

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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SINKING OF THE CFV *EMMY ROSE* WITH  
LOSS OF LIFE, OFF THE COAST OF  
PROVINCETOWN, MASSACHUSETTS,  
ON NOVEMBER 23, 2020

Accident No.: DCA21FM007

\* \* \* \* \*

Interview of: BAILEY KRAMER  
NOAA Observer

Via Zoom videoconference

Tuesday,  
November 17, 2020

APPEARANCES:

CDR [REDACTED]  
U.S. Coast Guard

CWO [REDACTED]  
U.S. Coast Guard

[REDACTED], Investigator  
U.S. Coast Guard

BRIAN YOUNG, Accident Investigator  
National Transportation Safety Board

LT [REDACTED]  
U.S. Coast Guard

LT [REDACTED]  
U.S. Coast Guard

[REDACTED]  
U.S. Coast Guard

DAVID SMITH, Attorney  
(On behalf of Boat Aaron and Melissa, Inc.)

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CDR [REDACTED]: Here we go. So good morning again. This is CDR [REDACTED]. This is the interview with Ms. Bailey Kramer. She was a NOAA observer onboard the *Emmy Rose*. Today is 17 December and we're introducing the team now.

Go ahead, [REDACTED]

CWO [REDACTED]: Hi. My name is Chief Warrant Officer [REDACTED]

CDR [REDACTED] Great.

Mr. [REDACTED]?

MR. [REDACTED]: Yeah, this is [REDACTED] [REDACTED].

CDR [REDACTED]: All right.

Mr. Young?

MR. YOUNG: This is Brian Young with the NTSB. Y-o-u-n-g.

CDR [REDACTED] Mr. [REDACTED]

LT [REDACTED]: Lieutenant [REDACTED]. [REDACTED].

CDR [REDACTED]: All right.

Mr. [REDACTED]?

LT [REDACTED]: Lieutenant [REDACTED] [REDACTED]

CDR [REDACTED]: Mr. [REDACTED]?

MR. [REDACTED]: [REDACTED]. [REDACTED].

CDR [REDACTED]: Great.

Mr. Smith?

MR. SMITH: David Smith. S-m-i-t-h.

CDR [REDACTED] All right. I realized I didn't spell my last

1 name. So Commander [REDACTED] and then, Ms. Kramer,  
2 if you could introduce yourself and then just spell your last  
3 name.

4 MS. KRAMER: Hi, I'm Bailey Kramer. K-r-a-m-e-r.

5 CDR [REDACTED]: Great. Thank you very much. We'll kick it to  
6 CWO [REDACTED] for the first round of questions.

7 CWO [REDACTED]: All right. Thank you, Commander.

8 INTERVIEW OF BAILEY KRAMER

9 BY CWO [REDACTED]:

10 Q. Thank you again, Bailey, for being here. So I'm just going  
11 to ask some questions that are just background questions on  
12 yourself. How did you become a NOAA fishery observer?

13 A. So I graduated from [REDACTED]  
14 [REDACTED] and I was job searching and I came across this on Indeed. I  
15 applied and I heard back a couple days later, and from there, I  
16 had my interviews all online due to COVID, and I accepted the job  
17 and was supposed to go in March of 2020, but unfortunately, due to  
18 COVID, I did not go until I started my training in August online  
19 from home, and then I moved in September of 2020.

20 Q. And how many jobs did you do as a NOAA fishery observer?

21 A. So that was only my third ever trip. It was my first  
22 multi-day. I had two day trips before that. I was supposed to go  
23 on a third day trip before that but I was unable to go because  
24 their EPIRB, I think, battery date was expired. So I was unable  
25 to go on that trip, so the *Emmy Rose* was my third trip. My first

1 multi-day.

2 Q. Your first multi-day trip?

3 A. Yes.

4 Q. And have you ever had any experience riding on -- being  
5 underway on fishing vessels before this?

6 A. Not on commercial fishing vessels, no.

7 Q. Okay. How is the -- what's the typical relationship with  
8 crew members for you as a NOAA observer?

9 A. My experiences has been pretty decent, I would say. All the  
10 crew, for the most part, has been very, like, welcoming to me on  
11 boats. I think when I told them it was like my first couple trips  
12 and I just started becoming an observer, they were more easy on me  
13 and they were very helpful. There was a couple that was early in  
14 the morning that would give me a hard time, but other than that,  
15 it was a pretty good experience with all the fishermen. They were  
16 very nice and helpful.

17 Q. Okay. And what was your work schedule like while you were  
18 under way?

19 A. On the *Emmy Rose*?

20 Q. Yes.

21 A. So we would fish around the clock, so all day and through the  
22 night. A lot of the hauls were between four and six hours. I  
23 would usually take one or two hauls off in the middle of the night  
24 but, other than that, I would observe a haul about every -- like,  
25 average, five hours and then we would kind of just hang out

1 inside. I would take naps in between there because there was  
2 really nothing else to do and then just go out on the deck and  
3 collect my data that I needed to.

4 Q. Okay. And what kind of data were you collecting?

5 A. So I would collect what kind of fish they were catching. I  
6 would do -- I would get lengths on certain species. I did a lot  
7 of -- why can't I think -- dogfish. I did a lot of those. There  
8 was a lot caught on those that were discards, but yeah, pretty  
9 much just collecting the weights of the fish that were caught and  
10 seeing what discards and what they all kept.

11 Q. Okay. And when you went onboard these fishing vessels, did  
12 you get any type of safety orientation?

13 A. Oh, yeah. So when I first got on the boat, we had to go  
14 through a safety checklist before we could even go on the trip.  
15 Some of the data that we collected or the information that we  
16 collected, we would look at the life rafts: how many people it  
17 could hold, the hydrostatic release date and expiration, the life  
18 raft expiration itself, the EPIRB expiration with the hydrostatic  
19 release expirations and everything; if they had life rings, if  
20 they had radios, flares, a first-aid kit; the immersion suits, if  
21 they had enough for everyone in the crew; and pretty much just the  
22 typical safety stuff. I'm probably missing a couple things,  
23 but --

24 Q. Okay.

25 A. (Indiscernible).

1 Q. With the immersion suit, do you bring on your own immersion  
2 suit?

3 A. Yes.

4 Q. And did you do any type of drills, whether that's a drill  
5 putting on the immersion suits, any of that stuff while onboard?

6 A. Not while we were onboard the vessel, but for my training to  
7 become an observer, we had to put it on in less than 60 seconds to  
8 be able to pass the safety portion.

9 Q. Okay. And when you went onboard the boat, did you do any  
10 type of drills with the crew?

11 A. No.

12 Q. No. Okay. Okay. Did you have to do any other type -- other  
13 than the immersion suit and putting that on in 60 seconds, did you  
14 ever do any other type of drills or training?

