

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

* * * * *

Investigation of: *

*

FIRE ABOARD THE *SPIRIT OF BOSTON* NEAR *

BOSTON THE SPORTS DISTRICT IN BOSTON, * Accident No.: DCA23FM022

MASSACHUSETTS ON MARCH 24, 2023 *

*

* * * * *

Interview of: JOEL LAWLESS, Server
City Cruises

via Microsoft Teams

Wednesday,
July 12, 2023

APPEARANCES:

CDR [REDACTED] [REDACTED] Lead Investigator
United States Coast Guard

KEITH FAWCETT, Civilian Marine Accident Investigator
United States Coast Guard

LCDR [REDACTED] [REDACTED] Investigator
United States Coast Guard

LCDR [REDACTED] [REDACTED] Legal Counsel
United States Coast Guard

LCDR [REDACTED] [REDACTED] Investigator
United States Coast Guard

BRIAN YOUNG, Marine Accident Investigator
National Transportation Safety Board

ERIC DENLEY, Esq.
(On behalf of City Cruises)

I N D E X

<u>ITEM</u>	<u>PAGE</u>
Interview of Joel Lawless:	
By LCDR [REDACTED]	7
By Mr. Fawcett	28
By Mr. Young	33
By Mr. Denley	37
By Mr. Fawcett	38

I N T E R V I E W

(10:00 a.m.)

1
2
3 LCDR [REDACTED] Again, thank you very much. Go ahead and start
4 the recording. Sorry about that. Okay. All right, thank you for
5 your time and attendance in this -- for this interview. Does
6 anybody have any questions before we begin?

7 (No response.)

8 LCDR [REDACTED] Okay, hearing none, if -- Joel, if you can
9 officially acknowledge that the Coast Guard audio recorder has
10 been turned on and this interview is being recorded?

11 MR. LAWLESS: Yes.

12 LCDR [REDACTED] Thank you. This is a joint U.S. Coast
13 Guard/NTSB investigation and the Coast Guard is the lead agency,
14 and we are conducting this interview under the applicable Coast
15 Guard regulations. Today is July 12th, 2023, it is the interview
16 with Mr. Joel Lawless. Time is 1000 and the location is via Teams
17 virtual.

18 We're going to go around the room and introduce ourselves,
19 we'll start with the Coast Guard first. Please spell your last
20 name after you state your name. I am Lieutenant Commander Thomas
21 [REDACTED], and I am part of the investigations team.

22 MR. FAWCETT: Hello, Mr. Lawless, my name is Keith Fawcett,
23 I'm a Coast Guard marine casualty investigator and part of this
24 investigation team. You spell my last name F-a-w-c-e-t-t. Thanks
25 again, sir.

1 LCDR [REDACTED] Ms. [REDACTED]
2 LCDR [REDACTED] Lieutenant Commander [REDACTED] [REDACTED]
3 [REDACTED], and I'm part of the District 1 formal investigation
4 team.

5 LCDR [REDACTED] Mr. [REDACTED]

6 (No audible response.)

7 LCDR [REDACTED] You're muted.

8 LCDR [REDACTED] You're muted. Yeah.

9 CDR [REDACTED] Sorry about that. Commander [REDACTED] [REDACTED] the
10 lead of this investigations team, [REDACTED]

11 LCDR [REDACTED] Ms. [REDACTED]

12 LCDR [REDACTED] Lieutenant Commander [REDACTED] [REDACTED] in legal
13 capacities, last name spelling is [REDACTED]. Thanks.

14 LCDR [REDACTED] And Mr. Young.

15 MR. YOUNG: Good morning, this is Brian Young with the
16 National Transportation Safety Board, Y-o-u-n-g. Thank you.

17 LCDR [REDACTED] And Mr. Lawless.

18 MR. LAWLESS: My name is Joel Lawless and it's spelled
19 L-a-w-l-e-s-s.

20 LCDR [REDACTED] And are you represented by legal counsel today?

21 MR. LAWLESS: No.

22 LCDR [REDACTED] Mr. Denley.

23 MR. DENLEY: Good morning, I'm Eric Denley, D-e-n-l-e-y. I'm
24 counsel for City Cruises, a party-in-interest to this
25 investigation.

