. Their cell  
17 phones that they use for tickets.

18 Q. Oh, okay. I was trying to figure out what you said. EMD,  
19 it's a cell phone for tickets? Okay.

20 A. EMD. There you go. I was, like, --

21 Q. Okay.

22 A. I always call it the wrong things. So he was, like, well,  
23 here just, you know, he was -- I mean JP was -- I mean we all  
24 were, but he was distraught and he was, like, "Here," and I --  
25 we're, like, "That doesn't help me," I said, but, "I'm" -- I said,

1 "There's a group over there."

2 I was, like, "That's where I'm going to start directing," you  
3 know, and he was, like, "Okay. Perfect. That's the meeting  
4 point," and he was, like, "Great. Let's do that," you know.

5 Q. All right. All right. So I know you said that James was  
6 injured and Savonne was injured. Were there any other Amtrak  
7 employees that you saw that were injured?

8 A. At that point? The only one at -- I mean I didn't get to see  
9 Curley until the next day. So I didn't see him until at the  
10 hotel. But once we all met over in the field and we're waiting  
11 for our vans, we accounted, you know -- made sure everybody -- and  
12 I was, like, "Where is Curley," and they said, "He went into the  
13 ambulance."

14 Q. Okay. All right. Okay. So talk to me about when you got to  
15 the hotel and you said that there was a crew from BNSF. So --

16 A. Correct.

17 Q. So what exactly did they say?

18 A. Well, I had said to him -- I said, "Do you have to go back  
19 out there tomorrow and clean up the mess, because I know you guys  
20 aren't done," you know, and he said, "No. I'm part of the  
21 investigation team," and I said -- I was, like, "Well, I saw that  
22 there was, like, a 30 foot dip in the rail and I noticed that  
23 later on, but I was standing there you could see it."

24 And he -- that's when he said, "Yeah." He goes, "The ballast  
25 gave way." He said, "We just fixed that track three days ago."

1 Q. Okay. Where did you see that 30 foot dip?

2 A. In-between where the -- where we were separated. It was  
3 in-between that gap.

4 Q. Okay. So it was -- was that between where the lounge car and  
5 the last three uncoupled cars were?

6 A. Correct.

7 Q. Okay, and do you -- on which side of the track? If you're  
8 looking in the direction the train was going, did you see this --  
9 was it the -- was it on both sides of the rail or was it only on  
10 one side?

11 A. Okay. If it's the direction that we're going, it would've  
12 been on the right side when we were standing in (indiscernible).

13 So it would've --

14 Q. Okay.

15 A. -- the right track. That's the one I noticed.

16 Q. Okay.

17 A. I wish I would've been smarter and taken a picture.

18 Q. Okay. All right, and so the -- who in the crew actually  
19 possesses a walkie talkie?

20 A. Nobody.

21 Q. Nobody? So --

22 A. They have their headsets to talk to the engineer -- I mean  
23 their little (indiscernible), if that's what you're talking about.

24 I mean it's, like -- it's not a walkie talkie. I mean they talk  
25 to the engineers, so the conductor, the assistant conductor and

1 the engineer those three can talk to each other.

2 Q. Got it.

3 A. If you're talking about that walkie talkie thing.

4 Q. Yeah.

5 A. Okay.

6 MS. HARLEY: Okay. All right. Well, thank you. I think  
7 that's all the questions I have right now. I'm going to turn it  
8 over one of my colleagues.

9 Kris?

10 MS. SEVERSON: Yes. Thank you. Working to find my mute  
11 button.

12 BY MS. SEVERSON:

13 Q. I have a couple questions about egress. It sounds like you  
14 were helping a lot of people get out of the car. Did you -- when  
15 you were on the interior hallway in-between those roomettes, did  
16 you need to break any of those interior hall door windows or  
17 windows to get people out or could you open the doors?

18 A. Oh, wherever the door was, that's where it was staying.

19 Q. Okay.

20 A. So, like, a lot of the windows were broken so we could get  
21 them out through that way. But wherever the doors were, they were  
22 stuck. So the only windows, we broke a few when we were getting  
23 people out. I was trying not to -- I was, like, "Don't lean on  
24 the window. We don't want, you know, you" -- them to fall  
25 through."

1           And so I know a couple of, you know -- they were cracking as  
2 they're going over them and stuff like that, but not to get  
3 anybody out. I didn't have to break any windows. Everybody was  
4 able to, like, get out of their room where I was at.

5 Q.   For the windows had already broken in the course in the  
6 course of the rollover maybe?

7 A.   Correct.

8 Q.   Okay. So you didn't have --

9 A.   Correct.

10 Q.   -- break them to get out. Okay.

11 A.   Correct.

12 Q.   How about --

13 A.   I think Alberto did.

14 Q.   Okay. Maybe Alberto broke a window to get someone out?

15 A.   Yes.

16 Q.   Do you recall helping anyone when you were on top of the  
17 train, assisting anyone to get their emergency window out or were  
18 they able to --

19 A.   No.

20 Q.   (Indiscernible)?

21 A.   They were already -- the one, especially where Savonne was --  
22 Savonne was, that one was broken -- or it was gone. I actually --  
23 I don't even know. I don't know, and the other window in D, their  
24 -- their window was gone. So I don't know if it had broke or  
25 what, but their windows where they were at were already gone. I

1 didn't have to -- I mean, we didn't have to bust any windows. The  
2 one lady only one side was -- it was, like, I don't know. It was  
3 kind of a little bit smaller now that I think about it. So -- and  
4 I can -- where I was telling her husband to lay down and talk to  
5 her. But we didn't -- it was still they were gone.

6 Q. Okay.

7 A. All the other windows, we were just wiping off and banging on  
8 them making sure that nobody was left in those rooms.

9 Q. Okay, and then the couple that you thought was in Room D, you  
10 were able to -- you were on the inside of the car when they were  
11 stuck and did you get help from the outside to get a ladder in  
12 down into the room to help them out?

13 A. Correct.

14 Q. Or -- okay. So you directed --

15 A. Yes.

16 Q. -- the people in there and someone from the top was able to  
17 put a ladder into their room so they could crawl out?

18 A. Correct.

19 MS. SEVERSON: Okay. That's all I have right at the minute.  
20 Thank you so much for sharing your information with us. I  
21 understand how difficult it is and I appreciate what you're doing  
22 to help us.

23 MS. TRAVERS: No problem.

24 MS. HARLEY: Kari?

25 MS. JACOBSEN: Yeah. No, I think you've told us quite a bit

1 of information and I don't have any major questions at this point.

2 Yeah. So thank you.

3 MS. TRAVERS: No problem.

4 MS. HARLEY: Justin, did you have anything you wanted to say?

5 MR. TALMADGE: I don't. Only thank you, Danielle.

6 MS. TRAVERS: Thank you, Justin.

7 MS. SEVERSON: So, Danielle, I've got a couple of real quick  
8 questions.

9 BY MS. SEVERSON:

10 Q. The PA system in the train, how are the announcements done?

11 I mean specifically when it talks about letting passengers know  
12 about the presence of the safety cards?

13 A. Oh, every stop.

14 Q. Okay. The next question is, was the PA system, to your  
15 knowledge, working in all the cars?

16 A. It was not.

17 Q. Do you know which car specifically the PA was not working?

18 A. I -- oh, I don't know if it was from the 11 car back, so they  
19 were making announcements from the front cars and then they would  
20 make an announcement from the lounge for the back cars. So I  
21 don't know if it separated at the 11 or, like, it wasn't  
22 communicating at the 11 or if it was at the lounge. I do not  
23 know.

24 Q. Okay. So okay. So it -- the PA system was working, but it  
25 wasn't working throughout the whole train. So there was basically



1 two different locations where a PA announcement had to be made?

2 A. Correct.

3 Q. Okay.

4 A. It's a pain in the butt when you go to a wait list. That's  
5 the only reason I know that it wasn't working all the way through.

6 Q. Okay. All right.

7 A. Is because -- it just makes our job harder.

8 Q. Yes. I'm absolutely sure of that. So the other thing is, is  
9 that when you got out of the -- when you left the dining car, did  
10 you actually go into the car that was -- it was tilting to the  
11 right that was -- that was close to the track?

12 A. (No response).

13 Q. It was near -- it should've --

14 A. No.

15 Q. -- been coupled in --

16 A. You couldn't --

17 Q. -- front of the lounge?

18 A. You couldn't -- you couldn't get to that car from the diner.  
19 It was leaning too far.

20 Q. Okay.

21 A. So when I went -- you had -- I had to go downstairs and get  
22 out the side door.

23 Q. Okay, and the last question I had --

24 A. So (indiscernible).

25 Q. Okay. So the last question I have is, is that when you were

1 on that last car, that last sleeper, did you, by any chance, see a  
2 couple that was covered in dirt?

3 A. We were all -- I was, like, I was in one of the standing cars  
4 and was already covered in dirt by this time. I mean everybody  
5 was covered in dirt. I -- I was, like -- I didn't see -- I mean I  
6 don't know how to answer that. We were all. I mean dirt, glass,  
7 everything.

8 Q. Was there a significant amount of dirt in that car  
9 specifically?

10 A. Well, I didn't ever go down on the side that was -- I stayed  
11 in the hallway. So I don't know in that room. Like, in that --  
12 those rooms, it was so dark and I mean I can only imagine. I mean  
13 I don't know what was in those rooms. You know, there was just no  
14 people. That's all I know and I would go to the next room.

15 Q. Okay. Was the emergency lighting working in those cars?

16 A. Yes. I mean as far as I remember. It was a nice day out  
17 too. So I mean it -- they seemed to be, but it still really just  
18 dark.

19 Q. Okay.

20 A. Maybe the lights weren't working on that side.

21 Q. Do you --

22 A. I don't know.

23 Q. Do you remember --

24 A. Actually, I was, like, I don't know.

25 Q. You don't know. Okay. Do you remember if the emergency

1 lighting was working in the crew car, the crew dorm car?

2 A. I remember that we didn't -- no. I don't -- no. I don't  
3 remember.

4 Q. Okay. Do you remember --

5 A. Actually I don't remember at all even when I went back for my  
6 bag, I opened the curtain so I could see. I don't know if it's  
7 because I didn't want to reach back for the light. I don't know.  
8 Yeah. I don't know.

9 Q. Okay. All right. Okay.

10 A. I do know that it wasn't working in the dining car. I do  
11 know that for a fact because we knew that leaving Chicago.

12 Q. That it wasn't working in the dining car?

13 A. Uh-huh.

14 Q. Okay. Okay. So that's all the questions that I have and  
15 what I -- what I'd like to do is, I always like to ask my  
16 interviewees, are there any questions you want to ask me?

17 A. I don't think so.

18 MS. HARLEY: Okay. So one of the things, and I'm going to  
19 apologize to Justin ahead of time. So as a victim of a  
20 transportation accident, and even as an employee of Amtrak, you  
21 are considered a victim. We are required to provide you with a  
22 transportation disaster assistant specialist. This is a person  
23 whose job it is to be kind of the go-between between you and the  
24 investigation and the agency.

25 And one of the things that that person, her name is Kim, is

1 going to do is to kind of give you any updates that we're going to  
2 put out the public. We're required to let the victims and their  
3 families know ahead of time. So she will be contacting you.

4 I'm not quite sure how they're going to do the Amtrak crew,  
5 whether they're going to go through Amtrak as a go-between or  
6 whether they're going to talk to you directly, and I was unable to  
7 talk to her earlier today to be able to answer that question. But  
8 in the meantime, if you or your representative have a question or  
9 a concern, you do have my number, okay?

10 MS. TRAVERS: Okay. Thank you.

11 MS. HARLEY: And I appreciate you going through this and I  
12 know it was distressing and, again, you've provided us a lot of  
13 information and you've helped. You don't know how much you've  
14 helped us. Thank you.

15 MS. TRAVERS: Thank you.

16 MS. HARLEY: Okay. Unless anybody has something else to say,  
17 I think this is it. Thank you very much.

18 MR. HIATT: This is Mr. Hiatt with the Bremseth firm.

19 MS. HARLEY: Yes, sir?

20 MR. HIATT: Can I just clarify a couple things real quick?

21 MS. HARLEY: Sure.

22 BY MR. HIATT:

23 Q. All right. Danielle, you mentioned at the hotel that you  
24 spoke to an individual wearing BNSF clothing and he said he was  
25 with the investigative team. Did he happen to say what his title

1 was?

2 A. He did not.

3 Q. Okay, and then one other thing. Did you see anything at the  
4 scene immediately after derailment that would've indicated to you  
5 that there had been any track work done in that area?

6 A. Yeah. There was a tractor sitting at first, like, I was --  
7 when I was trying to catch my what the heck, how did this happen,  
8 there was a tractor sitting very close to the train and so I was,  
9 like, maybe -- I thought -- and that's when I noticed the 30 foot  
10 rail. There was a tractor sitting right there and it was fully  
11 intact.

12 Q. Did you check to see if the train had struck it?

13 A. It was -- there -- it didn't even -- it looked like it was  
14 brand new.

15 Q. Okay. All right. I don't have anything else.

16 A. And that it was -- yeah. There was no reason to see if we  
17 hit that.

18 MR. HIATT: All right. Thank you.

19 MS. HARLEY: Okay. All right. Thank you --

20 MS. TRAVERS: Uh-huh.

21 MS. HARLEY: -- very much everyone and have a good day.

22 MR. TALMADGE: Thank you.

23 MS. JACOBSEN: Thank you.

24 MS. HARLEY: All right. Bye bye.

25 MR. HIATT: Thank you, all.

1 MS. SEVERSON: Thank you. Bye bye.

2 MS. HARLEY: Thank you, Danielle.

3 MS. JACOBSEN: Thank you.

4 MS. HARLEY: And let's see. Interview concluded at 6:21 p.m.

5 (Whereupon, at 6:21 p.m. EDT, the interview was concluded.)

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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

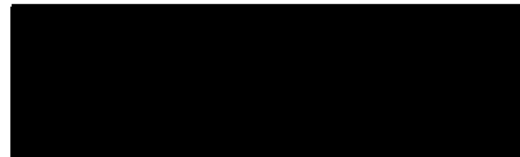
IN THE MATTER OF:            FATAL AMTRAK DERAILMENT  
                                      NEAR JOPLIN, MONTANA  
                                      ON SEPTEMBER 25, 2021  
                                      Interview of Danielle Travers

ACCIDENT NO.:                RRD21MR017

PLACE:                         Via Zoom videoconference

DATE:                         October 19, 2021

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 Smith  
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of: \*

\*

FATAL AMTRAK DERAILMENT \*

NEAR JOPLIN, MONTANA \* Accident No.: RRD21MR017

ON SEPTEMBER 25, 2021 \*

\*

\* \* \* \* \*

Interview of: RICARDO RUIZ, Food Specialist  
Amtrak

Via Zoom videoconference

Tuesday,  
October 19, 2021



APPEARANCES:

SHERYL HARLEY, Assistant Investigator  
National Transportation Safety Board

KARINA (KARI) JACOBSEN,  
Volpe Center

JOHN HIATT, Investigator  
Bremseth Law Firm

JUSTIN TALMADGE, Supervisor  
Amtrak

I N D E X

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| By Ms. Jacobsen              | 18            |
| By Ms. Harley                | 21            |
| By Ms. Jacobsen              | 25            |
| By Ms. Harley                | 25            |

I N T E R V I E W

(2:06 p.m.)

1  
2  
3 MS. HARLEY: Okay. So let's get started. So my name is  
4 Sheryl Harley. I'm the Assistant Investigator in charge and we're  
5 looking into the Amtrak derailment that occurred in Joplin,  
6 Montana on September the 25th of 2021 at approximately 3:47 p.m.  
7 Today's date is October the 19th of 2021 and it is 2:06 p.m., but  
8 that would be Eastern Daylight Time. So it's 11:06 a.m. on the  
9 West Coast, and I think I have my times correct.

10 So present on the call with me is -- Mr. Ruiz, can you  
11 identify yourself officially for the tape, please, sir?

12 MR. RUIZ: Ricardo Ruiz.

13 MS. HARLEY: Okay. You're Ricardo, and everyone calls you  
14 Rico, is that correct?

15 MR. RUIZ: Correct.

16 MS. HARLEY: Okay. I just -- I have your name from Amtrak as  
17 Rico. I just want to make sure I had the right person.

18 MR. RUIZ: Okay.

19 MS. HARLEY: And --

20 MR. RUIZ: You have the right person.

21 MS. HARLEY: Okay, and representing you today, Mr. Hiatt?

22 MR. HIATT: Yes.

23 MS. HARLEY: If you could identify yourself, please, sir?

24 MR. HIATT: John Hiatt, H-I-A-T-T. I'm an investigator for  
25 the Bremseth Law Firm.

1 MS. HARLEY: Also on the call is a member of the  
2 investigative team.

3 Kari?

4 MS. JACOBSEN: Hi there. My name is Kari Jacobsen and I work  
5 for the US Department of Transportation. I'm here with --  
6 representing the FRA in the investigation. We were out at the  
7 accident scene with Sheryl and so thanks for taking the time to  
8 talk to us today. It really helps us to understand what happened  
9 a little better.

10 MS. HARLEY: And also on the call is an Amtrak  
11 representative.

12 Justin?

13 MR. TALMADGE: Hi there. You've got Justin Talmadge, OBS  
14 supervisor for the Empire Builder based out of Seattle.

15 MS. HARLEY: Okay. Great. Thank you very much. Thank you  
16 all for taking part in this. So before we begin, I just want to  
17 kind of explain why I wanted to talk to you, Mr. Ruiz, is that  
18 part of our job in looking into the -- what happened is to kind of  
19 get a sense the incident.

20 As someone who works for Amtrak, as someone who is, in fact,  
21 a railroader and had been on that train, you are uniquely  
22 positioned to be able to explain to us what went on and walk us  
23 through the procedures.

24 INTERVIEW OF RICARDO RUIZ

25 BY MS. HARLEY:

1 Q. So to begin with, I'm just going to ask you some basic  
2 questions about your employment, and then what I'm going to ask  
3 you to do is try to walk me through that day. So I'm going to  
4 start with some basic questions. So, first of all, when were you  
5 hired by Amtrak?

6 A. October 2000.

7 Q. Okay, and when -- what were your duties when you were hired?

8 A. I was hired as a food specialist.

9 Q. Food specialist. Is that what you still do?

10 A. Yes.

11 Q. Okay. Okay, and what kind of duty schedule do you work?

12 A. Depending on the day, day one, we start at 1:30 and work  
13 until about 9:30, sometimes later than 9:30 depending on how busy  
14 it is. Day two, we start at 6:00 in the morning and work until --  
15 that's 6:00 in the morning on Mountain Time, because we switch  
16 time zones --

17 Q. Okay.

18 A. And then work until 9:30, 10 o'clock at night depending,  
19 again, on how busy it is.

20 Q. Okay.

21 A. And then on day three, it's 5:30 until about -- until we get  
22 into Chicago at 3:55.

23 Q. Okay. By the way, is the Empire Builder your normal duty  
24 station?

25 A. Yes.

1 Q. Okay. Prior to the accident trip, when was the last trip you  
2 took on the Empire Builder?

3 A. I was actually on the Train 8 going towards Chicago, because  
4 my turn at the time I was working, it was -- I was doing a Havre  
5 turn. So it was the same day, just going the opposite direction.

6 Q. Oh, okay. All right. Okay. Can you explain to me what  
7 training you received in regards to in the event that there is an  
8 emergency on the train?

9 A. We all do the Amtrak safety training and I can't remember  
10 what they call it, but we've all gone through the Amtrak safety  
11 training that we -- that they show us every year, we go through  
12 every year, tells us, like, emergency procedures, how to evacuate,  
13 when to evacuate, what to do in case of an emergency.

14 Q. Okay. The decision to evacuate, how is that determined?

15 A. Usually determined on the conditions of the car that you're  
16 in, conditions outside.

17 Q. Okay.

18 A. It's all situational depending on how everything's going and  
19 what's the safest way to proceed from that point on.

20 Q. Okay, and who makes that decision?

21 A. Usually it's either the conductors, and then if it's not --  
22 if we can't find the conductor, it goes on the LSA.

23 Q. I'm sorry. It's the conductor and who?

24 A. Just not at one given time where we're all in the same --  
25 same area, so --

1 Q. Okay. No. I'm sorry. My internet seems to be cutting in  
2 and out. I did not hear what you say. If it's not the conductor,  
3 who makes the decision?

4 A. It would be the LSA.

5 Q. And who was the LSA on the train the day of the accident?

6 A. In the diner, it was Heather Rhoel.

7 Q. Okay. Are there multiple LSAs on the train?

8 A. There's two usually, yes, one's in the diner and one's in the  
9 lounge.

10 Q. Okay, and who was in the lounge?

11 A. Richard Curley (phonetic).

12 Q. Okay. All right. Okay. All right. Explain to me what  
13 Amtrak's procedures are as far as providing passengers with  
14 information about the location of safety cards or what to do in  
15 the event of an emergency?

16 A. Well, the conductors get on and make an announcement telling  
17 everyone where the safety cards and where they're located that  
18 advise everyone to go over those.

19 Q. And when does this -- and when is this announcement made?

20 A. It's made after every stop when the people getting on or  
21 getting off.

22 Q. And for the accident trip, when was the last time that  
23 announcement was made?

24 A. The last time I believe it was made is when we left Havre.

25 Q. Okay. Okay. So starting on the morning of the accident,

1 kind of walk me through your day, where you are, who you came in  
2 contact with and just walk me through the accident please, sir?

3 A. Well, the morning of the accident, like I said, I was heading  
4 towards Havre. So I was on a different crew on a different train.  
5 I was work -- I got up at 6 o'clock -- or 5:30 to get down to the  
6 kitchen. I have to be at the kitchen at 5:00. So I went down  
7 there, got things ready for breakfast and then set up for lunch.

8 Then we did -- did our breakfast service. Then I think  
9 around 10:05, took a break, came back at 10:45 to get ready for  
10 lunch. We served lunch and then I think I got off the train and I  
11 think we got into Havre about 1:30 or so right on -- I think we  
12 were on time.

13 So I waited in Havre until about 2:45, 3 o'clock to get on  
14 Train 7 and then we started heading back towards Seattle and I  
15 think -- so we got on the train. It was about 3 o'clock. I was  
16 in my room, set up my room, sat down, took a little break, got  
17 ready to head down to the kitchen about 3:45 and that's when,  
18 right around that time, the train started -- the one car started  
19 shaking real violently back and forth.

20 I was sitting up in my room, got thrown against my -- the  
21 front door, because my -- my door was closed in my room and I got  
22 slammed against the back of the window, hit my back on the tray  
23 table, then slammed forward again.

24 Then the train came to a stop, put my shoes on and then  
25 headed out to see what was going on. Went over to the very next



1 car, the 31 car. That's where I ran into Tashi. He was another  
2 employee there and he had a woman that was stuck in her -- in her  
3 room, so I helped him get her out. I asked him, because I didn't  
4 know exactly what was going on, "What's going on," and he told me  
5 that we had cars on the ground.

6 So I looked out the window and then I saw the -- that we had  
7 -- I didn't know if it was the lounge car or the coach car or the  
8 diner, but I saw a car laying on the ground. So I told him, I go,  
9 "We've got to go."

10 Once we got her out, we exited the train and then went to go  
11 and try to administer help wherever we could. First person I came  
12 up onto was Jonas, he was another employee, and I asked if he was  
13 okay and he said he was -- he looked pretty shaken up, scared,  
14 started crying so I gave him a hug and told him he was all right.

15 Then I proceeded back towards the end of the train. I saw --  
16 that's where I saw James Martin (phonetic). He was sitting on a  
17 -- I think it was a railroad tie and asked if he's okay and he  
18 said, no, he was hurt. So I told him not to move.

19 Went to go check on everyone that was in the diner and that's  
20 when I saw Buggy (phonetic), Donald Buggy coming off of the train  
21 and then I saw Deborah and they seemed pretty shaken up, a little  
22 beaten up so -- but they seemed like they could move. So I  
23 checked to make sure that they were okay at the time.

24 Then headed back towards the back end of the train. That's  
25 when I saw, I believe it was -- he was a new hire, Tarrick. Said

1 he was -- he was climbing out of the lounge car, because it was on  
2 its side, and he was helping people. He said there was people  
3 buried inside the lounge car, so he was helping take them out.

4 So I went back towards the 2730 section, because I saw that  
5 was completely disconnected from the train, saw it was on its  
6 side, went back there, ran into the two conductors, and then just  
7 tried to administer help wherever I could from there on.

8 Q. Okay. So I'm going to go back a little bit. So just to make  
9 sure I get this right. The first part of your day, you were  
10 actually on Train 8 and then at Havre is when you got on Train 7?

11 A. Yes.

12 Q. Okay. All right. Great, and so you were in the crewed dorm  
13 car when this occurred, is that correct?

14 A. Yes.

15 Q. What room were you in?

16 A. 7. I believe it was 7.

17 Q. Room 7? Okay.

18 A. Yes.

19 Q. Okay. So then you had the derailment and then the train  
20 stopped moving. At that particular point, you went back to the  
21 731 car and you ran into Tashi. Do you know what room the woman  
22 was trapped in?

23 A. I think it -- it was A.

24 Q. Was this a younger woman or older woman, if you remember?

25 A. I believe she was a middle aged woman.

1 Q. Okay, and how was she trapped exactly? Do you know?

2 A. The door was -- we couldn't open the door. It was -- I don't  
3 know. Something was stopping it from sliding open.

4 Q. Okay. But you were able to get her out, is that correct?

5 A. Yes. Me, Tashi and another passenger, we used the crowbar  
6 and ended up prying the door open.

7 Q. Okay, and by the way, the -- was the -- that's the crowbar  
8 that's provided in each of the cars?

9 A. Yes.

10 Q. Okay. All right. Okay. At that particular point, you left  
11 that car and you ran into Yonas (phonetic).

12 A. Yes.

13 Q. And at that particular point, did you hear any announcements  
14 being made after the derailment?

15 A. I could hear from Yonas's car the fire alarm was going off,  
16 but no, I didn't hear any other announcements.

17 Q. Okay, and what car was Yonas in?

18 A. He was in the 730 car.

19 Q. Okay. All right. All right. Okay. Had the passengers  
20 evacuated from the 730 car?

21 A. Some of them had, yes.

22 Q. Okay. Had the passengers evacuated from Tashi's 731 car?

23 A. There was -- the majority, I believe, were still on the car,  
24 but there were some of them that were walking around on the  
25 outside, yes.

- 1 Q. Okay. Are crew members equipped with walkie talkies?
- 2 A. No.
- 3 Q. No?
- 4 A. No.
- 5 Q. Okay. At that particular point, had anybody spoken to or  
6 seen either the conductor or the assistant conductor?
- 7 A. Not to my knowledge.
- 8 Q. Okay, and at this particular point, you hadn't seen Heather  
9 either?
- 10 A. No, I had not seen her yet.
- 11 Q. Okay. All right.
- 12 A. I think she was out doing dinner reservations.
- 13 Q. Okay.
- 14 A. But I'm not sure.
- 15 Q. All right. So then you saw -- you said you saw James, he was  
16 sitting on the tie, and he said that he was hurt and then you saw  
17 both Donald and Deborah. You said they were getting off the  
18 train. Do you know what car they were getting off?
- 19 A. Yes, They were both get -- they were both in the diner.
- 20 Q. Okay, and correct me. The diner was still upright then,  
21 correct?
- 22 A. It was -- yes, it was still upright but it wasn't on the  
23 tracks.
- 24 Q. Okay. Do you remember what door they got -- they came out  
25 of?

1 A. I don't.

2 Q. Okay. All right. So I want to go back to the lounge car.  
3 You said you saw Tarrick climbing out of the lounge. Was he in  
4 the upper portion of the lounge car or was he coming out of the  
5 bottom portion near the rear door -- the lower level door?

6 A. Honestly, I'm not quite sure. I just saw him climbing out of  
7 there.

8 Q. Okay. All right. Did anyone tell you that there was anyone  
9 trapped on the lower level of the lounge car?

10 A. At the time? No.

11 Q. Okay. Did you see the assistant conductor who was in the  
12 lounge car?

13 A. I saw him after a bit. Not right away.

14 Q. Okay. Okay, and at this particular point, you went back to  
15 the 2730 section, which is the last -- the last three uncoupled  
16 cars that were east of the main body of the train. You said you  
17 ran into two of the conductors. Were they outside the train?

18 A. Yeah. Yes. They were outside.

19 Q. And who were those two conductors?

20 A. JP and Dennis. I don't know their last names.

21 Q. Oh, okay. Okay. Did you see the attendants for those  
22 decoupled cars?

23 A. I didn't see the coach attendants and then I did see the  
24 sleeping car attendant.

25 Q. The -- where was the sleeping car attendant?

1 A. When I finally saw him? I think he was -- I think he was  
2 walking on top of the -- the 2730 car on the side of it.

3 Q. Okay. All right. Okay, and who was the sleeper car  
4 attendant?

5 A. Alberto Figueroa.

6 Q. Alberta (sic)? Okay.

7 A. Yeah.

8 Q. All right. All right. Okay. At that particular point, did  
9 you, the -- any of the conductors or the attendants there enter  
10 any of those overturned cars?

11 A. I did not. I did not see any of the conductors enter. I  
12 believe there was already EMS was on scene by that point. There  
13 were -- there was some kind of first responders there because  
14 there people there in trucks that already showed up.

15 Q. Okay. All right. So the -- so emergency responders were  
16 there fairly quickly?

17 A. It seemed like they were -- they were very -- very fairly  
18 quickly. Yes.

19 Q. Okay. So at this particular point, who's in charge of the --  
20 with the dealing with the Amtrak crew and the passengers that had  
21 evacuated?

22 A. At that point, I believe the sleeping car passengers were  
23 trying to keep all the passengers round up into the one single  
24 area trying to keep them on the train, but not a lot of people  
25 stayed on the train. They didn't -- they kind of did their own

1 thing.

2 I mean everyone did the best they could about rounding people  
3 up, but it was -- I think about -- I think the conductors were  
4 concerned about getting the people that were trapped in the lounge  
5 car out -- and they had some people that were stuck in the 27  
6 section, so they had people back there working on that too.

7 Q. Okay.

8 A. That's where I was back working on that.

9 Q. Okay. All right, and do you know in what car specifically  
10 people were trapped in?

11 A. I believe there was a lady that was trapped in the --  
12 actually the 2730 car and I think in the -- the coach car. I'm  
13 not sure if it was the 15 car or not.

14 Q. Okay. All right. Okay. After the derailment, was the  
15 lights on in the crew dorm car?

16 A. I think the emergency lights were on.

17 Q. Okay.

18 A. I don't think there was any power in the car, but I'm not --

19 Q. Okay.

20 A. I wasn't 100 -- there wasn't lighting on in there.

21 Q. Okay. All right. All right. So as you walk by the other  
22 cars, was there lighting on that you could see in those cars?

23 A. There was lights on in the 31 car. I didn't step onto the 30  
24 car.

25 Q. And were there lights there?

1 A. I didn't go in there, so I'm not sure.

2 Q. Okay. All right.

3 A. I could just hear the fire alarm going off from the -- from  
4 the outside.

5 Q. Okay. So outside of James, are you aware of any other crew  
6 members that were injured?

7 A. I heard that the coach attendant on the Chicago side, she was  
8 hurt.

9 Q. The Chicago side, would those be those three uncoupled cars?

10 A. Last three cars, yeah.

11 Q. Yeah.

12 A. Yeah.

13 Q. Okay. Do you know what car she was in at the time she was  
14 injured?

15 A. I don't.

16 Q. Okay. All right. Were you transported to the hospital?

17 A. I did not go. No, I did not.

18 MS. HARLEY: Okay. All right, and let's see. I think that's  
19 all I have. I'm going to turn this over to my coworker, Kari.

20 MR. RUIZ: Okay.

21 MS. JACOBSEN: All right. Thank you.

22 BY MS. JACOBSEN:

23 Q. I wanted to go back to -- I know you said you saw Tarrick  
24 climbing out of the lounge car and you said you didn't quite  
25 remember where he was coming out of. What if we think about it in



1 relation to, like, how the car was? It was lying on its right  
2 side, so the windows were down on the ground.

3 Was he coming out of the end door of the car that then leads  
4 to the dining car or was he coming out of the -- was he standing  
5 on top and coming out of the -- one of the doors on the side of  
6 the -- the left side of the train, which would've been facing up  
7 toward the sky. Do you remember anymore --

8 A. He was coming out of that side. He was coming -- he wasn't  
9 coming out of the -- the end door. He was coming out of the side  
10 of it. It was either the vestibule door or one of the windows.

11 Q. Okay. Either -- so it was either that downstairs side door  
12 or it was one of the windows, which would've been upstairs or  
13 downstairs?

14 A. Yeah.

15 Q. Okay, and you don't -- he said -- you said that he said he  
16 was -- there were people buried in there?

17 A. He said that there -- I think he said that -- that the lounge  
18 guy was trapped in there.

19 Q. The --

20 A. I'm not --

21 Q. The Amtrak employee?

22 A. Yes.

23 Q. Okay, and he -- did he --

24 A. And then did tell me when I was walking back towards the 30  
25 section, he said to be careful when I walked back that way because

1 he said there was -- I don't know if it was a body or part of a  
2 body back there Towards that end.

3 Q. And did he mention anything else about any other people or it  
4 was just kind of singular the -- the Amtrak employee who he seemed  
5 to be referring to when he was talking about who was in the car?

6 A. I think it was -- from what I can remember, I think it was  
7 just the one person, but I can't remember exactly.

8 Q. Did you ever go in any of the last three cars that were  
9 further down the track on their side?

10 A. No, I did not.

11 Q. Okay. You went back there to see if you could help and to --  
12 and you spoke to Peter from (indiscernible) it looks like, and  
13 then where did you go after that?

14 A. Well, then I went back and I was looking for the rest of the  
15 crew members to see, make sure they were still okay.

16 Q. And that's when you went back onto the train? Okay.

17 A. (Indiscernible). Yeah. I went back up to -- I think it was  
18 the -- the lounge car. I went up to the lounge car and that's  
19 when I saw both the conductors.

20 Q. Oh, okay. The conductors were up by the lounge car not back  
21 by the other three cars?

22 A. Yeah.

23 Q. Okay. Sorry. Just clarifying. You went -- you saw a lot  
24 and so I think Sheryl and I are just trying to under -- make sure  
25 that we had it straight.

1 A. Yeah. It might've been -- when I saw them, they might've  
2 been at the front of the 2730 car. But I know I saw them after I  
3 left the back of the train. I can't remember exactly what car I  
4 saw both of them at.

5 Q. Okay. Okay, and what were the -- what did you say the  
6 conductors were doing at that time? Did they give you a report?  
7 Did they -- were they working on helping people or headed in some  
8 direction? Did -- from what you remember?