15 A. We went over -- we were tested on how to do a mayday call.  
16 We practiced getting into a life raft in our immersion suits. We  
17 practiced swimming in our immersion suits after putting them on in  
18 less than 60 seconds. We practiced putting together the life raft  
19 and taking it apart -- like the configuration, if it was correct  
20 or not. Sorry, it's like -- I think that's the extent of it, and  
21 then we had a test on all the safety questions that we had, but  
22 those were a lot of the hands-on training that we had with safety.

23 CWO [REDACTED]: Great. Thank you very much. I don't have any  
24 further questions.

25 (Simultaneous speaking.)



1 CDR [REDACTED]: You got it, [REDACTED].

2 BY MR. [REDACTED]:

3 Q. Morning, Ms. Kramer. I'm going to ask you some questions  
4 about your experiences on the *Emmy Rose*. Could you tell us about  
5 your experience on the *Emmy Rose*, the one trip that you made on  
6 it?

7 A. Yeah. So when I first got to the boat, they did ask me  
8 before I stepped on the boat if I was comfortable with weed and  
9 kind of just was like oh -- I kind of just blew off the question.  
10 I kind of ignored it and then I called my coordinator because I  
11 was like -- we just talked about drugs on the boats before. So I  
12 called him to make sure -- just to double check with that, and he  
13 was like, if you're comfortable going on that -- like if it's just  
14 the crew, then it's okay, and they told me before the captain  
15 would not be smoking it, and so I went on it.

16 I just traveled three-and-a-half hours, so I did go on it.  
17 And then I got on the boat. The crew was very helpful. We had to  
18 wait six hours because they were about to do -- they were waiting  
19 to do welding. There was supposed to be a welder coming that  
20 morning. We were supposed to depart at noon, I believe, or 1:00,  
21 and we didn't end up leaving until about 6:30, I believe. The  
22 captain was doing some of the welding himself because the welder  
23 did not come, and then they put new doors on the boat. So we  
24 ended up departing late. We kind of just hung out. I slept that  
25 night and then we started fishing the next morning.

1           It was a pretty repetitive cycle of them putting the nets  
2 out, us coming in, hanging out for a couple hours. We would eat  
3 in between. I would pretty much just take a lot of naps. I got  
4 seasick for the first couple days because I just wasn't used to  
5 it, and then it got into a pretty routine schedule once I started  
6 feeling better.

7           Every, like, average five hours, I would go out on the deck  
8 and take all the observations I needed to and all the data I  
9 needed to when the fish and the nets came onboard. I would take  
10 one or two hauls off during the night time, just because it was my  
11 usual sleeping schedule, and we only had to observe 75 percent of  
12 the hauls on multi-days. And so it was pretty like regular --  
13 like it was kind of even cycle of just every five hours going out  
14 on deck to observe and then just coming back in and either  
15 sleeping or just hanging out.

16 Q.    Okay. Could you walk us around the vessel and tell us how it  
17 was laid out? If you can recall that.

18 A.    Yeah. So from the front, I entered in the boat on the very  
19 front of the vessel. On the wheelhouse, the crew helped me carry  
20 my stuff on, so I went over the railing to get on to the boat and  
21 entered in the wheelhouse.

22           From the wheelhouse, there was -- it was kind of raised, so  
23 you went down the steps. On the left was the crew's bunkroom.  
24 There was four bunks in that room where the three crews slept and  
25 then you took a -- and then right to the right was the bathroom

1 and then you went down the hallway. A couple steps to the right  
2 was another bunkroom where there was two bunks. I slept on the  
3 top and the captain would sleep on the bottom. And then when you  
4 -- so in that same hallway to the left, right across from my  
5 bunkroom was the kitchen, and then from the kitchen to the right  
6 was the door that you exited.

7 We had all of our gear and our boots hanging up there and  
8 then in that -- there was like a little room where there was a  
9 bottom latch where they would go under, and I guess that was the  
10 engine room, but if you didn't go under there, the deck was  
11 through the next door and that was where all the deck was, if that  
12 makes sense. Sorry. I'm not very good at explaining.

13 Q. It's okay. Just the best of your recollection.

14 A. Yeah. So that was like where the deck was. In the middle of  
15 the deck, there was -- it kind of looked like a chimney almost.  
16 So they would open up the latch and that's where they would store  
17 all the fish.

18 Q. Okay.

19 A. There was two nets, two trawl nets, on the boat and there was  
20 a lot of baskets on each of the side of the boat, and when you  
21 went out the door to the deck, right to the right of that was  
22 another gear storage room where they stored a lot of their gear,  
23 as well.

24 Q. Okay. Did you happen to go into the engine room at all or  
25 the fish hold?

1 A. No.

2 Q. So you never went below the main deck?

3 A. Yeah.

4 Q. Okay. Could you tell us which day you left and which day you  
5 returned?

6 A. Let me look at my calendar. Sorry. I don't remember  
7 exactly. Believe it was in November. Yeah. So I left November  
8 4th, which is a Wednesday, and I got back November 12th, which was  
9 a Thursday.

10 Q. Okay. And your trip, when you got under way, did you go out  
11 fishing and then did the vessel pull into Gloucester to offload  
12 the catch?

13 A. Yes. So we left from Portland, Maine, and then we landed in  
14 Gloucester.

15 Q. Okay. And then did you take the vessel from Gloucester back  
16 to Portland?

17 A. No. I got picked up in Gloucester by another observer.

18 Q. Is that normal to get picked up in Gloucester then after the  
19 catch is offloaded?

20 A. I think so because it's quicker for the observer just to get  
21 picked up and driven to somewhere than have the observer stay on  
22 the boat and sail back to where it was.

23 Q. Okay. You had mentioned earlier before you got on the *Emmy*  
24 *Rose* that you talked to your coordinator. Who is that?

25 A. It was Drudy Augustine (ph.) and Charlie Pitts (ph.). I

1 talked to Charlie Pitts.

2 Q. Okay. While the vessel was under way, did you actually see  
3 crew members smoking weed?

4 A. Yes.

5 Q. Okay.

6 A. I never saw the captain smoking, but I did --

7 Q. Okay.

8 A. -- see the crew.

9 Q. The other -- all three -- the other three crew members were  
10 all smoking?

11 A. Yes.

12 Q. Okay. Did you see any other drug usage or alcohol usage?

13 A. No.

14 Q. Okay. And would you say --

15 A. (Indiscernible) cigarettes.

16 Q. Go ahead.

17 A. Just weed and cigarettes.

18 Q. Okay. And was that a daily occurrence or at certain times of  
19 the day they were using?

20 A. No. It was just daily occurrence pretty much in between each  
21 haul.

22 Q. Okay. Were there any activities going on prior to you  
23 getting under way on the 4th of November?

24 A. No. We just unloaded all the groceries and stuff that they  
25 got for the trip and I just helped them unload the groceries into

1 the kitchen.