1 LCDR [REDACTED] Thank you. We are conducting the investigation
2 to examine the events surrounding the fire aboard the excursion
3 vessel *Spirit of Boston*, which occurred on March 24th, 2023 in
4 Boston Harbor. Mr. Lawless, just want to make some notifications
5 to you. You may change, modify anything that you may say in this
6 interview if you recall at a later time. You may also appeal the
7 final results of any report of investigation that may result from
8 this interview. For information about the Coast Guard marine
9 casualty investigations, you may look those up, it's the Marine
10 Safety Manual, Volume V, and that's found at open source on the
11 Internet. Before we begin, do you have any questions?

12 MR. LAWLESS: No, I don't.

13 LCDR [REDACTED] Okay, great. Ms. [REDACTED]

14 LCDR [REDACTED] Okay. Good morning again, Mr. Lawless, thank
15 you for being here. All my questions today are going to be
16 related to the period up to March 24th, 2023 unless I specifically
17 talk about a later date, so just keep that in mind. And when I
18 speak about the company or say the company, I'm speaking of City
19 Cruises that operates the *Spirit of Boston* and other vessels in
20 the Boston area. So due to the importance of these interviews
21 that we're conducting and to make sure that we get the facts
22 straight, Lieutenant Commander [REDACTED] is going to put you under
23 oath, so if you could just stand and raise your right hand, sir.

24 LCDR [REDACTED] Mr. Lawless, please stand and raise your right
25 hand. As best you can, thank you.

1 Whereupon,

2 JOEL LAWLESS

3 the Witness herein, having been first duly sworn, was examined and
4 testified as follows:

5 LCDR [REDACTED] Thank you, you may be seated.

6 Ms. [REDACTED]

7 INTERVIEW OF JOEL LAWLESS

8 BY LCDR [REDACTED]

9 Q. Okay. So we're just going to start on -- this might be a
10 little off here, but we're going to -- in your residence or your
11 apartment, where you live, is there a fire extinguisher?

12 A. I believe there is one. Maybe. I'm not exactly sure, to be
13 honest.

14 Q. And have you ever read the label of one and do you know how
15 to use a fire extinguisher?

16 A. I don't think I've ever read the label of a fire
17 extinguisher. We were told how to use them, but never really done
18 it myself, so --

19 Q. And how were you told how to use the fire extinguisher?

20 A. So we were given an acronym, it was like pull the pin, sweep,
21 aim, I think I'm forgetting the last part.

22 Q. And how did you get that training?

23 A. That was from one of the captains.

24 Q. Okay. And do you know when that was?

25 A. We've had a few trainings, probably when I first started

1 working, when I first got training, so that was like about a year
2 and a half ago, probably.

3 Q. Okay. So you've worked for City Cruises for a year and a
4 half?

5 A. Yeah. I started in February 2 years ago, so --

6 Q. Okay. And that training that you're talking of, kind of like
7 we'll say an orientation training, have you received any training
8 on fire safety or what to do during a fire since then?

9 A. Yes, we have.

10 Q. Can you kind of talk about what that was and how often?

11 A. Yeah, so they would point out the fire blankets and like
12 showed us how to use those and that was mostly for the galley
13 people, I think, and then I think they went over the fire
14 extinguishers a few more times.

15 Q. And was this all on board the *Spirit of Boston*?

16 A. No, on board the *Odyssey*, as well, which is another boat that
17 we have.

18 Q. So you received that fire training on the *Odyssey*?

19 A. Yes.

20 Q. Did you receive that same fire training on the *Spirit of*
21 *Boston*?

22 A. I don't believe I did.

23 Q. And have you worked on other vessels other than the *Odyssey*
24 and the *Spirit of Boston*?

25 A. Yes, we have the *Seaport Elite* and the *Boston Elite*, so I've

1 worked on all four.

