

TRANSCRIPT OF INTERVIEW OF TYLER WALLS

Part 1

November 16, 2021

1 EXAMINATION

2 BY CWO [REDACTED]

3 Q. It is November 16 at 09 40 In the morning we are located in Keokuk, Iowa at the
4 courthouse. We're starting the interview of Mr. Tyler Walls, one of the deckhands on board the
5 ITV Baxter southern. And we're gonna just start if you want to just tell us how long have you
6 been on this boat?

7 A. This is my first trip on this boat.

8 Q. First trip?

9 A. Yes ma'am.

10 Q. How long when did this trip start?

11 A. Tuesday four Tuesdays ago, I can't recall exactly.

12 Q. Okay. How long have you worked on the river?

13 A. I've been on the river a total of about four and a half years?

14 Q. Okay. Is this the first time you've worked with this crew? The captain and pilot?

15 A. Yes Ma'am.

16 Q. Have you always been on the night watch?

17 A. I'm usually running mate, front watch. But I was running call watch.

18 Q. What are your duties on board the boat?

1 A. Running call watch is getting them for locks, you know, they're starting to cut
2 help in any procedures that you know was for like building tow. You know, making docks of the
3 discharging loading product. That's about it when I'm calling.

4 Q. Do you play a part in when the vessels getting pushed in?

5 A. This go around? I did because the other guy was it's his first trip. So I would go
6 out there to have more experience.

7 Q. What are your duties when the vessel when they're pushing in?

8 A. They'll usually have you go out there, you know, in case there's debris, trees
9 hanging over, drift, you know, running into it, make sure you get shoved into a clean spot. Make
10 sure that you know you're not going to knock your head gear in the river. Right? You know, just
11 go out there, make sure it's no proper safe place. Show them.

12 Q. Was that your duty during this last push in?

13 A. Yes Ma'am it was.

14 Q. Did you go out to the front of the tow?

15 A. I was on my way I never, we had 150 foot notch. And we were walking on the
16 starboard side, which is a shorter notch from another 50 foot. And before we made it, we made
17 it to the head of that on the starboard string. And that's when I called it off, you know, we need
18 to get back on top of the bars because he couldn't tell if it was going to be an impact but it was
19 too close for comfort for to keep progressing forward. So we got back we got on the starboard
20 barge and I'll tell you everyone to get down. And that's when the, you know, the accident
21 happened.

1 Q. So you guys, how soon before the accident happened where you guys, did the
2 vessel push in.

3 A. It was pretty much immediately, he didn't call us out there as he was shoving in
4 but I guess when he met because it was very dangerous, high winds, I think they were not
5 around 45 miles an hour it was snowing. We were pushing in because of the high winds because
6 we were empties. And when he shoved in I guess he was questioning the shove in because he
7 saw the railroad tracks and he called us out to make sure that we were in the clear. And as you
8 know proceeded that was I came in for about.

9 Q. how long have you guys been underway in these winds before that you pushed
10 in?

11 A. We didn't. We weren't moving for very long. I was on call watch. So I'm basically
12 doing my own thing, you know, just hanging out. I know we were shoving in quite a bit. We tried
13 to take off and we were uh, you know, the evening progressed, it started getting worse and
14 worse. And then that's when the captain I guess gave them the call to shove in like it watch
15 change protocol. I still can't, you know, give. That's my personal opinion.

16 Q. Okay, So you said that you guys have been pushing in multiple different times.
17 When did this all begin?

18 A. It was just we got to the dock at a time in which we even had to wait. I think 24
19 a little more than 24 hours before we even felt comfortable reading layers well.

20 Q. And what when was that before the incident or before you guys got underway?

21 A. It was before the incident? Yes, ma'am. I would say a week Before I don't know
22 the correct date.

1 Q. Okay, so how long were you guys? How many days were you guys battling this
2 high wind?

3 A. I want to say for about a week.

4 Q. And how often would you guys push in?

5 A. We didn't shove in like a quite a few times it was more of shoving in it staying
6 there for a while it was they would not want it you know we stayed shut or we stayed at the
7 dock for a few packets 24 hours and then we showed in once we were there for about three
8 days. And I believe that's when we went from there to try to progress and it was okay at the
9 time and then it got pretty heavy towards leaving alone.

10 Q. So you've been on this this is this the first time you've been on this stretch of.

11 A. I've been on the Mississippi all the way up before.

12 Q. Okay, have you ever shoved in in this general area before?

13 A. Not that I can recall no.

14 Q. Have when you guys are shoving in on other trips or on all the other different places? Is
15 there any kind of like common theme behind where they're trying to push in the vessel? Or is it just
16 wherever?

17 A. It's more of spot and see and whatever looks safe and clear.

18 Q. Okay. Do you guys have a spotlight on the vessel?

19 A. From our perspective? Yes Ma'am.

20 Q. Was the spotlight working that day?

1 A. Searchlight on the wheel house? Yes Ma'am it was.

2 Q. Was it were they illuminating the whole thing while you guys were walking out there?

3 A. No ma'am. He well he had one on the bank and then he had one on the port string I
4 guess. I know we had one on the bank he had both of them on and both of them out he had to at two
5 different points of contact to give him I guess. See if he was moving because the lands I'm guessing and
6 when we got to that 150 foot mark that's when I noticed there's like a neighborhood to the right and
7 whenever I heard a horn never saw a saw a light until he come up behind the treeline in the house line.
8 And that's when you know it was we know that that's when I call them to get on the barge.

9 David James: When you say he you mean the train?

10 A. Yes Sir.

11 David James: Just sorry I just want to clarify the record, sorry to interrupt you.

12 A. It happened pretty quick. I we when we got down we didn't fill a bump and we didn't
13 get it like shook the only thing that gave me an indication of possible contact was I saw a couple sparks
14 when he cross the front of us the locomotive I'd never even seen it layover. I thought it kept going and
15 the carts were coming off, it was pretty dark, I mean, but at this point. You could see from the search
16 light at this point where they got to the carts because he had it on the bank and you can see the carts
17 going into the water that I couldn't go and clarify if we were over if we get any more.

18 END Interview Part 1