2 Q. Okay. I know you said that welding was supposed to be taking  
3 place, but the welder never showed up?

4 A. Yes.

5 Q. Was the captain actually welding at the time you showed up to  
6 the boat or was that while the boat was under way?

7 A. I think he was welding a little bit before we left and then I  
8 think he was welding a little bit more after we had left.

9 Q. Okay. Do you know what he was working on?

10 A. I don't.

11 Q. Okay. And can you remember the names of the crew members  
12 onboard?

13 A. Yes. Ethan, Bobby, and -- I always forgot his name. Dennis.

14 Q. Okay. Do you know Dennis' last name, by any chance?

15 A. I don't.

16 Q. Okay. So is Ethan -- would you say Ethan Ward? Does that  
17 sound right? And Bobby Blethen Jr. --

18 A. Yes.

19 Q. -- was the captain? Okay. You mentioned earlier the crew  
20 performance work hour schedules. Were they pretty much working  
21 around the clock or were there certain watch schedules that  
22 someone would go up to the wheelhouse and take over for the  
23 captain?

24 A. They were pretty much working around the house. I think they  
25 would take turns. It was usually -- so Bobby was the captain. I

1 forget the older man's name. It was like the oldest crew member.  
2 He would watch over the wheelhouse and take over the boat when the  
3 captain was sleeping or sometimes Dennis would.

4 Q. Okay.

5 A. They would just kind of go back and forth on who was in the  
6 wheelhouse when Bobby was sleeping.

7 Q. Okay. Would you say Bobby was in the wheelhouse a majority  
8 of the time?

9 A. Yes.

10 Q. Okay. Did he ever come down on to the deck to help the crew  
11 at all?

12 A. He would when the fish -- like the nets were coming onboard.  
13 He would help direct them and bring them onboard, but when they  
14 were picking through the fish, he would stay in the wheelhouse.

15 Q. Okay. And do you know what time -- was there a set schedule  
16 that Bobby slept?

17 A. No. It was pretty much just whenever. I feel like it was  
18 more at nighttime, but I don't think it was a set schedule.

19 Q. Okay. Do you know how the fish is stored on the vessel once  
20 it comes on?

21 A. Just in the fish hold or I think they would have --

22 Q. So, yeah. Could you just take us through the procedure?  
23 Once the fish comes onboard, how do they sort it and where do they  
24 put it?

25 A. Yeah. So they would -- they were mainly looking for pollock

1 and haddock. They would -- I think they would try to pick through  
2 their discards first because they knew I was on the board and I  
3 was pretty much looking through the discards. So they would put a  
4 lot of the discards in baskets for me to go sample and measure and  
5 weigh and everything I needed to do.

6 And then if the fish size was legal and they could keep it,  
7 they would throw them in -- I think the (indiscernible) and they  
8 were also catching redfish so that they would sort each fish by  
9 the species. And then with the haddock and pollock, once they  
10 were all sorted, they would clean them, gut them. If it was  
11 monkfish, they would cut the heads off and just keep the tails.

12 And then once they were done cleaning them -- dressing them,  
13 they would then store them in the fish hold. They would have  
14 someone down in the fish hold and someone would be handing it off  
15 to them from the top deck.

16 Q. Okay. So it's usually just one person in the fish hold  
17 taking the fish and storing them?

18 A. I think so.

19 Q. Okay. Do you know who that generally was? Was that just one  
20 of the deckhands?

21 A. I feel like it was usually Ethan down in the fish hold the  
22 majority of the time and then either Dennis and the other guy was  
23 handing it to Ethan.

24 Q. Okay. Do you happen to know if there was any cameras on the  
25 boat?



- 1 A. Yeah.
- 2 Q. Where like -- which spaces that they looked at?
- 3 A. Yeah. There was cameras facing in the engine room.
- 4 Q. Okay.
- 5 A. And I believe somewhere they would control the nets, so right  
6 as soon as you got on the deck right from the door coming from the  
7 inside, looking at the controls.
- 8 Q. Okay. Do you know -- was there like a bank of TV monitors in  
9 the wheelhouse that showed all of that?
- 10 A. Yes. So there was a TV that was split up into little squares  
11 of each.
- 12 Q. Okay. And do you know how many cameras were onboard?
- 13 A. I don't know how many cameras were onboard, but I believe  
14 about four or five were active.
- 15 Q. Okay. All right. Did you happen to see anything -- any  
16 maintenance or anybody complaining about something with the vessel  
17 being off?
- 18 A. Just the nets would get a little torn up, and I know the crew  
19 would complain about that because the captain would -- he would  
20 fall asleep at the wheel, like he would doze off and would leave  
21 the nets in a little too long, like longer than they should have  
22 been. So then those nets would get torn up a little bit because  
23 they were in longer than they were supposed to be and the crew  
24 would complain about that. I think they had to adjust and fix up  
25 the net maybe two or three times.

1 Q. Okay. Did somebody have to go up to the wheelhouse to wake  
2 up the captain, then?

3 A. Yeah.

4 Q. Okay. And did that happen often?

5 A. Yeah.

6 Q. Okay.

7 A. I know for like the last day when I had to get all my  
8 information about the boat, like about the expenses it costed  
9 (verbatim) for this trip and just information about the nets, I  
10 went up to the wheelhouse maybe two minutes after he was just  
11 awake and doing something and he already dozed off, and I asked  
12 him if I -- I didn't realize he was dozed off, and I asked him if  
13 I could ask him the questions then, just so I didn't wait until  
14 the morning when he was worried about landing the boat. And he  
15 was like oh, did you have to wake me up when I was sleeping to ask  
16 me these questions right now? So he wasn't happy about that.

17 Q. Okay.

18 A. But yeah, the crew would have to wake him up sometimes and be  
19 like hey, we need to get the net out of the water.

20 Q. Okay. Did you happen to hear any -- while you were onboard,  
21 did you happen to hear any alarms go off at any time, either audio  
22 or visual alarms?

23 A. There was one. I believe it might have been a water level  
24 one in the engine room, but it went off and then they went and  
25 checked it and they said it was fine but it kept going off. So

1 they were just turning the alarm because they said they checked it  
2 and everything was fine.

3 Q. So they were deactivating the alarm to the engine room, were  
4 you saying, so that it wouldn't keep going off?

5 A. Yeah. I think it happened once. Yeah.

6 Q. Okay.

7 A. They said they checked it, though, and it was fine.

8 Q. Okay. And it was the engine room? It wasn't like the  
9 lazarette where the steering compartment is or are you not sure?

10 A. I'm not sure. I think it was to the engine room, but I'm not  
11 100 percent sure.

12 Q. Okay. Did you happen to know of any leaking going on on the  
13 boat, where there was a lot of standing water that wasn't being  
14 pumped?