9 A. Yeah. They were working on -- they -- from what I remember,  
10 they were working to get -- helping people and talking to some of  
11 the -- I think some of the first responders that were there trying  
12 to figure out. They were trying to get all the names, I think,  
13 from all the people that were on the train to make sure we had  
14 proper headcount.

15 MS. JACOBSEN: Okay. Thank you. I think those are my  
16 questions for now. I'm going to hand it back to Sheryl in case  
17 she has more.

18 MS. HARLEY: Yeah. Just a couple of questions.

19 BY MS. HARLEY:

20 Q. So how often do you -- would you say that you have been  
21 traveling back and forth on that route, let's say, in the last two  
22 months?

23 A. Since I've been doing the Havre turn?

24 Q. Yeah.

25 A. I was doing it probably 12 -- 12 times.

- 1 Q. Twelve times in the last two months?
- 2 A. Six trips a months. So, yeah, roughly --
- 3 Q. Okay.
- 4 A. What, 24 times back and forth.
- 5 Q. Okay.
- 6 A. It's three on, two off. So that was my day -- that was --
- 7 that was my days on and off.
- 8 Q. Okay. So when you were on the train and you were in your
- 9 room, did the train feel any different to you?
- 10 A. Before the derailment or during the derailment?
- 11 Q. Yes. But yeah. No, but as you going through, before the
- 12 derailment and up until the -- and up and to the derailment, did
- 13 it -- did the ride feel any different to you? Did it feel any
- 14 rougher? Did it feel the same?
- 15 A. It felt rougher.
- 16 Q. Did it feel rougher than when you went out on the 8 train?
- 17 A. Well, when I was on Train 8, we were in the kitchen and it
- 18 always seems pretty rough down there in that area.
- 19 Q. Okay.
- 20 A. The last few times I've gone through there, it seemed -- it's
- 21 just really rough going through that area.
- 22 Q. Okay. All right. So I was wondering if you can actually
- 23 help me kind of identify some of your coworkers. So I know that
- 24 Tashi was in the 31 car and you said that Yonas was in the 30 car?
- 25 A. Yes.

- 1 Q. Okay, and Donald was in the -- is in the dining car?
- 2 A. Yes.
- 3 Q. All right. Where is Danielle assigned?
- 4 A. She's assigned to the dining car also.
- 5 Q. Okay. So Danielle would be in the dining car, and once --
- 6 A. She's the first one I saw when I got out of the dorm when I
- 7 was -- when we finally stopped, when I put my shoes on, she was
- 8 the first one out of the dorm heading towards the back.
- 9 Q. Okay. So Danielle was in the dorm and was heading out the
- 10 door at the time?
- 11 A. Yes.
- 12 Q. Okay, and Deborah, I'm assuming, is Debbie Padgett. Where is
- 13 she assigned?
- 14 A. She's assigned in the kitchen also in the diner.
- 15 Q. She's in the kitchen and the diner also?
- 16 A. Yes.
- 17 Q. Okay. So how does it actually work as far as the coaches and
- 18 the sleeper cars as far as attendants. Is there an attendant for
- 19 every car?
- 20 A. No. There's an attendant for each sleeper and then on the
- 21 Seattle side, there's in the 14 car, we have a -- one coach
- 22 attendant and then in the 14, 15 car, there's one coach attendant
- 23 for those two cars.
- 24 Q. So the -- all right.
- 25 A. And then the sleeper car attendant.

1 Q. So for the -- on the -- so let me go back and repeat that.  
2 So on the Seattle side for the two coach cars, there's only one  
3 attendant?

4 A. There's only one coach car. There was only one coach car  
5 online at the time --

6 Q. Okay.

7 A. On the Seattle side.

8 Q. Okay. There's only one on the Seattle side, and then on the  
9 Chicago side, there were two?--

10 A. Yeah. Yes.

11 Q. Okay, and --

12 A. Yes.

13 Q. -- between those two cars, they have one coat -- one  
14 attendant, right?

15 A. Yes.

16 Q. Okay, and just one more time. Where is Heather assigned?

17 A. She's assigned in the dining car.

18 Q. She's also in the dining car? Okay. Great.

19 A. Yeah.

20 Q. All right.

21 A. Lead Service Attendant.

22 Q. Okay.

23 A. LSA.

24 MS. HARLEY: Right. Okay. All right. So, let me see, I  
25 think that's all the questions I have and I'm -- if Kari doesn't

1 have any more, I'm going to ask Justin, is there anything else  
2 that you would like to say at this time?

3 MR. TALMADGE: No, no, not at this time. Thank you.

4 MS. HARLEY: Okay. Kari, anything else?

5 MS. JACOBSEN: Yeah. I'll just ask one more.

6 BY MS. JACOBSEN:

7 Q. Yeah. Referring to when you got thrown around in your  
8 compartment, did you sustain any injuries, bruises, et cetera?

9 A. I slammed both of my knees and I hit my back against the tray  
10 table. So I'm going to see the doctor for that.

11 Q. So when you were in your car at the time of the derailment,  
12 were you facing forward or were you facing backward or sideways?

13 A. I was facing sideways sitting up in my -- in my bed.

14 Q. And you -- your car -- your room is on the left side or the  
15 right side of the train?

16 A. It's on the left side.

17 MS. JACOBSEN: Okay. Well, thank you for sharing your --  
18 everything you remember in your experiences. I think those are  
19 all the questions for me.

20 MR. RUIZ: Okay.

21 BY MS. HARLEY:

22 Q. Okay. So is the time where I ask you if there are any  
23 questions you want to ask us.

24 A. Have you guys come to any conclusions on what caused the  
25 derailment?

1 Q. I can absolutely tell you no, we have not. We are just  
2 starting and this will probably go on for nearly a year. But one  
3 of the things we tell victims in a derailments, and that also  
4 includes crew members, is that you are assigned what we call a  
5 Transportation Disaster Assistant Specialist. That's the person  
6 who is the liaison or the contact between yourself and the  
7 investigation team.

8 If you have any questions, that's the person for you to  
9 contact. Or you have my numbers, please feel free to call me if  
10 you have any questions. We're also required by law to let you  
11 know whenever, for example, we put anything out into the public.  
12 Like, for example, there should be a preliminary report that  
13 should be coming out within the next week or so.

14 It's very basic. There's no -- there's nothing in about the  
15 investigation. There are no conclusions. To be clear, the NTSB  
16 does not publish -- does not put out into the public anything  
17 that's theorized. So we actually -- it has to be fact. It has to  
18 be proven fact. So that's what takes so long.

19 Again, I'm not actually sure how we're going it with the  
20 Amtrak employees as far as whether or not we're doing it through  
21 Amtrak, as your representative, or if we're reaching out to each  
22 of employees separately, and we'll work on that. But as of right  
23 now, the answer is no.

24 A. Okay.

25 MS. HARLEY: Mr. Hiatt, do you have any questions?



1 MR. HIATT: No. Thank you very much for your due diligence.

2 MS. HARLEY: Okay. All right. So if there isn't anything  
3 else, Mr. Ruiz, thank you very, very much for taking part. It's  
4 really important for us to hear from especially the crew members  
5 who actually work that line and also are familiar with the  
6 operations.

7 So thank you, again, sir. If you -- again, if you have any  
8 questions, please let us know and I think that's it, unless  
9 anybody else has anything else.

10 MR. RUIZ: All right. Thank you.

11 MS. HARLEY: All right. You have a -- good luck to you.

12 MR. RUIZ: Thank you.

13 MS. HARLEY: Bye bye.

14 MR. RUIZ: Bye.

15 MS. JACOBSEN: Thank you so much.

16 MR. HIATT: Thank you.

17 MR. RUIZ: Thank you.

18 MS. HARLEY: And interview is concluded at 2:45 p.m. Eastern  
19 Daylight Time.

20 (Whereupon, at 2:45 p.m. EDT, the interview was concluded.)

21

22

23

24

25

CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

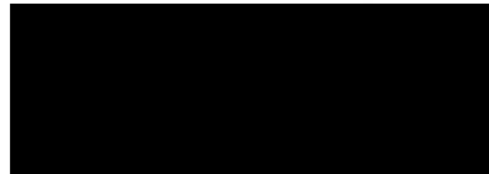
IN THE MATTER OF:            FATAL AMTRAK DERAILMENT  
                                      NEAR JOPLIN, MONTANA  
                                      ON SEPTEMBER 25, 2021  
                                      Interview of Ricardo Ruiz

ACCIDENT NO.:                RRD21MR017

PLACE:                        Via Zoom videoconference

DATE:                         October 19, 2021

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 Smith  
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of: \*

\*

FATAL AMTRAK DERAILMENT \*

NEAR JOPLIN, MONTANA \* Accident No.: RRD21MR017

ON SEPTEMBER 25, 2021 \*

\*

\* \* \* \* \*

Interview of: YONIS RIVAS  
Amtrak Employee

Via Microsoft Teams

Friday,  
October 15, 2021

APPEARANCES:

SHERYL HARLEY, Investigator  
National Transportation Safety Board

KARI JACOBSEN, Mechanical Engineer  
Volpe Center, Department of Transportation

JUSTIN TALMADGE, Supervisor  
Amtrak

FRED BREMSETH, ESQ.  
(On Behalf of Yonis Rivas)

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I N T E R V I E W

(5:02 p.m. EDT)

1  
2  
3 MS. HARLEY: Okay. So I'm going to start with basics here.  
4 My name is Sheryl Harley and I am the Assistant Investigator-in-  
5 Charge, and we're looking into the Amtrak derailment that occurred  
6 on September the 25th, 2021 at approximately 3:47 p.m., in Joplin,  
7 Montana.

8 And today's date is October the 15th of 2021 and it is 5:02  
9 p.m., but that's Eastern Daylight Time. And it would be 2:02 p.m.  
10 Pacific Standard Time -- I mean Pacific Daylight Time. And I'm  
11 just making sure that I've got the time zones correct there.

12 And let me start with a little bit of an explanation of  
13 what's going on here. So myself and my team member, Kari, who's  
14 going to introduce herself in a few minutes.

15 Our purpose in this interview is to talk to you as an Amtrak  
16 employee, but as someone who knows something about trains and the  
17 events that went on in this accident, to kind of help us.

18 Our purpose here is -- we're focusing on what we call  
19 survival and crash worthiness. We're looking at how people got  
20 injured, how people were able to get out of the train. We're  
21 looking at the ability of the train to maintain its structural  
22 integrity during the derailment.

23 And what we're hoping is, that as someone, as a professional  
24 railroader, you can kind of answer some questions for us and help  
25 us work through this. Because ultimately our goal is to make it

1 safer for passengers on trains, and that's the reason that we are  
2 here today.

3 MS. HARLEY: So with that explanation I'm going to start by  
4 asking, Mr. Rivas, can you identify yourself officially, for the  
5 tape, sir?

6 MR. RIVAS: Okay. My name is Yonis Alexander Rivas.

7 MS. HARLEY: Thank you.

8 MR. RIVAS: And I am -- okay. Sorry.

9 MS. HARLEY: No. Go ahead, sir. I'm sorry.

10 MR. RIVAS: Oh, yeah, that's it. That's all I need to say?

11 MS. HARLEY: Yes. And I'm going to ask your representative  
12 to identify himself also.

13 MR. BREMSETH: Good afternoon. This is Fred Bremseth, an  
14 attorney on behalf also of Mr. Rivas.

15 MS. HARLEY: And also on the call, Kari?

16 MS. JACOBSEN: Hi there. My name's Kari Jacobsen, and I work  
17 for the Volpe Center, which is part of the U.S. Department of  
18 Transportation. I was out at the accident scene, along with  
19 Sheryl, and a number of representatives from FRA. We look, as  
20 Sheryl said, similar to the NTSB, we're looking at how people got  
21 injured. And looking at that in order to understand how we can  
22 make things better. So, thanks for taking the time today to share  
23 with us your experience.

24 MS. HARLEY: And also on the call is an Amtrak  
25 representative.

1 If you can identify yourself, please, sir?

2 MR. TALMADGE: Yes. You have Justin Talmadge here, OBS  
3 Supervisor for the Empire Builder.

4 MS. HARLEY: Okay, great. So Mr. Rivas, so what I'm going to  
5 do at first is, I'm going to basically ask you a couple of basic  
6 questions about your employment, your experience on the train, and  
7 then we're going to ask you to kind of walk us through the day of  
8 the accident and what you observed.

9 INTERVIEW OF YONIS RIVAS

10 BY MS. HARLEY:

11 Q. So the first set of questions I'm going to ask is, when were  
12 you hired by Amtrak?

13 A. In November 2012.

14 Q. Okay. And what were your duties when you were hired by  
15 Amtrak?

16 A. As an OBS our training center is to work in coaches and the  
17 dining cars and the sleeping cars.

18 Q. Okay. All right. And what is your -- do you have a normal  
19 work schedule?

20 A. I did. Yeah. I was a sleeping car attendant at this point.

21 Q. Okay. You were a sleeping car attendant?

22 A. Yes.

23 Q. Okay. Is the Empire Builder your normal duty station?

24 A. Yes. Yes, it is.

25 Q. Okay. Before the accident trip, when was the last time you



1 were on the train?

2 A. Before that. Can you repeat that?

3 Q. I was just wondering if you could remember off the top of  
4 your head, before this accident trip, when was the last time you  
5 were on that train?

6 A. Oh, that was my train coming back. That was my fifth day on  
7 the train.

8 Q. Okay. So you were actually on your way home to go off duty?

9 A. Yes.

10 Q. Okay, all right. Okay. So talking about your job on the  
11 train as you were going -- as you were heading back to Washington  
12 state. What was your normal duty hours?

13 A. From 6:00 in the morning to 10:00 p.m.

14 Q. 10:00 p.m., okay. And you said you were a sleeping car  
15 attendant. What car were you in?

16 A. I was in the duty sleeper car, and the car number is 32085.

17 Q. Okay. 32085, thank you. And what are your duties when  
18 you're in the sleeper car?

19 A. Okay. I do -- I made bed, I took beds up and down. I do  
20 coffee, I clean bathrooms, I do to-go service, meals delivered to  
21 their room.

22 Q. Okay. Do you greet the passengers when they come into the  
23 sleeper car?

24 A. Yes, I do. I greet them.

25 Q. Okay. And is there a certain script or certain things you're

1 supposed to explain to them or tell them when they board the  
2 train?

3 A. Yes. We introduce ourselves and then we tell them about the  
4 safety, you know, where are the exits and the safety cards, that  
5 way they can be familiarized with the car in case of emergency.

6 Q. Okay. All right. Prior to the derailment, was the PA system  
7 working in that car?

8 A. Yes.

9 Q. Okay. Is it part of your duties to ensure that the safety  
10 cards are in every room?

11 A. Yes.

12 Q. Okay. And when do they check to make sure that the safety  
13 cards are present?

14 A. Every time at the beginning of the trips and each way.

15 Q. Okay. In case of an emergency what are your duties?

16 A. Make sure the -- look to see if everyone is okay and then if  
17 I feel it safe to acquaint [sic] everyone and do that part so it  
18 will be everyone.

19 Q. Okay. All right. So what I'd like you to do now, sir, is  
20 I'd like you to kind of talk to me about the accident day, which  
21 was that Saturday. Just start from the beginning of the morning  
22 and just kind of walk me through what happened. Okay?

23 A. Okay. Well, the morning I start like, you know, making  
24 coffee for my passengers. You know, getting the beds up, doing  
25 some to-go for the passengers.

1           That is consistent for lunch, the same way, you know. Sorry,  
2 I kind of ...

3 Q.   No problem. I tell you what, would it help you to start --  
4 when did you realize that there was something amiss, something  
5 that was wrong?

6 A.   Okay, yeah. Well, when I was sitting down in my room and I  
7 felt like a big jolt and then everything was moving so, back and  
8 forth, side to side. That's when I thought, you know, this is not  
9 normal, at that moment.

10 Q.   Okay, all right. So what did you do?

11 A.   I just hold to the door, I believe. I'm not a hundred  
12 percent about that. But I hold to -- attempt to hold myself in  
13 case -- I was still sitting down and hoping for the best.

14 Q.   Okay. And then what happened?

15 A.   Oh, after I wake up and I don't know, I'm not sure about the  
16 time. But after everything stop I put my shoes on and I come out  
17 to see if everyone who was in the car, they was okay, and I'm  
18 checking every single room to see if everyone is okay. And then I  
19 got most of them -- I saw most of them, they were okay. And then  
20 after that I went to look if it was okay to make -- to get them  
21 out of the car and then after I was able to -- see that it was  
22 secure, I let them out of the car -- out of the train.

23 Q.   Okay. And how did the passengers evacuate the train?

24 A.   From the front of it, the steel door, because it wasn't safe  
25 to go from end of doors to the other cars.

1 Q. And which side of the train did they exit on?

2 A. It would be to the north side, I think. I'm not a hundred  
3 percent sure of that. It was to -- yeah, I'm a little bit  
4 confused about that, that part.

5 Q. So if I said that looking at the train in a direction that it  
6 was going, would it help you to be able to identify which door you  
7 opened?

8 A. Yes. Yes, I think so.

9 Q. Okay. So which door did you open?

10 A. North of Double D. Hold on, let me get myself straight here.  
11 Moving to the right, I think, to the right side.

12 Q. Okay.

13 A. I'm trying to remember that part. I'm not a hundred percent.

14 Q. Did any of the passengers exit the train any other way?

15 A. As the percent of them that were in the lounge car, I assume  
16 they get out from there. Someone I saw -- yeah, someone else open  
17 one of the emergency windows and get out from there, I think. I  
18 didn't see it, though, I just saw the window was out of the place.

19 Q. Okay. So that was in your sleeper car, someone had actually  
20 removed a window?

21 A. Yes.

22 Q. Okay. So after the passengers got out of the train, did you  
23 do a head count?

24 A. Yes. Yes, I did.

25 Q. Okay. Then what did you do?

1 A. And then I was informed by one of the people who were helping  
2 us, to where to get the people to be everyone together. And I got  
3 everyone and guide them to the area that they send us to be,  
4 because they want to have everyone in one place, not everyone  
5 everywhere.

6 Q. Okay. And the person who did that, was that an emergency  
7 responder or was it someone from the crew?

8 A. It was someone from the emergency responder.

9 Q. Okay. Do you have some sense of how quickly the emergency  
10 responders arrived on the scene?

11 A. Oh, they were just right there. As soon as I opened that  
12 door I already see a couple of them there already, and they were  
13 just keeping coming and coming, like every 30 seconds or something  
14 like that.

15 Q. Okay. Did you evacuate right away?

16 A. Not right -- maybe five minutes after the incident. I don't  
17 know if that is considered right away.

18 Q. Okay. And was that because you wanted to check to make sure  
19 it was safe to evacuate the passengers first?

20 A. Yes. And then when I get from my other coworkers if I was to  
21 do that, if I was okay to do that.

22 Q. Okay. And what other coworkers did you actually speak to on  
23 scene?

24 A. Well, Danielle was -- she told me to get everyone to the  
25 other side of the -- where they want everyone, everyone to be

1 together. She was help -- I ask her if that was the procedure and  
2 then she said, yes.

3 Q. Okay. So after you got the passengers to the rallying point,  
4 what did you do?

5 A. We just wait for the transportation to get us to the high  
6 school and they took us.

7 Q. Did you notice any of the passengers in your car that were  
8 injured?

9 A. Well, some people say they were hurt. I didn't see any  
10 injuries, but that's what they told me.

11 Q. Okay. Al right. Did you see any Amtrak employees with  
12 injuries?

13 A. No. No, I did not.

14 Q. Okay. Immediately following the derailment, was there  
15 announcement on the PA?

16 A. I do not recall that. But Danielle was going -- was telling  
17 everyone. She was going car-to-car and telling people to, you  
18 know, wait. I heard her say (indiscernible) and just to until  
19 everything stop. And then after that I get out and check that  
20 everyone is okay and then get them out. But I do not remember any  
21 PA at that moment.

22 Q. Okay. Were the lights on in your car?

23 A. Yes.

24 Q. Was the PA system working before the derailment?

25 A. Yes.

1 Q. All right. Let's see. Were you injured, sir?

2 A. Yes.

3 Q. And what injuries did you sustain?

4 A. Well, I was hurt, not injured, I think. My neck and lower  
5 back.

6 Q. Okay. Did you go to the hospital?

7 A. Not that day. I went to the hospital later.

8 Q. Okay, all right. Did you call 9-1-1?

9 A. No, I did not.

10 Q. Okay. Outside of Danielle, did you actually see either of  
11 the conductors?

12 A. Yes. When everyone -- they were on the back of the train  
13 with helping the other half of the train. I saw them at the end.

14 Q. Okay. So they were back helping passengers in the three  
15 uncoupled cars?

16 A. Yes.

17 MS. HARLEY: Okay. All right. I think that's all the  
18 questions I have right now.

19 Kari, did you have any questions?

20 MS. JACOBSEN: Sure.

21 BY MS. JACOBSEN:

22 Q. I would just love to ask more, a little bit more about the  
23 layout of your -- you said that you were in your compartment. I  
24 presume your sleeping compartment at the time of the accident?

25 A. Yes.

1 Q. I was wondering if you could tell me about the layout of it  
2 and what position you were in. You said that you were seated.

3 A. Yes.

4 Q. Were you facing forward, were you facing backward? Tell me a  
5 little bit more about that, please.

6 A. Yes. I was sitting with my back to the shelf. I was looking  
7 to the hall in the car, and I was sitting in the middle of the bed  
8 at that moment.

9 Q. So essentially you were sideways with your back against the  
10 window and the feet -- and was your compartment on the left or the  
11 right side of the car?

12 A. It would be on the -- if you're going towards the engine I  
13 will be to the left.

14 Is that right? Sorry, I'm asking (indiscernible). I just  
15 want to make sure that's the right way the car is -- yeah, if  
16 you're going to the -- yeah. Yeah, it would be to the right side.

17 Q. And you said you were able to brace yourself essentially.  
18 Did you get thrown around the compartment at all?

19 A. Not thrown around. But I was very -- a jolt, side-to-side by  
20 the door at the time of the accident.

21 MS. JACOBSEN: Okay. I think those are my questions for now.  
22 Thank you.

23 MS. HARLEY: I just have a couple follow-up questions.

24 BY MS. HARLEY:

25 Q. Approximately how many passengers were in the sleeper car at



1 the time of derailment, do you have any idea?

2 A. About -- oh darn, (indiscernible) I'll make a quick count  
3 here.

4 Q. No problem, take your time.

5 A. Okay. Approximately 24 or '5. I'm not really -- I cannot --  
6 I'm trying to remember how many people I had. But I think it was  
7 more than 20 people.

8 Q. Okay. So talk to me about the crew preparing the train for  
9 the passengers. So before the passengers board, what are the  
10 things that you go through, I should say safety checks.

11 For example, do you check to make sure that the rotating  
12 seats are locked into place?

13 A. Yes. And we do PA checks before we leave the yard, too.  
14 Yeah, we make sure that everything's working properly.

15 Q. Okay. Do you test the emergency lighting in each of the cars  
16 as well?

17 A. No. No, I do not.

18 Q. Okay. Would it be correct to say that's something that the  
19 maintenance crew would do rather than the train crew?

20 A. Yes.

21 Q. Okay. All righty, let's see. So I just want to, just to  
22 clarify that I understand this. So by the time the decision was  
23 made for you to evacuate, that you were going to evacuate the  
24 sleeper car, by that time emergency responders were already on the  
25 scene and in control of the incident scene?

1 A. Yes.

2 MS. HARLEY: Okay. All right. So, Kari, do you have any  
3 other additional questions?

4 MS. JACOBSEN: Yeah. I thought of one more.

5 BY MS. JACOBSEN:

6 Q. I know you said that you take a head count when you get out  
7 of the -- when you've evacuated the people from the sleeping car  
8 out of the car.

9 What do you do if -- you know, because I know passengers kind  
10 of move around this train, so they may not be in the sleeping car.  
11 Is there any way to -- do you go looking for people who were  
12 originally in your sleeping car or what happens with that?

13 A. Yeah, that's what I tried to -- that's what tried -- I did.  
14 I couldn't find some people, I couldn't find other ones because,  
15 you know, they -- some, they were in my sleeper. The majority of  
16 them were in my sleeper at the moment. I went to look in each  
17 room and -- I didn't get a full count at the moment, but everyone  
18 got in the one place and then they start taking people to the  
19 place. I just count what I could.

20 MS. JACOBSEN: Okay. Okay. Well, thank you.

21 MR. RIVAS: Yes.

22 MS. HARLEY: Okay. Justin, did you actually have anything to  
23 add?

24 MR. TALMADGE: No, nothing for me. Thank you, though.

25 MS. HARLEY: Okay. So at this particular point I'm going to

1 ask Mr. Rivas, do you have any questions for me or for the group?

2 MR. RIVAS: I don't think so. Yeah, I don't think so.

3 MS. HARLEY: Okay. So as we inform everyone who is a victim  
4 of a transportation accident, and that would also include the crew  
5 members on the train, that a Transportation Disaster Assistant  
6 Specialist is assigned to you. They are your liaison between you  
7 and the investigation. If you have any questions or concerns, you  
8 or your attorney, please feel free to reach out to us.

9 You should have gotten a letter or an email. And again, I  
10 need to check on how they're notifying the Amtrak crew. I don't  
11 know if they're sending it through Amtrak to you or we're sending  
12 it separately.

13 But the information is there for you. And one of the things  
14 that we do, is that before we publish anything, or put it out for  
15 the public, we are required to notify all the victims that  
16 something is coming out. For example, in the next couple of weeks  
17 there will be a preliminary report. It will be just a very, very  
18 basic report. It will not go in-depth into the investigation,  
19 because as you can imagine we're still working on that. But you  
20 will be notified before that report comes out.

21 So again, I'll ask either you or your attorney if you have  
22 any questions for me.

23 MR. RIVAS: Okay.

24 MR. BREMSETH: No, I don't have any.

25 MS. HARLEY: Okay. All right. Well, again, I want to thank

1 you very much for taking the time and talking to us. And again,  
2 it's very important we talk to you guys because you help us  
3 understand what went on. And you probably -- you notice more than  
4 a passenger would in an emergency, and especially a passenger  
5 that's unfamiliar with the train.

6 And, by the way, just out of curiosity. Since you are  
7 familiar with that train. Would you say that the trip out towards  
8 Seattle was normal, I mean as far as the train handling and the  
9 train ride?

10 MR. RIVAS: Yeah. Everything was normal until we got to that  
11 point.

12 MS. HARLEY: Okay. All right, great. Well, once again, I'd  
13 like to thank you very much for taking the time.

14 And I'll give it one more time for the group. Anyone have  
15 anything else they want to say?

16 (No audible response.)

17 MS. HARLEY: Okay. Then I'm going to end the interview, and  
18 thanks again. And good luck to you, sir. All right?

19 MR. RIVAS: Thank you. Thank you very much.

20 MS. HARLEY: All right. Thank you.

21 MR. RIVAS:

22 MRS. RIVAS: Thank you.

23 MS. HARLEY: And interview is concluded at 5:34 p.m.

24 (Whereupon, at 5:34 p.m., EDT, the interview concluded.)  
25

CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

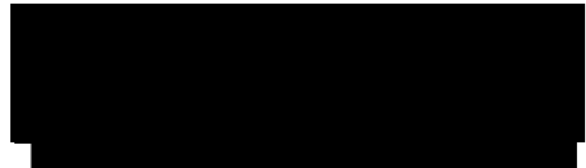
IN THE MATTER OF:            FATAL AMTRAK DERAILMENT  
                                      NEAR JOPLIN, MONTANA  
                                      ON SEPTEMBER 25, 2021  
                                      Interview of Yonis Rivas

ACCIDENT NO.:                RRD21MR017

PLACE:                         Via Microsoft Teams

DATE:                         October 15, 2021

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.



Katie Leach  
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of: \*

\*

FATAL AMTRAK DERAILMENT \*

NEAR JOPLIN, MONTANA. \* Accident No.: RRD21MR017

ON SEPTEMBER 25, 2021 \*

\*

\* \* \* \* \*

Interview of: HEATHER RHOEL, Lead Services Attendant  
Amtrak

Via Zoom videoconference

Thursday,  
October 21, 2021

APPEARANCES:

SHERYL HARLEY, Assistant Investigator  
National Transportation Safety Board

KARINA (KARI) JACOBSEN,  
Volpe Center

KRISTINE (KRIS) SEVERSON,  
Volpe Center

BENJAMIN ALBERTY, ESQ.  
Bremseth Law Firm

JUSTIN TALMADGE, Supervisor  
Amtrak

I N D E X

ITEM

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Interview of Heather Rhoel:

By Ms. Harley

6

By Ms. Severson

19



I N T E R V I E W

(5:31 p.m. EDT)

1  
2  
3 MS. HARLEY: Okay. Good afternoon, everyone. So let's go  
4 ahead and get started. So my name is Sheryl Harley, last name is  
5 spelled H-A-R-L-E-Y. I am the Assistant Investigator in charge  
6 with the National Transportation Safety Board, and as you know,  
7 we're investigating the Amtrak derailment that occurred in Joplin,  
8 Montana September the 25th of 2021 at about 3:47 p.m.

9 Today's date is October the 20th of 2021 and it is 5:31 p.m.,  
10 but that's Eastern Daylight Time, and on the call with, please  
11 identify yourself, Heather, for the recording?

12 MS. RHOEL: I'm here.

13 MS. HARLEY: Okay. Can you say your name, please?

14 MS. RHOEL: Heather Rhoel.

15 MS. HARLEY: Thank you, and, Mr. Alberty, can you say your  
16 name, please, sir?

17 MR. ALBERTY: Yes. Benjamin Alberty of Bremseth Law Firm  
18 All right, and also on the call, I will ask Kari, please,  
19 introduce yourself.

20 MS. HARLEY: Okay. So also on this call are two members of  
21 the investigative team.

22 Kari?

23 MS. JACOBSEN: Hi there. Good afternoon. My name is Kari  
24 Jacobsen. I work for the US Department of Transportation and I'm  
25 here representing the FRA in the forensics investigation. We're

1 looking to help understand what happened in the train during the  
2 accident so that we can, over time, make some safety improvements.  
3 So thanks for taking the time.

4 MS. HARLEY: Thank you, Kari.  
5 Kris?

6 MS. SEVERSON: Hi. I'm Kris Severson. (Indiscernible) and  
7 (indiscernible). Thank you.

8 MS. HARLEY: Did everyone hear that?

9 MR. ALBERTY: I did not. It broke up.

10 MS. HARLEY: Okay.

11 MS. SEVERSON: I'm sorry. My name's Kris Severson and I work  
12 with Kari in the same role. So what she said applies directly to  
13 what I do.

14 MS. HARLEY: Okay, and also on the call is the Amtrak  
15 representative.

16 Justin?

17 MR. TALMADGE: Yes. You have Justin Talmadge here, OBS  
18 supervisor for the Empire Builder based out of Seattle.

19 MS. HARLEY: Okay. Thank you very much. Okay. So once  
20 again, this is about the investigation in the derailment. One of  
21 the things that we're looking at is to get the information from  
22 the crew as to the events leading up to and after the derailment  
23 to get some sense of, for example, how the injuries occurred, what  
24 the crew observed or noticed and to kind of walk us through the  
25 events.



1 duties and then give me a sense of when the end of your day is?

2 A. So I'm usually up at 5:00. I'm into the diner at 5:30, start  
3 serving breakfast at 6:00. Serve breakfast, close down, get  
4 everything done by 10:00. Usually we take a short break between  
5 10:00 and 11:00 when we go back into the diner for lunch service.  
6 Lunch is usually wrapped up about -- we try to get everybody out  
7 of there about 1:30, close down at 2:00.

8 At that time, I sit down and work out my plans for dinner  
9 reservations, look at how many people I have getting on and off  
10 the train at any intermediate stops in-between dinner at that  
11 time. I have all of that established and I'm organized, then I  
12 start at one end of the train and go to each of the sleeping cars  
13 to make dinner reservations.

14 Depending on how long that takes, there's usually a time for  
15 a break in-between the time I finish reservations and when I'm  
16 back in the diner. If we are having our first meeting for dinner  
17 at 5:00 p.m. that means back in the diner by 4:30, serve dinner.  
18 I'm usually out of there by 10:00 p.m. and then go back to my room  
19 and go to bed.

20 Q. Okay. Okay. Great. Thank you. So explain to me the  
21 training that you received regarding the emergency response and  
22 emergency operations as far as, for example, what the crew is  
23 supposed to do in the event that there is some kind of emergency  
24 on the train?

25 A. Well, it would depend on what -- what type of emergency. If

1 you could give me an example?

2 Q. Okay. So let's talk about the derailment. What is the  
3 crew's responsibility as far as to the passengers to include  
4 evacuation, extrication, anything like that?

5 A. So the first decision is whether or not staying on the train  
6 is going to be the safest. According to training, you know, we  
7 wait for a conductor's instruction. So for the derailment  
8 specifically, because of the weather and the wind and because the  
9 car was still upright, I made the decision to help keep the  
10 passengers calm, checked room to room to make sure that there  
11 weren't any injuries, and if there were injuries, assess what kind  
12 of aid was needed, whether it was just finding a first aid kit or  
13 alerting a first responder outside the train.

14 To go from room to room, talk to everybody, make sure  
15 everybody was okay, keep everybody calm, assess the situation.  
16 There wasn't any smoke. There wasn't anything not -- led me to  
17 believe evacuation at that point was the -- was the priority. It  
18 was better to keep everybody in one place where I knew they were  
19 safe.

20 When the decision was made to evacuate the car, it was to get  
21 everybody into one place so that we could get a headcount and get  
22 everybody into one area to be evacuated from the site.

23 Q. Okay. So tell you what. I'm going to ask you to start from  
24 the moment where you realized that there was something going on,  
25 that there was a problem, and just walk me through what happened.

1 A. So I had just finished doing dinner reservations on the  
2 Portland side in the 27 sleeper and had walked back to my room.  
3 It texted my daughter to let her know that the train was on time  
4 and coordinated what time for her to pick me up in Seattle the  
5 next morning.

6 I took my shoes off. I made the decision I had 55 minutes  
7 before I needed to be back into the diner, so I made the decision  
8 that I was going to lay down for 55 minutes, set an alarm. Then I  
9 had just laid down a few minutes prior. Suddenly there was a big  
10 jolt.

11 I felt the train going down. I thought maybe we had hit  
12 something or that something had been on the track because of the  
13 -- it was, like, a jump, like -- like, I was physically, like,  
14 bounced up off of my bed, and then I just sat up and hung on to  
15 the tray table inside my roomette.

16 It was very similar to riding out, say, an earthquake.  
17 Everything was being jostled around. But I -- we knew something  
18 -- something was wrong and you heard people yelling and I felt the  
19 train losing power. I felt us slowing down, so I waited until we  
20 came to a stop and then that's when all the crew that was in the  
21 crew car came rushing out and we all kind of just took different  
22 areas of the train.