2 Q. Did you receive any kind of training that you just described,
3 fire training, on the other two vessels?

4 A. No.

5 Q. Mr. Lawless, what is your job title?

6 A. I'm a server.

7 Q. So we're kind of going to look into your -- a little more
8 into the training, we're going to go back to your orientation
9 training. Can you kind of talk about when you were first hired on
10 with City Cruises, any type of -- I know you described for us the
11 fire training, but like an orientation or welcome aboard training
12 that you received?

13 A. Yes. I've had a few of those, I think we do that, like once
14 every 6 months we have a big training.

15 Q. And can you kind of describe for us what that training looks
16 like, like is it a classroom training, is it a PowerPoint
17 training?

18 A. Yeah, a classroom and PowerPoint.

19 Q. And is it everyone from your vessel or is it everyone in the
20 Boston area, how does that --

21 A. Yeah, it's like everyone from the whole company, usually.

22 Q. Okay. And it's every 6 months you get together and do that
23 kind of training?

24 A. It seems like that, yeah.

25 Q. Did the company tell you during those trainings or at any

1 training, what you're supposed to do in the event of an emergency
2 on board the vessel?

3 A. Yeah, so we'd always just take orders from the marine crew,
4 so whatever they tell us to do is what we do.

5 Q. Okay. And does that include like notifying the marine crew
6 or -- if you were to witness an emergency?

7 A. Yes.

8 Q. Okay. Did the company tell you what to do if there's no
9 marine crew on board and the hospitality crew was the only crew on
10 board when there is some kind of emergency?

11 A. I don't think they addressed if they were not there.

12 Q. So when there is no marine crew and you and your team are on
13 board the vessel, who's in charge?

14 A. The manager.

15 Q. Okay. And were you supposed to do anything differently in
16 terms of emergency when the marine crew and the captain were off
17 the vessel? I know you said that they didn't tell you, but did
18 anyone, maybe the restaurant manager who was in charge, run you
19 through what's supposed to happen during an emergency if they're
20 not on board?

21 A. Not exactly. I think it would be sort of the same thing
22 except the manager would be like the marine crew, that they would
23 probably tell (indiscernible) like what to do.

24 Q. But that's not written anywhere that you're aware of or you
25 weren't trained on that?

1 A. I'm not sure if it was written somewhere.

2 Q. Can you kind of talk to us about your role specifically in
3 the event of an emergency? I know you said you notify the marine
4 crew if there was an emergency while the vessel is under way, but
5 can you kind of talk about do you have any other role other than
6 your server duties during an emergency when you have passengers on
7 board, when you're under way?

8 A. Yes. Really, the captains and the marine crew would just
9 tell us what to do, so that could like change depending on the
10 situation, I guess.

11 Q. Okay. Do you have any other responsibilities that you're
12 aware of as a server to assist passengers or anything like that
13 during the event of an emergency?

14 A. I think that would probably be my role, as a server. It
15 would be, like, to control the crowd.

16 Q. Have you ever received any type of training on that?

17 A. No.

18 Q. Are you familiar with what a Code Red is?

19 A. No.

20 Q. Is that familiar to you? Okay. When you participated in
21 vessel-specific training on the vessel with the captain that you
22 described, were there other servers and bartenders and hospitality
23 workers participating in those drills, as well?

24 A. Yes. I wouldn't say they were drills, but more like the
25 classroom setting.

1 Q. Okay. So have you -- speaking of drills, have you
2 participated in any drills aboard the *Spirit of Boston*?

3 A. No.

4 Q. And have you participated in any drills aboard any of the
5 other three vessels you've worked on?

6 A. No.

7 Q. You have not participated, but have you been on board when a
8 fire drill was being ran by the marine crew?

9 A. I don't think so.

10 Q. Okay.

11 A. I mean, they might do their own thing, so like I wouldn't
12 always be helping them.

13 Q. Okay. Have you ever heard any type of alarm or announcement
14 during any drill while that was going on aboard the vessel?