15 A. No.

16 Q. Okay. The scenario -- when you're fishing and heading to the  
17 dock -- so you're done fishing, they've got all their catch  
18 onboard, and they're steaming in to offload, could you kind of  
19 describe who's where and who's doing what at that point?

20 A. So captain was steering the boat. He was in the wheelhouse  
21 and the crew would be cleaning up the kitchen and just cleaning up  
22 the deck and making sure everything's back in its place. They  
23 spent a lot of time closing down the deck and just cleaning the  
24 kitchen and then I think when they were done with that, they went  
25 to sleep.

1 Q. Okay. And when you saying closing down the deck, do you mean  
2 closing the fish holds and closing any kind of hatches so that  
3 they're secure and no water can get into them?

4 A. I don't know.

5 Q. Okay.

6 A. I kind of asked them what they were doing and they were just  
7 like just cleaning up and hosing the deck off and doing all the  
8 stuff they needed to do. They didn't give me too much specifics.

9 Q. Okay. Are you pretty sure, though, that as the vessel was  
10 heading back to Gloucester that the master -- Mr. Blethen was  
11 generally the one always on the helm steering the boat?

12 A. Yes.

13 Q. Okay. Last question I have for you is did you ever not feel  
14 safe while you were on the boat?

15 A. I always felt safe just because I never saw the captain using  
16 any of the drugs. I stayed away from those drugs all the time. I  
17 pretty much was in my bunk like the entire trip that I wasn't  
18 in -- on the deck. So I kind of kept to myself and I never saw  
19 the captain using it, so I felt safe in that aspect, and I always  
20 felt the boat felt stable. I mean, other than like the normal  
21 rocking from waves, but I never felt unsafe.

22 Q. Okay. Did you ever encounter any poor weather conditions,  
23 high seas, high winds, the one trip you made on the *Emmy Rose*?

24 A. I think like maybe the first night into the second day, it  
25 was five or six foot seas and maybe ten, 15 knot winds. So it was

1 a little more rocking than I was used to, but it wasn't -- I  
2 didn't feel like it was too bad.

3 Q. Okay.

4 MR. [REDACTED]: Okay. Thank you.

5 MS. KRAMER: You're welcome.

6 MR. [REDACTED]: I have no further questions.

7 CDR [REDACTED]: Thank you.

8 All right. We'll move on to Mr. Young.

9 BY MR. YOUNG:

10 Q. Thank you. I appreciate your time today, Bailey. So could  
11 you just talk about your position? Do you work for NOAA or the  
12 National Marine Fishery Service, and what is your purpose as an  
13 observer? What do you do or what are you looking for when you're  
14 out on these boats?

15 A. So I'm no longer with them, but when I was with them, we were  
16 just looking to collect the data for the fisheries like what they  
17 were catching in specific fisheries to pretty much just see what  
18 each vessel is catching and where they're catching, what they're  
19 catching, how much they're catching, just so they know for each  
20 fishery. Like quotas, if they can't catch any more of this  
21 species or nobody else can catch any of a certain species for that  
22 year or that quarter just so things aren't over-fished. And I  
23 think that's the general, overall of what I was collecting.

24 Q. And then once you were aboard the vessel, as they brought in  
25 their catch, you would observe what was caught in the nets and

1 then kind of take a count or weights or sort of determine what was  
2 brought aboard the vessel?

3 A. Yeah. So since it was my first multi-day trip and I wasn't  
4 used to collecting the discards and the catch, I would focus on  
5 the discards and sort through that and collect samples and weigh  
6 those fish, and I would just get the estimates from the captain  
7 and crew on how many pounds and what they caught that they kept.

8 Q. What would be considered a discard? Anything that's brought  
9 up in the net that they weren't fishing for? What are some of the  
10 examples?

11 A. Yes. So spiny dogfish, they wouldn't keep that and there was  
12 a lot of that caught. There was a lot of Jonah crabs caught. If  
13 a lobster had eggs or was benoshed (ph.) or was too small, they  
14 could not keep those. There was a lot of skates that were caught  
15 that were not kept. Things like that.

16 Q. And if they did catch any lobsters that did meet the  
17 criteria, would they be kept aboard the vessel?

18 A. Yes.

19 Q. And do you remember where they might have been kept once they  
20 got aboard?

21 A. So they kept the lobsters -- they wouldn't put them in the  
22 fish hold right away. They would keep the lobsters in a basket  
23 and I think -- I don't know if they brought them down to the fish  
24 hold then or not, but I know for a whole day they would kind of  
25 just keep them in a basket and then I think eventually they would

1 take them down to the fish hold, but I'm not exactly sure.

2 Q. And do you remember if the basket was filled with water and  
3 maybe the water was circulating with a pump or a hose to try to  
4 keep the lobsters alive or was it just an empty tank?

5 A. It wasn't a tank. It was a basket with holes in them like  
6 just a regular fish basket. So I'm not sure if they would kill  
7 the lobsters and then put them in the baskets or if they would  
8 just keep them in the baskets, but it wasn't circulating with  
9 water or anything.

10 Q. Okay. After the trip on the *Emmy Rose*, did you make any more  
11 trips as an observer or was this the last one?

12 A. Was the last one.

13 Q. And your decision to no longer work for NOAA, was that based  
14 on anything particular to this trip on the *Emmy Rose* or were there  
15 other issues?

16 A. So my decision to leave was I didn't like it as much as I  
17 thought I was going to. I didn't like being out on boats for that  
18 long. I accepted this job because I thought it was good  
19 experience and I thought I could handle it better, being on boats  
20 for that long, but after this trip I realized it wasn't the best  
21 fit for me.

22 And with COVID, I know it made it a little difficult, and  
23 during my training trips, we had to go through a process to get  
24 cleared to go on the next trip and they took away shelter-in-place  
25 pay, and with the trips, the training trips, being so far in

1 between, it would maybe be a week-and-a-half to two weeks in  
2 between trips without being paid. So I didn't think I would be  
3 able -- I'm from [REDACTED], and I moved to [REDACTED]  
4 [REDACTED], so I didn't think I would be able to afford my rent and I  
5 just didn't think it was a good fit.

6 So I put my two weeks in on a Friday and I found this  
7 information out on Monday morning and it kind of just reassured --  
8 like not reassured but it made me realize that this was the right  
9 decision to leave because I don't think I'll be comfortable going  
10 on another boat after this for a little bit. So it was the right  
11 fit for me to leave.

12 Q. Understood. So just to be clear, you decided to leave before  
13 you even knew this vessel sank?

14 A. Yes.

15 Q. Okay. Thank you. And you talked a little bit to [REDACTED] and  
16 [REDACTED] about some of the safety checklists you went through when you  
17 got aboard the vessel. Was that a checklist that you were  
18 provided from NOAA that you had to do or was this something from  
19 the *Emmy Rose*?