23 I stayed in the 32 car and began checking on passengers.  
24 Once I knew all the passengers in the 32 car were okay, I went to  
25 the 31 car. I wanted to get eyes on my other crew members and to

1 assess if I was needed there.

2 In the 31 car, there was a passenger trapped in Room A. I  
3 was able to get some help. I found Tashi, who was the sleeping  
4 car attendant. Let him know that she was stuck in her room and  
5 that her door wouldn't open. He was able to get a crowbar and  
6 with the help of a couple other passengers, they got her out.

7 I could not get to the 30 car because of the tilt. The 30  
8 car was tilted significantly more than the 31 car, but I was able  
9 to get eyes on -- on Younus (ph.) and knew that he was okay, and  
10 then, at that point, I went downstairs in the 31 car and was  
11 trying to keep the passengers calm.

12 I asked several of them to stop filming and taking pictures.  
13 I asked everybody to please wait in their rooms until we received  
14 further instruction. We did gather the first aid kit and water  
15 and blankets and passed them to people outside that were  
16 extricating people from the coach car so that they could  
17 administer supplies and first aid.

18 Q. Okay.

19 A. And then eventually, Daniel Travers, one of my coworkers,  
20 came to the -- came to the train and said it was time to evacuate,  
21 and at that time, we asked everybody to evacuate the train and we  
22 directed them where to go and where to gather at the muster point.

23 Q. Okay. So I'm going to go back just a little bit. What -- so  
24 you were in the crew car. Is that the 32 car?

25 A. Yes, ma'am.

1 Q. Okay, and there were actually passengers, as well as crew  
2 members, in the 32 car?

3 A. Correct.

4 Q. Okay. Do you have a sense of how many passengers and where  
5 they were located?

6 A. Yeah, because I do dinner reservations. I'm -- I'm pretty  
7 familiar with where people are. We had a grandmother traveling  
8 with two granddaughters and that was two rooms and then there were  
9 -- there was a couple in one room and then a single gentleman in  
10 the other room. So I believe there was a total of four rooms.

11 Q. All right, and what room were you occupying in that car?

12 A. Oh, jeez. I could tell you which side I was on. I -- I want  
13 to say I was in Room 1, but I can't tell you for sure.

14 Q. Okay. So tell me. So which side were you on?

15 A. On the -- I would've been, if you were looking down the car,  
16 I would've been on the left. I believe I was in Room 1 -- either  
17 1 or 3, but I -- I don't remember.

18 Q. Okay. So on the left is as the train was traveling -- in the  
19 direction the train was traveling?

20 A. Yes.

21 Q. Okay. To help you out a little bit better, do you have a  
22 sense of who was actually -- was there another crew member across  
23 from you?

24 A. There was, but he got off in Havre. It was whoever our food  
25 specialist was. I -- I don't remember honestly.



1 Q. Oh --

2 A. It -- it's really hard to remember because we have one  
3 situation going eastbound and a different situation going  
4 westbound.

5 Q. Okay.

6 A. I -- I know that there was someone across from me, but I -- I  
7 believe that it was -- I believe it was the gentleman, but I don't  
8 know. Trips also run together as far as crews because we switch  
9 up so many people during the trip.

10 Q. Okay. So you said that other crew members had come out of  
11 their rooms. Which crew members did you see?

12 A. Rico, Danielle.

13 Q. Okay. Were they in rooms adjacent to you or were they down  
14 the hallway?

15 A. They were on the opposite side and down a little bit closer  
16 to the bag car.

17 Q. Okay. Okay. All right. So did you see the conductor?

18 A. Not until later at the muster point.

19 Q. Okay. Who made the decision to keep the passengers on the  
20 train?

21 A. I did, I guess.

22 Q. Okay, and who made the --

23 A. We were trained evacuation is the -- is the last --  
24 evacuation is our last option --

25 Q. Okay.

1 A. -- if it's safer on the train.

2 Q. Okay. Who made the decision to evacuate the passengers?

3 A. Danielle came up to me and told me that the decision had been  
4 made by the conductors together everybody at the muster point.

5 Q. Okay. All right. So at this particular point, you were --  
6 you said that you had headed initially to the 31 car and you found  
7 a passenger -- a female passenger was trapped in Room A and Tasha  
8 (sic) used -- Tashi and passengers used a crowbar to extricate  
9 that woman.

10 You said you couldn't get into the 30 car because it was  
11 tilted. Where did you find -- where did you see Younus at?

12 A. At the window between the 31 and the 32. So neither one of  
13 us were in the vestibule. The doors were shut, but we looked at  
14 each other through the windows. I gave him a thumbs and he  
15 returned the thumbs up.

16 Q. Okay. Okay. All right.

17 A. But we didn't attempt to open the doors.

18 Q. Okay. All right. So I know that you saw Younus. You saw  
19 Tashi and Danielle. Did you any other of the train crew members?

20 A. The people that I was not able to get eyes on would've be  
21 Debbie Padgett and Donald Buggy (ph.), and then anybody from the  
22 gentleman who was in the Seattle coach or anybody of the three on  
23 the -- on the Portland side.

24 Q. So that I'm clear, what cars are you identifying as the  
25 Portland cars?

1 A. The Portland, so the observation car, the two Portland  
2 coaches and the Portland sleeper. It would be the last four cars  
3 of the (indiscernible).

4 Q. Okay. All right. All right. Okay. What --

5 A. (Indiscernible.)

6 Q. I'm sorry?

7 A. (Indiscernible.)

8 Q. Okay. Was there a crew member that was supposed to be in  
9 each one of those cars?

10 A. So you had a sleeper car attendant. We have one coach  
11 attendant for the two coach cars and then we had the other lead  
12 services attendant who would've been working in the café in the  
13 observation car.

14 Q. Okay, and the --

15 A. But I -- I already knew at that point that the train had  
16 separated. I knew that they were down the road a ways.

17 Q. Okay. All right. So you stayed with the cars on the forward  
18 side of the train then?

19 A. Correct.

20 Q. Okay. All right. All right. Okay. So at this particular  
21 point, were the lights on in the coaches?

22 A. I have no idea what was going on in coach. I didn't get to  
23 the coach.

24 Q. Oh, I'm sorry. Let me rephrase that. Were the lights on in  
25 the sleeper cars that you saw?

- 1 A. No. We did not have power.
- 2 Q. Okay. Was the emergency lighting operating?
- 3 A. Yes.
- 4 Q. I'm sorry?
- 5 A. Yes.
- 6 Q. Yes? Okay. In each of the sleepers?
- 7 A. It was daylight, so honestly I couldn't tell you
- 8 specifically. It's not like it was -- I mean it was dark, like,
- 9 downstairs by the doors and I know there was, you know -- there
- 10 was emergency lighting, like, in the hallway there. But I
- 11 couldn't tell you upstairs.
- 12 Q. Okay.
- 13 A. It -- it was too light outside.
- 14 Q. All right. So the passengers that were actually traveling in
- 15 the 32 car, were all of them in that car at the time of the
- 16 derailment?
- 17 A. Off the top of my head, I can remember three but I don't
- 18 remember if the couple was or not. I want to say yes.
- 19 Q. Okay.
- 20 A. But I'm not 100 percent sure. I -- I mean, like I said, I
- 21 went to a lot of rooms.
- 22 Q. Okay. So to your knowledge, you remember the grandmother and
- 23 the two daughters -- and two grandkid -- two granddaughters?
- 24 A. Correct.
- 25 Q. And you were --

1 A. And then there was Walter, the gentleman. I believe his name  
2 was Walter.

3 Q. Okay, and then the single, Walter. Okay. All right. Was  
4 the PA system working in the train?

5 A. At the time of the accident?

6 Q. Let's start before. Before the derailment, was the PA system  
7 working?

8 A. As far as I know. I had been using it during lunch to call  
9 for passengers off my wait list to come and eat. I do know that  
10 it was quiet in some cars, but I do believe it was working.

11 Q. Okay. Do attendants in the cars have the ability to turn the  
12 PA up and down in volume?

13 A. I don't know. I've never worked a sleeper car.

14 Q. Okay. Okay. All right. After the derailment, the PA system  
15 did not work, correct?

16 A. I didn't attempt to use it. Without power, my understanding  
17 was, is that we would not have a PA system.

18 Q. Okay. So are you aware of what the policy or what the  
19 procedure is as far as notifying passengers of the presence of  
20 things, like, safety cards that they should look at or review in  
21 case of an emergency?

22 A. There's several announcements that are made throughout the  
23 duration of the trip letting them know where those are located.  
24 Also, I believe sleeping car attendants give a personal briefing  
25 to each of their passengers when they come on board.

1 Q. Okay. Did you hear any of these announcements being made  
2 over the PA?

3 A. Through the duration of the trip?

4 Q. At any time during the accident trip?

5 A. During the trip? Yes, absolutely. I heard them.

6 Q. Okay. When was the last announcement you heard?

7 A. I couldn't tell you that. When I'm working in the dining  
8 car, I'm very focused on what's going on in there. We were  
9 seating about 100 people each meal, so --

10 Q. Okay. Do you have --

11 A. I don't even usually look out the window to know where we  
12 are.

13 Q. Okay. Do you have some --

14 A. My schedule is more time oriented.

15 Q. Got it. Do you have any sense of how long it took the  
16 emergency responders to arrive on the scene?

17 A. There were people there. So by the time I got to the  
18 downstairs of the 31 car, there were people arriving. So I did my  
19 check in the 32, went to the 31, let Tashi know that that -- the  
20 passenger was stuck in her room, checked on people and then by the  
21 time I went downstairs, there were people arriving.

22 But I'm not sure who was being assessed, who was emergency  
23 responder and who was just a citizen that had witnessed the  
24 situation.

25 Q. Okay. Do you have some sense of how long that was? Five

1 minutes, 10 minutes, 15 minutes after derailment?

2 A. I -- I don't have any sense of time on it. No.

3 Q. Okay. Did --

4 A. It felt -- it felt like it was quick. It felt like there  
5 were people there right away, but my -- my whole sense of time, I  
6 -- I can't tell you how long we were on the train before we left.  
7 I -- I don't have any sense of time when it comes to that.

8 Q. Okay. Okay. Did you observe any passengers with injuries?

9 A. Just superficial, like, bumps, little bit of bleeding, but  
10 nothing -- nothing requiring first aid.

11 Q. And what cars were they in, do you remember?

12 A. 31 car.

13 Q. Okay. All right. All right. Okay. All right, and at that  
14 particular point, when Danielle came to you and said that the  
15 decision had been made to evacuate the train, explain to me how  
16 the train -- how you evacuated the train, which door you used and  
17 you said you mustered the passengers?

18 A. Yes. Danielle stayed at the door. It would've been the door  
19 on the right. The slope was too steep on the door on the left,  
20 which would've been the more direct pass to the muster point, but  
21 it was too steep to safely evacuate out that side. So we  
22 evacuated out the right side.

23 She stayed down at the door and assisted people while I went  
24 upstairs and went room to room. I brought the people from the 32  
25 car to the 31 car and then went room to room to make sure that

1 everybody was out.

2 MS. HARLEY: Okay. Okay. I think that's all the questions I  
3 had. I'm going to turn it over to my colleagues.

4 Kari?

5 MS. JACOBSEN: I don't have any questions at the moment.  
6 Thank you. I'll pass it to Kris.

7 BY MS. SEVERSON:

8 Q. The only question I have is I think you had described that  
9 there was -- there were passengers who were stuck in the 31 car in  
10 Room A, is that right?

11 A. There was one female. Correct.

12 Q. One female, and she was stuck because the door wouldn't open  
13 or was --

14 A. Correct.

15 Q. -- she, like, physically impaired inside? Okay. The door  
16 was stuck.

17 A. Yes. The door was stuck.

18 Q. And do you know -- okay. Door was stuck. Was Tashi there  
19 and able to get the door open do you know?

20 A. Yes.

21 MS. SEVERSON: Okay. I don't have any other questions right  
22 now either. Thank you.

23 MS. HARLEY: Okay. Justin, did you have any questions you  
24 wanted to ask?

25 MR. TALMADGE: No, not at this time. I just want to say



1 thank you, Heather.

2 MS. HARLEY: Okay. Heather, I'm just going to ask one real  
3 quick question.

4 MS. HARLEY: Were you transported to the hospital from the  
5 scene?

6 MS. RHOEL: No, I was not.

7 MS. HARLEY: Okay. All right. I'm just trying to verify who  
8 was transported. Okay. Unless -- well, I'll ask.

9 Ben, do you have any questions of the group? Or, Heather, do  
10 you have any questions of me or the other investigators?

11 MR. ALBERTY: I don't have any questions.

12 MS. RHOEL: I don't have any questions.

13 MS. HARLEY: Okay. So, Heather, I'm telling this to you and  
14 all your coworkers. So the NTSB, by Congressional mandate, is  
15 required to provide all victims of a transportation accident with  
16 what we call a transportation disaster assistant specialist, and  
17 basically that's someone who's going to be assigned and their job  
18 is to act as liaison between you and the investigation.

19 So that's the person that you or your attorney can reach out  
20 to if there are any questions. Certainly, you have my number if  
21 you have any other concerns. One of the things that they are  
22 required to do is to notify you anytime we put out any information  
23 to the public. We are required to notify the victims and the  
24 family members ahead of time.

25 So don't be surprised if you get a letter basically just

1 introducing themselves. It'll be Kim will be the assistant, and  
2 just simply just explaining what I just told you. Again, we're  
3 still trying to figure out how we're going to work it with Amtrak,  
4 whether we're going to give it to Amtrak and let Amtrak reach out  
5 to the people or if it's one of the things where we'll just simply  
6 just notify your representative, your attorney, and then let your  
7 attorney handle it that way. That's certainly -- we do that and  
8 that's certainly not a problem.

9       Outside of that, thank you, again. I know this was a very  
10 traumatic event and I appreciate you talking the time and talking  
11 to me. Does anybody have anything else?

12       MR. ALBERTY: No.

13       MS. HARLEY: Okay. All right. Well, thank you very much. I  
14 appreciate all the attention and, again, I appreciate your  
15 participation and good luck to you, Heather. Thank you.

16       MS. RHOEL: Thank you.

17       MS. SEVERSON: Thank you, Heather.

18       MR. TALMADGE: Thank you, Heather. Thank you everyone.

19       MS. HARLEY: And the interview is concluded at 6:06 p.m.

20       (Whereupon, AT 6:06 p.m. EDT, the interview was concluded.)

21

22

23

24

25



UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of: \*

\*

FATAL AMTRAK DERAILMENT \*

NEAR JOPLIN, MONTANA. \* Accident No.: RRD21MR017

ON SEPTEMBER 25, 2021 \*

\*

\* \* \* \* \*

Interview of: TARRICK PEYTON, OBS supervisor  
Amtrak

Via Zoom videoconference

Wednesday,  
October 20, 2021

APPEARANCES:

SHERYL HARLEY, Assistant Investigator  
National Transportation Safety Board

KRISTINE (KRIS) SEVERSON, Mechanical Engineer  
Volpe Center

PAUL S. BOVARNICK, ESQ.

JUSTIN TALMADGE, Supervisor  
Amtrak

I N D E X

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I N T E R V I E W

(12:03 p.m.)

1  
2  
3 MS. HARLEY: Okay. So I'm going to say good morning to  
4 everyone that's on the West Coast. So my name is Sheryl Harley,  
5 last name is H-A-R-L-E-Y. I'm the Assistant Investigator in  
6 charge of the NTSB investigation into the Amtrak derailment that  
7 occurred in Joplin, Montana on September the 25th of 2020 (sic) at  
8 approximately 3:47 p.m., and on this interview, Mr. Peyton, can  
9 you identify yourself, sir, for the record?

10 MR. PEYTON: It's Tarrick Peyton an Amtrak OBS Employee.

11 MS. HARLEY: Thank you, and Mr. Bovarnick, can you identify  
12 yourself, please?

13 MR. BOVARNICK: Yes. Bob Bovarnick. I'm Mr. Peyton's  
14 attorney.

15 MS. HARLEY: Thank you, and also on the call is a member of  
16 the investigative team.

17 Kris?

18 MS. SEVERSON: Hi there. My name is Kris Severson. I work  
19 for the US DOT and I have been involved in this investigation at  
20 the request of the FRA. We look for survival factors, causal  
21 mechanisms of injury and how that relates to standards and  
22 regulations. Thank you.

23 MS. HARLEY: And also --

24 MR. BOVARNICK: I'm sorry.

25 MS. HARLEY: Go ahead, sir.

1 MR. BOVARNICK: I apologize. I'm just getting my computer  
2 going. Could the two government attendees identify themselves for  
3 me again, please?

4 MS. HARLEY: Sure. So I'm Sheryl Harley. I'm with the  
5 National Transportation Safety Board.

6 MR. BOVARNICK: Okay. Thank you.

7 MS. SEVERSON: And I am Kris, K-R-I-S, Severson,  
8 S-E-V-E-R-S-O-N. I am with the US DOT. It's actually part of --  
9 it's Volpe National Transportation System Center, which is part of  
10 the US DOT.

11 MR. BOVARNICK: Not part of the FRA?

12 MS. SEVERSON: Correct. The FRA sponsors us. They pay for  
13 our support.

14 MR. BOVARNICK: I got it. Okay. Thank you.

15 MS. HARLEY: And also on the call is a representative from  
16 Amtrak.

17 MR. TALMADGE: Hey. Good morning. You've got Justin  
18 Talmadge here, OBS supervisor for the Empire Builder based out of  
19 Seattle.

20 MS. HARLEY: Okay. Great. Thank you very much. So today,  
21 we are here to discuss the derailment, and specifically what we're  
22 looking at is the circumstances that surround the derailment and  
23 also the operation that occurred post-accident. And so to look at  
24 that, we're asking the crew members who are very familiar with the  
25 train to tell us what happened.



1           Certainly, you are going to notice more about the goings on,  
2 Mr. Peyton, than a passenger would. So first, I'm going to start  
3 off by asking you some basic employment questions.

4   INTERVIEW OF TARRICK PEYTON

5           BY MS. HARLEY:

6 Q.    So when were you hired by Amtrak?

7 A.    Well, I was hired over a year ago but during COVID, they had  
8 me, I guess, furloughed and I got called back in June and started  
9 class actually in August.

10 Q.   Is that August of this year of 2021?

11 A.   Yes, 2021.

12 Q.   Okay. Okay, and what is your official title?

13 A.   OBS, Onboard Service.

14 Q.   Okay. Is the Empire Builder your normal duty station?

15 A.   Yes, out of Seattle, Seattle to Chicago.

16 Q.   Okay, and in the last two months, how many trips have you  
17 made on the Empire Builder?

18 A.   That was my third trip.

19 Q.   Okay.

20 A.   The first three weeks of -- of my hiring with all of the  
21 training classes.

22 Q.   Okay, and what is your normal duty schedule on the Empire  
23 Builder?

24 A.   Six days on, two days off unless that changes later.

25 Q.   So walk me through a typical day. When do you start work and

1 when do you get off?

2 A. Well, we report for 1:30. We have to have our meeting and  
3 then after the -- our safety meeting, we go to our train to set up  
4 everything that needs to be set up and also depends on the job.  
5 This particular trip, I was in the sleeper. I was a sleeper car  
6 attendant trained by Tashi. He was my trainer.

7 Q. Okay. So on the trip out to Seattle, what was your duty  
8 hours?

9 A. Well, it varies. You have your up and down time. So each  
10 time is different. So once you get on, you're on duty until, I  
11 think, like 11:00 at night. I don't have the dates with me. But  
12 you're on duty until about 11:00 and go down and wake back up  
13 about 5:00 in the morning. Breakfast is usually around 6:00 or  
14 6:30 and then you do that.

15 You also have your passengers you have to attend to while  
16 preparing for other stuff. The main duty is to make sure the  
17 passengers' rooms are clean, picked up, make coffee for them, make  
18 takeout orders for them, whatever it is that they need.

19 Q. Okay. Is it your job to actually greet the passengers once  
20 they come on board?

21 A. Yes. Yes. Right from the beginning, you greet them when  
22 they come on as (indiscernible) which way to go to their rooms.

23 Q. Do you discuss with them anything or provide them anything  
24 like a safety briefing or explain anything about the safety cards?

25 A. I do, yes. We don't do that until after everyone's on the

1 train. I go room to room to talk to everybody and let them know  
2 what they (indiscernible) room and where the towels are, where the  
3 shower is, where the safety card is and the call button that they  
4 press so somebody can come to them if they need help.

5 Q. Okay. All right. So explain to me the type of training that  
6 Amtrak provides to their employees for emergency situations,  
7 what's the employee's emergency response should be?

8 A. Well, to be honest, in training class if they did train as  
9 far as safety, safety equipment, where it is, where it's located  
10 if you need it for -- you have your fire extinguisher, your  
11 sledgehammer, crowbar, AEDs. They're in certain different areas  
12 throughout the train so -- but we know where they are.

13 Now as far as emergency evacuation, I didn't get that  
14 training. That didn't happen.

15 Q. Okay. All right. Is that -- by the way, is that training  
16 that's normally provided at some point?

17 A. That I don't know if it's at some point.

18 Q. Okay. Okay. So I want to talk, at this point, about the day  
19 of the accident. So start from the beginning of the morning and  
20 kind of walk me through until the derailment?

21 A. Well, in the morning, I wake up every morning usually around  
22 5:00 in the morning. I get up, get dressed, teeth. I like to get  
23 dressed first just in case, you know, something comes up in the  
24 middle of me trying to get my hygiene together.

25 So I get up, go down to where I go to Tashi's car because

1 even though I was training, I was working his car and the dorm 732  
2 car. So I go over to Tashi's side and I make coffee  
3 (indiscernible) because the passengers should -- supposed to have  
4 coffee about 5:30 in the morning and I connect with him, ask him,  
5 you know, "What's going on?" the same thing he get me to do on  
6 that side.

7 I go downstairs, check on the passengers, see if they're up  
8 or not. But usually, they just start filing out when they're  
9 ready to file out for breakfast and from there, it's just I take  
10 orders from people that don't want to go to the dining car. Drop  
11 it in.

12 Whatever comes up, I get it and take it back to them so that  
13 can eat in their instead of in the diner. I go down. I clean up  
14 in the morning after that because throughout the night, people use  
15 the restroom so I want to make sure it's clean, and this is what I  
16 do and just go by (indiscernible) what -- or if they need  
17 something, I'll go and get it.

18 So after, you know, do all your morning activities, which is  
19 mostly running food back to the passengers, I go back to my car,  
20 because I have a little -- it's my little work area where I have  
21 all my towels, pillows and stuff in case a passenger needs  
22 something or I need to change the sheets or they spilled  
23 something, and that's all I do throughout the trip. Cleaning up  
24 and assisting sleeper car passengers.

25 Q. Okay. So explain to me on the day of the derailment, when

1 did you realize that there was something wrong?

2 A. As soon as I felt the first bump. The time was actually 3:48  
3 when it happened. I was in my car. I had just left one of the  
4 passengers taking an order for dinner so when dinner began, I can  
5 just go down to the diner and drop it so they won't have to wait  
6 that long.

7 So I -- I took the order and I went down back to my car that  
8 I work in and, you know, just wait because I don't like to go to  
9 my room, and that's when I felt that first bump. When I first --  
10 it was very hard and I knew we were about to derail because I've  
11 been in derailments before with another railroad.

12 So when I felt that first bump, I jumped up out of my seat  
13 and it was a matter of seconds and then the air popped, and when  
14 the air popped, we came to a stop and I was thrown from my car,  
15 the car that I was in, and I was thrown into the wall and that's  
16 when I hit back and I hit my shoulder (indiscernible), but I  
17 didn't (indiscernible) or anything, so I jumped back up and I ran  
18 out back into the hallway to go and check on my passenger.

19 That's when I ran into Nick Neil (ph.). Nick Neil was coming  
20 towards me and I was going towards her. I made sure that, you  
21 know, everybody was fine. Checked on everybody seeing  
22 (indiscernible) and Tashi ended up coming up behind me.

23 So I opened the window and I looked out and that's when I saw  
24 all the cars laid and the rest of the thing was probably 400 yards  
25 past where we were. So I'm -- Daniel, he said, Check on your

1 passengers," which I was already doing, and then I went downstairs  
2 and opened the door.

3       When I saw that, I just -- I made my passengers were fine and  
4 I jumped off the -- the door, I jumped out and it's a lot of  
5 ballasts down there, so I was flipping and I fell on my hip. But  
6 the adrenaline's just pumping, so I got back up and I just took  
7 off running as fast as I could towards the end of the train where  
8 I saw the cars turned over.

9       The windows, some of them were open because people were  
10 trying to get out of the window but I was yelling to them, "No.  
11 don't get out the window. Go down to the door because you still  
12 on the tracks and I -- I just went into protection mode  
13 (indiscernible) these people.

14       And as I'm running towards the end, Danielle passes me and  
15 she goes to the rest of the cars that's 400 yards back past the  
16 East Buelow sign to help them, and that's when I ran into the  
17 first deceased body down in the back and I knew who he was because  
18 I was talking to him throughout the trip, he -- him and his wife.

19       So found him and I threw a little -- it was grass, because I  
20 didn't have anything like a blanket or anything. So I just  
21 grabbed the brush that was around and I just threw it over him so  
22 nobody can, you know, tamper with him.

23       Then I ran into another guy. He had prosthetic legs and the  
24 part had fell on this legs, which that's what saved him because he  
25 already had legs. But he had a big gash at the top of his head

1 and you could see his brain and another passenger picked him up  
2 and pulled him to the side of the road waiting for EMT.

3 I ran back over there, and as soon as you go around the car,  
4 because I wanted to get up on top because I knew an employee,  
5 Curley (ph.), was in that car and that's when I ran into the  
6 second body. I found him pinned. All I could see is his -- half  
7 his body and his arm, and man, it's just crazy. I'm sorry.

8 Q. Take your time.

9 A. I saw him. I couldn't see his face, so I couldn't tell who  
10 he was and I turned around, because the way his arm up under  
11 there, it was, like, pointing out towards the other cars and I  
12 just, like -- I just turned around, and when I turned around,  
13 that's when I saw -- I found a third body, which was his wife.

14 And I could hear the people on the other on the other  
15 (indiscernible) on the train that on top of the observation car  
16 and the conductor was inside the observation car pulling people  
17 out. So I sat there, helped him get the people out of the car  
18 that he saw and that found, and once we got them cleared out of  
19 there, I climbed up on top of the observation side.

20 And that's when the other passengers -- it was actually two  
21 Zachs, Zach Senior and Junior, since they were in our car, I knew  
22 who they were, and cars and people started showing up off the  
23 street, so I started asking them to, you know, send up some  
24 shovels and a ladder if they have a ladder on their car or  
25 whatever, because people was in trucks.

1           And I jump on top of there and jump inside the car because I  
2 can hear Curley and another employee saying they're fine. They  
3 just need to get out. So started shoving. I just shoveled as  
4 much as I could and I got tired, so I passed the shovel to a  
5 passenger and we just kept shoveling around to get Curley out.

6           And they finally got him out, brought him up the ladder and I  
7 walked Curley over to this -- and I don't know how many people  
8 were in that ambulance, but then they took off. Then I jumped  
9 back down to go assess, you know, the rest of the passengers and  
10 I'm sitting over to the side of the road, but there's a bunch of  
11 propane tanks.

12           So I was, like, go over there to the -- by the side of the  
13 road but do not go over by those propane tanks, because I don't  
14 know if there's a leak or whatever. So we kept them, like, closer  
15 to the side of the road, and I ran back over and that's when this  
16 Zach that I found deceased, this lady, this doctor, just showed  
17 up.

18           I don't -- I don't where she came from, but she was a doctor.  
19 She was local and she's the one I showed the body to. I said,  
20 "He's deceased," and then a sheriff showed up and the sheriff went  
21 to check each body and the way that lady was, like, facing, she  
22 was -- she was just jelly. She -- it seemed like every single  
23 bone in her body was just gone. So she was just (indiscernible).

24           But I knew it was her because I remember the ring that she  
25 had on her finger when they were telling me about their 50th



1 anniversary trip and I was, like, that's a nice ring and so I knew  
2 who she was, but I mean it wasn't my place to say or pass that  
3 information along. I just let them go on their (indiscernible).

4 I just remember they were from Georgia and they'd been  
5 planning this trip for a long time, and then that's when I ran  
6 into the other Zach White. He was crying and screaming looking  
7 for Zach, looking for Zach. I already had found Zach but, again,  
8 it wasn't my place because I'm an employee. I'm -- I'm training.  
9 This is my third trip ever, and that's when that doctor told her.

10 She just said she was sorry and she broke down crying and all  
11 I could do is I stopped and I prayed with her (indiscernible)  
12 prayed -- prayed over the bodies and then I climbed back on top of  
13 the car.

14 And all of a sudden some guy, I don't -- it was a passenger.  
15 He passed me his phone and it was David on the phone from Amtrak.  
16 So I -- maybe they knew each other or something. I don't know how  
17 it happened, but he was on the phone and I was explaining to him  
18 what was going on as quickly as I could. Got off the phone and  
19 went back down and started helping more people.

20 Most of the people seemed to be, you know -- have ambulance  
21 and they were walking and I -- I just walked people down to that  
22 little -- it's a little hill where the ballasts meets grass, but I  
23 walked down the side, helped them and then I saw Danielle again  
24 and it's -- I don't -- it was, like, so slow but fast.

25 It's, like, I -- it didn't seem like we were out there

1 forever. So we were moving around. I'm just pulling passengers  
2 out, getting them to the side, walking with the sheriff. I gave  
3 the sheriff the manifest so he can have a copy. So, you know,  
4 they would know how many people were on the -- the train and then  
5 that's when Montana Highway Patrol and the fire department,  
6 everyone started showing up then even more.

7 And then I went down to the ground to the dining car and I  
8 jumped on there make sure I didn't see anybody else and to make  
9 sure I didn't smell, like, any gas or anything because if it was,  
10 I wanted to get people as far away from that as possible, and I --  
11 it just -- it was like -- it was a team effort.

12 Everybody was out there. Honestly, the other employees, I  
13 really didn't see them. I really didn't -- I mean I saw them but  
14 I didn't see much action going on. It was just Danielle and  
15 myself just going, getting people, helping people and Jesus, I  
16 think after had, like, kind of calmed down, these busses started  
17 showing up in this field, like a wheat field or something, and  
18 that's when we got everybody to cross over to this -- into a wired  
19 fence gate area, and that's when they started picking them up to  
20 take them somewhere.

21 And I started doing a headcount, but then it -- it was too  
22 rapid. It was, like, I took the headcount, then the person would  
23 move and then I run into that same person. So I just went with  
24 the manifest and gave it to the conductor and I gave it to their  
25 -- and I mean that's pretty much after that, it was a calming --

1 calm down thing.

2 That's when my -- my adrenaline just started going away and  
3 that's when all the pain started settling in with me and I'm just,  
4 like, I need to get on this bus. I need to get to the hospital.

5 So --

6 Q. Got it.

7 A. Yeah.

8 Q. Okay. Thank you very much.

9 A. And I found --

10 Q. I'm sorry. What?

11 A. No, I just said I'm the one that found all the three dead  
12 people, deceases souls.

13 Q. I'm very sorry about that. So I kind of wanted to go back a  
14 little bit and just make sure I understand. What car were you in  
15 and what room were you in when you first felt that bump?

16 A. I was in the -- it's an employee dorm car, but we also have  
17 passengers in there. It was the 732 car is what it would be  
18 called and I was in room -- the very first room.

19 MR. PEYTON: Is that number 15? I'm asking Justin that  
20 question now. That very first room that we set up in, is that 15?

21 MR. TALMADGE: Correct.

22 MR. PEYTON: Yes. So I was in 15.

23 MS. HARLEY: Okay.

24 BY MS. HARLEY:

25 Q. And you were by yourself in that room, correct?

- 1 A. Yes, I'm by myself.
- 2 Q. Okay. Were there any --
- 3 A. That's where we keep (indiscernible).
- 4 Q. I'm sorry. Were there any other employees in the dorm car
- 5 with you at the time?
- 6 A. There were -- there were employees in the dorm car, but they
- 7 were in their rooms and Danielle was the one that was the one I
- 8 saw. (Indiscernible) that was in their room, I didn't see them.
- 9 They never came out unless he came after we assessed our
- 10 passengers and took them up downstairs and out the door to go
- 11 help.
- 12 Q. Okay. All right. So let's go back. So you were talking
- 13 about the -- so the -- you felt the bump. Can you explain what it
- 14 felt like? I mean did -- was it kind of a back and forth or a
- 15 side to side movement?
- 16 A. No. It was, like, it's -- have you ever been -- if you've
- 17 been on a rollercoaster and you hit that first, like, a bump, it's
- 18 -- it was like we sunk down, like, a -- like a pothole in the
- 19 street.
- 20 Q. Okay.
- 21 A. But on the train.
- 22 Q. Got it.
- 23 A. Yeah.
- 24 Q. Okay.
- 25 A. But it was -- it was hard, of course, because of all that

1 metal.

2 Q. Got it. Okay. So at that particular point, you run into  
3 Danielle. So Danielle provides some instructions. You get off  
4 the car. How did you get out of that car?

5 A. I went downstairs and went out the exit door.

6 Q. On which side?

7 A. It was the -- we were moving, so it's the right side, the  
8 engineer's side.

9 Q. Got it. Okay, and so at that particular point, you went to  
10 the lounge car and --

11 A. Well, I ended up there in the lounge car.

12 Q. Okay. So would you have passed the dining car first?

13 A. Yes. The dining car was right next to the lounge car.

14 Q. Okay. Did you talk to anybody that was in the dining car?

15 A. No. I didn't. No. That side of the door didn't -- it was  
16 opened. It stayed open on the other side and I was on the  
17 opposite side of the train.

18 Q. Okay. All right.

19 A. But I talked to someone in the dining car after I helped my  
20 passengers, then I talked to them later because I could see that  
21 they were ring, plus Danielle talked to them too I found out  
22 later. So she knew that everybody was okay.

23 Q. All right, and to your knowledge, the only -- the only people  
24 that were actually in the dining car were Amtrak employees,  
25 correct?

1 A. Yeah, at that time because they were getting ready for  
2 dinner.

3 Q. Okay. I got it. All right. So talk to me about the  
4 gentleman, the amputee. Where did you find him?

5 A. In the observation car.

6 Q. Was he inside the car or outside?

7 A. He was inside but he was thrown outside.

8 Q. Okay. So when you -- okay. So when you found him, he was  
9 actually laying outside the car?

10 A. He was laying outside the car and the -- the top of that  
11 observation was on his legs and there was another employee -- not  
12 employee -- another passenger, they were already helping him and I  
13 just ran to help them both because he couldn't walk, so we just  
14 had to pick him up and move him to the side and I'm -- I took my  
15 vest and I tried to cover it, but I'm, like, my vest isn't clean.  
16 I wasn't think, so I didn't do it but I could see his brain.