15 A. No.

16 Q. Okay. As part of your training that you described, have you
17 witnessed the actual demonstration or the use of a fire
18 extinguisher in action or like watched a video or anything like
19 that?

20 A. No, I haven't seen a video or in person.

21 Q. Okay. So they just kind of described the acronym and what to
22 do with it?

23 A. Yeah, they had it in their hand and they would like, you
24 know, pull the pin, aim, sweep, but didn't actually do it.

25 Q. Okay. But they did demonstrate with a fire extinguisher?

1 A. Yeah.

2 Q. Okay. And in your own words, what do you -- what do you
3 expect that the company would have you do if you saw a small fire,
4 in your own words? What is your role, if there's no marine crew
5 on board?

6 A. I would assume like get to safety or like I don't know if the
7 fire was supposed to be put out.

8 Q. You talked a little bit about the fire blanket on board the
9 vessel, can you tell me about that and the training you received
10 on that?

11 A. Yeah. They just told us to like cover our hands and then
12 throw it right over the fire if it's in a trash barrel.

13 Q. Do you know where the fire blanket was located on the *Spirit*
14 *of Boston*?

15 A. I don't know where it is on the *Spirit of Boston*, but I know
16 on the *Odyssey* where they are. It's like on the side door, so I'm
17 assuming it might be in the same spot.

18 Q. And that training with the fire blanket and since you know
19 where it is, was that on the *Odyssey*, done on the *Odyssey*?

20 A. Yes.

21 Q. And you didn't receive any training about a fire blanket on
22 the *Spirit of Boston*?

23 A. I don't believe so.

24 Q. Do you know if there's fire doors in and around the galley
25 area or what those are?

1 A. No.

2 Q. Are you aware -- and I know you said that you haven't seen
3 any written documentation, but do you -- has anyone told you about
4 any policy that explains what you're supposed to do during an
5 emergency?

6 A. No.

7 Q. And you described that you would get the marine crew during
8 an emergency or the restaurant manager would be in charge if there
9 wasn't marine crew, how did you -- how did you learn that
10 information?

11 A. I mean, I guess I just kind of knew that, but -- the managers
12 and my boss, so that's who I would go to.

13 Q. Do you ever go into the vessel galley area to do your job?

14 A. Yeah.

15 Q. And how often do you go back into the galley area on the
16 *Spirit of Boston*, specifically?

17 A. Throughout the night, pretty much the whole time because
18 we're just brining back plates and stuff, and food.

19 Q. Okay. And on the accident day, specifically, March 24th,
20 2023, did you enter the wait station on the main deck?

21 A. Yes.

22 Q. And you did work on the main deck that --

23 A. Yeah.

24 Q. And how does that work, do you work the main deck and then
25 you stay on the main deck to clean up afterwards?

1 A. Yeah.

2 Q. Okay. Can you kind of just bring us through your job, what
3 that kind of entails on the main deck, you said you went to the
4 galley a few times, like what -- what are you -- what is your
5 role, what do you do as a server?

6 A. So on the *Spirit* it's all buffet, so the guests will get
7 their own food but I will get them their drinks, and then once
8 they're done eating, I'll clean up after them and bring their
9 stuff back to the galley.

10 Q. Have you ever seen a policy that explains the safety
11 procedures for the use of open flames like the paraffin candles
12 that were used on the tables or the Sterno cans to warm the food
13 or coffee, have you ever seen any policy on how to handle all
14 that?

15 A. No.

16 Q. Did anyone ever tell you any safety procedures to follow for
17 liquid candles or Sterno cans?

18 A. No.

19 Q. And have you personally ever disposed of a Sterno can on
20 board the vessel?

21 A. No.

22 Q. During the review of the CCTV footage, we saw you entering
23 the wait station area, there's like a hallway there, on the night
24 of March 24th just a few minutes prior to the fire being
25 discovered by Ms. Griffin. Ms. Bell, I'm sorry. Can you kind of

1 describe what you saw, if you recall that moment that you went
2 back there, can you kind of just tell us everything you saw,
3 smelled, heard, saw?