20 A. No. It was through NOAA that I had to go through.

21 Q. And then when you were onboard the boat, do you remember  
22 doing any sort of practices with the crew as to all of you putting  
23 your survival suits on or simulating a fire or any sort of  
24 responses to an alarm?

25 A. No.



1 Q. I know you talked about hearing about maybe trying to pump  
2 some water out of the engine room or with a possible alarm. And  
3 that's very standard when on either fishing boats or big ships,  
4 the water accumulates and bilges, and it typically sends off a  
5 beeping alarm on the wheelhouse so that the crew is alerted and  
6 then they can pump. Do you remember hearing anything about the  
7 crew saying that this is an alarm that goes off all the time or  
8 this is an annoyance alarm or did it seem standard to hear an  
9 alarm associated with water accumulating in different parts of the  
10 vessel?

11 A. I think they were more relaxed about it, so it must have been  
12 an alarm that happened a good amount, that they were just used to  
13 it, and there wasn't any alarm coming from them. They were just  
14 like oh, we already checked on it, it's fine. So when it would  
15 sound again, they kind of just cleared it. So they were kind of  
16 nonchalant about it, like they weren't very -- I don't know the  
17 word. Like they weren't freaked out about it at all.

18 Q. And the way some of these systems work is that after the  
19 bilge is pumped out, the alarm clears itself and there's also  
20 maybe the option that they could physically silence the alarm and  
21 there's a big difference between the two options. I was just  
22 wondering if you were very clear if they actually like shut down  
23 the alarms and it would never go off again or cleared it by  
24 pumping. Do you remember that at all?

25 A. They didn't really say. I know the -- I was in the

1 wheelhouse sometimes just because if I had to send a message  
2 through my inReach, I -- the best service and the safest place to  
3 send would be in the wheelhouse. So I would go up there and I  
4 remember I was there sending a message and it went off and a crew  
5 came up and was like we checked this, it's fine, turned it off.

6 It went off again a couple minutes later and another crew --  
7 I think it was Ethan -- came off and just came up and just turned  
8 it off. So -- but I don't know the specifics about what your  
9 question was. I'm sorry.

10 Q. Because it's possible that you can turn the alarm off and  
11 then go down and pump the bilges down so that it would clear. I'm  
12 just trying to get an understanding of how the crew handled alarms  
13 that were on in the wheelhouse.

14 A. Yeah.

15 Q. Some of these fishing vessels are equipped with another type  
16 of alarm system that is intended to help keep people awake and it  
17 goes off every 15 minutes or so if there's -- doesn't detect  
18 motion or if you don't press a button or anything. Did you see or  
19 hear anything about that system on the wheelhouse?

20 A. I did not.

21 Q. Did you ever go to the back end of the vessel, or the stern,  
22 into a hatch that was to an area called the lazarette?

23 A. I don't think so.

24 Q. Okay. Would you be able to communicate back to shore using  
25 the *Emmy Rose's* SAT phone or email system?

1 A. Yeah. I called my boyfriend once or twice and then I called  
2 my dad once using their phone.

3 Q. And were you able to instantly connect or were there any  
4 issues with the way you could use that for communication?

5 A. No. They -- I think the one call failed at first and then  
6 they answered the next time I called. Like I just dialed it again  
7 and it worked the next time.

8 Q. Did you ever try to use your own personal cell phone while  
9 you're out fishing or was there any signal out there?

10 A. No. There was no signal. There was signal maybe an hour off  
11 shore and then it went away.

12 Q. When you were out there observing and throughout the entire  
13 trip on the *Emmy Rose*, were you able to take any pictures or  
14 videos of the operation or the vessel that you might have on your  
15 phone or a camera?

16 A. So we weren't allowed to use our phone for pictures. It  
17 wasn't allowed. I did take pictures of just the species that were  
18 caught because we had to do species verification. It's part of  
19 our job to take pictures of different fish so they know that we're  
20 identifying the fish correctly, but those -- and I gave that  
21 camera back to the company and NOAA, so -- but it was just of fish  
22 or the species. It wasn't anything with the boat.

23 Q. And whose policy was it that you were not allowed to take any  
24 pictures onboard?

25 A. I believe it was NOAA's.

1 Q. NOAA? How many hours a day would you say you worked when you  
2 were out at sea on the *Emmy Rose*?

3 A. So I think we do maybe three or four hauls a day and I would  
4 be out on the deck for maybe average an hour at a time. So maybe  
5 five hours a day, maybe six, depending on how many hauls we did or  
6 how much catch was in the haul. So probably five hours average.  
7 They were saying that they're -- we went longer than they thought  
8 because they weren't catching as much fish as they usually do, so  
9 each haul was smaller than they were used to. So we weren't out  
10 on deck for too long at a time.

11 Q. And do you remember off the top of your head how much weight  
12 or catch they had when they finished that trip, how much was  
13 aboard?

14 A. Probably in the 20,000s total.

15 Q. And did it seem like the crew was happy with that or was that  
16 less than usual, more than usual?

17 A. It was less than the usual. They said they usually don't  
18 come in for a trip until it's, like, minimum of 15,000 pounds of  
19 fish, but they like coming in with 30,000. And they said it  
20 usually only takes about five days to get to that and we were out  
21 there for eight days and I think they didn't even get to 30,000.  
22 So I think they were disappointed with that.

23 Q. They ever talk about what a record catch they had or what the  
24 best catch they ever had was?

25 A. I think they said before they caught 15,000 pounds in one day

1 or something like that. I forget the specifics but they said  
2 they've met their goal in two to three days before, so this was  
3 not a good trip for them.

4 Q. And speaking of that trip also, you said that there was some  
5 welding going on and they were -- had new doors, trawl doors, and  
6 that the captain was doing some welding either before departure or  
7 once they were under way. Do you remember when you were  
8 witnessing any welding going on if it was on the back deck where  
9 the welding was being done or was it inside the vessel?

10 A. When I got there, I don't think it was on the back deck  
11 because when we were waiting for the departure, she [sic] was  
12 working on some of the welding and I would go out on the back deck  
13 just to take a look around and he wasn't there doing the welding.  
14 So I know it wasn't there, but I'm not sure where he was doing it.

15 Q. And was that the same (indiscernible) once you had departed  
16 as well, at sea, you didn't really see where the welding was being  
17 done?

18 A. Yeah. Correct.

19 Q. How did you know any welding was being done?

20 A. Did I know it was being done?

21 Q. Yeah. How did you know that?

22 A. He told me the next day. So that first night, I went to  
23 sleep, and then the next morning he told me he was up all -- the  
24 captain was telling me he was up all night doing more welding. So  
25 that's how I knew he was doing it that night.

1 Q. Okay. But no more details as to what it was or where it was?

2 A. No.

3 Q. Okay. You said you worked maybe five or six hours a day  
4 around the clock in intervals, having breaks and naps in between.  
5 Can you estimate what kind of hours the crew worked once they were  
6 fishing?