17 Q. Okay, and on what side of the head did he have the gash in?

18 A. Oh my God, I -- I think it's the left.

19 Q. Okay. All right. So that -- so my understanding is, is that  
20 the lounge car actually came to rest on his prosthetic legs and  
21 both his legs were prosthetic, is that correct?

22 A. Yes. It looked like, yes, both of them were prosthetic.

23 Q. Okay. All right. So did you mention something about a  
24 backhoe?

25 A. No.

1 Q. No. Okay. I just -- so --

2 A. (Indiscernible.)

3 Q. So talk to me. You said a passenger handed you a phone and  
4 David, from Amtrak -- who's David?

5 A. David -- what's his -- Omaha (ph.)?

6 MR. PEYTON: What's his name? Justin, what's his last name?

7 MR. TALMADGE: It's David Umanacker (ph.), fellow supervisor  
8 here in Seattle.

9 MS. HARLEY: Okay. All right.

10 BY MS. HARLEY:

11 Q. Do we have any idea -- we don't have any idea how he was  
12 contacted, do we?

13 A. I do not know. The passenger just gave me a phone and said,  
14 "Hey, this is David." I wasn't putting two and two together at  
15 that time because I'm working. I'm doing something and I talked  
16 to David. I'm, like, oh, okay. David Uma -- okay. I know who  
17 this is. So either that passenger knew him personally or  
18 something -- I don't know.

19 I just was talking to him and I explained to him, hey, I'm --  
20 I'm just working. I'm getting these passengers. I found three  
21 deceased already. I need to go and finish helping people and  
22 Curley's stuck inside this car and we need to shovel him out, and  
23 I got off the phone.

24 Q. Okay. So in the lower level of the lounge car, you said  
25 Curley was stuck. You said there was another employee with him?

- 1 A. No. There was a passenger with him.
- 2 Q. Oh, there was a passenger.
- 3 A. And (indiscernible) passenger with him and there was the --
- 4 the Zach that was deceased. He was down there too.
- 5 Q. So one of the Zachs or both of the Zachs were down there?
- 6 A. One. There was the one Zach. There was three total Zachs.
- 7 The two Zachs, Zach Senior and Zach Junior, they were the ones
- 8 that were helping me. So Zach that was deceased, he was there
- 9 with his wife. She's the one that I was (indiscernible) that was
- 10 crying looking for him. I had already found him, but I wasn't
- 11 telling her because I didn't have the authority to do that.
- 12 Q. Right, and then so Curley and an unknown passenger were the
- 13 ones that were trapped in the lower level?
- 14 A. Yeah. They were trapped in the -- in his café car, like, I
- 15 guess -- he had to be in the right place at the right time. He
- 16 was just -- they were covered and trapped by the ballast. We had
- 17 to get that ballast out of there to get them out.
- 18 Q. Did they come out through the window or were you able to open
- 19 that door?
- 20 A. It was, like, the little hatch door and they came -- crawled
- 21 out of there and then we had the ladders that people had brought.
- 22 They climbed up the ladder and then came on down and I -- once he
- 23 came down, I -- that's when I grabbed him and walked him to the
- 24 ambulance.
- 25 Q. Okay. All right. So did you ever enter the lounge car?



1 A. No. Well -- no, I didn't get to the car -- well, I guess I  
2 did from the bottom because right where that Zach that was  
3 deceased, I went around him and climbed in there just to see if I  
4 saw anybody passed out or what have you with other passengers, and  
5 we didn't find anybody else. It was just him.

6 Q. Okay. You were assisting the assistant conductor getting  
7 passengers out of that car. Were -- they were --

8 A. Yes.

9 Q. Were they coming out of that -- the in car door?

10 A. They came out the in car when -- well, yeah. It's a door on  
11 the side. So, you know, the door that you cross into the next  
12 turn -- the next car.

13 Q. Uh-huh.

14 A. That's where they were climbing out.

15 Q. Okay. When -- while you were helping passengers, did you see  
16 anything, any kind of equipment that was actually blocking that  
17 door?

18 A. There was no equipment blocking the door, no. Just the  
19 ground.

20 Q. Okay.

21 A. So they come off and we just helped them to the ground  
22 (indiscernible) there, but I was -- I helped them and pulled them  
23 to the left because that body was directly under my feet.

24 Q. Got it. Do you remember seeing inside that lounge car and  
25 seeing anything that actually did not belong inside the car that

1 was not actually part of the train?

2 A. No, I did not see that.

3 Q. Uh-huh.

4 A. I also didn't go all the way there from that. The conductor  
5 was inside.

6 Q. Okay. By the way, where was the other conductor? Did you  
7 ever see him?

8 A. Yes, I saw him. He was on the outside. He was moving  
9 around, so he was in one place by where we were and then he went  
10 to that other car, the cars that were 400 yards away. He went  
11 down there to check on them because where we were, the first --  
12 one, two, three, four, five -- five cars were still on the track.

13 The 730 car, the dining car and the observation car, those --  
14 they were -- they were off the track. Well, the dining car was  
15 complete -- I mean the observation car was completely off the  
16 track, but the dining car was halfway on.

17 Q. Okay. When you saw the conductor the first time, did he  
18 provide you any instructions?

19 A. Yes. He gave -- he told me to go get a headcount and that's  
20 when I started trying to get a headcount, but I kind of was, like,  
21 yeah. I'll get a headcount and I'll do as much as I can right  
22 now, but at this time I want to help them because these people are  
23 screaming and crying and we got to do something about that first.

24 Q. Oh.

25 A. So I gave Tashi -- Tashi the paper and I said, "Hey, go over

1 there and take a headcount and get people's names as best you  
2 can."

3 Q. Okay.

4 A. Because, I mean, he -- he seemed like he was in shock. So I  
5 -- that's -- I sent him over there.

6 Q. Okay. In the 732 car, when the derailment occurred, were  
7 there any lights in the car?

8 A. Well, it was daytime. When you say lights, what do you mean?

9 Q. Did the power --

10 A. Like the lights were on?

11 Q. Did the power go off in the car?

12 A. No. The power didn't go off.

13 Q. Okay. So the car still had power?

14 A. (Indiscernible). I think it still had power because the --  
15 maybe we went into emergency, but the power did not -- no, the  
16 power didn't go off. It all -- it happened so fast though. I  
17 just -- I jumped down. It hurt but I didn't -- the adrenaline  
18 pumping, I just kept going.

19 Q. Were there -- was there power in all the cars or was the  
20 emergency light on? Was there emergency lighting?

21 A. For the cars -- I -- I don't remember if there was power  
22 inside the -- the observation car. I remember -- I didn't go into  
23 the other two single cars at all. There was no power in the  
24 dining car. I do know that for sure. It was completely dark.

25 Q. Okay. All right.

1 A. (Indiscernible.)

2 Q. Okay. The -- do you know if the PA system, prior to the  
3 derailment, was working on the train?

4 A. Yeah, it worked. They use it throughout the time of the  
5 trip, so I know it worked. I don't know if it worked in every  
6 car. I don't know if it worked in every room or anything like  
7 that because I wasn't in every car and every room.

8 Q. Okay. Over the PA system, did they make any announcements to  
9 the passengers regarding, for example, the passengers that may be  
10 in the coach car about the blue safety cards or any kind of safety  
11 announcement?

12 A. I don't go to the coach car unless I'm going past to the  
13 dining car to get something for the sleeper car that they want to  
14 purchase. Anything else, they got complimentary up front.

15 Q. But you don't remember any announcement?

16 A. I don't -- not to the coach car, no, because you can either  
17 talk through the train or you can talk to just in the area.

18 Q. Okay.

19 A. So if they did talk to that one specific area.

20 Q. Got it. Out of curiosity, the conductor and the assistant  
21 conductor, they are the only ones that actually have two-way  
22 communications. Do any of the other attendants have, like, for  
23 example, walkie talkies?

24 A. No, we don't have walkie talkies.

25 MS. HARLEY: Okay. I think that's all the questions I have.

1 I'm going to turn it over to my coworker, Kris.

2 MS. SEVERSON: Thank you, Sheryl.

3 BY MS. SEVERSON:

4 Q. Thank you, Tarrick, so much for talking with us. I know this  
5 is difficult. I'm so sorry for what you went through.

6 A. Oh, by the way, I don't know if it's important but the -- the  
7 couple, husband and wife, the 50 year anniversary people, their  
8 church called me and talked to me and, you know, they -- well,  
9 they called and they were thanking me.

10 I don't know how they got my number, but -- but they did call  
11 and they just was thanking me for everything that I was able to  
12 do, because I'm guessing from some way they found that I was the  
13 person. So -- and that's just something extra that I didn't say,  
14 but that happened.

15 Q. Thank you --

16 MS. HARLEY: Okay.

17 MS. SEVERSON: -- for that.

18 BY MS. SEVERSON:

19 Q. Again, I'm so sorry. I would like to ask you a couple of  
20 questions about Curley and where he was. So you -- I understand  
21 that he was in the lower level of the lounge car, is that correct?

22 A. Yes.

23 Q. And was it the rear of the lounge car more in the serving  
24 area?

25 A. No, it's the -- the rear.

1 Q. The rear.

2 A. Yeah, the rear of the lounge car.

3 Q. How did you get into the observation car to help get him out?  
4 Through what opening?

5 A. I --

6 Q. Was it a -- through a window

7 A. I climbed up through a truck -- no, the wheels on the train.  
8 It was on its side, so I climbed up the wheels and got on top of  
9 the car just like all the other passengers. They were already  
10 there before me. I just (indiscernible) to help.

11 Q. So you got up onto the high side --

12 A. (Indiscernible.)

13 Q. And then went through -- you said a hatch?

14 A. Well, it was open already because it was, like, the door was  
15 missing. It was gone. So then, you know, when you look down, all  
16 I could see was the ballast and the rocks and there was a -- a  
17 passenger down there talking to them and it was, like, "Hey, they  
18 say they're fine. There's two of them in there. They're alive."

19 And I jumped down there with them to -- and right where that  
20 door was hanging down, because it was halfway -- it seemed like it  
21 was halfway on and halfway off. I grabbed the door and moved it,  
22 because there's a power panel right behind that door. So I opened  
23 that panel and I shut off all the power to that car just in case.

24 Q. Okay.

25 A. And that -- so I saw cars pulling up and I was, like, "Hey,

1 we need a shovel. Get a shovel over here and a ladder if you  
2 can," and they basic -- though happen to have a shovel in the back  
3 of their truck, so we just started digging and I got tired because  
4 it was a lot.

5 So I switched off with the other passenger. I think it was  
6 Zach, the Zach Junior, and he started shoveling. Finally, we got  
7 him out.

8 Q. Okay. So I'm sorry if it's hard for me to understand. But  
9 you got to the top of the car. You looked through the door that  
10 was already open to the lower level and you saw -- and Zach Junior  
11 was already in there helping Curley?

12 A. It was another passenger. It wasn't the Zach Junior. It was  
13 the guy -- he was a Marine. He's in the Marine Corps.

14 Q. Okay. So he was already helping and then you saw they needed  
15 help, so you went in to try to help --

16 A. Yeah.

17 Q. -- to get -- shoveled him out. Now was he -- now was Curley  
18 buried in ballast? Like, was his head buried, his legs? Like,  
19 was he conscious?

20 A. Well, once he finished digging him out, I took  
21 (indiscernible) he was coming out because I had stopped digging.  
22 I was just too tired, so I passed the shovel to him and let him  
23 dig. I think he crawled out and all I saw was --

24 Q. Curley?

25 A. -- just a little -- Curley. Yeah. I just saw a little cut

1 on his head. That first passenger came out first, then Curley  
2 came out.

3 Q. Okay. That's good. Under his own power, that's great. So  
4 Curley didn't appear --

5 A. Yes.

6 Q. -- to be injured, but he just couldn't extract himself  
7 because he was buried in ballast?

8 A. Well, I can't tell you if he was injured or not he being --  
9 his adrenaline was pumping. He was (indiscernible). He was very  
10 lethargic, so I can tell you that because I would ask him  
11 something, you know, he -- they heard me, but he just, like,  
12 stared into space.

13 Q. Okay. Okay, and so how did Curley and the Marine crawl out?  
14 Did they go through the windows on the lower level of the car on  
15 the downside

16 A. Well -- no. The Marine was helping me shovel.

17 Q. Okay.

18 A. Yeah. He was helping me shovel. But Curley --

19 Q. But after -- okay.

20 A. They got out. They went up the ladder and then went around  
21 the side of the car, because there's other windows. If we step on  
22 it, you would probably fall through and be stuck again. So we got  
23 him around those windows and took him down the second ladder.

24 Q. I'm sorry that I'm having trouble understanding. He got out  
25 a ladder by climbing up to the high side or climbing a ladder



1 down -- to the low side?

2 A. He climbed up -- yeah. We had two ladders. One ladder was  
3 on the outside and one ladder was down there where we were digging  
4 him out. So when he crawled out, we got him up that first ladder  
5 to get on the high side of the car and navigated around those  
6 windows and pulled down the second ladder to the ground.

7 Q. I understand now. Thank you, and when you were helping get  
8 Curley unburied, is that when you saw the other Zach who was  
9 fatally injured inside the car?

10 A. No. I found that first Zach that was injured as soon -- that  
11 he was the second person I ran into is when I got off. I -- I saw  
12 a foot, so I know there was somebody there and I moved the door  
13 and it was him. He was completely gray and blue, one open, one  
14 eye closed.

15 Q. So I'm trying to understand where the deceased Zach was. Was  
16 he inside the lower level of the car or was he outside the car?

17 A. Yes. He was -- well, he was outside. He -- he fell out the  
18 window to the ground. The door --

19 Q. Okay. Did it -- I know you might not be able to -- could you  
20 tell if Zach had been in the upper level of the lounge car or the  
21 lower level with Curley?

22 A. No. He was in the lower level.

23 Q. Okay. So he fell out one of the lower level windows you  
24 presume?

25 A. Yes. Well, I'm pretty sure because I could see the window

1 gone and he was on top and then it was, like, some other debris on  
2 top of him and as I'm running to that end, he was the first person  
3 I saw on the ground and then I saw the guy with no legs and that's  
4 when we moved him.

5 Q. Was Zach, do you think, was he trapped under the car or was  
6 he under a part of the car where, like, there was, like, a  
7 vertical gap between the car and the ground?

8 A. It was a gap kind of. Yeah, it was, like, a gap.

9 Q. Okay. So he wasn't stuck under the car, but he was behind  
10 the car but not compressed by the car at that point?

11 A. He -- but he wasn't stuck. No, it was easy to get him out  
12 when they got him out. They just (indiscernible) thing over  
13 there --

14 Q. Okay.

15 A. I watched them when they picked him up, like, and moved him.

16 Q. Okay. That's it for that. I was just also wanting to know.  
17 What were the injuries that you experienced?

18 A. Lower back, shoulder, left hip and I hit my head and I got a  
19 concussion. (Indiscernible) throwing up for a couple of days.

20 Q. And you said that you were in Room 15 at the time of the  
21 accident. Were you seated at a chair?

22 A. Yes. I was seated in my chair, but then when I felt that  
23 first bump hit, I jumped up out the chair and then the air popped  
24 and that's when I -- I flew from that door where -- well, it's  
25 like an opening and if you've been in the passenger car, you know

1 there's two seats, like one on aft and one forward.

2 I was in the aft seat and when I jumped up, when I felt that  
3 first bump, and then the air popped, it, like, threw me from where  
4 I was into the door, just a bathroom door outside my -- where I'm  
5 sitting, like, directly across from me and that's when I hit my  
6 back and my head and shoulder.

7 Q. Okay.

8 A. I didn't go unconscious so I -- I jumped up and I just went  
9 straight to looking at passengers and then Danielle was coming  
10 towards me.

11 Q. Okay. So do you think that your injuries primarily came from  
12 being thrown against the bathroom door?

13 A. Yeah. That's I'm pretty sure that's where it came  
14 (indiscernible) my hip --

15 Q. Well --

16 A. (Indiscernible) until I walk.

17 MR. BOVARNICK: Just one second.

18 MR. PEYTON: I mean --

19 MR. BOVARNICK: Please, can I just interject something. With  
20 respect to the cause of his injuries, neither the diagnoses -- the  
21 diagnoses have not been completed nor has any physician yet  
22 weighed in on the cause of anything -- the actual cause of  
23 anything other than the PTSD.

24 So while it's known that he suffered fairly serious injuries  
25 as a result of the derailment, it is not known yet the extent to

1 which his injuries occurred when he struck the door or when they  
2 occurred -- or whether they occurred during the course of his  
3 activities trying to rescue passengers.

4 MS. SEVERSON: Okay.

5 MR. BOVARNICK: So --

6 MS. SEVERSON: Okay.

7 MR. BOVARNICK: -- that's an area that --

8 MS. SEVERSON: Understand.

9 MR. BOVARNICK: -- I prefer you not get into at this point --

10 MS. SEVERSON: Okay.

11 MR. BOVARNICK: -- because we just --

12 MS. SEVERSON: That's fine.

13 MR. BOVARNICK: -- don't know.

14 MS. SEVERSON: That's fine. Okay. That's all the questions  
15 for you right now. Again, thank you very much for your input.  
16 It's very helpful.

17 MS. HARLEY: So, Justin, did you have any questions?

18 MR. TALMADGE: Oh, there we go. No, I don't. Thank you  
19 though.

20 MS. HARLEY: Okay.

21 MR. TALMADGE: I just wanted to -- I do want to just say  
22 thank you. Thank you, Tarrick.

23 MR. PEYTON: (Indiscernible.)

24 MS. HARLEY: Okay.

25 MR. PEYTON: No problem. I appreciate (indiscernible).

1 MS. HARLEY: So, Mr. Peyton, I've a couple of really quick  
2 questions and this will be easy. I -- or will be quick for you.

3 BY MS. HARLEY:

4 Q. Can you tell me how long it took, or in your estimation, for  
5 the emergency responders to arrive on the scene?

6 A. The emergency responders? Maybe 15, 20 minutes and it really  
7 wasn't -- it was the sheriff. It was a sheriff that showed up  
8 first and then everyone else started showing up maybe 10 minutes  
9 after that.

10 Q. Okay.

11 A. But most of the people that showed up first were people that  
12 saw the train derail driving down the street, so they just  
13 detoured and came and started helping us out.

14 Q. Okay. So the other thing is --

15 A. And plus (indiscernible).

16 Q. Okay. The -- basically the last question I have is, as you  
17 were approaching the lounge car, did you first arrive at Zach that  
18 was deceased or did you arrive at the gentleman who was the  
19 amputee?

20 A. It was kind of both. I saw the gentleman with the amputee  
21 and I saw Zach's foot hanging out. So I knew it was somebody  
22 under there.

23 Q. So if you're looking at the car and it's rolled over on its  
24 right side, would you say the gentleman, the amputee, he was --  
25 was he closer to the front of the car or to the rear of the car?

1 A. The rear of the car.

2 Q. Okay.

3 A. Seemed like he was downstairs also in the café car.

4 Q. Okay.

5 A. It's what it seemed.

6 Q. All right, and the other thing is, you said that there was  
7 door lying on Zach?

8 A. Zach was on top of a door and then there was another -- some  
9 debris, what have you, that was on top of him.

10 Q. Okay. Do you have some sense of where that door came from?

11 A. No. Well, wait a minute. It wasn't a -- yeah, it was -- it  
12 was a door or a window. Maybe it was a window because the way --  
13 the way it looked down there is when you walked downstairs for the  
14 café car, there's chairs, little seats, for you to sit down and it  
15 -- so I'm guessing I have to say it was a window then, because  
16 there's a window right at those seats. So maybe that window came  
17 out, that he was laying on top of that window

18 MS. HARLEY: Okay. All right. So that's actually the  
19 questions I have. Kris, did you have anything to follow up?

20 MS. SEVERSON: No thank you. I'm set. Thank you.

21 MS. HARLEY: Okay. Again, Mr. Peyton, thank you very, very  
22 much for taking the time to talk to us. It was -- this is  
23 extremely important and we appreciate it and we also understand  
24 that this is very traumatic for you and, again, we appreciate all  
25 of your help.

1           As I tell everyone that the -- you will probably be hearing  
2 from the NTSB. We normally reach out to the victims, and you are  
3 considered a victim, in a transportation accident and we will  
4 provide you with some follow up information in regards to the  
5 investigation.

6           We are also required to let you know before we put out  
7 anything to the public and you will also be provided with a  
8 specialist, a transportation disaster assistant specialist, who's  
9 basically your contact with the investigation. If you have any  
10 questions, you refer the questions through her. You have my  
11 number. You can certainly go through me.

12           One of the things I can't answer right now is how we're going  
13 to deal with the conversation with the Amtrak employees, whether  
14 the specialist will -- will speak to you directly or whether we'll  
15 go through Amtrak and Amtrak will have someone that does that.  
16 But you do have the right to contact us if you have any questions  
17 or concerns, okay?

18           MR. PEYTON: Okay, and that information goes to my attorney  
19 too or do I pass that along?

20           MS. HARLEY: Actually, if you want it to go to your attorney,  
21 I'll just get his information and I'll let the assistant know and  
22 we'll do it that way.

23           MR. BOVARNICK: Yes. I'd like -- actually, I (indiscernible)  
24 whether it comes to me and Tarrick, but that would probably be  
25 best but I definitely want it to come to me.

1 MS. HARLEY: Okay. That is -- that we can do. That's not a  
2 problem. Okay?

3 MR. PEYTON: Okay.

4 MS. HARLEY: All right. Well, thank you both. Thank you  
5 all, I should say, for all your assistance and have a good day,  
6 sir, and good luck.

7 MR. PEYTON: Thank you. Have a good one.

8 MR. BOVARNICK: Thank you.

9 MS. SEVERSON: Thank you, Tarrick.

10 MR. BOVARNICK: I'll give you a call in just a moment,  
11 Tarrick.

12 MR. PEYTON: All right. Thank you.

13 MR. BOVARNICK: Okay. Hang up now. Bye bye.

14 MR. TALMADGE: Thank y'all.

15 MS. SEVERSON: Bye bye.

16 MS. HARLEY: All right. Okay. Time is 1:03 p.m.

17 (Whereupon, at 1:03 p.m. EDT, the interview was concluded.)  
18  
19  
20  
21  
22  
23  
24  
25



CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF:            FATAL AMTRAK DERAILMENT  
                                      NEAR JOPLIN, MONTANA  
                                      ON SEPTEMBER 25, 2021  
                                      Interview of Tarrick Peyton

ACCIDENT NO.:                RRD21MR017

PLACE:                         Via Zoom videoconference

DATE:                          October 20, 2021

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.

A large black rectangular redaction box covering the signature of Lisa Smith.

Lisa Smith  
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of: \*

\*

FATAL AMTRAK DERAILMENT \*

NEAR JOPLIN, MONTANA \* Accident No.: RRD21MR017

ON SEPTEMBER 25, 2021 \*

\*

\* \* \* \* \*

Interview of: DEBORAH PADGETT, Onboard Services (Chef)  
Amtrak

Via Zoom videoconference

Thursday,  
October 21, 2021

APPEARANCES:

SHERYL HARLEY, Assistant Investigator  
National Transportation Safety Board

JUSTIN TALMADGE, Supervisor  
Amtrak

I N D E X

ITEM

PAGE

Interview of Deborah Padgett:

By Ms. Harley

5

I N T E R V I E W

(1:07 p.m.)

1  
2  
3 MS. HARLEY: Okay. So, again, my name is Sheryl Harley and  
4 I'm the Assistant Investigator in charge with the National  
5 Transportation Safety Board, and as you know, we're looking into  
6 the Amtrak derailment in Joplin, Montana that occurred on  
7 September the 25th, 2021 at about 3:47 p.m.

8 Today's date is October the 21st of 2021 and it's 1:07 p.m.,  
9 and that's in Eastern Daylight Time. I realize it may be a  
10 different time zone for you.

11 MS. PADGETT: Yes.

12 MS. HARLEY: So at this particular point, Ms. Padgett, I'm  
13 just going to ask you to identify yourself for the recording,  
14 please?

15 MS. PADGETT: I'm Deborah Padgett, Onboard Services working  
16 as chef.

17 MS. HARLEY: Okay. All right, and also on the call is a  
18 representative from Amtrak.

19 Justin?

20 MR. TALMADGE: Yes. You have Justin Talmadge here --

21 MS. PADGETT: (Indiscernible.)

22 MR. TALMADGE: -- (indiscernible) supervisor for the Empire  
23 Builder based out of Seattle.

24 MS. HARLEY: Thank you. Okay.

25 INTERVIEW OF DEBORAH PADGETT

1 BY MS. HARLEY:

2 Q. So, Ms. Padgett, so let me kind of explain what's going on.  
3 So one of the things that we do is, we interviewed a crew because  
4 you guys are in a unique position to tell us what's going on. You  
5 know a little bit about the train and the operation and you're  
6 probably more focused on the events that occurred, and that's one  
7 of the reasons that we've -- that we are actually interviewing the  
8 crew.

9 So I guess what I would like to do to start off with is just  
10 to ask you some basic questions so I can become familiar with your  
11 employment and your experience, and then we can walk our way  
12 through the accident.

13 So, first, when were you hired by Amtrak?

14 A. Hired was sometime in the fall of 2007. I don't know my  
15 exact hire date. I'd have to look at the big book. But it was in  
16 the fall.

17 Q. Okay. That's fine, and you said that your job description is  
18 you are a chef?

19 A. Yes.

20 Q. Okay. All right, and is the Empire Builder your normal duty  
21 station?

22 A. Yes.

23 Q. Prior to the accident trip, how many times have you been on  
24 the Empire Builder, let's say in the last three months?

25 A. At least three times in a month, sometimes four. We did a

1 lot of -- because we're short on people.

2 Q. Okay.

3 A. So nine times.

4 Q. Nine times in all? Okay. All right, and let's see. What  
5 are your work shifts like, days on/days off?

6 A. It has been going, because we were short, where it's been six  
7 on, two off.

8 Q. Okay. All right. So when you reported to the Empire Builder  
9 on the accident trip, what was your duty hours while on the train?

10 A. To start, you're (indiscernible) an hour before breakfast  
11 begins. So the first is 6:30, so I'm in the kitchen down there by  
12 5:30 in the morning and I don't go take naps. I just don't. So I  
13 just pretty much monitor upstairs and sit up there.

14 And -- and then when it's time to prep for lunch, I do my  
15 prep work and lunches usually from 11:30 to sometimes almost 3:00,  
16 and I clean up, prep -- prep up for dinner and get things all  
17 going in that direction to get people fed and that starts usually  
18 at 5 a -- or 5:00 p.m. and can run until 9:30, 10 o'clock. Just  
19 depends on how many people we have to feed.

20 Q. So what time do you normally get off of work?

21 A. After cleanup and everything, 9:30 at night.

22 Q. Okay. Usually it's 9:30. Okay. All right. So can you  
23 explain to me the kind of training that Amtrak provides employees  
24 in regards to emergency response and emergency procedures?

25 A. The -- we are provided training and just sometimes in a

1 safety briefing those questions come up, which exits would you  
2 use? What kind of emergency equipment do we have on board, and to  
3 make sure it's all there. That's kind of before every trip that  
4 we get a briefing on the safety issues.

5 Q. Okay. Great. So prior to the derailment was the PA system  
6 working?

7 A. Yes.

8 Q. Prior to the derailment, did the emergency lights work in the  
9 cars?

10 A. I can only speak for the -- the kitchen and no, they did not.

11 Q. Okay. Okay. Was that known prior to the start of the trip?

12 A. Just at the beginning of the trip is they came down and  
13 looked at these switches and couldn't figure out why we weren't  
14 getting emergency lights --

15 Q. Okay.

16 A. And that was about the end of that. They sent us out.

17 Q. Okay. All right. Was the train already in motion and had  
18 passengers onboard when they checked the lighting?

19 A. No. It was before we left the pit.

20 Q. Okay. Okay. Okay. Explain to me, if you know, what are the  
21 procedures as far as providing passengers with any kind of, like,  
22 safety briefing or notifying them of the presence of the safety  
23 cards?

24 A. Usually the conductor, he goes through all of those things on  
25 how to hang on and where you'll find your safety card.



1 Q. Okay. Does he do that in person or is that part of the --  
2 like, on the PA?

3 A. On the PA.

4 Q. Okay.

5 A. And I'm not usually in a -- in one of the sleeping cars. I  
6 don't know, but I would imagine that that person tending to those  
7 people might go over -- go over the safety more personally with  
8 each passenger. I -- I can't say for sure.

9 Q. Okay.

10 A. I don't know.

11 Q. All right. Understood. Okay. Okay. So if you don't mind,  
12 I'm going to take you to the day of the accident, and I -- if you  
13 want to start in the morning and just kind of walk me through that  
14 day through the derailment?

15 A. Well, in the morning I -- when I get up and come through, I'm  
16 usually the only one who is up and the conductors are usually  
17 sitting in the dining car through the night so people have access  
18 to them. (Indiscernible) downstairs and I start prepping for  
19 breakfast so I'm ready to go by 6:00, 6:30.

20 Things are just ready to go and people start trickling in.  
21 Sometimes they run in, sometimes it's a trickle. It -- breakfast  
22 is always pretty orderly, get everybody fed, and then it's  
23 immediate time to go to cleanup and we're done, get everything  
24 cleaned up, prepped for lunch and then there's this time in-  
25 between.

1 I always stay in the dining car. I don't go nap when I  
2 should, but I don't. I only say that when I nap, I don't feel  
3 rejuvenized, I guess. But we were 45 minutes away for starting  
4 our dinner and I had just gotten up to go downstairs and checked  
5 the baked potatoes when it first -- I've been through a few of  
6 these (indiscernible) always told me.

7 They're called frogs and the switch and it's always kind of a  
8 bang (indiscernible) not smooth, and at first, that's what I  
9 thought that split second -- in that split second what had  
10 happened was we hit a frog. But immediately, after the bang, it  
11 was obvious we had derailed and it had knocked me on the floor to  
12 my left side -- on my left side and I hung on to the -- to the  
13 table leg -- table leg and waited it for -- waited for things to  
14 stop.

15 Then I can hear James. He was on the other side of the  
16 dining car and I went to assist him and you -- "Someone'll get me"  
17 and it's, like, "No, I'm not going to leave you up here," and a  
18 man came from the sleeping car and he says, "I'm a paramedic and I  
19 can help with him."

20 So that paramedic passenger picked James up and brought him  
21 out. I had come out of the car and started assisting passengers  
22 because their phones weren't working and I have Verizon, so I  
23 still had a good signal, and then I went back in because a lot of  
24 plastic had fallen down and was on that grill.

25 I just always think of fire, so I went in there to try to --

1 to clear the grill of anything that would burn and then I went  
2 back outside and pretty much spoke with passengers, comforted  
3 passengers and then became almost like a flagger to get them to go  
4 down and across the track, where to meet so we can do a headcount  
5 on everybody and see if we had every -- excuse me.

6 My voice is froggy, and so that was pretty much what I did  
7 was to get over the tracks and where to meet --

8 Q. Okay.

9 A. And that's -- a lot of them wanted to go get their bags and  
10 it was, like, no, we'll get it. We'll get it.

11 Q. Okay. So --

12 A. So that -- okay.

13 Q. I'm sorry. So at the time of the derailment, in the dining  
14 car were you and James on the upper level. Was there anybody  
15 downstairs?

16 A. Yes. Donald Buggy (ph.).

17 Q. Donald Buggy was --

18 A. And I hollered -- yeah, and he was okay and he had -- think  
19 he got the door opened and I think at that time, most of us were  
20 kind of in a flurry what just happened, you know --

21 Q. Uh-huh.

22 A. And I just wanted to get people away from the train because  
23 some of them weren't -- it looked like the push they would roll.  
24 So trying to get people in a place away from the train where they  
25 could all be counted.

1 Q. Okay. So the door that Donald was able to get open, was that  
2 on the lower level or the upper level?

3 A. On the lower level of the kitchen.

4 Q. Lower. Okay, and was that how you and James and the EMT got  
5 out -- and the paramedic, I mean?

6 A. Yes.

7 Q. Okay, and so there were -- so that was the only people that  
8 were in the dining car?

9 A. Yes.

10 Q. Okay. Is James another food service attendant or is he one  
11 of the coach car attendants?

12 A. He was a coach car attendant.

13 Q. Do you remember which car he was attendant for?

14 A. He was -- had to be right behind the dining car. So I  
15 (indiscernible). His car location was between the kitchen and the  
16 viewing car, and we always call that the Seattle coach.

17 Q. The Seattle coach? Okay. Okay. What kind of injuries did  
18 you see that James had sustained?

19 A. I didn't see any visual, but he -- he talked about he thought  
20 his fingers were broke and possibly a rib.

21 Q. Okay. So you were actually able to hold on as the train was  
22 going through the derailment?

23 A. Oh, yeah, like your life.

24 Q. Okay.

25 A. Yeah.

1 Q. Okay. So you were not thrown around inside the interior of  
2 the car?

3 A. Well, yes and no, not enough to sustain an injury, you know,  
4 to -- hands, legs, I have a bruise on my knee and on my calf.

5 Q. Okay.

6 A. It was -- it was a pretty good shaking we went through  
7 because I could once the train was in the dirt, it's -- it's such  
8 a different type of vibration and it could go one way or the  
9 other. It's hard to prepare because if I wasn't hanging on, I  
10 probably would have head injuries because it was pretty violent.

11 Q. Uh-huh. Did you see James get thrown around?

12 A. I did not. He was in the other half of the diner and I -- I  
13 was -- at the time, I didn't even know he was there. I was just  
14 concentrating on hanging on. As soon as the train -- as soon as  
15 the train stopped and I stood up, I -- I could visually see him  
16 and then I could hear him.

17 Q. So looking at the train as far as, like, in the direction the  
18 train was actually going, was James on the left side or on the  
19 right side?

20 A. Direction. Well, he was on the side furthest -- closest to  
21 his coach, so that would be the right side --

22 Q. Okay. Oh --

23 A. -- and I was on the --

24 Q. Okay. So looking at it as the front of the train, which is  
25 closer to the engine, that's where you were, correct?

- 1 A. Yes.
- 2 Q. Okay, and James was the farthest away and closest to his car?
- 3 A. Yes. He was on the floor.
- 4 Q. Okay. When he was on the floor was he in the middle of the  
5 aisle or was he to the left or to the right?
- 6 A. In the middle.
- 7 Q. Oh, he was in actually in the middle of the aisle?
- 8 A. Yes.
- 9 Q. All right. Did you see -- did you talk to the conductors at  
10 any time?
- 11 A. Well, after, I don't know, the time just seemed to stand  
12 still. But it -- I talked -- when JP came out, I talked to him a  
13 bit. But otherwise, they were so busy, so I really didn't have --  
14 but, like, things are you all right type conversation, you know?
- 15 Q. Okay. At that time, when you left the car, had the decision  
16 been made to evacuate the passengers from the train?
- 17 A. I didn't make a decision. Someone had. So I think -- the  
18 next in command is Heather Rhoel, but there were no -- it was a  
19 safe area to get people out. There was a dirt road right  
20 alongside and so by the time I got out, we -- they were already  
21 evacuating people and gathering them up and then eventually with  
22 the manifest and a piece of paper got everybody's name. So we  
23 knew everybody was accounted -- was accounted for.
- 24 Q. Okay, and you said that at that time it was Heather and not  
25 the conductors who were in charge?