4 A. I didn't see or smell anything, actually, so I'm not sure if
5 I was just like going in the kitchen in there, but as far as like
6 the fire, I actually didn't even see it.

7 Q. Okay. And you didn't smell anything out of the ordinary?

8 A. Not until Sharon had like pointed out that she saw smoke and
9 (indiscernible).

10 Q. Did you witness anyone going in and out of the wait station
11 prior to the fire discovery?

12 A. No.

13 Q. I'm going to just have you think back carefully and prior to
14 you becoming aware of the fire, so right before you were notified,
15 did you see or know about Ms. Henry (ph.), Sharon, throwing a
16 Sterno can in the trash can?

17 A. No.

18 Q. Do you know anything or did you see anything with
19 Ms. Friedman cleaning up liquid on the floor in the vicinity of
20 the main deck of the wait station area?

21 A. No.

22 Q. Again, with Ms. Friedman, are you aware that she -- if she
23 did or not throw a Sterno can in the trash can, as well?

24 A. No, I'm not aware.

25 Q. I'm just going to have you -- I know we've been -- I've been

1 asking questions of you, but I'd like to hear it in your own
2 words, can you kind of go back to the night of March 24th, 2023,
3 from the time that you brought the passengers back to the pier,
4 the marine crew had left, can you kind of just talk us through
5 your night until you got off the vessel and on the pier that
6 night, in just your own words, tell us the story, how you
7 witnessed it?

8 A. Yeah. So I was just cleaning up, it must have been like 30
9 minutes after the guests left, I was just like taking the linens
10 off or putting the clean ones on, I'm not sure, and Sharon noticed
11 the smoke, so she walked over and then Cee-Cee saw her and just
12 told everyone to get off and we all just like got off immediately.
13 And then we were just waiting on the dock for the fire, fire
14 trucks.

15 Q. Okay. Did anyone say that they could put the fire out or are
16 you aware of anyone that attempted to put the fire out with a fire
17 extinguisher or a fire blanket?

18 A. I don't think anyone attempted to.

19 Q. Did anyone sound an alarm of any sort?

20 A. Yes, so our manager was calling 9-1-1 as we were getting off
21 the boat.

22 Q. Okay. Were there any like vessel alarms like the general
23 alarm or anything that was sounded, do you remember?

24 (Crosstalk)

25 BY LCDR [REDACTED]

1 Q. Do you remember hearing a fire alarm or anything of that
2 nature?

3 A. I don't.

4 Q. Can you kind of take me through -- you said you got off the
5 vessel, can you kind of take me through what that looked like, how
6 the crew evacuated, how did you evacuate?

7 A. We just ran up the staircase and then out through the back,
8 so the normal way you get off, I just ran up the stairs and got
9 off.

10 Q. And you know how the other crew members know how to get off
11 that weren't on the main deck?

12 A. Yeah, they just like heard us and everyone was saying get
13 off, so they just kind of followed us.

14 Q. Okay. So after the discovery of the fire and you got off,
15 were there any discussions about what should've been done about
16 the fire, what the next steps would be?

17 A. Yeah, we were like thinking should we try to put that out,
18 but like we can't go back in now, we all just got off. So
19 obviously, we were thinking like should we have done something,
20 but we didn't.

21 Q. Are you aware if anyone did go back on the vessel?

22 A. I don't think so, (indiscernible).

23 Q. Did anyone take staff accountability to make sure everyone
24 got off the vessel?

25 A. Yeah.

1 Q. Can you kind of take us through how that was done?

2 A. Like just counting ourselves afterwards and making sure we
3 were all off.

4 Q. Okay. And who did that?

5 A. Cee-Cee and Jeremy were the managers.

6 Q. Okay. You had mentioned that one of the managers called
7 9-1-1. Do you know if there's any procedures on how a fire should
8 be reported?