7 A. So when they were putting the nets in the water, it would  
8 only take about 15 minutes to set the nets out. Once they were  
9 hauling back, it probably took them three hours depending on how  
10 big the haul was through bringing the nets on the deck, sorting  
11 the catch, dressing the fish, and then storing them in the fish  
12 hold. Probably around three hours average each haul.

13 Q. So once they were hauling and hauling back and setting the  
14 nets, would it be around the clock operation or would the crew  
15 seem to get some decent rest? Could you tell if anyone was  
16 working around the clock nonstop or could you see them sleeping  
17 and taking naps?

18 A. Oh, I could see them sleeping and taking naps, especially if  
19 it was a longer time that the fish nets were in the water. It  
20 could be from five to six hours. I believe one of them was almost  
21 seven hours. So they would sleep when the nets were in the water  
22 after they were done with everything, but they would try to sleep  
23 as much as they could in between their breaks.

24 Q. Just -- what kind of equipment do you bring out there with  
25 you -- did you bring out there with you?

1 A. So we bring a scale, like this huge, orange case scale with  
2 us. We bring our immersion suits. We bring a life vest. I  
3 brought my float coat, which is like a big, almost winter jacket,  
4 with -- what did I just say -- like a safety coat in it. We bring  
5 a fish pex (ph.), a length frequency board, three baskets, knives,  
6 tweezers, a thermometer, binoculars, gloves, our pants and jacket  
7 to wear on the deck. There was a lot. I'm trying to think of  
8 everything that we bring.

9 Q. Do you have a personal locator beacon that goes out with you,  
10 as well?

11 A. Yes.

12 Q. You do?

13 A. Yes.

14 Q. And you had trained on putting on the survival suit, correct?  
15 The Gumby suit, as they call it.

16 A. Yeah.

17 Q. Prior to boarding the vessel as part of your training to do  
18 that job?

19 A. Yes.

20 Q. And when it was time to eat, did you cook your own meals or  
21 was there a designated cook?

22 A. I feel so bad because I can't think of the older crewman's  
23 name.

24 Q. Was it Jeff, by any chance?

25 A. Yes. Jeff. Thank you.

1 Q. Because we named three of the four crew members and Dennis  
2 was one.

3 A. Yes.

4 Q. Jeff Matthews.

5 A. That was -- yes.

6 Q. The captain and then Ethan.

7 A. Yes.

8 Q. Okay.

9 A. Jeff was pretty much the cook. He cooked all the meals. I  
10 think he enjoyed cooking all the meals, so he did every meal for  
11 us. I think for lunch it was kind of just like fend for yourself,  
12 like if you're hungry just grab whatever, but he would make us  
13 breakfast and dinner.

14 Q. And would the crew generally eat together as a group or would  
15 eat individually?

16 A. I feel like we would eat together for most of the time.  
17 Sometimes the captain would just grab the food and go back in the  
18 wheelhouse. He didn't really eat with us all the time, but for  
19 the most part, I ate with the crew and the captain just ate in the  
20 wheelhouse.

21 Q. And can you judge your sense -- the level of morale onboard  
22 the vessel? Were people happy and got along and worked well  
23 together or was it a disgruntled group? What was your impression?

24 A. You know, I think they all liked each other, and for the  
25 first day or two or three, they were all happy and were working



1 together very well, and once they realized they weren't catching  
2 as much fish as they used to and they would get -- they were  
3 starting to get very frustrated and it didn't -- they were -- the  
4 crew were complaining about the captain falling asleep, and like I  
5 said before, the nets would get messed up. So they would get  
6 really frustrated that the nets were getting messed up because  
7 then it took their time to try to untangle the nets or fix it, and  
8 that was on top of not catching as much fish as they're used to,  
9 and they would communicate with me that they just wanted to be  
10 home, like they just wanted this trip to be over, and they just  
11 were not happy at the end.

12 Q. Understood. A lot of times on either ships or boats people  
13 make kind of checks frequently. They call them rounds: rounds of  
14 the engine room, rounds of the vessel. They do a walk-around to  
15 check for leaks or anything. Do you remember hear -- anybody did,  
16 say, an hourly or every few hours round in the engine room or  
17 throughout the vessel?

18 A. I didn't hear them say round or schedule anyone to do certain  
19 things like that but I remember seeing them going down into the  
20 engine room frequently and coming back up. So that's probably  
21 what they (audio drop) but I don't remember hearing them say  
22 anything like that.

23 Q. A lot of times they'll walk around with a clipboard and with  
24 a pencil and writing down numbers, say, you know, engine hours or  
25 engine temperature. Did you see anyone doing that?

1 A. No.

2 Q. Did you remember hearing any sort of training sessions or the  
3 crew get together and just talk about possible casualties? What  
4 would we do if we got hit, what would we do if there was a fire?  
5 Were there any discussions or safety meetings that were held?

6 A. No.

7 Q. Okay. And (indiscernible) last question, do you remember  
8 hearing about anything found when they were out? Anything broke  
9 that they had to fix? I mean, when boats go out to sea or ships  
10 go out to sea, things break. When you take your car on the  
11 highway, things break. Do you remember hearing anything out of  
12 the ordinary that they may have reported that failed or didn't  
13 work right?

14 A. No. Just like the nets were -- just had little damage to it  
15 throughout the trip. I remember Dennis saying on the last day,  
16 like the last haul that they did, that something with the net -- I  
17 don't know if it was the trawl, like the machine part, or if it  
18 was just the net had some damage, but he didn't tell Bobby right  
19 away because he just wanted to dock and he was just going to tell  
20 him about when they landed. So I'm not sure if it was with the  
21 net itself or the equipment around the net, but it wasn't anything  
22 that -- he said it wasn't anything that needed to be addressed  
23 right then and there.

24 Q. Okay. And I know I said that was my last question, but I  
25 lied. There's one more. Do you ever remember being on the

1 wheelhouse, or maybe you have your own equipment, to listen or  
2 hear to any sort of weather reports, how the crew is made aware of  
3 any incoming weather? Do you know how that happens out there?

4 A. I know Bobby had a tablet, I think, that was getting the  
5 weather and he said for the last two days that the waves were  
6 picking up a little bit, but I don't remember him telling the crew  
7 or anything. I think he kind of was just -- I don't know if he  
8 told them or if he was just making himself aware of it, but that  
9 was it.

10 Q. And was his tablet connected via WiFi? Did the *Emmy Rose*  
11 have WiFi that you would be able to get a tablet working?

12 A. I didn't know that they had WiFi. I guess they did because  
13 that's how the tablet was working or it was just one of those  
14 tablets that had really good service. I don't know because I was  
15 not made aware that there was WiFi or anything, so I don't really  
16 know how exactly how he got the weather reports updated.