1 A. Oh, she's with -- the conductors were in charge. But I said  
2 the person who falls in line after them --

3 Q. Oh, okay.

4 A. -- would be Heather.

5 Q. Okay. So okay. So who did you receive your instructions  
6 from as far as moving the passengers and doing the headcount?

7 A. Just when we were (indiscernible). You have to account for  
8 everybody on the train and it just -- it's just part of our safety  
9 training.

10 Q. Okay. All right. Okay. Did you see any other Amtrak  
11 employees outside of Donald and James?

12 A. Yes. Danielle. She was superwoman that day. She went  
13 flying through the cars that were over on their sides to help  
14 people get people out. Eventually they were -- they were all out  
15 except for (indiscernible) and I always say her name wrong. They  
16 had to bring her out a little different -- Sowen (ph.)?

17 Q. Shavon (ph.)?

18 A. I think that's -- Shavon.

19 Q. Yeah.

20 A. Yes.

21 Q. She was in one of the rear coaches?

22 A. She had to -- yes.

23 Q. Okay.

24 A. And it did seem like we were all trying to comfort  
25 passengers, get them into one place where we had pencil and paper

1 (indiscernible) to account for everyone.

2 Q. Okay. Did you see any other Amtrak employees, outside of  
3 James, that was injured?

4 A. No. I -- that's -- I didn't even really see her either  
5 because they took her out and went right to a hospital.

6 Q. Okay.

7 A. Well, I think everybody was injured a little bit in some way,  
8 like, from bruising to maybe back (indiscernible). Ricardo was, I  
9 know, having issues with his back but at the school gymnasium,  
10 they did all of the triage and looked at all our blood pressures  
11 and all those stats.

12 Q. Okay. Okay. So let's see. As far as the passengers were  
13 concerned, who was evacuating the passengers out of James' coach?

14 A. Well, it would've -- I don't think it was JP because he had  
15 to come out from under the -- Danielle may have been doing that  
16 because she -- she was everywhere. I can't say for certain, but  
17 that car did get evacuated and I don't know who led them.

18 Q. Okay.

19 A. I just didn't -- at that time, I was dealing with passengers  
20 that had gotten off the -- the 31 and the 32 car because they were  
21 kind of confused and, like, what do they do and so we were trying  
22 to get them all to go to the safe place until we could account for  
23 them.

24 Q. Okay, and who was actually in charge of the evacuation off of  
25 the 31 and 32 cars?



1 A. Their car attendant.

2 Q. Okay, and who was that?

3 A. Well, Danielle, she was up there and she's a waiter, so she  
4 was doing it. Heather was helping. Yonas (ph.) was helping  
5 people and Tashi.

6 Q. Okay. All right. All righty. Okay. Do you have some sense  
7 of how long it took the emergency responders to respond to the  
8 scene?

9 A. Oh, the guy in the truck that saw the whole thing happen was  
10 part of emergency response in -- in that county, so word got out  
11 fast. Those people were there very fast.

12 Q. Okay. All right, and you weren't transported to a hospital  
13 were you?

14 A. No.

15 Q. Okay. So you've been over that route a couple of times. Did  
16 anything strike you --

17 A. Yes.

18 Q. -- as unusual about the trip this time? I mean did the ride  
19 seem about the same to you?

20 A. Well, I -- the ride seemed fine and they had taken our dining  
21 car in Chicago and swapped this new -- newer one in and  
22 (indiscernible) just figured it's because it was a good diner.  
23 Everything worked really well and I go it just figures. The one  
24 diner we finally get a good one and something happens.

25 But that was the only unusual thing is that there was really

1 nice diner.

2 Q. Okay.

3 A. But otherwise, no. Not until we hit whatever that was that I  
4 thought was a frog.

5 Q. Okay. Okay. All righty. Okay, and after you left the  
6 diner, you didn't enter any of the other cars, is that correct?

7 A. I did not. I just was out there with the passengers, you  
8 know, trying to keep them when some wanted to go back in and --

9 Q. Okay.

10 A. We told them no and we can't just -- we've got to -- we've  
11 got to get a headcount and, you know, I (indiscernible) like, keep  
12 my sheet together, you know?

13 Q. Yeah. Okay. Is there anything you think that I should've  
14 asked you about this incident and I failed to ask you?

15 A. No, I don't think so. Everything that day was, you know,  
16 shocking but the crew, like, they did a really good job of getting  
17 the people out, getting them assistance and we had first  
18 responders on scene so very fast.

19 It kind of was if this had to happen, you know, it happened  
20 in a spot where people were driving down the road, civilians, just  
21 to get out and help. It was very, very nice to see strangers  
22 helping strangers.

23 Q. That's great. So one of the things that I always tell  
24 everyone that I interview is that part of the requirement of the  
25 NTSB is to notify you, and actually everyone who was a victim of

1 this transportation accident, of what the NTSB does and provide  
2 you with someone that you can talk to in the event that you have  
3 questions for us about the investigation.

4 So you will probably get an email or a letter from what we  
5 call a Transportation Disaster Assistant Specialist, and basically  
6 that's the person, if you have any questions, if you want to know  
7 what's going on about the investigation, she is going to be your  
8 contact. You also have my information, so please feel free to use  
9 it.

10 So probably in about a week, week and a half you're going to  
11 be notified that the preliminary report is going to come out. Now  
12 the preliminary report is just a basic report about what happened.  
13 It's not going to have anything about the ongoing investigation  
14 because that's still ongoing and right now, we don't really have  
15 any information to provide people.

16 But one of the things that we are required to do is to notify  
17 you before we release anything to the public, okay? So you'll  
18 probably get -- probably just a letter just to explain all of  
19 that.

20 MS. HARLEY: And I just wanted to ask Justin, did you have  
21 anything that you wanted to say?

22 MR. TALMADGE: No, other than just thank, Debbie, for today  
23 and thank you for everything that day, as well. Thank you so  
24 much.

25 MS. PADGETT: Oh, not a --

1 MS. HARLEY: Yeah. Absolutely.

2 MS. PADGETT: Thank you.

3 MS. HARLEY: Thank you and your crew. I know it was a  
4 difficult time and you guys had a lot to deal with. So just take  
5 of yourself and if you have any questions, you have my number,  
6 okay? And thank you again.

7 MS. PADGETT: All right.

8 MS. HARLEY: All right. Have a good afternoon.

9 MS. PADGETT: Thank you. Thank you. Bye bye.

10 MS. HARLEY: All right. Bye bye.

11 MS. PADGETT: (Indiscernible).

12 MR. TALMADGE: Thank y'all.

13 MS. PADGETT: And, Jason, are you still there Jason?

14 MR. TALMADGE: Justin. Yeah.

15 MS. PADGETT: Oh, I'm hoping to come back to work on the 2nd.  
16 I'm (indiscernible) --

17 MR. TALMADGE: Okay.

18 MS. HARLEY: Okay. The interview was terminated at 34 --  
19 excuse me. The interview was terminated at 1:41 p.m.

20 (Whereupon, at 1:41 p.m. EDT, the interview was concluded.)  
21  
22  
23  
24  
25

CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

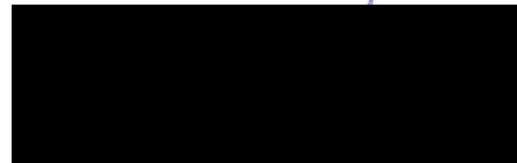
IN THE MATTER OF:            FATAL AMTRAK DERAILMENT  
                                      NEAR JOPLIN, MONTANA  
                                      ON SEPTEMBER 25, 2021  
                                      Interview of Deborah Padgett

ACCIDENT NO.:                RRD21MR017

PLACE:                         Via Zoom videoconference

DATE:                         October 21, 2021

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 Smith  
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of: \*

\*

FATAL AMTRAK DERAILMENT \*

NEAR JOPLIN, MONTANA. \* Accident No.: RRD21MR017

ON SEPTEMBER 25, 2021 \*

\*

\* \* \* \* \*

Interview of: TASHI GURUNG, OBS Train Sleeping Car Attendant  
Amtrak

Via Zoom videoconference

Thursday,  
October 21, 2021

APPEARANCES:

SHERYL HARLEY, Assistant Investigator  
National Transportation Safety Board

KARINA (KARI) JACOBSEN, Mechanical Engineer  
Volpe Center

KRISTINE (KRIS) SEVERSON, Mechanical Engineer  
Volpe Center

JOHN HIATT, Investigator  
Bremseth Law Firm

JUSTIN TALMADGE, Supervisor  
Amtrak

I N D E X

ITEM

PAGE

Interview of Tashi Gurung:

By Ms. Harley

5, 23

By Ms. Severson

21



I N T E R V I E W

(3:11 p.m.)

(Mr. Gurung is very low volume throughout the interview.)

MS. HARLEY: Okay. So good afternoon, everyone. So name is Sheryl Harley, H-A-R-L-E-Y. I am the Assistant Investigator in charge with the National Transportation Safety Board and we're investigating the Amtrack derailment that occurred in Joplin, Montana on September the 25th of 2021 at approximately 3:47 p.m.

Today's date is October the 21st of 2021 and it's 3:12 p.m., and that's Eastern Daylight Time, and on this call with me is -- Tashi, can I ask you to identify yourself for the record, please?

MR. GURUNG: Tashi, T-A-S-H-I, Gurung, G-U-R-U-N-G, for my last name.

MS. HARLEY: Thank you.

So, Mr. Hiatt, can you identify yourself, please, sir?

MR. HIATT: Yes. John Hiatt, J-O-H-N H-I-A-T-T, with the Bremseth Law Firm.

MS. HARLEY: Thank you. In addition to myself, there also two members of the investigative team.

Kari?

MS. JACOBSEN: Hi there. Kari Jacobsen. I work for the US Department of Transportation and I'm here in support of the FRA. You can go ahead, Kris.

MS. SEVERSON: Hello. My name is Kris Severson. I work with Kari and just add we're both mechanical engineers. We were goth

1 out at the accident site and our goal here it to better understand  
2 how people were hurt during the accident so that we can facilitate  
3 safety improvements for the future. Thank you.

4 MS. HARLEY: And also on the call is a representative from  
5 Amtrak.

6 MR. TALMADGE: Oh, sorry about that. I was trying to find  
7 the mute. You've got Justin Talmadge, OBS supervisor for the  
8 Empire Builder based out of Seattle.

9 MS. HARLEY: Okay. Thank you. So, Tashi, just to give you  
10 kind of an overview of what's going on. So part of the  
11 investigation, as Kris and Kari said, is about the safety and the  
12 survival issues in the derailment, and you, as a crew member, have  
13 a unique insight because, number one, you know the train and you  
14 know the safety procedures.

15 So one of the things that we're looking is for you to kind of  
16 walk us through the event of the accident. But before we start,  
17 I'm just going to ask some basic information from you just to get  
18 some background.

19 INTERVIEW OF TASHI GURUNG

20 BY MS. HARLEY:

21 Q. So when were you first hired by Amtrak?

22 A. I started in 2006. I think January 20th.

23 Q. Okay, in 2006, and your job title?

24 A. OBS Train Sleeping Car Attendant.

25 Q. OBS, you said, sleeping car attendant?

1 A. Yes.

2 Q. And was that the -- and was that your job on the Empire  
3 Building -- Builder on the day of the accident?

4 A. Yes.

5 Q. Okay. Is the Empire Builder your normal duty station?

6 A. Yes.

7 Q. Okay, in the last three months, how many trips have you made  
8 on the Empire Builder?

9 A. Oh, okay. Last three months. I don't know exact one.

10 Q. Just estimate it. You don't have to be exact.

11 A. All right. Maybe seven, eight, nine weeks, something like  
12 that. I'm not sure exactly.

13 Q. Okay. All right.

14 A. We work, like, sometimes three times a week or twice a week.

15 Q. Okay.

16 A. Three times a week.

17 Q. So you work sometimes two or three times a week on that  
18 train?

19 A. Yeah. No, I mean in the -- in the month.

20 Q. In the month. Okay. I got it. Two or three times in a  
21 month. Okay.

22 A. Yeah.

23 Q. So on the train, can you tell me, give me an idea of what  
24 your typical duty day would be? Give me the time you get up, your  
25 responsibilities and usually what time you get off at night?

1 A. Get off at night you mean?

2 Q. When I mean get off, I'm sorry. What time would you be off  
3 duty?

4 A. At night, about 10 o'clock.

5 Q. About 10:00 p.m.?

6 A. But it depends. Yeah. It depends. Some nights will be --  
7 that night, I was supposed to get off at 10:00 p.m.

8 Q. Okay, and when do you start your day?

9 A. That depends. Sometimes 5:30, sometimes -- yeah, most of the  
10 time, 5:30 a.m., morning.

11 Q. Okay, and what kind of training have you received in regards  
12 to safety or emergency procedures for the employees on the train?

13 A. Safety, general safety. We get (indiscernible) make sure is  
14 the fire (indiscernible) and tool bar and hammers and a light  
15 stake and those kind of stuff, first aid kit. Those are where  
16 under the -- make sure that where it belongs, like, there's two,  
17 three places to put it.

18 So we have to know those and -- yeah, something like that and  
19 safety, make sure all the window and doors are closed and  
20 (indiscernible) locked down and doors are make sure tight and make  
21 sure everything's locked and lights. Yeah.

22 Q. Have you received any training in passenger evacuation in the  
23 event of an emergency?

24 A. Yes. For something happens, yeah, we do.

25 Q. Okay.

1 A. And we just did that. We go to -- we car to car with  
2 passengers goes to different car we move and something like that,  
3 I mean, if it's safe. If there's not -- no light, no wire,  
4 whatever, is not outside to make sure, visibility of wires, if  
5 it's -- if there is something like that, we have to get them out  
6 from the door. But it has to make sure there's (indiscernible)  
7 open wire anywhere else, yeah.

8 Q. Okay. So I'm going to look -- I'm going to move forward a  
9 little bit and we're going to talk about the day of the accident.  
10 So tell me where you were at the time that you realized that  
11 something was wrong?

12 A. Oh, I was on the Room Number 1 and (indiscernible) she's to  
13 make our beds or as the people getting on at Shelby Room 13. So I  
14 was going to make that bed and overnighting sheet. I was standing  
15 at the bed and between door and Room Number 1.

16 Q. Okay, and what -- I'm sorry. What train car were you in?

17 A. 731 sleeper.

18 Q. Okay. All right. So you were in Car 31. You were at Room 1  
19 and you were making up the bed and you were standing between the  
20 bed and the door, is that correct?

21 A. Uh-huh.

22 Q. Okay. So tell me when the first -- when you first realized  
23 that something was wrong?

24 A. Oh, well, I felt all of a sudden big move, you know. It's --  
25 just going up and down. I thought, you know, first feel -- I

1 felt, like, we hit something and then -- and then gone a little  
2 bit and then we stopped it. It's throwing me (indiscernible) in  
3 the moving.

4 Q. Okay. So at first, you said there was big move and you said  
5 it was up and down motion?

6 A. Yeah. Up and down and right and left throwing and all the  
7 (indiscernible) -- yeah. I'm kind of bed and door -- between  
8 door.

9 Q. Did you have your back --

10 A. (Indiscernible).

11 Q. Did you have your back to the door?

12 A. Excuse me?

13 Q. I said, did you have your -- were you facing into the room  
14 and had your back to the door?

15 A. Exactly. (Indiscernible) --

16 Q. Yeah.

17 A. Exactly.

18 Q. Okay, and you said you thought that the train had hit  
19 something?

20 A. First that's what I thought. That's why, you know, people  
21 have a different feeling. So that's why I thought -- that's why I  
22 thought emergency brake. Usually whenever we hit something or  
23 it's -- they put the emergency brake, and then later on it got,  
24 like, worse and worse, like, moving more and (indiscernible)  
25 throwing up and back and forth and then it becomes, like, worse

1 and worse.

2 Then I thought, oh, no, it's a (indiscernible), you know, I  
3 don't know. I -- where I can -- I tried to press myself, hold  
4 myself, but I couldn't and I fall down over.

5 Q. Okay. Did the train actually go into emergency?

6 A. I think so. Emergency, yeah, they -- they tried to emergency  
7 stop, yeah. I think so. I don't -- yeah.

8 Q. Okay. So after the train stopped, what was the first thing  
9 that you did?

10 A. Oh, oh, we just calm down for a couple minutes I remember.  
11 Calm down for a couple -- couple of minutes.

12 Q. Okay.

13 A. Not a minute. Maybe not minute, seconds, and then it's  
14 everything is very, like, calmed down and then -- then I said kind  
15 of -- I fall down. I -- in the room in -- in the room. So I sat  
16 over there for a couple of -- maybe, like, 50 second or something  
17 like that.

18 Q. Okay.

19 A. And then we sat down to make sure I'm okay, you know.

20 Q. Okay. So you sat down in the room for a couple of seconds  
21 and then what did you do?

22 A. Then after that, then -- then someone come into my crew  
23 members and then I went up and then I check all my passengers to  
24 make sure everybody's okay. Then I look at the -- at the window  
25 and everything. We are pretty -- had a very scary shit, you know,

1 places so I just talk (indiscernible) and each and every  
2 passenger, I talked with them.

3 "How are you? How you doing? Everything okay," and so I --  
4 I saw some of them those that came off the track and talked with  
5 teaching every single time, which is (indiscernible), I don't  
6 know, you know. It's been -- anyway, it's a very (indiscernible)  
7 I tried to be (indiscernible) as much as I can.

8 I said that, "Everything will be okay." So I check all the  
9 rooms. So I saw some rooms, you know, some passenger trapped in,  
10 you know. So I told them, "Please be calm down. Everything will  
11 be okay." Then I just went downstairs and then I checked to make  
12 sure there is low wires, nothing like -- the wire, everything,  
13 make sure and then I checked the other car.

14 The other car was visibly leaning, so I thought maybe  
15 something because we have to go through to other car that is not  
16 possible. So I thought -- I went downstairs and then I stepped  
17 over door. I check and then the right side of -- lots of rock.  
18 There's nowhere you can go and outside, I saw the track and  
19 everything.

20 So, yeah, then I went back and I went back and then I tried  
21 -- first of all, I tried take out that those -- in the Room Number  
22 A, the lady was trapped in. So, first of all, I get -- I took out  
23 the first aid kit and -- not the hammer. What do they call that  
24 -- the crowbar.

25 I took out crowbar, then I -- Number 1, I tried to take out



1 that lady and then I saw my coworker. They also helped me out and  
2 I think (indiscernible) also helped me out. So we finally we  
3 managed that (indiscernible) three, four, five people tried, you  
4 know -- tried to take out the door.

5       Anyway, we manage (indiscernible) lady, her door is open.  
6 Yes.

7 Q.   Okay. So let me just kind of stop you there and I'm going to  
8 back up a little bit. So the -- after the train stopped, you took  
9 a second to get yourself together. You went out and you checked  
10 on all the passengers and the passengers were on the upper level?

11 A.   Upper level, yes.

12 Q.   Okay.

13 A.   On the upper level.

14 Q.   Okay, and the woman that was trapped in Room A, that was also  
15 on the upper level?

16 A.   Yes.

17 Q.   Okay. So she was trapped because she couldn't get out the  
18 door, is that correct?

19 A.   Yeah, because her door was out of track. Something worse  
20 than that. I happened. Her door was totally -- we couldn't open.  
21 It took me 30, 20 minutes there.

22 Q.   Okay.

23 A.   I was going -- said some people to try to break the window.  
24 I said, "We have another way to do it. If we break that glass,  
25 it's, you know -- it's going to be a (indiscernible) that's a lot

1 of trouble we're going to create. So I said, "Don't break the  
2 glass. We have some way we can open it up."

3 Q. Okay.

4 A. So then held off the passengers and so without breaking that  
5 glass, we managed. But it was -- her door was damaged.

6 Q. Okay. So the -- she was not injured. It was just she  
7 couldn't get out the door, is that correct?

8 A. Oh, I would say she can walk. She can -- she can -- so we --  
9 oh, no. She's -- I don't think so, but I'm not sure.

10 Q. So did she walk out of the room after you got the door open?

11 A. Yeah.

12 Q. Okay.

13 A. Yes.

14 Q. Okay.

15 A. Yes, definitely. She can walk but deep down injured, I don't  
16 know anything about that.

17 Q. Oh, okay. Was this an older woman or a younger woman?

18 A. Her the -- it looks like six -- around 60, I think.

19 Q. Okay. Do you remember which passenger that was?

20 A. Yeah. Definitely. She's a Japanese lady.

21 Q. I'm sorry. You said she was a Japanese lady?

22 A. Yeah.

23 Q. Okay.

24 A. Her husband was -- yeah.

25 Q. And was she alone in the room?

1 A. Yes. She by herself and she was so scared and then she was  
2 frustrated and she was kind of crying, I think, or screaming.

3 Q. Okay. You said another coworker came to help you. Which  
4 coworker was that?

5 A. Oh, well, that's another -- Rico came and there's other lady  
6 and let's say -- I forgot her name. She came and then no -- then  
7 later, she couldn't do it and then the passengers helped too.

8 Q. Okay. Okay. So at that particular point, you said that the  
9 -- you looked and the car that's that was connected to your car,  
10 the 730 -- the 731 car, was leaning so you couldn't get out that  
11 way. How did you get the passengers --

12 A. No, the 722 -- 730 was kind of leaning. So my car and 730  
13 car are out of tracks. 31 and 30 car is out of the track.

14 Q. Okay.

15 A. Yeah. The 30 car is kind of leaning.

16 Q. Okay. So 31 and 30 were off the track and 30 -- and the 30  
17 car was leaning?

18 A. Something like that, yeah.

19 Q. Okay. So at this particular point, who makes the decision to  
20 evacuate the passengers?

21 A. Oh, oh, that was -- you know, for me, I look at everywhere,  
22 so it tell to me pretty safe, so I -- conductors supposed to make  
23 a decision. So I went out tried to talk to a conductor.

24 Q. Okay. So you went out to try to find a conductor. Did you  
25 find him?

1 A. Yes. I brought some water and a washcloth and hand towels  
2 and then sheets and couple -- several bottles of water. So I know  
3 there is lot of things going on, so I slowly walk, make sure  
4 everything -- walk outside, tried to find (indiscernible)  
5 conductor.

6 Q. Okay. Which conductor did you find?

7 A. I found -- I think his name is Joe. Actually, I found  
8 assistant conductor.

9 Q. Okay. You found the assistant conductor? Okay.

10 A. Yeah.

11 Q. And then he was the one that told you to evacuate the  
12 passengers?

13 A. Yeah. I mean they -- (indiscernible). Sooner or later we're  
14 going to back -- I was going to evacuate, but I just wanted him to  
15 know that our people -- everyone is here and one missing  
16 passenger. That's why I was going to talk to him. Couple of  
17 missing passengers.

18 I made a note, you know, whichever room doesn't have -- a  
19 room's empty, there's no passengers, so I got kind of note.

20 Q. So you said that there were -- I'm sorry. I didn't  
21 understand. You said that they were missing passengers?

22 A. Couple passengers -- yeah, couple passengers. A couple of  
23 passengers are missing, yeah.

24 Q. And when you mean missing --

25 A. So I just --

1 Q. -- they weren't in their room, is that correct?

2 A. Yeah. Correct. They were not in their room. So I have to,  
3 you know -- I have to let conductor know and we have to find --  
4 and the lady was -- the Room A lady was screaming her husband  
5 wasn't -- she -- he went to an observation car, so she was  
6 screaming and she's looking for her husband.

7 So at the same time, I was looking for her, yeah. She wants  
8 me to find out her husband.

9 Q. Okay. So after the decision was made to evacuate the  
10 passengers, if you're looking at the --

11 A. Uh-huh.

12 Q. -- train in the direction it was traveling, how did you get  
13 the passengers off the train?

14 A. Oh, passenger because -- well, I was coming out of from  
15 conductor, there's someone that directing the passengers coming  
16 out -- already coming out.

17 Q. Okay. So the passengers self-evacuated, is that right?

18 A. Yes.

19 Q. Okay.

20 A. Yes -- no. So -- no, some crew members there.

21 Q. Oh, another crew member evacuated them?

22 A. Yes -- no, she helped -- helped me out.

23 Q. Okay. I'm sorry. So you said that you were coming back from  
24 talking to the conductor and you saw the passengers were already  
25 coming out. Was there a crew member helping them?

- 1 A. Correct. Right. Right. Right.
- 2 Q. Was there a crew member there?
- 3 A. Yes.
- 4 Q. Which crew member was that?
- 5 A. I think Danielle.
- 6 Q. Danielle? Okay.
- 7 A. Uh-huh.
- 8 Q. Okay. So after the derailment, were the lights on in the 731  
9 car?
- 10 A. Lights on?
- 11 Q. Yes.
- 12 A. Yes.
- 13 Q. So the car still had power?
- 14 A. Uh, I think so but I wasn't 100 percent sure though. I --  
15 because I went a couple times there, you know, that lady, I found.  
16 I -- the lady lost her husband and -- and then I took out that  
17 lady and we -- there's a couple people lying down. So I just want  
18 to make sure which one is your husband, you know. So she found  
19 her husband and we went back and -- back to her train so they're -  
20 - so already evacuating and then -- yeah.
- 21 Q. Okay. Were -- did you see the emergency lighting in the  
22 train on?
- 23 A. Yes. I think so. Yeah.
- 24 Q. Okay.
- 25 A. Yeah. Otherwise, you know, can't see because I -- we went

1 couple times and yeah, we tried to find the (indiscernible).

2 Q. Okay. So the -- so was the car dark at the time?

3 A. No. It's not dark, but when I went to in the Room A, because  
4 when I opened the closet so I can see that (indiscernible) light,  
5 yeah. There's a light, yeah.

6 Q. Okay. Were there any other passengers that were injured in  
7 that car?

8 A. Oh, oh, not badly in that moment. Most of them walk, but --  
9 but there's three people I just -- I just remembered three people,  
10 they got injured -- injured in the -- badly injured.

11 Q. Were those people in that -- in your car, the 731 car?

12 A. No. They are -- they went to observation car.

13 Q. Okay. They were in the observation car. In your car, were  
14 there any injured passengers?

15 A. Yeah, some -- well, basically, they told me -- most the  
16 people said, "I'm okay," so --

17 Q. Are you aware of any passenger that may have fallen down and  
18 gotten injured?

19 A. Oh, I don't -- I don't remember.

20 Q. Okay. All right. Prior to the derailment was the PA system  
21 working in the car?

22 A. Hmm. I don't know.

23 Q. Okay. Do you remember any announcements on the PA system?

24 A. After accident or before accident?

25 Q. Before?

- 1 A. Oh, yeah. It works. I made a couple announcement.
- 2 Q. Okay.
- 3 A. Yeah. That works.
- 4 Q. So it worked before. Did -- you didn't try to make any  
5 announcements after the accident, did you?
- 6 A. I -- I try it and but I (indiscernible) so I thought about it  
7 and then, oh, I better talk to each and everybody. So I talked to  
8 them personally.
- 9 Q. Okay. So when passengers board the train and they come into  
10 your car and do you go to each of the rooms to greet the  
11 passengers?
- 12 A. Yes. Each and everybody, we will talk to them, yes.
- 13 Q. Okay. What do you explain to them as far as, for example,  
14 what to do in an emergency? Do you talk to them about the safety  
15 cards?
- 16 A. Yes. First of all, I show that we have safety instructions,  
17 yes.
- 18 Q. Okay.
- 19 A. We talked about that.
- 20 Q. Okay.
- 21 A. Definitely.
- 22 Q. All right. All right. Were you transported to the hospital?
- 23 A. Yes -- no, for just checkup.
- 24 Q. For checkup?
- 25 A. Uh-huh.



1 Q. Okay.

2 A. Because I have a back pain. Those hurt so they check out my  
3 eyes so they told me I have to go to a -- I had a bad headache.  
4 They said I have to go the hospital.

5 Q. Okay. You said you were having problem with your eye?

6 A. Headache.

7 Q. Head -- oh. You were having just headaches. Okay. I got  
8 it.

9 A. But having other thing too.

10 Q. Did you have a sense of how long it took the emergency  
11 responders to get there?

12 A. Oh, maybe an hour or I don't know exactly, but maybe an hour  
13 -- hour or something like that.

14 Q. Okay.

15 A. I know it was pretty bad that day. No, it took a little time  
16 actually.

17 Q. Okay. So do you remember when the first time you saw the  
18 emergency responders? Was it after you left the assistant  
19 conductor or when was that?

20 A. No. After I talked with assistant conductor and then I saw  
21 the emergency car coming in.

22 Q. Okay. So you left the conductor. You were heading back to  
23 your train car and that's when you saw the emergency responders?

24 A. You know, I don't know. I can't tell you that but I can't  
25 tell you exactly. Maybe while I was there, someone is helping

1 there. But maybe I already came back and then I saw the -- I came  
2 back to my car probably talking to passengers, and at that moment,  
3 just came out I think. I saw the emergency, after that,  
4 ambulance.

5 Q. Okay. All right. Outside of the woman that was in Room  
6 Number A, were there any other passengers trapped in your car?

7 A. Nothing I know.

8 MS. HARLEY: Okay. I think that's pretty much all the  
9 questions I had. I'm going to turn it over to my fellow  
10 investigator.

11 Kari?

12 MR. GURUNG: Okay.

13 MS. JACOBSEN: Hi Tashi. Thanks for providing what you  
14 remember. I actually don't have any other questions at the  
15 moment, so I'm going to pass it to Kris. Thank you.

16 MR. GURUNG: Thank you.

17 MS. SEVERSON: Okay. Thank you, Tashi. I just wanted to  
18 pick up on one thing.

19 BY MS. SEVERSON:

20 Q. You said that the woman in Room A was stuck, was, sounds like  
21 a little bit frantic, she missing her husband because she thought  
22 he was in the observation car. Do you know if she found her  
23 husband?

24 A. Oh, oh --

25 Q. And where he was?

1 A. Yeah. Yeah. I -- yeah. First I tried to (indiscernible)  
2 and then I tried to, you know -- I thought, you know, because the  
3 -- I was kind of confused too there, you know. Everybody's, you  
4 know, those -- so I thought her husband's already in the car.

5 Told her your husband is already here and then she said, no,  
6 her husband wasn't here. So later I found out, because I asked --  
7 I got, like, (indiscernible). So the -- that wasn't -- that was a  
8 bruise. Her husband he's (indiscernible). Later she found -- so  
9 we -- she wants me to take her and she can't walk properly. I  
10 don't know why.

11 And then I help her and went out there and we found her  
12 husband and she husband was laying down and can't stand up and  
13 then she was crying and holding her husband. Her husband is name  
14 is Steven or something like that.

15 Q. Okay. So were you with her when she found him lying down?

16 A. Yes.

17 Q. Where was he lying down?

18 A. He was lying down on the side of train.

19 Q. On the side of which car, the observation car?

20 A. No, the -- it was outside. They pulled him out already.

21 Q. Out of the observation car?

22 A. Yeah, on the street. Towards the street. Side of the dirt  
23 street.

24 Q. Okay. So by the time you found -- you and this woman found  
25 her husband, someone else had already pulled him out of the

1 observation car and he was lying on the -- must've been the north  
2 side or right side of the train where that road, dirt road, was?

3 A. Yeah.

4 Q. Okay. Do you recall? Like, was he conscious? Was he  
5 visibly injured?

6 A. Yeah. He was badly injured and -- yeah, I gave water and she  
7 was trying to talk to him. Yeah. Then I went back to -- in my  
8 car.

9 Q. Okay.

10 A. I went to my car and then -- and yeah.

11 MS. SEVERSON: Okay. Okay. Thank you. That's all the  
12 questions I have. Thank you Tashi.

13 MR. GURUNG: Okay. Thank you.

14 MS. HARLEY: Okay. I've just got a couple of real quick  
15 follow ups.

16 BY MS. HARLEY:

17 Q. The passengers that were not in the -- your car, the ones you  
18 say were missing, were you able to locate all of them?

19 A. Yes. Yes.

20 Q. Okay.

21 A. Two downstairs and -- yeah, I was make sure they were okay,  
22 you know. Yes. One from upstairs, two from downstairs.

23 Q. Okay, and all the passengers that evacuated the train, did  
24 they go through a door or did they use the windows?

25 A. They used the door.

1 Q. So the door on which side? As you're facing the direction  
2 where the train was traveling?

3 A. So --

4 Q. What --

5 A. First I tried to let them out from the right side. I opened  
6 the window and then because I can see the whole train and people  
7 from the right side. So I open -- we were going to open but once  
8 I open, it's kind of not safe. It's not safe, so Amtrak always  
9 train us to people has to get off in a safe place.

10 So I opened the left side of the door, left -- left -- I  
11 would say left door.

12 Q. Okay.

13 A. Yeah. Yeah. Yeah. Left side of the door, yeah.

14 Q. Okay. After the passengers evacuated, what else did you do?  
15 I mean what happened to the passengers?

16 A. They went to -- when they get off from the train you mean?

17 Q. Yeah. So the --

18 A. I mean yeah, yeah.

19 Q. So you evacuated the passengers out of the train. What  
20 instructions did you give them?

21 A. Oh, they're going -- everybody together going to around and  
22 (indiscernible) right side of the field, in the field, dirt field.

23 Q. Uh-huh.

24 A. Everybody went to there and then, you know -- yeah.

25 Q. So everybody gathered at the right side of the field.

- 1 A. Yeah.
- 2 Q. So during this time, you also had a trainee with you. You  
3 had Tarrick Peyton. Did you ever see Tarrick?
- 4 A. Yes. Of course, yes.
- 5 Q. Where was Tarrick?
- 6 A. Tarrick was 31 car.
- 7 Q. Was in the what?
- 8 A. (Indiscernible) no, he was -- he came out and he was helping  
9 for that passengers (indiscernible).
- 10 Q. Okay.
- 11 A. He was helping for all those passengers.
- 12 Q. Okay. So he was helping evacuate the 31 car?
- 13 A. No. He was helping for those trains (indiscernible). He  
14 went that way and was trying to -- he's helping -- sorry. Helping  
15 them.
- 16 Q. Are you talking about towards the observation car?
- 17 A. Yeah, observation car and the other four cars back there.
- 18 Q. Okay, and just so that I understand. So you found Steven,  
19 the husband of the woman in Room A. You found him --
- 20 A. Uh-huh.
- 21 Q. You found him laying on the ground. Was he next to the 31  
22 car or you say he was next to the observation car, is that  
23 correct?
- 24 A. Yeah.
- 25 Q. Okay.