17 Q. Okay. And as a NOAA observer, were you sent any sort of  
18 weather alerts from your home office at all?

19 A. I had a tablet and I got -- they gave me a phone but I  
20 couldn't access that out of the (indiscernible) service.

21 Q. Okay.

22 A. So I didn't have access to it while I was on the boat.

23 Q. Okay. And then, did you ever hear any sort of radio  
24 transmission from a weather service when you were on the bridge?

25 A. I did not.

1 Q. And did you hear any communication from the *Emmy Rose* to  
2 other fishing vessels while you were on the wheelhouse that they  
3 were in communication with other fishing boats?

4 A. Yeah. There was just one. I just remember someone saying  
5 they were about to -- they just set the nets in and there was  
6 another fishing boat, I guess, within the radius that they could  
7 hear that said there was -- they just caught a lot of dogfish and  
8 there wasn't any haddock or pollock in it. So we just brought the  
9 nets up right away, but that was the only communication I heard.

10 MR. YOUNG: Okay. Well, thank you very much for your time  
11 today. I appreciate it.

12 I'm good, CDR [REDACTED].

13 CDR [REDACTED]: All right. Thanks, Brian.

14 So Bailey, this concludes kind of the formal questions. What  
15 I'd like to do is just open it up to the panel again, see if  
16 anybody has anything. I'm good for right now. I'll go down the  
17 line and ask.

18 CWO [REDACTED], do you have anything additional?

19 CWO [REDACTED]: I do. I have two follow up questions.

20 BY CWO [REDACTED]:

21 Q. So the alarms that were going off, could those only being  
22 heard within the wheelhouse?

23 A. I think so.

24 Q. Okay. So when you were down in the galley area, you couldn't  
25 hear them?

1 A. Maybe you could faintly, but it wasn't broadcasted throughout  
2 the boat. It was just because it was a really loud -- it was a  
3 loud alarm in the wheelhouse itself, so you could probably hear it  
4 faintly in the kitchen area, but it wasn't broadcasted throughout  
5 the boat that you'd be able to hear.

6 Q. Okay. And then another question. When you're in the  
7 wheelhouse, can you hear what's happening on deck?

8 A. No. I don't believe so. I'm trying to remember but I don't  
9 think so.

10 Q. Okay. And did Bobby have a means of communication with the  
11 crew on deck?

12 A. Actually, I think you could hear if you were in the  
13 wheelhouse. Sorry.

14 Q. No, that's okay.

15 A. But he would radio to them when they were starting to bring  
16 the nets up and he was in the wheelhouse. He would radio to them  
17 over the speaker kind of what to do and when to do it and then he  
18 would go out on deck and help them.

19 CWO [REDACTED]: Okay. Okay. That's all the questions I have,  
20 Commander.

21 CDR [REDACTED]: All right. Thanks, [REDACTED].

22 [REDACTED], do you have anything additional?

23 MR. [REDACTED] Just one question from me.

24 BY MR. [REDACTED]:

25 Q. Do you happen to know any other observers, NOAA observers,

1 that were on the *Emmy Rose*?

2 A. I don't personally. I remember when I first got assigned  
3 this trip by Charlie that he said there was an observer on a  
4 couple months before, but he didn't say who. He just kind of  
5 broadly said, oh yeah, there was another observer on a couple  
6 months on this boat, but that was it.

7 Q. Okay. So the best person to contact would be Charlie -- is  
8 that Pitts?

9 A. Yes.

10 Q. To get -- okay.

11 MR. [REDACTED]: All right. No further questions from me.

12 Thanks.

13 CDR [REDACTED]: Thanks, [REDACTED].

14 Mr. Young, any additional questions?

15 MR. YOUNG: No. Thank you very much.

16 CDR [REDACTED]: All right. Moving on.

17 Lieutenant [REDACTED]n, any questions, additional?

18 LT [REDACTED]: The only other question I had was, Bailey, did  
19 you actually ever hear or see anybody in the wheelhouse make  
20 communication out via radio, VHF radio?

21 MS. KRAMER: I think he kind of just -- if there was another  
22 boat in the area, I think he would just kind of say like hey, how  
23 are you doing, but he wasn't specifically having a full-on  
24 conversation with them. Not that I --

25 LT [REDACTED]: No worries. Yeah. Thank you very much.

1 MS. KRAMER: You're welcome.

2 CWO [REDACTED]: All right. Mr. [REDACTED], any questions?

3 (Pause.)

4 CWO [REDACTED]: Okay. Hearing nothing, moving on to Mr. [REDACTED].

5 LT [REDACTED]: Thank you, Commander.

6 Bailey, I only have one question for you. You mentioned that  
7 you never observed the captain consume any controlled substance,  
8 but did you ever observe him under the influence of anything?

9 MS. KRAMER: I don't believe so. I know the last day or two  
10 he was kind of just expressing that he would enjoy having some of  
11 it, but I never saw him take any or consume some or be under the  
12 influence himself.

13 LT [REDACTED]: Okay. Thank you.

14 That's all, sir.

15 MR. [REDACTED]: Commander, I was on mute. This is [REDACTED]  
16 [REDACTED], if I may.

17 CDR [REDACTED]: Of course, [REDACTED]. The floor is yours.

18 MR. [REDACTED]: Thank you.

19 BY MR. [REDACTED]:

20 Q. I have a question. Could you please explain the difference  
21 between AIS and the National Marine Fishery Service as it pertains  
22 to the observer program?

23 A. Yeah. So I think I work through AIS and AIS, it provides the  
24 observers, and then we -- they give all the information to NOAA.  
25 It's kind of a sub -- like another level below, like AIS works for

1 NOAA. So I think that's the best way to describe it, if that  
2 makes sense.

3 Q. Yeah, that makes sense. That's kind of what I was -- so when  
4 you showed up and expressed some concern over the question on  
5 weed, did you talk to the people at AIS or the National Marine  
6 Fishery Service?

7 A. AIS.

8 Q. Makes sense.

9 A. Yeah, I called my coordinator, who was through AIS.

10 Q. And you mentioned you went through your pre-deployment  
11 checklist before you went on the vessel. In addition to that, did  
12 the master provide you with a separate safety orientation as a  
13 special walkthrough of the vessel?

14 A. No. So some of the things that I needed to do for the  
15 (indiscernible) checklist, I had to ask the captain where some  
16 things were if I was unsure, like where the flares were or  
17 anything else like the immersion suits. I needed to ask where  
18 they were and he would kind of just tell me, but he didn't walk me  
19 through the boat himself.

20 I kind of just did almost everything on my own with what I  
21 could find, and if I had questions, I would ask him about it. I  
22 wasn't -- I'm not allowed to get the EPIRB out myself. He had to  
23 take that out for me, so he would -- he did that. But other than  
24 that, I pretty much did it all on my own unless I had questions.