1 A. He was -- they took him out already from the observation car.

2 Q. Okay. Do you have any idea if they took him from the top  
3 part of the car or from the lower level of the car?

4 A. Oh, that's -- that's I don't know. Maybe lower level.

5 Q. Okay.

6 A. He was coming up.

7 MS. HARLEY: Okay. All right. So does anyone else have any  
8 questions? Justin, do you have any questions?

9 MR. TALMADGE: No, no questions. Just thank you, Tashi.  
10 Thank you for today and thank you for everything that day.

11 MR. GURUNG: Thank you.

12 MS. HARLEY: Okay, and, Tashi, I -- I'm going to thank you  
13 also. We appreciate your helping out in this investigative  
14 process, and as I tell all of the victims in this, and that  
15 includes the Amtrak personnel, you're going to be hearing from the  
16 NTSB from Kim.

17 She's our transportation disaster assistance specialist, and  
18 her job is to help kind of answer your questions and walk you  
19 through as we conduct our investigation. You'll probably hear  
20 something from her.

21 We're going to put out what we call a preliminary report in  
22 about a week and a half. The preliminary report is just basic.  
23 It's just talking about the accident. It's not going to go in-  
24 depth into the investigation because as you can well aware, it's  
25 still ongoing.

1 But if you have any questions or concerns, you and your  
2 attorney have my number, as well, okay?

3 MR. GURUNG: Okay.

4 MS. HARLEY: Do you have any other questions you want to ask  
5 me?

6 MR. GURUNG: Not really.

7 MS. HARLEY: Okay. Well, once again, thank you very, very  
8 much for talking to us. We really do appreciate that.

9 MR. GURUNG: Thank you.

10 MS. HARLEY: Okay. So unless somebody has something else, I  
11 think we can conclude.

12 MR. GURUNG: Okay. Thank you.

13 MS. SEVERSON: Thank you.

14 MR. HIATT: Thank y'all.

15 MR. GURUNG: Thank you.

16 MS. HARLEY: All right. Goodbye Tashi. Good luck.

17 MR. GURUNG: All right. Thank you.

18 MS. HARLEY: And interview concluded at 3:55 p.m..

19 (Whereupon, at 3:55 p.m. EDT, the interview was concluded.)  
20  
21  
22  
23  
24  
25



CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

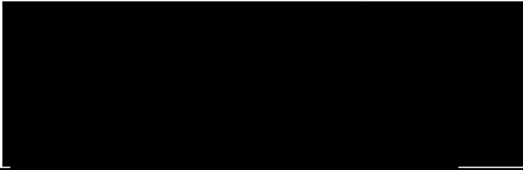
IN THE MATTER OF:            FATAL AMTRAK DERAILMENT  
                                      NEAR JOPLIN, MONTANA  
                                      ON SEPTEMBER 25, 2021  
                                      Interview of Tashi Gurung

ACCIDENT NO.:                RRD21MR017

PLACE:                         Via Zoom videoconference

DATE:                         October 21, 2021

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 Smith  
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of: \*

\*

FATAL AMTRAK DERAILMENT \*

NEAR JOPLIN, MONTANA \* Accident No.: RRD21MR017

ON SEPTEMBER 25, 2021 \*

\*

\* \* \* \* \*

Interview of: ALBERTO FIGUEROA

Amtrak Employee

Via Telephone

Wednesday,

November 24, 2021

APPEARANCES:

SHERYL HARLEY, Investigator  
National Transportation Safety Board

KRIS SEVERSON, Mechanical Engineer  
Volpe Center, Department of Transportation

KARI JACOBSEN, Mechanical Engineer  
Volpe Center, Department of Transportation

MATT DREESEN, Attorney  
Representing Alberto Figueroa

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I N T E R V I E W

(10:03 a.m. EST)

1  
2  
3 MS. HARLEY: So we'll get started. And so good morning,  
4 everyone. And, once again, I'm going to introduce myself. My  
5 name is Sheryl Harley. Last name is spelled H-a-r-l-e-y. I'm the  
6 assistant investigator in charge with the National Transportation  
7 Safety Board. And as you know, we are looking into the Amtrak  
8 derailment that occurred in Joplin, Montana, on September the 25th  
9 of 2021, about 3:47 p.m. And today is November the 24th of 2021,  
10 and it's 10:03 a.m., and that would be Eastern Standard Time.

11 And in this interview with me -- Mr. Figueroa, can you  
12 identify yourself, sir, for the recording?

13 MR. FIGUEROA: Yes. My name is Alberto Figueroa.

14 MS. HARLEY: Okay. And you are, in fact, an employee of  
15 Amtrak; is that correct?

16 MR. FIGUEROA: Correct. I am a train attendant.

17 MS. HARLEY: Okay. And also on the call is your legal  
18 representative.

19 Mr. Dreesen, can you identify yourself, please, sir?

20 MR. DREESEN: Sure. Matt Dreesen, on behalf of Mr. Figueroa.

21 MS. HARLEY: Thank you.

22 Also, we have members of the investigative team. I'm going  
23 to ask them to identify themselves.

24 Kari?

25 MS. JACOBSEN: Hi there. Kari Jacobsen. I'm with the U.S.

1 Department of Transportation, Volpe Center. And my colleague,  
2 Kris, and I are here working with the FRA to better understand how  
3 people were injured during the accident. So, thanks for taking  
4 the time to talk to us.

5 MS. HARLEY: Kris?

6 MS. SEVERSON: Hello. Yes, thank you for speaking with us.  
7 Kari and I were out at the accident site with Sheryl, gathering  
8 information from the cars. And the interview information that you  
9 can provide can be very helpful to us to figure out how people  
10 were hurt and how we might make improvements in the future. So,  
11 thank you.

12 MS. HARLEY: All right. So to start off with, we're going to  
13 start with some basic background information, Mr. Figueroa.

14 INTERVIEW OF ALBERTO FIGUEROA

15 BY MS. HARLEY:

16 Q. First of all, how old are you, sir?

17 A. I'm 49.

18 Q. Forty-nine, okay. And when were you employed by Amtrak?

19 A. April of 2008.

20 Q. And what are your duties with Amtrak?

21 A. Depending on the craft. I was working as a sleeping car  
22 attendant at that point. We're trained in different areas. But I  
23 was doing the sleeping car attendant, which is maintain the  
24 bathrooms, clean, assist passengers on and off at their stops.  
25 Also help them with their suitcases, their belongings. I provide

1 information. Also, occasionally, if I have a person who's unable  
2 to attend the dining car, I provide food service back and forth.  
3 I also -- because it's a sleeping car, it also has the sleeping  
4 car -- the beds, so I remake the beds, I throw out the trash, I  
5 clean up after the person gets off, or prepare the rooms before a  
6 passengers gets on.

7 Q. So what kind of training do you go through in order to become  
8 a sleeping car attendant?

9 A. We're taught how to do beds. Plus, basically, most of them  
10 being more efficient, we have about 21 rooms. We have to make  
11 sure we make the beds. That will be very nicely but quickly.  
12 Sometimes we have major turnovers, you know, lots of rooms getting  
13 off and on, so bed making is one of them. Also, follow procedures  
14 to clean up the bathroom, especially with COVID. Ensure  
15 everything is sanitized for the passengers. That's mostly it.

16 Of course, we do have safety meetings. We have these classes  
17 once a year about the safety and things like CPR or how -- in case  
18 of fire, things like that. We have training throughout the year,  
19 every --

20 Q. In the event of an emergency, what are the safety procedures  
21 that you, as an attendant, are supposed to perform?

22 A. First and foremost, make sure -- if there's a fire, there is  
23 a switch to turn off the air in the car to prevent any smoke from  
24 accumulating inside the car. Make sure all the passengers are  
25 okay. Assess if there is a possibility of us being able to exit

1 the train car. We are to communicate with our conductors to see  
2 what the situation will be. We have a system in the train called  
3 the PA system. We can do -- we can call out to the conductors to  
4 find out what the emergency is or what happened or what accident  
5 has occurred.

6 Of course, we're trained to know where the fire extinguishers  
7 are in case there's a fire. Also, be aware of the exits, things  
8 like that.

9 Q. In the event that the PA system is not operable, how do you  
10 conduct communications with the conductors?

11 A. That is the problem. There is one -- if the intercom is not  
12 working, the only thing we only have is our actual personal  
13 phones, if we're lucky enough to contact an employee at the other  
14 side of the train, as in this situation. The PA is connected by a  
15 line that connects throughout the cars, and once that's severed,  
16 there's no way to communicate with the other cars. So sometimes  
17 we just have to use our personal cell phones.

18 Q. Did you use your phone to contact your fellow crewmembers  
19 this time?

20 A. No. But I did use my phone to contact the crew base to let  
21 them know exactly what happened when I had the chance to tell them  
22 about the derailment and tell them what the situation was.

23 By the time I was helping the passengers out, one of my  
24 fellow employees -- her name is Danielle -- had already reached my  
25 sleeping car to let me know that help was on the way, and she was



1 actually assisting in helping my passengers get out through the  
2 rear door of the train.

3 Q. So, first of all, I'm going to back up a little bit. What  
4 car were you in at the time?

5 A. I was in the very last car. It was a sleeping car.

6 Q. And approximately how many passengers were in that car? Were  
7 all the rooms occupied?

8 A. No. I think I had about three rooms unoccupied. But other  
9 than that, it was pretty full. I just had about three rooms were  
10 unoccupied.

11 Q. First of all, kind of walk me through when you realized that  
12 there was something going on with the train and just kind of walk  
13 me through what happened.

14 A. Okay. I still have difficulty talking about it. I was -- I  
15 had just finished taking ticket -- downstairs. Part of the duties  
16 is to just go ahead and check the bathrooms to see if they need  
17 any cleaning or attending. I had come upstairs. I noticed that  
18 it was close to 4:00. I was going to head to the diner to talk to  
19 the kitchen crew to see what meals are available in case I would  
20 do any room service. I had to know exactly what meals were  
21 available.

22 Because it was still about 4:00, I decided to go back to our  
23 designated room, which is room 1. It's the employee room. That's  
24 where we sit down, and that's where we sleep and have our supplies  
25 for the travel. When I came upstairs, I noticed that my phone was

1 about 20 percent, so I decided to sit in the room and charge my  
2 phone. I had just plugged it in. And as I was looking out the  
3 window -- I was sitting on the right-hand side of the train,  
4 looking out toward the window -- when all of a sudden we heard a  
5 bang so hard that I was flung to my left where the closet is at.  
6 Then I slammed with my left shoulder, and I hit my head around  
7 my -- right around my eyebrow. I slammed against the wall. I  
8 heard another bang, and we just kind of shook a bit. And then  
9 once that second bang -- you know, usually, when we hit a couple  
10 of -- you know, we've been known to hit a switch or two and get  
11 them to rub, but I noticed it was just too hard, because I really  
12 slammed hard into that left side. It shook again, and then there  
13 was -- all of a sudden, everything just kind of tipped over  
14 towards the right side. That's when -- oh, that's when you  
15 realize something is wrong and you kind of brace yourself.

16 Q. After the train tipped over to the right side, were you able  
17 to get out of your room without any difficulties?

18 A. Luckily, I did have the door open, but it didn't -- it took  
19 me a while. Unfortunately, once we landed on our side, there was  
20 a lot of debris that came up through the windows. It was dark  
21 because the window was covered. There was about maybe a couple of  
22 minutes where I didn't know what was going on. I was confused. I  
23 couldn't hear anything. I was -- I couldn't remember what  
24 happened or where I was at. I was just feeling my head. I could  
25 feel the pain in my left eye. And I wasn't aware of what was

1 going on.

2 But then once the sound came back, I could hear people  
3 calling for help, and that's when I kind of snapped out of it.  
4 Luckily, I keep my door open for passengers in case they have a  
5 question or anything like that, so my door wasn't jammed or stuck  
6 closed. So, fortunately, I was able to climb out of my room to  
7 assist the people who were calling for help.

8 Q. So let's start: Were you aware of any passengers that were  
9 actually trapped in any of the rooms or any of the spaces in the  
10 car?

11 A. I can hear people calling for help. I knew there was people  
12 that were trapped. The young lady behind my room, room 3, was  
13 trapped, and she was calling for help. The bathroom on the second  
14 level, where I was sitting -- it's right in front of my own  
15 bedroom -- and there was a gentleman stuck in their room, calling  
16 for help and banging on the door. And then I can hear somebody  
17 else at the lower level of the train calling for help, as well. I  
18 can hear people crying and people asking for help down the hall.  
19 But because those two individuals to my left and to my right -- I  
20 knew they needed help first, so I tried to get to them first.

21 Q. So let's start with the bathroom, the gentleman that was  
22 stuck in the bathroom. Explain to me how you were able to get him  
23 out of the bathroom. And can you give me an idea of how he was  
24 trapped inside the bathroom?

25 A. Across the bathroom there's a panel that pops open. It's

1 access to some of the wiring and the water -- access water. It's  
2 like a little water fountain there. So when you open the panel,  
3 it opens up wide enough that it actually touches the door on the  
4 other side. So when we were tipped on the right side, the  
5 bathroom is on the right side, the door was closed, but that panel  
6 from the opposite side of the bathroom flung down and then wedged  
7 itself, preventing the door from opening. That panel was holding  
8 that door closed that he couldn't get out.

9 Q. And how did you eventually get him out of the bathroom?

10 A. Once I climbed out and I was that the panel was there, I  
11 pulled the panel open. I wedged it off and then moved it out of  
12 the way so I could open the bathroom. The gentleman was bleeding  
13 from his right eyebrow, I think it was. He was bleeding, asking  
14 me to help him out so he can go reach his wife who was down the  
15 hall.

16 Q. So you talked about the woman in room 3. Talk to me about  
17 how she was trapped in the room and how you got her out.

18 A. She was screaming for help. Her door was wedged between a  
19 point where she couldn't -- it was open enough where she can stick  
20 her hand out and her head out, but it was kind of offset, so it  
21 wouldn't -- the doors are on rollers, so they roll back and forth,  
22 and they seemed to be off track. She was worried about her  
23 husband, and she kept calling out for help. I tried to -- I told  
24 her to hold on just a minute while I tried to close the door again  
25 so I can probably get it back on track so I can slide it open.

1 Now, she's below me, so, in other words, around the right  
2 side. I'm trying to push it open. When I did manage to close it  
3 again, when I push it open, unfortunately, it locked into place  
4 again, and it was just too narrow for her to try to climb out.  
5 She was trying to climb out of there. She couldn't get out. So I  
6 told her to sit down. I held her hand. I told her just to relax.  
7 I told her hold on a minute. I promise not to let you -- I  
8 promise not to leave you. I promise I'll get you out of there.  
9 Sorry.

10 So due to our training, we know where our sledgehammers and  
11 crowbars are at. So I'm going to climb for a crowbar, and I  
12 reached the crowbar, handed it down to the other passengers. I  
13 grabbed a sledgehammer, and I knew that the only way to get her  
14 out would be one of the windows to the room. So I proceeded to  
15 just smash the window open and clear off enough space for her to  
16 climb out of there.

17 Once I got her, reached down and pulled her out, I told her  
18 head down toward the back of the train, which the door had already  
19 kind of flung open, so people were able to get out through the  
20 rear. And I can hear Danielle, one of my fellow employees, had  
21 made it back to us, and she started guiding people out the back  
22 door.

23 Q. Were there any other passengers that you were aware of that  
24 were trapped in that car?

25 A. Yes. So once I had her free and I heard Danielle on the

1 other side, I told her that I was going to check the other rooms  
2 and see if I can get them out if anybody else was trapped. I  
3 could still hear somebody asking for help, which would be the  
4 lower level of the train, but at this time it was above level  
5 because of the way we were tipped over. So I made it down to the  
6 stairwell of the train.

7       Unfortunately, I wasn't able to reach up to get to the lower  
8 level. I had to use one of the -- it was a garbage can -- steel  
9 can that's used to -- underneath one of the panels there that can  
10 be used. I flipped it over, stood on top of it, and then climbed  
11 over to where the approximate next passenger was, and this was  
12 room 11.

13       I can hear her asking for help. I couldn't see her. Then I  
14 realized when I was on the -- when I climbed up, there was just so  
15 much dirt and debris. I didn't realize that I was actually  
16 standing on top of the window, and she was covered -- the whole  
17 door and glass was just covered by dirt. She was -- I couldn't  
18 see her. She was asking for help, and once I realized I was on  
19 top of the room, I cleared off the dirt with my hands and the  
20 glass and then saw her underneath. I told her that I would help  
21 her out. Luckily, her door wasn't jammed. I was able to clear  
22 the debris and push the door open. She was an elderly woman; had  
23 trouble with her knees. She was not able to climb up.

24       At that time, the room above me, room 13, they had opened the  
25 windows to the outside. There was -- people climbed out that way.

1 Now, it was that -- somebody else trying to help -- that person in  
2 that room was trying to help me get her out of there. They  
3 brought down a ladder but, unfortunately, she wasn't still -- it  
4 was hard for her to get out of the room. She had to get out of  
5 the room so she could climb the ladder. So the only thing I could  
6 do was I reached down with my right hand. I told her to hang on  
7 really tight, and I lifted her up out of the room with my right  
8 arm because she wasn't able to use her knees. So I lifted her up  
9 with my arm and got her out to the safe level where she was able  
10 to get up and get out with the ladder.

11 Q. Do you have a sense of how many passengers were on the lower  
12 level of the train -- of that train car?

13 A. At that moment, I did have three rooms occupied. There was a  
14 couple on room 13, there was a couple in 11, there was a couple in  
15 the last room, room 15. They had made it out through the top of  
16 the train -- now currently the top of the train. The left-hand  
17 side was on the side, so it was the top part of the train. They  
18 had loosened the windows, the emergency windows, and climbed out.  
19 So there was nobody else down there except for the woman in room  
20 11. She was the last one in there. But it was three couples, six  
21 people, down there.

22 Q. On the upper level, of the rooms that were occupied -- and  
23 let's start with the rooms that are numbered which are -- I guess  
24 was that 1 through 10 on the top level. How many of those rooms  
25 were occupied? You said that there was a woman in room 3.

1 A. Right.

2 Q. Who else was there?

3 A. They were all occupied. I believe they were all occupied. I  
4 can't remember exactly what rooms were occupied, but they were all  
5 occupied. The only rooms that were empty were one of the big  
6 rooms, the handicapped room. Those -- I think it was two to three  
7 rooms that were unoccupied. But mostly all those from 1 to --  
8 from 2 through 10 were occupied.

9 Q. Two through 10 were occupied, okay. The gentleman who said  
10 he was worried about his wife, was he able to locate her?

11 A. Yes. He actually came back and tried to help more people  
12 out. He actually came down, tried to help other people out of the  
13 rooms. So after he found his wife and got her off, yes, he came  
14 back into the car to help more people get out. So he was a  
15 wonderful guy to help out to -- even though he was bleeding  
16 profusely from his head, he was still trying to get people out  
17 once he got his wife out of there.

18 Q. Do you have some sense of how long it took before the  
19 emergency responders arrived?

20 A. Truthfully, no, I don't. Once I freed the lady from  
21 downstairs in room 11, I took the task to check in on the -- there  
22 was three more bathrooms and a shower downstairs, so I proceeded  
23 to check the bathrooms to see if anybody was injured inside the  
24 bathroom or maybe unconscious. I was trying to see -- so I was  
25 going through the bathroom to see if anybody was left inside, and



1 I checked the shower. And then once I realized there was nobody  
2 else in the lower level -- the other couple had gone out through  
3 the top side of the train -- that's when I proceeded to call my  
4 crew base to let them know exactly what happened.

5 I know Danielle was helping the people upstairs. I could  
6 hear them. And then with the ladders, some of these people were  
7 just people who just happened to see the crash and got there  
8 quickly. They had ladders. I guess they were in construction or  
9 something. But some of the volunteers were just people that  
10 randomly just saw on the road that we got toppled over and  
11 actually ran to help us.

12 Once I had the chance to talk to crew base to let them know  
13 what happened, I did take a moment to call my family to let them  
14 know that I was all right, because my phone was dying out, and I  
15 want to make sure I reached out to a few people before my phone  
16 died to have them not worry about my safety. Then, I tried to  
17 continue checking the other rooms to see if anybody else needed  
18 help.

19 Q. At any point did you see the conductor?

20 A. Yes. Once I established that there was nobody else in the  
21 lower level and on the bigger rooms, I was able to make myself --  
22 I was able to get out through the hallway window at the top. And  
23 once I was outside, I was greeted by the -- I think it's the  
24 assistant conductor, the brakeman. He was out there, so I had a  
25 chance to talk with him, so I did see him.

1 Q. So after the derailment, was there any lighting inside the  
2 train cars? Was the emergency lighting working?

3 A. No. It was dark.

4 Q. And I know you were saying that the PA system was  
5 disconnected. Was the PA system working prior to the derailment?

6 A. Yeah. Yes, it was. I was hearing the announcements from the  
7 diner and from the conductors.

8 Q. And so my last question is: Are you aware if the train had  
9 made a stop in North Dakota and maintenance was performed on the  
10 train?

11 A. I know we had to -- we had just left Havre, Montana, which is  
12 our service stop. It gets refueled. It stops for about ten  
13 minutes to refuel, and then it gets down to the station where we  
14 brought out any trash, and have passengers get off and on, if  
15 there's enough time to actually have a smoke break -- but I  
16 don't -- I didn't see or had heard anything about any of them  
17 performing any maintenance. You know, we just did a routine stop  
18 as we usually do, refuel, and then let the passengers off and on.

19 MS. HARLEY: That's my questions right now. I'm going to  
20 turn it over to my coworker, Kari.

21 BY MS. JACOBSEN:

22 Q. Hi there. Yeah, thanks for sharing so much with us. I'm  
23 curious, did you sustain any injuries?

24 A. Yes. I did hurt my finger, my foot, I had scratches on my  
25 leg, I did bang up my shoulder and my -- when I did hit that hard

1 hit on my left eye. Also, because of pulling that lady out of the  
2 room 11 with my right arm, I kind of hurt my right shoulder. So  
3 left shoulder, right shoulder, those scratches and cuts and  
4 bruises from crawling around the glass debris. I did have a pain  
5 in my foot for a while. There was noticeable scratches here and  
6 there. But that head impact really messed me up.

7 Q. I'm very sorry for what you went through. And it's pretty  
8 amazing you were able to help some of the people. We're learning  
9 a lot about each of them from hearing what you -- where you found  
10 them and how you were able to get them out.

11 I was wondering if you could tell me about the lady in room  
12 3. Did you recall if she had any injuries or if she was primarily  
13 just stuck in there, and once she got out it was -- she was able  
14 to get out of there?

15 A. I know she was very frantic to get out. She was kind of  
16 panicking. That's the reason I lowered my hand down there, to  
17 calm her down. She didn't seem to be too -- I didn't notice any  
18 injuries. I was just, at that moment, just trying to calm her  
19 down because she was worried about her husband. Unfortunately, it  
20 was her husband that passed -- one of the victims that passed away  
21 was her husband. Sorry. She seemed to be okay once we got her  
22 out of the room.

23 Q. That's all right. Take your time.

24 MS. HARLEY: Take a minute.

25 MR. FIGUEROA: So once I got her out of the -- she seemed to

1 be okay once I got her down the hall. I don't know if she was  
2 hurt or not. She was just concerned about her husband.

3 BY MS. JACOBSEN:

4 Q. The elderly lady that was in room 11, you said that once you  
5 got her out of the room -- did she end up going up through the  
6 ladder that was coming down? Or how did she end up being able to  
7 get out of the train? Do you recall?

8 A. Yes, she came out of the ladder. They helped her out to the  
9 top of the train and then they helped her go down the ladder to  
10 reunite with her husband. Yeah, but she made it out to the top of  
11 the train, and then the volunteers upstairs helped her get down.

12 Q. So you were able to pull her out of her room, and at that  
13 point, then, you two would have been in the hallway. And was the  
14 ladder coming down from the room just above you? Or did you have  
15 to kind of crawl through the hallway and then get up through one  
16 of the adjacent --

17 A. No, the ladder came straight from the window on the top  
18 level, straight to the doors, and it was in the hallway. It just  
19 couldn't reach all the way down into the room. That's the reason  
20 I pulled her out, so she can get access to the ladder.

21 Q. And for her, you didn't have to break a window? Her door was  
22 open or able to slide open?

23 A. Yeah. It was closed. It was covered with debris and dirt,  
24 but it was able to open, so I didn't have to smash that window to  
25 get her out.

1 Q. Thank you.

2 MS. JACOBSEN: I think those are my questions. I'm going to  
3 pass it to Kris next.

4 MS. HARLEY: Kris?

5 MS. SEVERSON: Okay, thank you.

6 BY MS. SEVERSON:

7 Q. I just have a couple questions relating to the derailment  
8 itself. It sounds like the first indication you had that  
9 something was wrong, you said it was a loud noise, bang?

10 A. A bang, yeah. Sometimes we will have a bit of a shift when  
11 we go over a certain -- what do they call those? Switches, where  
12 lines switch. You know, when you get a little boom, boom. But I  
13 knew something was wrong when I -- that first bang, it was really  
14 loud, and I hit that wall so hard; that's when I knew something  
15 was wrong. And then it was another shake. It kind of went --  
16 because it usually goes left-right or right-left. So it was a  
17 bang and then bang, and then, all of a sudden, it just toppled  
18 over.

19 Q. Could you tell if after those bangs -- do you feel it had  
20 derailed at that point and was going through ballast? Or did it  
21 feel like it was still on the track?

22 A. Once I saw that we were tipping over, I knew that -- I didn't  
23 really know if the whole train tipped over. I know that once we  
24 tipped over and it landed on its side, all of the ballast and  
25 debris was coming through the -- so it was a lot of dust. I

1 actually was choking on some of the dust when I was trying to help  
2 the passenger in room 3. From so much dust I was actually  
3 coughing and gagging because all of it came up through the  
4 windows.

5 It dragged for a couple of seconds. I can remember the  
6 vibration as we came to a stop. But other than that, I couldn't  
7 tell you what distance or for how long. At that time, I was in a  
8 state of confusion from the head. It kind of seemed unreal. You  
9 know, you just never think that something like that would happen.  
10 It just seemed so unreal and so --

11 And then, again, it took me a couple of minutes to regain  
12 myself and realize what had come to it. I didn't see the  
13 destruction until once I came out and saw exactly what had  
14 happened.

15 Q. So when the car -- you said it dragged on its side for a  
16 couple seconds. Were you laying on the window at that point in  
17 your room?

18 A. Well, with -- yes, once it came to the side, I raised myself  
19 and landed. Once we hit that thud, I kind -- I kind of forget. I  
20 just remember the darkness. And once I realized I was lying on  
21 the window with all the dirt and darkness, that's when I realized  
22 something was wrong.

23 That moment we landed, it just -- from then on, it just kind  
24 of -- it's kind of like a blur. I don't remember much after that.  
25 I just remember hearing the kind of -- it dragged for a second or

1 two. Once we landed outside, there was just a moment where I just  
2 didn't know where I was at.

3 Q. That's it for me. Thank you very much for walking through  
4 this with us.

5 A. You're welcome.

6 BY MS. HARLEY:

7 Q. I don't think I have any further questions. And if my team  
8 doesn't, I'm going to ask: Mr. Figueroa, do you have any  
9 questions of us?

10 A. No. I think Mr. Dreesen asked the question I want to know  
11 about the investigation, but that --

12 Q. Is there anything you think that we should have asked you and  
13 failed to ask you?

14 A. No. I think you covered everything pretty well. I don't  
15 think there's anything missing.

16 MS. HARLEY: So what I always tell people: If, later on, you  
17 have a think and you think that you remember something, please  
18 feel free to reach out to me. And no matter how small or  
19 insignificant you think the information is, we appreciate it. It  
20 does, in fact, help us. And ultimately, our goal is to make this  
21 safer for people who use rail travel. Again, thank you very much  
22 for your time, and I do know this is painful for you, especially  
23 around the holidays. Again, I will reach out to our  
24 transportation disaster assistance specialist and let her know  
25 that it's okay for her to contact you directly and give you any

1 updates, if there is any. And certainly she is the liaison  
2 between you and your attorney and the investigative team and our  
3 investigation. So if you have any questions, you can go through  
4 her or you can go through me. Okay?

5 And, Mr. Dreesen, do you have any questions for me, sir?

6 MR. DREESEN: What was the name of the person that you talked  
7 about as the liaison?

8 MS. HARLEY: So the liaison, her first name is Kim, and her  
9 last name is Frierson. It's F-r-i-e-r-s-o-n. And her official  
10 title is transportation disaster assistance specialist. And I  
11 will make sure that she has yours and Mr. Figueroa's contact  
12 information. Okay?

13 MR. DREESEN: Okay.

14 MS. HARLEY: All right?

15 MR. DREESEN: Thank you.

16 MS. HARLEY: So, again, both of you, thank you very much.  
17 Mr. Figueroa, please take care of yourself, sir. And again, your  
18 talking to us was very, very important. Thank you.

19 And thank your family for allowing us to put you through this  
20 again. All right? And try to have a happy holiday, sir. Okay?  
21 Thank you. And we're going to conclude the interview now.

22 And the interview will be concluded at 10:37 a.m. That will  
23 be Eastern Standard Time.

24 (Whereupon, at 10:37 a.m. EST, the interview was concluded.)

25



CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF:            FATAL AMTRAK DERAILMENT  
                                      NEAR JOPLIN, MONTANA  
                                      ON SEPTEMBER 25, 2021  
                                      Interview of Alberto Figueroa

ACCIDENT NO.:                RRD21MR017

PLACE:                         Via Telephone

DATE:                         November 24, 2021

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.



Angie Duray  
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of: \*

\*

FATAL AMTRAK DERAILMENT \*

NEAR JOPLIN, MONTANA \* Accident No.: RRD21MR017

ON SEPTEMBER 25, 2021 \*

\*

\* \* \* \* \*

Interview of: DONALD BUGGE, Food Specialist  
Amtrak

Via Telephone

Friday,  
October 15, 2021

APPEARANCES:

SHERYL HARLEY, Investigator  
National Transportation Safety Board

KARI JACOBSEN, Mechanical Engineer  
Volpe Center, Department of Transportation

JUSTIN TALMADGE, Supervisor  
Amtrak

FRED BREMSETH, ESQ.  
(On Behalf of Donald Bugge)

I N D E X

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I N T E R V I E W

(3:03 p.m. EDT)

MS. HARLEY: So good afternoon, everyone. So my name is --

UNIDENTIFIED SPEAKER: Good afternoon.

MS. HARLEY: Good afternoon. So my name is Sheryl Harley.

H-a-r-l-e-y is my last name. So I'm the assistant investigator in charge with the NTSB for the investigation into the Amtrak derailment that occurred in Joplin, Montana on September the 25th of 2021, at approximately 3:47 p.m. That would be Mountain Standard Time.

Today's date is October the 15th of 2021. And it is 3:03 p.m. That would be Eastern Daylight Time. But it's 12:03 p.m. Pacific Daylight Time. Is that correct?

UNIDENTIFIED SPEAKER: Yes.

MS. HARLEY: Just want to make sure I'm getting my time zones correct here. So basically, what this is about, sir, is I'm going to ask you some basic background information about you, your employment, what you do on the train. And then actually I'm going to -- I want you to walk me through the day of the accident. I want you to tell me when you realized that something was going wrong. And also, your actions during and after the derailment.

But before we get started, I also want to -- for the tape, I would like you to identify yourself, Mr. Bugge, for the tape, please.

MR. BUGGE: My name is Donald Paul Bugge, Jr. My Amtrak

1 staff number is 820196.

2 MS. HARLEY: Also, I would like your representative to also  
3 identify himself for the tape, please.

4 MR. BREMSETH: This is Fred Bremseth. I'm an attorney  
5 representing Mr. Bugge.

6 MS. HARLEY: Thank you. And the Amtrak representative?

7 MR. TALMADGE: Good afternoon. You've got Justin Tallmadge  
8 here OBS supervisor for the Empire Builder.

9 MS. HARLEY: Thank you. And I'm going to also ask the  
10 representative for Volpe FRA.

11 MS. JACOBSON: Hi there. This is Kari Jacobson. I'm a  
12 mechanical engineer at the Department of Transportation  
13 representing FRA during this investigation on this call.

14 INTERVIEW OF DONALD BUGGE

15 BY MS. HARLEY:

16 Q. Once again, sir, let's start with some basic information.  
17 How long have you been employed with Amtrak?

18 A. I applied in January of 2018. My first day of orientation or  
19 customer service training was on March 12th, 2018. I'm not sure  
20 of my seniority date.

21 Q. You were hired specifically for what duties, please?

22 A. I was originally hired to be a SATA, work the coach, the  
23 dining room, or the sleepers. In September of 2019, I requested  
24 to be moved down to the kitchen. I believe my seniority date for  
25 that is 9/19/2019. I'm now currently a food specialist.

1 Q. Can you give me some idea of what your normal duty schedule  
2 would be?

3 A. Me personally, I wake up around 5 a.m. depending on -- I wake  
4 up -- I like to go down, get some coffee before I start my day  
5 because I'm a little bit tired. Then I go down. I set out  
6 breakfast. You know, the stuff that I'll need for breakfast.  
7 Finish up on maybe some food prep for breakfast. And hopefully,  
8 start getting started on lunch. If not, that's what after  
9 breakfast is for.

10 I'll do some dishes, which results in washing trays. Some of  
11 the cooks -- some of the chef stuff. Pots and -- not pots but  
12 steam tray holders. I don't know what they're called. And  
13 silverware. Lunch -- I normally start setting out -- I normally  
14 get down there around 10:45, 15 minutes early because I, you know,  
15 sometimes work a little slow.

16 I can do some food prep. Start getting ready for lunch. Set  
17 everything out that I need. After lunch, I kind of repeat the  
18 breakfast thing on the dishes. And then, I start my dinner prep.  
19 You know, setting out -- prepping everything I had that I need  
20 because dinner is intense. There's a lot of stuff on the new menu  
21 that I'm still getting used to.

22 Then if I can, I'll sit down for a half hour. Then I'll go  
23 right back down there in between 3:45 and 4. That's pretty much  
24 the day.

25 Q. So you're -- so between 5 a.m. and 4 p.m. you would be --

1 consider your duty times?

2 A. No. It's really about 5:30, 6:00 start time depending on the  
3 day, until about 9:30 at night. Yeah. After dinner, I repeat the  
4 process. It's just a lot more dishes and a lot more things to  
5 wash, and a lot more things to wipe down, clean, and -- I'm  
6 normally out of there around 10:30 at night on most nights.  
7 Between 10 and 10:30.

8 Q. So are you normally on the Empire Builder?

9 A. Yes. That's the only train that I am assigned to.

10 Q. How often do you make that run, sir?

11 A. I'm an on-call extra board. So whenever they call me.

12 Q. Prior to this trip, when was the last time you worked the  
13 Empire Builder?

14 A. I cannot remember.

15 Q. Was it within a week of this accident trip?

16 A. I honestly cannot remember. That would be a question that I  
17 would have to refer to Justin to look up.

18 Q. On a monthly basis, I guess, as you say, you're on-call extra  
19 board. But on the average, how many times do you think you work  
20 in a month?

21 A. I don't know. It really varies. In between one and five  
22 times.

23 Q. In the last --

24 A. It really varies on how many times they call me. It's really  
25 kind of hard to answer that question because I'm on-call extra



1 board.

2 Q. In the last month, how many --

3 A. If I was a regular, I could answer that question but --

4 Q. In the last month --

5 A. -- (indiscernible).

6 Q. -- how many times have you worked?

7 A. I don't remember. I would have to refer to Justin to see how  
8 many times I've worked. I don't keep track.

9 Q. Explain to me about the training that you receive to work as  
10 far as working on board. Things like the emergency protocols and  
11 operation training.

12 A. Oh, man. In customer service training, they taught us some  
13 OBS stuff, you know. Be polite to customers, things like that.  
14 We did go on a train car that was in the yard. They filled it not  
15 -- you know, full of fake smoke so that we could get an idea if  
16 there was a fire or something like that. And they kind of trained  
17 us what to do there. Stay low, evacuate what you can.

18 Q. So you received this --

19 A. That's about all I can remember because my brain got  
20 scrambled in that accident. I can't remember everything.

21 Q. That's fine. I -- I'm not trying to pressure you. I just  
22 want you to remember what you can. What are the emergency  
23 procedures when a derailment occurs?

24 A. Making sure everything is okay. The first part of exiting  
25 would be the next car over so you don't have to go downstairs.

1 But in this case, I had no -- I was in the dining room. I had no  
2 choice but to go downstairs. My options were -- they were blocked  
3 going -- on the top of the dining car, they were blocked, you  
4 know, exiting going to the other car in both directions. The  
5 other -- the second one is going down the stairs and out one of  
6 the doors downstairs. And the third one would be out the window.

7 Q. So I guess -- I tell you what, let's go ahead and start on  
8 the day of the accident. And just start from the time that you  
9 woke up and just walk me through as much as you can remember about  
10 that day.

11 A. I don't know what time I woke up. Probably around 5. Took  
12 my shower. Came down by about 5:30. Breakfast starts at 6:30. I  
13 was a little bit ahead. I did a lot of prep work leaving Chicago.  
14 So I had some time to really wake up and start my day.

15 I set out my breakfast prep starting about maybe between 6  
16 and 6:15. Probably went to the bathroom, washed my hands, started  
17 serving breakfast. After breakfast, it was about 9:30. We had  
18 (indiscernible) a longer break in between breakfast and lunch  
19 because we're falling back an hour going from North Dakota to  
20 Montana. We fall back an hour. So I had a lot of time to do my  
21 lunch prep, my dinner prep. I started setting out -- you know, I  
22 just did pretty much almost everything that I could with that  
23 extra hour so that I could take a break between lunch and dinner.

24 I was able to get a lot of cleaning down in that time and  
25 even after lunch. I set up lunch around 11:00. We rolled into

1 Havre around 3. I was already done with pretty much everything.  
2 At roughly 3:00 we rolled into Havre. Picked up Rico because he  
3 was heading west. And I was heading west to Whitefish. I was  
4 going to do the Whitefish flip, then head back to Chicago. But I  
5 never made it to Whitefish.

6 Probably about 45 minutes after we left Havre, we started --  
7 I was just looking out the window downstairs. Right before the  
8 derailment, I was going to start doing my checklist to see what  
9 else I -- you know, just in case I forgot something, you know, I  
10 could prep it and I would have a lot of time to do that.

11 I was just looking out the window and I was thinking about  
12 draining the dishwasher to put some fresh water in it for Rico for  
13 later on that night. And I saw some dust and I was thrown back.  
14 There was violent shaking. I knew something was wrong. It kept  
15 shaking so I kind of went around the corner because I was up by  
16 one of the doors.

17 I went -- because I wanted to get away from the glass, you  
18 know, kind of like what they teach you with earthquake  
19 preparedness. Kind of get away from the glass, duck and cover,  
20 that kind of deal. That's what it felt like. Was like a really  
21 bad earthquake.

22 If you've ever been in an earthquake and that bad of shaking,  
23 you recognize it. So I kind of went around the corner by the  
24 elevator. And the stairs were across from me. And then there was  
25 a wall. I kind of sat down on the floor, stuck my legs out up

1 against the wall and braced myself so I'm not being thrown about.

2 That's pretty much it. Then I heard some screaming upstairs  
3 afterwards so I ran upstairs. And I yelled, is everyone okay.  
4 Nobody responded. They're picking themselves up off the floor.  
5 Debbie was on the floor and so was James.

6 Q. I'm sorry, Debbie and who?

7 A. James.

8 Q. James. Okay.

9 A. Yeah. I don't know James' last name. Debbie Padgett (ph.).  
10 Came up the stairs. I'm looking straight ahead to the elevators.  
11 On my right was Debbie. On my left was James. A big man in red  
12 came running through. And normally, I would wave him off and say,  
13 kind of stay in your car. But I looked around -- I was able to  
14 see outside a little bit and it was just really dusty. And he  
15 yelled, I'm a paramedic. So I waved him on. And he said, where  
16 do I need to be help. I said, I got this. I said, you go into  
17 coach. And I didn't see him again.

18 After that, I looked out the window and got a better look. I  
19 saw at least one train car on its side. I wasn't sure at the time  
20 which one it was. And I immediately called 911. Well, right  
21 before I called 911, I tried calling for the conductor. There was  
22 no response. So knowing that there was a derailment, I did call  
23 911. I told them that we were approximately near Chester. I  
24 said, west of Chester. I was wrong. We were east. I do feel bad  
25 about that. But I really honestly thought we were west of

1 Chester.

2 They asked me how many is on board. I said, 90 plus.  
3 Because I'm in the kitchen, I don't really know the full numbers.  
4 I know the sleeper numbers. I don't know the coach numbers. So I  
5 called it in as 90 plus. And then, just started doing the  
6 evacuation process.

7 Q. So what was the evacuation process?

8 A. Debbie got herself off the train. She went downstairs and  
9 got off that way. I -- James, he wanted to do everything himself.  
10 But I stayed with him because he said his finger was broken or  
11 fingers. I can't remember which term he used. And he was kind of  
12 walking hunched over. So I stayed with him until he was off the  
13 train. We went down the stairs into the kitchen and then we went  
14 out one of the doors. Went out the left door. If I'm facing the  
15 direction of the train, we went out the left door.

16 I went out there with him. I noticed that coach passengers  
17 were -- because James was a coach attendant. So the coach  
18 passengers were helping themselves off the train. Once they got  
19 off the train, I stood there for about less than a minute. I ran  
20 upstairs. I did a sweep of the downstairs. Nobody was there. I  
21 did a sweep of the upstairs, nobody was there. I looked under  
22 seats and behind seats. Then I went through -- then I walked  
23 through the coach doors heading back towards the train. And the  
24 lounge car was on its side.

25 I also noticed further down the rails -- I'm not sure how far

1 down -- maybe less than an eighth of a mile maybe -- were three  
2 more cars. The two coach cars and the sleeper. And the rear  
3 sleeper was on the ground. I hopped on the lounge car, got down,  
4 and I hopped up on top of the lounge car because it was on its  
5 side. Walked over. I kind of looked in the window. I couldn't  
6 see anything because it was just dark. I looked down into the --  
7 the door was open to the lounge car, you know, if it was normal  
8 and everything was happy go lucky.

9 (Indiscernible) the train right side up so I went through the  
10 bottom door but it was on its side. I hopped down. It was just  
11 full of rocks. People were screaming. One guy asked if his -- if  
12 we can holler for his wife Lindsay. We did. We got no response.  
13 But I told the guy -- I said, hey, she's probably pretty good; she  
14 just can't hear us, it's really loud here. And the guy said,  
15 okay.

16 About that time -- I don't know if it was the rocks in the  
17 train car, but it kind of slid on me. So I didn't feel safe. So  
18 I shut off the power to the car. I was by the electrical box so I  
19 shut everything off. Peyton (ph.) helped me up to get back up on  
20 the top side -- on the side of the train car. I said I would be  
21 coming back unless I see paramedics. And I was going to go run  
22 and get my -- get a sledgehammer and maybe break the window. That  
23 was kind of my thought but I wasn't sure if I was going to or not.

24 I walked through the coach. Double checked to make sure that  
25 there was nothing there. I walked into the kitchen. I went

1 downstairs. I walked into the dining car. Walked downstairs to  
2 the kitchen and I grabbed the first aid kit. I sat that out  
3 outside. I had the sledgehammer. I hopped down, set down the  
4 first aid kit to where people can reach it if they can help  
5 themselves. That would be great. I also set out some water.

6 I started walking back. I was going to walk to the lounge  
7 car. And then I saw a little girl approximately four years old,  
8 you know, she wasn't crying, nothing. She was just pretty happy  
9 actually. And I asked her where her mommy was. And she said,  
10 mommy is not here. And I said, okay, what about your daddy. She  
11 goes, I'm with ga'ma (ph.) and I couldn't really understand what  
12 ga'ma was. And it took me a second. And I said, your grandma.  
13 She goes, yeah. I said, do you know what, can you show me where  
14 your grandma is. And I held out my hand so she could hold my  
15 fingers. And she walked me to her grandmother.

16 I looked -- I still had the sledgehammer in my hand. I  
17 looked over. And at this point, there was a ladder going up to  
18 the -- there's a ladder on the lounge car. So I figured there was  
19 enough people there. So I started handing out water to people.  
20 And then, someone mentioned about -- I can't remember who -- let's  
21 get all these people all into one place. And I noticed where  
22 people were gathering across the -- I think it was a second set of  
23 tracks. I cannot remember if that was double tracked or not. But  
24 I do remember walking over some tracks to walk people over to like  
25 a gathering area away from the train. And that's pretty much what

1 I did.

2 Q. Thank you. So I'm just going to kind of walk you back if you  
3 don't mind. So I'm with you -- so about 45 minutes after leaving  
4 Havre, you're looking out the window. And at this particular  
5 point you said you saw dust and there was violent shaking. Were  
6 you in the bottom of the dining car by yourself?

7 A. Yes, I was.

8 Q. And at that particular point, you said you went around the  
9 corner, you sat down, your legs were out. After the derailment  
10 occurred and the motion stopped, what position were you in? Were  
11 you still in the same position?

12 A. I was in a sitting position. I did not move. Once I stuck  
13 my legs out -- of course I felt the shaking and stuff but I wasn't  
14 being thrown about.

15 Q. So at that --

16 A. After the derailment stopped, I was in a sitting position  
17 with my legs straight out still.

18 Q. So at that particular point, you went upstairs and there were  
19 two Amtrak employees upstairs. You said that Debbie -- was Debbie  
20 on the floor?

21 A. Yes.

22 Q. Just to clarify, this car actually didn't overturn? It was  
23 still upright? Is that correct?

24 A. It was upright but off the track if that makes any sense. It  
25 was leaning.



1 Q. Yes, okay.

2 A. I did notice that when I got outside.

3 Q. Where was James again?

4 A. Because I do remember once James got out, he did listen to  
5 me. I do remember telling James, wait, I want to see what door is  
6 safest to go outside. And I took a look and I went, yeah, this  
7 left one is good. Actually, I said, this one here. Because I  
8 didn't feel -- I didn't like -- I liked the higher angle better  
9 than the lower angle if that makes any sense. Because it was  
10 leaning towards that lower angle. And I was afraid then if I  
11 opened that door, it would tip everything over.

12 Q. So the car was --

13 A. (Indiscernible) outside the higher one.

14 Q. I'm trying to get this. So what you're saying is the right  
15 side of the train if you're looking in the direction the train was  
16 traveling, that was the lower side. Correct?

17 A. Right. The side that it was leaning towards. Yes.

18 Q. The side it was leaning towards. And so talk to me again.  
19 How many passengers were on the upper level of the dining car?

20 A. Zero.

21 Q. There was no one on --

22 A. (Indiscernible) -- yeah, there was just two employees up on  
23 the upper level. One came through right after the derailment. I  
24 don't know timewise. I wasn't keeping track. But it was shortly  
25 thereafter, he came through and announced himself as a paramedic.

1 Came from the 30 sleeper. I don't know what car he was originally  
2 assigned to but he came from the 30 sleeper.

3 Q. Came from 730 sleeper?

4 A. Yes.

5 Q. So at that particular point, you said that James sustained an  
6 injury to his hand. He either broke a finger or several fingers.  
7 You helped him outside. And at that particular point that's when  
8 you called the conductor?

9 A. No. I called the conductor beforehand.

10 Q. And who was the conductor?

11 A. Right -- somewhere -- it was Dennis. I don't know Dennis'  
12 last name. And Joshua Johnson. He goes by J.P.

13 Q. So you called them actually before you left. And you didn't  
14 get any response for either one?

15 A. I -- no, because no one -- I said conductor to the dining  
16 room and no announcement came overhead. Because normally you can  
17 hear yourself, you know, when you make the announcement and  
18 nothing came overhead. So that's when I helped James -- well,  
19 followed him off the train because he was pretty insistent on  
20 doing it himself. But I wanted to stay by him just in case  
21 something did happen and he couldn't get off. That's why I stayed  
22 with him. And he got himself off.

23 Q. So --

24 A. (Indiscernible) stuck with him. But he did listen when I  
25 said I want to see which side is safest to get off of. He did

1 listen.

2 Q. You were actually trying to call the conductor over the PA.

3 Not a walkie talkie?

4 A. Yeah. Over the PA.

5 Q. Okay.

6 A. And that was disconnected or something. It didn't -- I could  
7 not hear my voice overhead, over the speakers.

8 Q. Were the lights on in the car after the derailment?

9 A. No. Not that I noticed.

10 Q. Did you have ample lighting from the emergency lighting  
11 strips on the floor?

12 A. I felt I did. Yeah. I felt for me it was enough.

13 Q. Let's see, so you said that James was the coach attendant.  
14 Is that from the same coach, the 730 coach?

15 A. No, that's 711 or 712, whichever one they call it. I believe  
16 it's called the 712 when there's just one Seattle coach.

17 Q. And you said the passengers of that coach car evacuated  
18 themselves?

19 A. Yes, they did.

20 Q. Is that coach car in front of the diner -- dining car?

21 A. No. It's in the back.

22 Q. It's the one -- is it the coach --

23 A. Back of the dining car heading towards (indiscernible).

24 Yeah. The first coach.

25 Q. Okay, got it. First --

1 A. The train goes in this way. The two engines, the back car,  
2 the dorm car, the two sleepers, the dining room, Seattle coach,  
3 lounge car, the (indiscernible) coaches, and then the sleeper. I  
4 went from front to back.

5 Q. Got you. Understood. Out of curiosity, in the crew dorm  
6 sleeper, those are only for the crew members or did you have  
7 passengers in that car, as well?

8 A. I don't recall if we had passengers in that car. Because I  
9 work the kitchen. I don't -- I take a look at the manifest just  
10 for a number on how many we have to cook for, or how many we'll be  
11 serving. I don't pay attention to who is in what car. Now, if I  
12 was a coach attendant or a sleeper attendant, then yes, I would be  
13 paying attention. Because that would be something I need to know.

14 Q. So you left the sleeper car and you walked through the  
15 sleeper and you walked through the door into the next coach car?

16 A. I did not walk through the sleeper. Once I got James off, I  
17 went back upstairs through the kitchen up to the top of the dining  
18 car, and then I walked through the first coach.

19 Q. Right. I'm sorry. I meant the dining -- you went from the  
20 dining car into the first coach.

21 A. Yeah. Excuse my brain. I'm sorry. Once I got James off, I  
22 walked alongside of the train. I noticed that the passengers were  
23 helping themselves off. I waited probably less than a minute. I  
24 don't know how long. Then I entered the coach through the bottom.  
25 Sorry about that.

1 Q. No problem. We'll take our time and get it right. Okay.  
2 Through the bottom. Got it.

3 A. Yeah.

4 Q. Did you see any injured passengers there?

5 A. They all looked disheveled. The last one that got off, she  
6 looked more disheveled than the rest of them. I asked her if she  
7 was okay or injured and she just looked at me in disgust and  
8 didn't answer. So I didn't push it.

9 Q. Got it.

10 A. I'm not going to push anybody with questions during a  
11 traumatic event. I'm not that much of a jerk.

12 Q. Got you. Did you notice any damage to that coach car?

13 A. It was leaning. When I got upstairs, everything just looked  
14 like it had been through an earthquake. Like the aftermath of an  
15 earthquake. Everything just looked -- the chairs were in place  
16 but some of the chairs were twisted like they -- because those  
17 chairs can spin if you know what you're doing. And some of the  
18 chairs were twisted. They weren't facing the correct way.

19 They're kind of twisted to a side or -- I noticed that when I  
20 was walking through to the last car. But I was paying more  
21 attention to what was on the floor which it was pretty clear.  
22 There was some stuff, you know, bags and stuff on the floor. But  
23 other than that, it was pretty clear. There was no people  
24 downstairs of that coach car or the upstairs.

25 Q. No people upstairs or down. Great. So at this particular

1 point, you then walk from the coach to the lounge car. You said  
2 you went in --

3 A. Yeah.

4 Q. -- through which would have been the bottom door. Is that  
5 correct?

6 A. I went through the bottom door, the coach. I walked through  
7 -- I walked upstairs. I walked through the whole coach and then  
8 once I started walking back, I noticed the lounge car was on its  
9 side. So I carefully walked over. These things were kind of  
10 blocking me. And I hopped up on the side of the lounge car. The  
11 lounge car was open. However, there was two passengers up there.  
12 They beat me up there.

13 So there was two passengers up there. One was a passerby.  
14 He said that he saw the derailment happen. I did not get his  
15 name. The reason why I didn't get his name because my primary job  
16 there was to get as many people out of that lounge car as I  
17 possibly could. I'm not going to stop and ask him his name and  
18 write it down because I didn't have a pen and paper also on me.

19 Q. Were you aware of any passengers or employees that were  
20 trapped on the lower level of the lounge car?

21 A. I know Carl -- I can't remember -- his name starts with a C.  
22 I can't remember his name. But I knew the lounge car attendant  
23 was assigned there so he could possibly be in there. And I heard  
24 a man asking for his wife Lindsay. And I heard a couple other  
25 little voices. So I don't know how many people were in the lounge

1 car. I do not know.

2 Q. But they were on the lower level?

3 A. The lounge car is also a double decker.

4 Q. Yeah.

5 A. I don't know. Because it was on its side. It's kind of hard  
6 to tell what is floor level and what is upper level.

7 Q. So was there a way to enter the lower level of the lounge car  
8 from the --

9 A. Yes, the --

10 Q. -- outside?

11 A. The door was -- from the outside? No. Because it was on its  
12 side. You had to actually walk over the side and hop down to the  
13 door and that lower-level door was open.

14 Q. Were you aware of anybody using that door to evacuate the  
15 lower level, the lounge car?

16 A. It was full of rocks. Full of rocks and dirt. So I don't  
17 think anybody could exit there because it was full of rocks and  
18 dirt.

19 Q. Did you ever make contact with the Amtrak employee in the  
20 lounge?

21 A. Afterwards. The next day. At the hotel. Because I was  
22 happy to see him.

23 Q. Before you --

24 A. I didn't ask him any questions about the accident or where he  
25 was. I didn't ask. (Indiscernible).

1 Q. I'm sorry. You broke up that last sentence or so.

2 A. The last car attendant, I didn't ask him where he was at the  
3 time or anything. I figured that if he wanted to tell me, that's  
4 fine. If not, then that's up to him.

5 Q. Approximately where did you locate the four-year-old little  
6 girl that was walking around?

7 A. She was outside.

8 Q. She was outside of -- what car was she close to?

9 A. I don't remember. I was walking towards the back of the  
10 train so somewhere -- either the dining car or the first coach. I  
11 didn't turn around to see my location.

12 Q. And you said you located her grandmother. Where was that?

13 A. Somewhere in between the coach car and the lounge car.

14 Q. Was she injured? The grandmother.

15 A. I asked her if she was okay and needed assistance and she  
16 said no.

17 Q. Can you give me a guess of how long it took the emergency  
18 responders to arrive?

19 A. I wasn't paying attention.

20 Q. So when passengers actually get on a train, is there some  
21 kind of safety briefing that's given to them? Or is there an  
22 announcement to draw their attention to the safety cards as far as  
23 what to do in case of an emergency?

24 A. Every coach attendant makes an announcement at the beginning  
25 of the trip and at major points throughout the trip or even just



1 at random. I know I would do it at major safety points and at  
2 random whenever -- you know, sometimes a little bit more than  
3 normal to point to the safety card in front.

4 For instance, let's say if I'm working the train going to  
5 Chicago and I got 25 getting on in Malta, obviously, I'm going to  
6 make that announcement. Even though Malta is like a stop that has  
7 maybe one or two people. But if it has 25 people getting on, for  
8 instance, I would make an extra safety announcement even though I  
9 just made one at Havre. Because that's a lot of people to be  
10 getting on in a car.

11 Q. Are these announcements made at --

12 A. And I would refer them to the safety card. Yeah.

13 Q. Does it matter the time of day in which the passengers board  
14 that announcement are made?

15 A. I don't know. I personally don't make any announcements  
16 after 10 p.m. unless it's an emergency. And I've never had to  
17 make an announcement after 10 p.m.

18 Q. Was there any kind of announcement that was made over the PA  
19 following the derailment? Do you know?

20 A. Like I said earlier, when I tried to make an announcement,  
21 the PA was not working. So I'm imagining the PA was not working  
22 that whole time. I did not hear anything overhead. The only  
23 thing that I heard was the emergency system saying that the train  
24 -- I can't remember the exact words but it said emergency,  
25 emergency, emergency. The train has -- and I can't remember the

1 rest of it. It was an automated thing.

2 Q. So that's an automated announcement. And where does that  
3 come from? I mean, does it -- it doesn't come over the PA system?

4 A. It came over the PA system. Yeah.

5 Q. Then the PA cut out?

6 A. I don't know. Because I would hear it here and there. The  
7 automated. So maybe when that automated thing is going out, you  
8 know, making the announcement, maybe the PA doesn't work. I don't  
9 know. That would be something that you'd have to ask Justin.

10 Q. The last thing I wanted to ask you about is the rotating  
11 seats. So when you were preparing to -- for a trip and for  
12 passengers to come on board, what is the procedures as far as  
13 ensuring that the rotating seats are locked into place?

14 A. I just kind of move them myself. You know, just kind of  
15 shake it a little bit, make sure it's locked in place. That's  
16 what I do. I don't know what other coach attendants do.

17 Q. Is there a standard procedure of what should be done?

18 A. I cannot remember. It's been approximately -- you can ask  
19 Justin. But I've only worked coach a couple times in the last two  
20 years. It's very rare now that I work coach.

21 MS. HARLEY: I tell you what. I -- that's all the questions  
22 that I have for the moment. I'm going to actually turn it over to  
23 Kari. If you wanted to ask some questions.

24 BY MS. JACOBSEN:

25 Q. Sure. Hi. Thanks for taking the time to tell us everything

1 you remember. It's very helpful for us. So I just wanted to  
2 clarify because it sounds like you went back and forth a lot. And  
3 so I want to clarify. When you said that you went to the lounge  
4 car -- and I know you've already said it a couple times -- you  
5 were -- you came out of the coach car to walk on the side -- the  
6 top of the lounge car because it was on its side.

7 A. Yes.

8 Q. Then you said that the door to the lower level was open. And  
9 did you jump down there? Did you let yourself enter through that  
10 or did you just look down there? You said that you saw a lot of  
11 rocks (indiscernible).

12 A. I looked down to see if I could make it down there safely.  
13 Then I sat at the edge. Then I just kind of bounced down. Yeah.  
14 Just kind of hopped down from the sitting position.

15 Q. So you were able to get in there. Then at some point, you  
16 came out and you were able to get out that same way.

17 A. Yeah. Then at some point -- there was already two -- one was  
18 -- one guy was a passerby. He saw the derailment from the road.  
19 And another guy, I believe he was a passenger. He was up there.

20 Q. And when you had -- when you let yourself down there, there  
21 wasn't an employee -- another employee, Amtrak employee down there  
22 was there?

23 A. I believe the lounge attendant was down there. But I'm not  
24 sure.

25 Q. You went down there to look for whether anybody was stuck and

1 needed help?

2 A. Yes. But I noticed I couldn't really do -- couldn't help  
3 with anything because my -- either the rocks or the train car, it  
4 shifted on me a little bit. Kind of felt like it was moving. So  
5 out of caution, I hopped up there. The only other employee that  
6 was up there -- I'm remembering. I called David (indiscernible)  
7 real quick. Said, hey, the train derailed.

8 I remember this now. Sorry I left it out. I said, how do I  
9 get down through -- I'm on the top -- I said I was on the side of  
10 the lounge car. I said, I know these windows open but how. And I  
11 remember handing my phone over to the trainee in the sleeper.  
12 Then I got back down and then I -- yeah, sorry I left that out.  
13 But talking this out, it's kind of rejogging my memory.

14 Q. Yeah. That's all right. So before you went in that side  
15 door into the lounge, you had made this call and you handed it to  
16 someone who was -- that headed down to the sleeper, the sleeper at  
17 the other end to the last three cars?

18 A. The sleeper -- the trainee -- the sleeper attendant trainee  
19 was -- he arrived just after me. And I handed him my phone. And  
20 I said, keep it near me. But he kind of went off to do something.  
21 I don't know what he did. I wasn't -- I didn't ask him. I was  
22 more interested in helping people out of the lounge.

23 Q. Do you happen to know that trainee's name?

24 A. He was assigned to (indiscernible).

25 Q. He was --

1 A. You'd have to ask Justin who he was assigned to on that day.  
2 I mean, you would have to ask Tachi (ph.) his name. I mean, you  
3 would have to ask Justin his name. I'm sorry. All I know is that  
4 he was assigned with Tachi. And that he had military experience.  
5 I'm in the kitchen. I didn't really talk too much to him  
6 beforehand.

7 Q. So you came out of the lounge car. Then that was when you  
8 proceeded to -- let's see -- what did you do after that point  
9 again?

10 A. I hopped out. Peyton -- I believe his last name was Peyton.  
11 The trainee. But I'm not sure. He helped me out of the lounge  
12 car. And I said I'd be back unless there was other people up here  
13 helping. Then I walked back through the coach. Because that was  
14 the safest way to do so to get off the train.

15 MS. JACOBSEN: Thank you. That's my question for now. I'm  
16 going to pass back to Sheryl.

17 BY MS. HARLEY:

18 Q. Just a few more questions. Were you actually transported to  
19 a hospital from the scene?

20 A. No, I wasn't. When I got to Chester High School, I believe  
21 it was -- they bussed us there in buses and stuff like that. Once  
22 I got to Chester, I noticed that my mid back and -- my mid back  
23 and upper back were hurting. So I -- so one of the volunteers, I  
24 told her that and she directed me to go sit in the gym. And  
25 somebody came up to me about five, ten minutes later. My blood

1 pressure was 167 over 127. And I told her about the back and she  
2 asked me to rate my level of pain. And I'm not really good at  
3 that. Actually, I normally don't answer that question because I  
4 feel it's stupid. But I did answer it with her. I said it was a  
5 three or a four. But I don't level my pain. It just -- either  
6 I'm in pain or I'm not in pain. That's how I look at it.

7 She said, well, right now, you're a low priority and you need  
8 to get your blood pressure checked. That was it. So I was not --  
9 I did not even -- I didn't go to -- I did not see a physician  
10 until September 28th. I saw my (indiscernible) Family Medicine.

11 Q. Outside of James, did you see any other Amtrak employees who  
12 were injured?

13 A. I saw people that were helping others. I didn't ask them if  
14 they were injured or not. But Danielle ended up being transported  
15 to the hospital. She ended up being in a neck brace. Tachi ended  
16 up going to the hospital. I didn't Yonis if he had any injuries.  
17 Rico just looked shook up. I didn't ask them any questions. They  
18 just went through something traumatic.

19 Q. So after the derailment, who in the crew was actually in  
20 charge?

21 A. I believe it was the LSA, Heather.

22 Q. Heather? Okay. And was it Heather --

23 A. (Indiscernible). You'd have to ask -- you would have to ask  
24 Justin who would be in charge. But I figured it was the LSA.

25 Q. So was it Heather who made the decision that they needed to

1 corral the passengers into one location?

2 A. No. It was not her. It was Danielle.

3 MS. HARLEY: Let's see. I think that's actually all the  
4 questions that I have. Kari, do you have anything else?

5 MS. JACOBSEN: No, I think I've learned quite a bit.

6 MS. HARLEY: Justin, is there anything that you wanted to add  
7 to this, sir?

8 MR. TALMADGE: No. Other than if you need to know the  
9 (indiscernible) work dates for everybody, I can forward you  
10 everybody's -- you know, just for the month of September. Because  
11 it's going to be kind of hard for everybody to recall those  
12 (indiscernible) --

13 MS. HARLEY: Yeah. That's fine. September is perfect. I  
14 don't need a whole lot of that. I just wanted to get a basic feel  
15 of shifts and how they worked and all that. And --

16 MR. TALMADGE: Yeah. That's no problem. I can put that  
17 together.

18 MS. HARLEY: Just the other thing is the -- are you aware of  
19 what the procedure is to prepare a train for passengers before the  
20 passengers are loaded, specifically about checking to ensure that  
21 those rotating seats are locked into place?

22 MR. TALMADGE: So generally, those -- unless otherwise moved,  
23 those seats should always be locked in position. I know the coach  
24 cleaners go through and mechanical. They have a checklist that  
25 they go through. And as they're cleaning -- and honestly, it's

1 pretty apparent when they're not in place. Because they -- when  
2 you lift it and hinge it over to spin them around, it's pretty  
3 distinct. You see it kind of pivoted in a way if it's not locked  
4 in place. So it takes a little effort to actually un-take those  
5 out and get them pivoted. But like Donald was saying, as you're  
6 going through, you're touching them so often that if anything is  
7 ajar, it's pretty apparent.

8 MS. HARLEY: Okay, all right.

9 MR. BUGGE: Yeah. I grab them pretty good. And I just give  
10 it a good shake. Or a good twist or whatever, you know, to alert  
11 me that it's out of place. It's going to take a lot of force to  
12 knock those seats, twist them sideways. It's going to take a lot  
13 of force.

14 BY MS. HARLEY:

15 Q. So the last question I have for you, Donald, is prior to the  
16 derailment, would you say that the trip as far as the feel of the  
17 trip, as someone who rides in a train all the time, would you say  
18 it was fairly normal as far as it being a smooth ride and nothing  
19 unusual?

20 A. You know, you got your normal bumps through North Dakota.  
21 North Dakota to Shelby can be pretty bumpy.

22 Q. But nothing --

23 A. (Indiscernible) Shelby --

24 Q. Yeah.

25 A. -- is pretty bumpy, in my opinion. It can be a little bit



1 bumpy before Glasgow. I know that they've been slowing down for  
2 whatever -- they'll make an announcement overhead (indiscernible)  
3 following a freight train or going slow or whatever reason, you  
4 know, track maintenance or whatever is going on. There was no  
5 announcement through that area where we derailed.

6 But I did notice that we seemed to be going a little slower  
7 than normal right before we derailed. It didn't seem like we were  
8 going as fast as normal. Not too much slower but enough to  
9 notice.

10 Q. So this is the point in the interview where I always allow  
11 you to ask me any questions. Do you have any questions for me?

12 A. No. I think I'm good.

13 Q. So you should also be aware that our transportation disaster  
14 assistant specialist will reach out to you either by email or by  
15 letter and -- I'm not actually quite sure how they're doing it for  
16 the Amtrak personnel. And basically, because you --

17 A. I prefer -- honestly, I prefer letter because I don't like  
18 checking my email. I don't normally check it unless somebody  
19 actually calls and says, hey, you have an email. I'm actually  
20 trying to use it less and less.

21 Q. Got you. So her job is to kind of be like a liaison between  
22 you and the investigation team. So you have any questions, any  
23 concerns, you can give her a call or you can give me a call. Her  
24 job is also -- is to inform of things like preliminary reports  
25 that are going to come out within a week or two. Normally, we

1 notify people ahead of time so you're not surprised when there's a  
2 report that comes out. Certainly, the preliminary report --

3 A. I think all that kind of stuff -- I really just want to move  
4 on with my life and not think about this accident. I think all  
5 that kind of stuff can go to (indiscernible).

6 Q. Then I will certainly let her know. Again, well, thank you  
7 very much for giving us your time and answering these questions.  
8 I certainly do appreciate it.

9 A. Yeah. I just want to apologize for my tone of voice. I  
10 really don't like talking about this accident unless I'm really --  
11 absolutely -- I need to. You know, it's part of my life right now  
12 that I just want to forget about and move on.

13 Q. That's perfectly understandable, sir.

14 A. It just really upsets me to even talk about it.

15 Q. Again, I am sorry for that. Well --

16 A. But I figure that on this occasion, you guys need to kind of  
17 know what I experienced.

18 MS. HARLEY: Yes, sir. Absolutely. Well, if there aren't  
19 any other questions or any other concerns, I think we've got  
20 everything we need. Again, Mr. Bugge, thank you very, very much.  
21 I know this was stressful for you but I appreciate it.

22 MR. BUGGE: Okay, thank you. You all have a nice day.

23 MS. HARLEY: You too, sir.

24 MR. BUGGE: Bye.

25 MS. HARLEY: Bye.

1 MR. BREMSETH: Thank you.

2 MS. HARLEY: Thank you, sir.

3 MR. BREMSETH: Bye-bye.

4 MS. HARLEY: Bye-bye. Thank you, Justin. I appreciate it.

5 (Whereupon, 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:            FATAL AMTRAK DERAILMENT  
                                      NEAR JOPLIN, MONTANA  
                                      ON SEPTEMBER 25, 2021  
                                      Interview of Donald Bugge

ACCIDENT NO.:                RRD21MR017

PLACE:                         Via Telephone

DATE:                         October 15, 2021

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.



---

Katie Leach  
Transcriber



## NTSB RECORD OF CONVERSATION

**Investigator name:** Sheryl Harley, Investigator, Survival Factors Group  
**Investigators:** Kari Jacobsen, Volpe; Kris Severson, Volpe  
**Mode:** Railroad

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**Date:** November 24, 2021, 12:10 p.m. EST  
**Contacted:** Ms. Siobhan Hayes, Amtrak employee (also Mr. Matthew Dreesen, attorney for Ms. Hayes)  
**NTSB Accident Number:** RRD21MR017

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**Narrative:** On Wednesday, November 24, 2021, at about 12:10 p.m. EST, Ms. Siobhan Hayes was interviewed via Teams regarding the Amtrak derailment in Joplin, Montana. Also on the call was Ms. Hayes' attorney, Mr. Matthew Dreesen.