25 Q. And that extensive pre-deployment checklist, which is kind of



1 the equivalent of a boarding form at sea, he passed with flying  
2 colors, no notation of anything wrong at all?

3 A. Right. Everything was up to date, nothing was expired. The  
4 life raft had the right occupancy, like it had enough room in it  
5 for me, as well. Everything was where it should be. He had fire  
6 extinguishers, everything he needed.

7 Q. Thank you. And the cameras that you mentioned, especially  
8 the ones out on deck, that wasn't any part of the optional  
9 e-monitoring for fish observation that takes the place of an  
10 observer, those were the vessel's own cameras?

11 A. Yes.

12 Q. Okay. And as far as you mentioned the captain, and a number  
13 of folks have also highlighted this, falling asleep all the time.  
14 When you talked to him, did you notice anything different about  
15 his looks or did the captain -- I mean, did the crew ever mention  
16 anything about why he was constantly falling asleep and also, as a  
17 follow on, his treatment of the crew?

18 A. So I didn't notice his looks changing unless -- I just kind  
19 of thought he looked tired from staying awake and driving the  
20 boat. The crew would express that -- they would complain because  
21 they were like, he gets the most sleep out of everyone because he  
22 falls asleep at the wheel all the time. But I didn't notice  
23 anything in his appearance except for maybe tiredness. They  
24 didn't mention anything of why he would be so tired because, as I  
25 said, they were saying how he got the most sleep out of everyone

1 on the boat. And that's -- I forget your last part of your  
2 question.

3 Q. Well, just his treatment of the crew. Was he ever harsh or  
4 out of line or anything in his treatment of them?

5 A. No, I don't believe so. I think he was just being like -- he  
6 was the captain of the boat, so he would give orders to the crew,  
7 but it was never in a nasty way. They all respected him and they  
8 all understood that he was the captain and they had to follow his  
9 orders, but I don't think he treated them harshly or anything.  
10 Just regular fisherman captain to crew talk.

11 Q. Okay. Thank you. And then lastly, you mentioned that when  
12 there was communication when they were hauling back  
13 (indiscernible) on deck, the captain would leave the pilot house.  
14 Did he ever mention anything about lookouts or did he ever ask you  
15 to stand any lookout watch in the pilot house at any time?

16 A. I actually did, once. They kind of were doing work down  
17 below and I just had to -- they had it -- I don't know if this is  
18 the right word -- not like autopilot, I guess, if that makes  
19 sense. But they had a certain point on their line location system  
20 or screen that I just had to let them know when we got to a  
21 certain point and then I would tell them. But that was just one  
22 time, and I think it was for maybe ten minutes, but other than  
23 that, that's it.

24 MR. [REDACTED]: Thank you very much. That's all the  
25 questions I have.

1 CDR [REDACTED]: All right. Thank you, [REDACTED].

2 Ms. Kramer, I had just one -- actually, two questions for  
3 you.

4 BY CDR [REDACTED]:

5 Q. So the first question is when you were sailing with the *Emmy*  
6 *Rose*, did they sail with the outriggers out and the birds in the  
7 water all the time?

8 A. I'm sorry. Can you clarify (indiscernible) please?

9 Q. Yeah. So the outriggers, essentially -- [REDACTED], can you put  
10 your -- I think you're still on, [REDACTED]. There you go.

11 All right. So, sorry, the question again was the outriggers  
12 -- so the arms up at the top of the vessel that come out and they  
13 have, like, kind of anchors on the side or birds that go into the  
14 water. Do you remember if those were out the whole time you were  
15 underway with them?

16 A. I believe so.

17 Q. Okay. And then lastly, the last question I have was -- so  
18 what do you think happened onboard with the *Emmy Rose* casualty?

19 A. Honestly, I think that if it was the strong waves and the  
20 winds, I think if they -- I doubt that they -- they probably  
21 wouldn't have had the fishing gear in the water if they knew it  
22 was such bad weather because it would've just destroyed the gear.  
23 So I would think that the fishermen, like the crew, were sleeping  
24 and Bobby was in the wheelhouse and I think he might have dozed  
25 and the boat might have got turned in a -- like the wrong way

1 against the waves and the wind and it kind of just tipped over and  
2 went under. I don't know. I -- that's just what I think could've  
3 happened.

4 CDR [REDACTED]: Okay. No, I appreciate your insight, and again,  
5 I wanted to thank you for taking the time to talk with us today.

6 I will just open up one more time to anybody on the panel if  
7 you have any additional questions or anything that we missed.  
8 Anybody?

9 CWO [REDACTED]: Commander, I have just one follow up.

10 CDR [REDACTED]: Sure.

11 BY CWO [REDACTED]:

12 Q. Bailey, so when you were standing watch, how long were you on  
13 -- in the wheelhouse by yourself for?

14 A. So when -- in between hauls or when they were hauling back  
15 all the gear, I would be in the wheelhouse because he didn't want  
16 me on the deck because of all the wiring and he said it wasn't  
17 safe. So I would stay in the wheelhouse to try and get the best  
18 visual of all the gear like when it would come on, when the nets  
19 would just start coming in.

20 Sometimes I was in the wheelhouse by myself for 20, 25  
21 minutes when they were fishing -- when they were fixing the nets.  
22 I don't think there would be a half hour where some people weren't  
23 in the wheelhouse, like where no one was -- or I would be in there  
24 but I was kind of just watching them with fixing the nets and  
25 seeing the progress where they were at, but there would be

1 sometimes 30 minute increments where no one was in the wheelhouse  
2 except for me (indiscernible).

3 Q. Okay. And that time that you stood a watch when they had to  
4 go make repairs, was that making repairs to the net?

5 A. Yeah.

6 Q. Okay.

7 CWO [REDACTED]: Okay. Thank you very much.

8 MS. KRAMER: You're welcome.

9 CDR [REDACTED]: All right. Bailey, thank you again. Hearing --  
10 sorry, just want to open it up one more time. Anybody have  
11 anything additional?

12 (Pause.)

13 CDR [REDACTED]: Okay. Hearing nothing, this concludes the formal  
14 interview. Do you have any questions for us or anything for the  
15 panel?

16 MS. KRAMER: I do not.

17 CDR [REDACTED]: Okay. I think we can go ahead, we'll terminate  
18 the recording.

19 (Whereupon, 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:                   SINKING OF THE CFV *EMMY ROSE* WITH  
LOSS OF LIFE, OFF THE COAST OF  
PROVINCETOWN, MASSACHUSETTS,  
ON NOVEMBER 23, 2020  
Interview of Bailey Kramer

ACCIDENT NO.:                       DCA21FM007

PLACE:                               Via Zoom videoconference

DATE:                                November 17, 2020

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 black rectangular redaction box covering the signature of Max Mason.

Max Mason  
Transcriber