**Interviewed:** Ms. Siobhan Hayes, Amtrak Employee

Ms. Hayes advised that she was hired by Amtrak in February 2009. Her job title was Train Attendant, and her duties include car cleaning, and opening and closing doors for boarding or disembarking passengers. Ms. Hayes describes her job as being similar to a flight attendant but on a train. Ms. Hayes advised that she underwent extensive training for her position to include an intense one-month program shadowing another senior employee. Ms. Hayes also received Block training and emergency training to include how to open the emergency exit windows, CPR and the use of the safety kits onboard the train. Amtrak requires its employees to attend recurrent training initially scheduled annually, but now every two years. Ms. Hayes advised that the change occurred in the last 4-5 years. Safety Briefings are supposed to be conducted for the crew at the start of each trip but that doesn't always happen, and Ms. Hayes couldn't remember if a safety briefing was conducting for the accident trip.

**(Question about safety equipment aboard the train)**

Ms. Hayes advised that the safety equipment aboard the train is checked but she is unsure by whom though she advised that she looks in the cabinet in her train to see that the equipment is there. Ms. Hayes advised that she is not issued an eMD (e-Ticketing Mobile Device) but did acknowledge that she was issued a flashlight by Amtrak. Ms. Hayes advised that she does not scan the passenger tickets. Boarding at each station stop is different. The conductors or ticket agents scan the passenger tickets. Her job is to direct the passenger to the correct train car seat based on their destination.



## NTSB RECORD OF CONVERSATION

### **(Question about announcement to passengers to include safety information such as safety cards)**

Ms. Hayes advised that the conductor makes the announcements to include information about the safety cards over the Public Address system. The PA announcement is made at every station stop and, in the dining, and lounge cars throughout the day. 75% of the time, the PA system doesn't work correctly. Frequently additional announcements have to be made. An announcement is made in one of the forward cars for the cars located in the front of the train, and a second announcement is made in one of the rearward cars for the cars located in the rear because the PA system frequently fails to transmit from the front to the back of the train, at one time. Ms. Hayes doesn't remember if the PA system was operational. She advised that she couldn't recall hearing any announcements.

Ms. Hayes advised that on the accident trip, she was assigned to the 14 and 15 coach. **(Note: When referred to by the equipment number provided by Amtrak and marked on the side of the train car, Ms. Hayes couldn't identify the cars by those numbers)** Ms. Hayes admitted that she doesn't know what the markings are on the outside of the train car. She doesn't refer to the coach cars, she was assigned to, by the marked equipment number. At the time of the accident, Ms. Hayes was in the 15 car **(noted as ATK 31036)** and sitting in the last row on the left side in the aisle seat. She remembered going airborne from the seat and hitting the ceiling and then being thrown into the window and then to the floor on the right side. She advised that there was no warning, no sound or movement prior to the car overturning.

### **(Question about car occupancy and passenger locations)**

Ms. Hayes advised that at the time of the accident, there were under 20 passengers in the train car. The passengers were spread out through the car. After the accident, Ms. Hayes advised that she came to rest on top of a female passenger that had been sitting across from her. Ms. Hayes advised that she was very upset, crying and screaming and the female passenger was trying to calm her. Ms. Hayes advised that she was panicked because she couldn't feel her arm and her head hurt. She remembered that the female had been sitting across from her (on the right side), one row up (forward) of her position. The woman was seated at the window and her husband was sitting on the aisle. She advised that no one was sitting directly across from her. Later, to evacuate the car, Ms. Hayes had to walk up a ladder, supported by emergency responders. Once she was out of the car, and standing on the top of the car, she had to be supported as she climbed down the ladder on



## NTSB RECORD OF CONVERSATION

the outside to the ground. It took three rescuers to help her down the ladder. Ms. Hayes identified the window she climbed out of as being the window directly above her seat prior to the derailment.

### **(Question about emergency lighting in train car)**

Ms. Hayes advised that there was no emergency lighting in the train car after the accident. She recalled that the train stopped in Minot, North Dakota for maintenance but was unsure whether any maintenance was actually performed.

### **(Question about specific injuries sustained in the accident)**

Ms. Hayes advised that she sustained a fractured right arm and right ankle, in addition to a head injury. She remembered that immediately following the accident, she couldn't move. The other passengers told her to lay still and as she laid on top of the female passenger, she landed on, the woman's husband slid his wife from underneath her.

Interview terminated at 12:36 p.m.

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**End of Summary**



## NTSB RECORD OF CONVERSATION

**Investigator name: Sheryl Harley, Investigator, Survival Factors Group**  
**Investigators: Kris Severson, Volpe; Kari Jacobsen, Volpe**  
**Mode: Railroad**

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**Date: November 24, 2021**  
**Contacted: Mr. Richard Kerley, Amtrak employee (Mr. Matt Dreesen, attorney representing Mr. Kerley)**  
**NTSB Accident Number: RRD21MH017**

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**Narrative:** On Wednesday, November 24, 2021, at about 11:13 a.m., Mr. Richard Kerley, Amtrak employee, participated in a Teams meeting interview with investigators regarding the Joplin, Montana Amtrak derailment. Also present in the meeting was Mr. Matthew Dreesen, attorney at law, representing Mr. Kerley.

### **Interviewed: Mr. Richard Kerley**

Mr. Kerley advised that he was hired by Amtrak in 1998 as a Lead Service Attendant (LSA). His job is to provide service in the Lounge car café. Mr. Kerley advised that Amtrak provided various training classes to him to include classes on café service and safety programs such as "Move Smart".

Mr. Kerley advised that at the time of the accident, he was in the café located in the lower level of the Lounge car. He was standing behind the counter located on the left side of the train, in the front portion of the car, as the train traveled forward. During the accident, the train began going up and down and noted that it was not a side-to-side motion. The lights went out and he remembered rocks coming into the car. Mr. Kerley advised that he was thrown into the wall and believed he lost consciousness. (\*Note: later in the interview, Mr. Kerley advised that he didn't know what he hit). He advised that in addition to himself, there was one other individual, a passenger, in the lower level of the car. The passenger was standing on the other side of the counter where the passengers could pick up items out of the coolers provided. Mr. Kerley described the passenger as an older white male, approximately 55-57 years of age. The passenger advised that he wanted to notify his wife, who was also on the train with him. Mr. Kerley could not provide any additional information about this individual.

Mr. Kerley advised that the rocks (ballast) was coming into the lower level of the car through the windows. The car door was jammed by the ballast and Mr. Kerley banged against the door with his flashlight to get someone's attention. He believed that it was "quite a while" before he and the passenger were extricated from the car because rescuers had to dig out the rocks away





## NTSB RECORD OF CONVERSATION

from the door. Someone pried the door open, and Mr. Kerley used a milk crate to keep the door open and prevent gravity from closing it again. Mr. Kerley and the passenger were pulled out of the car through the opening by lying on their back and having the rescuers pull them out by their arms. Mr. Kerley advised he was then able to crawl out a window that was in the middle of the stairway leading to the upper level of the lounge car. After the derailment, the stairway would have been above him, on the top of the car, facing the sky.

### **(Question about chain of command in the event of an emergency)**

Mr. Kerley advised that in the event of an emergency, the conductor is in charge of the train, the crew and the welfare of the passengers. Next in line is the Assistant Conductor followed by the engineer. Lastly, the Lead Service Attendant in the Diner car would be in charge if the others were unavailable.

### **(Question regarding the operability of safety equipment such as emergency lighting, Public Address system, extrication equipment, etc.)**

Mr. Kerley confirmed that Amtrak does provide flashlights to the train crew. He advised that the emergency lighting and the P.A. system would be checked prior to passengers boarding the train but could not identify who exactly was responsible for checking the systems but was certain that they would be checked prior to boarding the train. He believed that someone in the mechanical shop would be responsible for that. He advised that the P.A. system was operating in the café but couldn't attest to the operation of the emergency lights prior to the derailment. Passenger briefings were conducted via the P.A. system and included information on the new "mask" procedures and the availability of the safety cards. Mr. Kerley confirmed that the safety cards were present in the café.

The crew underwent their own safety briefing at about 11 a.m. at the base (home terminal) and prior to the passengers boarding the train. It is the responsibility of the mechanical shop to check the emergency equipment, such as fire extinguishers, extrication tools and first aid kit, on the train and ensure the equipment is present and operable.

### **(Question regarding crew communications)**

Mr. Kerley advised that the main method of communications between crew members is the Public Address system. After the derailment, the crew had to physically locate each other to communicate because the P.A. system was inoperable.

### **(Question regarding the extent of injury sustained by Mr. Kerley and the passenger)**

Mr. Kerley advised that he sustained injury to his neck and his arm. He believed that the passenger, that had been trapped in the lower level of the train car with him, had sustained injury to his head.



## NTSB RECORD OF CONVERSATION

**(Question about additional occupants in the lower level of the lounge car)**

Mr. Kerley advised that he was certain that he and the described male passenger were the only occupants in the lower level of the lounge car (café area) during the accident.

Interview terminated at 11:46 a.m.

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**End of Summary**

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of: \*

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FATAL AMTRAK DERAILMENT \*

NEAR JOPLIN, MONTANA \* Accident No.: RRD21MR017

ON SEPTEMBER 25, 2021 \*

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\* \* \* \* \*

Interview of: J.P. JOHNSON, Brakeman  
Amtrak

Via Telephone

Wednesday,  
January 5, 2022

APPEARANCES:

SHERYL HARLEY, Investigator  
National Transportation Safety Board

I N D E X

ITEM

PAGE

Interview of J.P. Johnson:

By Ms. Harley

4

I N T E R V I E W

(6:13 p.m. EST)

1  
2  
3 MS. HARLEY: Mr. Johnson, once again, I'm Sheryl Harley. I'm  
4 an investigator with the National Transportation Safety Board.  
5 And today is January the 5th of 2022. And it's 6:13 p.m. And  
6 that's Eastern Standard Time.

7 Mr. Johnson, can you just identify yourself for the  
8 recording, please, sir?

9 MR. JOHNSON: My name is J.P. Johnson. I was --

10 MS. HARLEY: Thank --

11 MR. JOHNSON: I'm a brakeman for Amtrak.

12 MS. HARLEY: Brakeman for Amtrak. Wonderful. As I said just  
13 before we started the recording, this is about your recall of the  
14 passengers that were in the lounge car with you. And that's the  
15 extent of this conversation. Once again, you are okay with me  
16 recording this?

17 MR. JOHNSON: Yes, that's correct.

## INTERVIEW OF J.P. JOHNSON

18  
19 BY MS. HARLEY:

20 Q. So Mr. Johnson, I'm going to ask you a couple of pointed  
21 questions and then we can move forward. Do you remember a  
22 passenger that had prosthetic legs and a prothesis in his arm?

23 A. I do not remember a passenger with that at all.

24 Q. You were sitting at the first table, the first forward table  
25 on the right side as the train was moving forward. Who was

1 sitting across from you?

2 A. There was a father and son. Both of them had the first name  
3 of Zack. They were sitting directly across from me.

4 Q. Do you remember who was sitting -- were they both facing  
5 forward? Was one facing forward and one facing back?

6 A. Yeah. One was facing forward and one was facing back. They  
7 were facing each other.

8 Q. Do you remember who was facing forward?

9 A. I think the elder Zack was.

10 Q. Sitting behind you, you were -- according to your other  
11 interview, you were talking to the man sitting behind you. Do you  
12 remember that gentleman?

13 A. Yeah. I don't remember what his name was. But he was the --  
14 one of the fatalities.

15 Q. Was he the younger male fatality?

16 A. That's correct.

17 Q. Okay, great.

18 A. And I only spoke to him briefly.

19 Q. Do you remember the other two victims, which -- the other two  
20 fatalities which was Mr. and Mrs. Varnadoe?

21 A. Yeah. They -- you know, the way that car is set up -- I was  
22 sitting at the table and they were sitting in front of me in the  
23 seats. They were facing -- we were going east. They were facing  
24 the north side of the train.

25 Q. So they were sitting next to each other facing in that --

1 those two seats that face north?

2 A. Yeah. They were in -- well, there's a group of seats. But  
3 there is -- you know, they were in a couple of seats that were  
4 facing north.

5 Q. Were they directly in front of you?

6 A. Not directly but I had a good field of vision to see them.

7 Q. Was there anyone else that was between you and them?

8 A. Not that I can recall. There was some empty seats between me  
9 and them. As I --

10 Q. Do you -- who -- do you recall anyone else in that train car?

11 A. Yeah. But it's kind of vague. There were other people  
12 sitting in the seats that were facing to the south on that other  
13 side of the aisle. Then I think there were a couple of -- another  
14 gentleman sitting towards the back of the car to the west of me  
15 out of my line of sight.

16 Q. So that gentleman was sitting at a table?

17 A. That's correct.

18 Q. Do --

19 A. I believe he was working on his computer if I recall.

20 Q. Do you recall if anybody was seated in that group -- I guess  
21 there are three seats that are in front of that table where the  
22 two Zacks were. Do you remember if anybody was sitting there?

23 A. Not right off the top of my head, ma'am.

24 Q. If you don't mind, I'm going to ask you one more time, and I  
25 think this is difficult for you, if you can just kind of sort of



1 walk me through the events of the derailment starting from the  
2 time where you realized that something was wrong with the train  
3 and then just kind of walk me through. I'm specifically looking  
4 to identify the passengers and how the passengers got out of the  
5 train if we could do that.

6 A. You mean from the time that I felt the track go out from  
7 under me?

8 Q. Yeah.

9 A. To the evacuation? Is that what you're getting at  
10 (indiscernible)?

11 Q. Yes, please. Yes, sir.

12 A. Well, we -- I'll just give you a little background here.  
13 Before we went -- I had -- before we went on the ground, we had  
14 just copied a crossing warning notification. And I had just  
15 finished relaying that back to the conductor on the radio. I  
16 pulled out my watch to check our speed. We were slowing down. I  
17 checked my speed by looking at my watch and the mile posts. I  
18 just replaced my watch into my trousers.

19 I looked up and then I felt like it was -- felt like the  
20 track went out from under us. We bucked to the south side, then  
21 to the north, then to the south, and then we went over on our side  
22 to the north side. Passenger sitting across from me, the two  
23 gentlemen sitting across from me were thrown down on top of me  
24 somewhat.

25 I might add, before I go any further, the two -- the couple

1 that were sitting -- the other -- that were sitting ahead of me in  
2 the seats, just before we derailed, they were walking back to -- I  
3 think they were in a sleeping car. They had left my line of  
4 vision. So they were -- they had -- were returning to either  
5 their couch seats or their sleeping car accommodation. I can't  
6 remember which. So they had disappeared from my field of vision  
7 as I was looking forward before the car went on the ground. I  
8 assumed when the car went on the ground they were in between the  
9 cars when the car derailed.

10 The gentleman (indiscernible) I -- like I said, I had spoken  
11 to him briefly and then had just turned around and started -- and  
12 turned around and continued with my work. Now, back to the  
13 original story. That's just a footnote for you.

14 When we went -- we went over on our side, we stayed attached  
15 to the train before we came to a stop. I think we got drug about  
16 150 yards or -- you know, that was about -- that was just my  
17 estimate. And people were -- when we came to a stop, I got up, I  
18 stood up. The car was on its side. Those two gentlemen that were  
19 sitting across from me, they evacuated the car out of the end door  
20 that was -- that had been behind me. The end door that was to the  
21 west of me. And people were standing up and getting their  
22 bearings about them.

23 And the gentleman that had been sitting behind me, the  
24 fatality behind me was laying underneath the car. Some people had  
25 gathered around him trying to get him to respond. I stood up. I

1 put my hat on. I dusted myself off a little bit just -- you know,  
2 that was only -- I guess a human reaction, I guess. But I told  
3 them to get out of the car. He's gone. Then I stood up and I  
4 helped -- there were a couple other people at the east end of the  
5 car that I helped, you know, just directed them.

6       Everybody started crawling out the west end door, the door  
7 that was facing west. By that time, some other people had showed  
8 up to help them out. We had used -- we found an old garbage can  
9 so that we could use it kind of as a step stool to get them up and  
10 across that and out of the car.

11       As soon as I saw the last people get through the -- get out  
12 of the top end of the car, the upper level, I heard some people  
13 that had been on the lower level down there banging on the door.  
14 And I walked over to the staircase. And the staircase was now  
15 facing me because the car was over on its side. And I yelled down  
16 to them. I said -- I gave them instructions as to how to operate  
17 the lower-level door. They said to me, we can crawl out the  
18 window. I said don't crawl out the window. It's too small.

19       So I talked them through the way they -- the way to operate  
20 the door. I said you lift up the dogear and then I said, when you  
21 open up the door -- when you lower the handle to open the actual  
22 door up, make sure you have pressure against it, or else it's  
23 going to fall in and hurt you. Then I confirmed that those two  
24 guys that were down there were getting out of the car, as well as  
25 the lounge car attendant.

1           When I had confirmed that they were evacuating the car, I  
2 went out the same way I evacuated the passengers, out through that  
3 west end door. And that was the extent of what happened in that  
4 car itself. Now, there's other -- there were other -- you know, I  
5 went to tend to other things after that. But if you wanted me to  
6 speak specifically about that car, that's how it all ended up.

7 Q.   At any point, did anyone tell you that the lounge car  
8 attendant was unconscious?

9 A.   Well, I had heard that. But then I knew that he had been --  
10 I knew he was getting out. I had heard that he was unconscious.  
11 He did answer me. But when I looked back at it, you know, he had  
12 been kind of -- some ballast had gotten into that small space that  
13 he was in and he was kind of wiggling his way out when I was  
14 yelling at him. I assumed he was unconscious but he evacuated  
15 safely. He may have been just for a little while. I don't know.

16 Q.   Do you have --

17 A.   I know he was treated (indiscernible) EMS.

18 Q.   Do you have some sense of how many people were down in the  
19 lower level?

20 A.   I think that there was between three and four counting the  
21 lounge car attendant. I would lean towards three people because I  
22 saw two crawl out. There might have been one that crawled out  
23 before I saw it, but I know I saw two crawl out down there, plus  
24 the lounge car attendant. So there may have been another person  
25 down there. I am not sure. But I know I heard two different

1 voices as well as seeing the lounge car attendant evacuate.

2 Q. So they crawled out. Where did they crawl out from?

3 A. Well, they crawled out of the lower-level door which would  
4 have been on -- it would have been on the top side of the car with  
5 the car on its side. It was one of the lower-level doors that had  
6 opened. I think Curley (ph.) had gotten out through his window  
7 down there behind the snack bar where he was at. So he either got  
8 out through that window or he got out through that open door that  
9 those two gentlemen that I told you -- I believe there were two  
10 gentlemen down there. There could have been more. But like I  
11 said, I only remember hearing two voices down there.

12 Q. When they crawl out, are they on top of the car now or are  
13 they outside?

14 A. That's correct. They were able to come -- they were able to  
15 crawl off the top of the car successfully as did the lounge car  
16 attendant.

17 Q. So they -- when they crawled out of the space, they ended up  
18 on top of the car and then came down.

19 A. That's correct. Once I confirmed that, I continued back to  
20 the other three cars that had derailed. There was quite a bit of  
21 a gap between the lounge car and the number 14 coach, number 14  
22 and number 15 coach and the 28, 730 sleeper. They were all  
23 further to the west of the track. They were further west down the  
24 track I should say.

25 Q. You mean further east of the --

1 A. (Indiscernible). Yeah. You know what? Okay. I'm sorry.  
2 I'm getting my directions fouled up here.

3 Q. No problem.

4 A. I would say -- when I was saying the west end door, it was  
5 the east end door. I am so sorry. I -- like I said, it was -- I  
6 just got my directions backwards right now. I am so sorry.

7 Q. That is not a problem, sir. Thank you very -- actually  
8 you're being very, very helpful. I want to talk to you again  
9 about the two individuals that were walking back. So you said  
10 that the husband and wife, they had passed you. Who was in front?  
11 The male or the female?

12 A. I believe it was the female. The male had a camera. I  
13 remember him -- I remember seeing him with his camera sitting in  
14 the seat. And I believe he was right -- he was in my -- as I'm  
15 remembering it, he was in my field of view first. So the male was  
16 sitting in front of the female in that seat.

17 Q. The male was sitting in -- so --

18 A. To the east.

19 Q. So when you looked, the male was the one that was sitting in  
20 the seat to the east. And then the female was in front of him?

21 A. That's correct.

22 Q. You said they got up and started walking back?

23 A. Yes. They disappeared from my field of view just -- I would  
24 say probably between 30 seconds until -- 30 to -- between 30 and  
25 90 seconds before we went on the ground.

1 Q. As they were walking back --

2 A. (Indiscernible) --

3 Q. As --

4 A. Yeah. They were walking to the east.

5 Q. And as they're walking back, who was in front?

6 A. I don't recall that. I do recall them disappearing from my  
7 field of view. When you see a person get up and walk back, you  
8 know, you just don't -- it was business as usual until we went on  
9 the ground, of course.

10 Q. Right.

11 A. So I didn't even -- you know, that detail eludes me to this  
12 day. I don't know which one was in front or which one was in back  
13 there. I'm sorry about that.

14 Q. Well, you couldn't see everything. The other question was  
15 that when you saw the younger fatality that was under the train  
16 car, did he have something on top of him?

17 A. As I recall -- you know, he -- there was some broken glass  
18 around -- one of the glass windows had popped out and that's -- I  
19 think that's why he went under. We did cover him, you know, at a  
20 point in time. There was a blanket that we used to cover him. I  
21 don't recall who it was. I know I was involved with it.

22 But we -- there was a couple of different crew members that  
23 took care of that. And then when the medics arrived, they covered  
24 him with another blanket. The -- I should say -- not the medics  
25 but the ambulance, fire, and sheriff. All the first responders

1 arrived. They covered him up with something, you know, a little  
2 bit -- the word I would use, a little bit -- if there is a word, a  
3 little bit more humanely. Then --

4 Q. Okay.

5 A. Go ahead. Sorry.

6 Q. No, no, no. I didn't mean to interrupt you.

7 A. That's okay. Then the other -- I never did see the male  
8 passenger's body. I did see the female passenger and she was in  
9 two. I can't remember how far apart they were. But they were  
10 covered by one of our dining cart attendants. Her name is  
11 Danielle Travers. She had covered that up.

12 Q. Yeah.

13 A. But I had seen -- I did see her. I did not see the husband  
14 at all. If he was around, I didn't -- I wasn't looking for him.  
15 I was -- my prime concern was to make sure we got the people that  
16 were still alive and that were injured to wherever they needed to  
17 go, you know. I had decided that we would -- there was -- I had  
18 pointed out a place where we would have triage. It was at the --  
19 one of the shanties there at (indiscernible). And I just started  
20 directing people to that area where people could gather and stuff  
21 like that. But I only -- those were the only two -- well, the  
22 only fatalities that I did see.

23 Q. The -- did you by any chance see a portion or part of the  
24 switch heater anywhere near the train car?

25 A. The switch heater, I didn't see any -- I didn't see that.



1 But the track -- I will say this, the track to the east looked  
2 just like spaghetti. It had bowed out and it was curled. That  
3 was upon later, you know, after we had done what we could do for  
4 the passengers and we had evacuated everybody. You know, upon  
5 looking at it, it looked -- you know, it looked like curled up  
6 spaghetti to me. The track did. Now, as far as the switch heater  
7 is concerned, I did not see that at all.

8 Q. So you did not see it anywhere near the young fatality?

9 A. I don't recall seeing that anywhere near him. No. We were  
10 further west of the switch -- where the switch heater would have  
11 been, ma'am.

12 Q. Do you remember passengers by the name of Grosso (ph.).

13 There was a husband and wife, Morgan, and Chris in your car?

14 A. No, I do not.

15 Q. Let's see. So how long do you think it took for the  
16 emergency responders to get to the scene?

17 A. Well, I think I said in my original testimony it was between  
18 15 and 30 minutes. But I would say now, you know, on further  
19 recollection, I would say, you know, it was 5, 10, 15 minutes. I  
20 mean, they were -- when you're doing -- it's hard to think about a  
21 time frame when you're going through all that. But I would  
22 estimate -- they were -- they had responded quite quickly. You  
23 know, 5, 10, 15 minute-time frame. You know, I -- in the original  
24 testimony, I said 15 to 30 minutes. But upon looking back at it,  
25 it was quicker than what I originally testified. And I would

1 believe -- I would stick with that number instead of what I --  
2 original testimony.

3 Q. You said that you left the lounge car and then you -- and you  
4 moved to the three uncoupled cars to the east. Did you go into --

5 A. Um-hum.

6 Q. -- any of those cars?

7 A. I went into -- partially in the doorway of the number 14  
8 coach. That door was facing west. I know that for sure. I'm  
9 sorry. It was the door that would have been coupled to the lounge  
10 car had they been up on their -- upright. I crawled in there --  
11 kind of into the side to give people a hand and get them across  
12 the threshold, if you will, and out.

13 And then, finally, I figured that I would be more help if I  
14 actually just stood outside the car and directed people. So I  
15 crawled back out -- up the car and stood at the door. But by that  
16 time, the rescue people were there. And they were already  
17 crawling into the car to help people out.

18 So at that point in time, I was -- I figured that I would  
19 render -- be better to render assistance from outside of the car  
20 and stay out of the way of the professionals involved with it. So  
21 I stood at the end of that car helping people out after the rescue  
22 people got there.

23 Then I helped -- they needed to -- there was a woman that was  
24 -- one of the seats had -- I don't -- the turning mechanism on the  
25 seat had broken and she was underneath the seat. We couldn't get

1 the seat to turn back the way it was supposed to be turned. So  
2 the rescue people had to get out the jaws and cut her loose in  
3 there. And I helped them pull out the air compressor for that.  
4 Then -- that sort of thing. But by the -- like I said, it was  
5 just a matter of helping people, directing people. You know,  
6 people crawling off the tops of -- well, the sides of the car  
7 which were on the topside.

8       You were helping them -- directing them where they needed to  
9 put their hands and their feet so they could evacuate safely  
10 without falling. That was basically what I was doing after the  
11 rescue workers started to show up. Then also directing people to  
12 the point of gathering and where we were going to do triage if we  
13 needed to.

14 Q. Great. So I want to go back to the woman that was trapped  
15 inside the car. You said that she was trapped underneath the  
16 seat. Did the seat rotate and then that's what -- how she got  
17 wedged there or what?

18 A. When the seat -- those seats rotate when we change  
19 directions. Now, when we got -- when they got in there, we  
20 couldn't get the seat to rotate out of the way to get her out so  
21 they ended up cutting the seat off of its post to get her out of  
22 there.

23 Q. But the seat was locked in --

24 A. (Indiscernible).

25 Q. Yeah. But the seat was locked in position when you guys --

1 when they were in there. Correct?

2 A. No. It had become jammed.

3 Q. So the seat had started to rotate --

4 A. (Indiscernible) --

5 Q. -- and then jammed in its placed?

6 A. That's correct.

7 Q. Got it. Did you see any other seats in that car that were  
8 rotated?

9 A. You know, I -- as I said before, ma'am, I got -- I was only  
10 in the very west end of the car. I didn't actually go walking  
11 through that car because it seemed to me that people were getting  
12 out of that car okay and -- Conductor Richter (ph.) was down at  
13 that other end of the -- by the sleeping car and the other coach  
14 so I knew he was down there, as well as -- there was a sleeping  
15 car tenant, Albert Figueroa (ph.). He was down there.

16 So I knew that there people down there to help out. So I  
17 stood -- I figured that my position would be better if I stayed at  
18 that end of it so I really didn't get a very good look at that in  
19 that number 14 coach other than just helping the people at that  
20 end where I had -- where I ended up actually.

21 Q. Just correct me. You and the conductor -- you have the  
22 ability to communicate with one another. The two of you have  
23 radios?

24 A. Yeah. We were talking on the radio. I was also talking with  
25 the head end, the engineer, and the fireman, and having them relay

1 things to the dispatcher that we needed and so forth, you know.  
2 Conductor Richter called me and say, we need this here, here, and  
3 here, and I was directing traffic somewhat, you know, when the  
4 first responders got there. And I was also walking along the  
5 cars, as well, to make sure that people were sitting down, you  
6 know, that were injured. I was also making sure that there was --  
7 that we had some first aid there if we needed it, as well. So  
8 there was a lot going on but radio communications couldn't have  
9 been more clear.

10 Q. Okay, great. But the car attendants don't have radios.

11 Correct?

12 A. That's correct.

13 Q. I was -- is it true that -- are you guys issued flashlights?

14 A. Yes.

15 Q. Do you remember if the emergency lights were working in the  
16 lounge car?

17 A. You know what? That's one thing that I have never been -- I  
18 never really paid attention to. You mean after the derailment?

19 Q. Yes, sir.

20 A. I was not paying attention to that. I know they were working  
21 before the derailment. You know, you look down at the floor and  
22 the floor lights were on. But at the time of the derailment,  
23 after we had settled, that was not something that I was really  
24 cognizant to. I was trying to get -- mainly getting people in and  
25 out of that thing, you know, and making sure nobody else had been

1 fatally injured. I really -- and that's what I said in my  
2 original testimony. I don't recall even paying much attention to  
3 the emergency lights.

4 I will say this though. When we finally came to rest, it was  
5 -- the amount of dust and dirt that had been kicked up while we  
6 had been drug, you know, it got -- I wouldn't say dark, dark. But  
7 it was kind of like a brownish, dusty, dark, you know, in there.  
8 But the dust settled fairly quickly. And as I said in my  
9 testimony, I really wasn't paying much attention to emergency  
10 lighting at that point in time.

11 Q. Just to -- the last question. Just to verify, you don't  
12 remember seeing a passenger who was an amputee. Is that correct?

13 A. I don't. No, not at -- yes. If it was, it was not cognizant  
14 to me. I had a pretty good eye on everybody in that car. You  
15 know, it's part of your job. You've got to make sure everybody is  
16 -- you kind of keep an eye on everybody. But I -- if there was a  
17 person that was an amputee or -- I wasn't aware of it.

18 Q. My last question, just trying to, once again, look at the  
19 passengers (indiscernible) that car. So in front of you was the  
20 elderly male and female, the husband and wife. Do you remember  
21 anybody in front of them?

22 A. There could have been. I wasn't really -- I honestly --  
23 there could have been. I know there were people sitting on the  
24 other side of the aisle facing to the south. I don't remember how  
25 many. But there were some over there. Then of course the

1 gentleman and his son that were sitting across from me. The  
2 gentleman that had -- that was fatally injured was right behind  
3 me. Then that -- catty corner to me to the south, it would have  
4 been the southeast, there was a gentleman with his computer. And  
5 he had been there (indiscernible) the day. And those were the  
6 only ones that I recall.

7 Now, so many people get -- rotate in and out of that car.  
8 You only -- you don't really keep track of everybody except the  
9 ones that have been sitting with you all day. I mean, people come  
10 in and sit down for a couple of minutes, and then they decide to  
11 go back to their seat or sleeping car accommodation and stuff like  
12 that. That -- I mean, that's the beauty of having that car. But  
13 like I said, those were the ones that I recall at the time we went  
14 in the ditch.

15 Q. Do you remember how long the couple was sitting in front of  
16 you before they decided to move back to the car? Do you  
17 remember --

18 A. (Indiscernible) --

19 Q. Do you remember any landmarks before they started to move?

20 A. I will say this. After we did our -- the station stop at  
21 Havre Montana, you know, I usually walk up and sit back down which  
22 -- in that lounge car. And when I sat back down in the lounge car  
23 after the station stop, they were sitting there. I know that  
24 much. So that would have -- we left Havre on time, which would  
25 have been 1504 local time. And they were sitting there. I was

1 probably back up into the lounge car. Oh, I would say by about  
2 1509 or 1510 after walking through, after the station stop. So  
3 they were up there and then they were there probably until about  
4 -- like I said, between 30 and 90 seconds before the derailment,  
5 they got up and disappeared from my field of view.

6 Q. Got you. Is there anything else you think I should have  
7 asked you but I didn't?

8 A. I don't know. I think we covered things pretty good here. I  
9 mean, like I said, I mean, I'm trying to just -- I'm trying --  
10 like I said, I don't think I can recall anything any better. I  
11 mean -- than what we've covered here.

12 Q. Well --

13 A. And as I said before, I'm sorry I got my directions mixed up  
14 and we -- we evacuated out the east door, not the west door. I  
15 apologize about that.

16 Q. That's not a problem. I -- we -- I understand. We  
17 definitely understand where you were and how the evacuation -- I  
18 certainly do appreciate you taking the time to talk to me about  
19 this and to give us some valuable information about the  
20 passengers. I know that you've got some information from the  
21 other investigators. And what I would say is -- is that please  
22 feel free to reach out to any of us if you have any questions or  
23 if you think of anything else. We certainly do appreciate it,  
24 sir. Thank you.

25 A. And -- like I said, if there's anything more that I can do,



1 please feel free to reach out to me. If I don't answer the phone,  
2 more than likely I'm on the train. I went right back to work  
3 after a couple weeks' vacation. I mean, you know, like I always  
4 -- everybody asks me why I came back to work so early. And I  
5 always say, well, you can't wear the black armband forever. You  
6 know what I mean?

7 Q. Well, I tell you what -- well, thank you very much. And I'm  
8 sure the passengers in the lounge car appreciate your dedication  
9 and your work to get them out there. I'm going to thank you, sir,  
10 and you have a good day. Again, if you have any questions, please  
11 feel free to reach out to us. All right?

12 A. I just want to make something real quick here for the record.  
13 I was just -- that day I was just doing my job. I don't see it as  
14 anything heroic or anything. I'm very humble about the whole  
15 experience. But we were just doing our job. You can't be totally  
16 trained for something like that. I mean, you can be prepared but  
17 when something like that happens, you know, you just have to keep  
18 your humanity at bay and just do the job and make sure that  
19 everyone is all right.

20 But unfortunately, there were three people that didn't make  
21 it. Anyhow, I just wanted to clarify that. I'm not trying to  
22 make myself out to be any hero or anything. But I just want -- we  
23 were just doing our job that day.

24 Q. Well, thank you very much, sir, for doing your job and doing  
25 it well. All right. Have a good day.

1 A. You have a good evening, ma'am. Take care.

2 MS. HARLEY: Bye-bye. Interview is concluded at 6:52 p.m.

3 (Whereupon, at 6:52 p.m. EST, the interview was concluded.)

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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

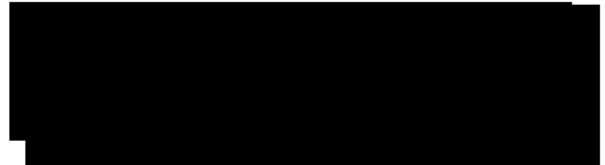
IN THE MATTER OF:            FATAL AMTRAK DERAILMENT  
                                      NEAR JOPLIN, MONTANA  
                                      ON SEPTEMBER 25, 2021  
                                      Interview of J.P. Johnson

ACCIDENT NO.:                RRD21MR017

PLACE:                         Via Telephone

DATE:                         January 5, 2022

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.



Katie Leach  
Transcriber