9 A. I'm not sure.

10 Q. You had mentioned, too, that you kind of talked about like
11 should we have done something or -- have you had any conversations
12 since then of why no one tried to put out the fire with your
13 coworkers?

14 A. No. I think we all just listened to Cee-Cee, so when she
15 tells us to get off, we always go.

16 Q. Okay. Was there anything unusual that evening about the
17 cruise or the cleanup after the cruise, anything out of the
18 ordinary?

19 A. No.

20 Q. Okay. If I was, say, a newly hired server on board, where
21 could I find information on the procedures of how I'm supposed to
22 get off the vessel?

23 MR. DENLEY: Objection, calls for speculation.

24 BY LCDR [REDACTED]

25 Q. Were you ever told, when you were a new employee, how to

1 evacuate a vessel, are there any kind of like -- you know how like
2 in a hotel room there's plans to evacuate or do you just kind of
3 like listen to how to get off or follow everyone else?

4 A. So you mean if we were like out on the water?

5 Q. Um-hum.

6 A. So that would just be like getting a life jacket and if you
7 had to jump out, jump out.

8 Q. And if you're at the pier, you had mentioned that other
9 people the night of the fire that were on other decks, they just
10 kind of heard you and followed. Is there like a specific
11 procedure to use that exit or is that the only way off?

12 A. There's multiple ways off, but that's probably the easiest,
13 quickest way, so I think that's why we all went that way.

14 Q. Okay. But there's nothing to say use that exit, they
15 could've used another one, as well?

16 A. Yeah, there's an exit.

17 Q. Okay. Can you kind of take us through the cleaning process,
18 you had mentioned about the linens, but can you kind of take us
19 through that specifically, on March 24th, involved in the -- you
20 were involved in the cleanup, but can you kind of take us through
21 exactly what you did, talk about the trash, talk about the linens,
22 talk about the candle cleanups, everything like that that you did?

23 A. Yeah, so everything was basically like the same, we just kind
24 of roll up the linens that are dirty and then you put them into a
25 bag, drag them out, sweep the floors, all the drink glasses, we

1 have to collect them all over the boat, and then set up
2 afterwards, but we didn't get to that part.

3 Q. Okay. Can you kind of talk to us about the trash, who takes
4 care of that?

5 A. It kind of changes, whoever, you know, sees it, ties it up,
6 just brings it up.

7 Q. Okay. Specifically in the wait station area, was there a
8 trash can there?

9 A. Yeah.

10 Q. And do you recall anyone taking out the trash in that area?

11 A. I don't.

12 Q. When is the trash usually taken out after a cruise from the
13 vessel?

14 A. There's like now 10 trash barrels all over, so if they're
15 filled up, but they're not always filled up yet, so --

16 Q. And is that the responsibility of the front-of-the-house
17 staff or the back-of-the-house?

18 A. I think that there's -- we like share the responsibility of
19 always taking the trash out.

20 Q. And when you say taking the trash out, what does out mean, to
21 the outside of the vessel or on the pier?

22 A. So there's like a bin in the back that we put all the trash
23 in and then we take the bin and take that out when that's filled
24 up in the night.

25 Q. Okay. Are you familiar with the coffee station breakdown,

1 like have you ever conducted the breakdown of the coffee station?

2 A. Like once or twice.

3 Q. Okay. Can you kind of take us through what that looks like?

4 A. Yeah, so we just like dump out the coffee that we made.

5 Sometimes we'll like run some water through the coffee machine and
6 just turn it off.

7 Q. Okay. Is there anything -- from what we understand, there's
8 a Sterno that warms the coffee?

9 A. Yes.

10 Q. And what do you do with that?

11 A. I've never dealt with the Sternos.

12 Q. Okay. And just to make sure that we're correct, but coffee
13 setup, the coffee station that evening was in the wait station
14 area, correct?

15 A. I believe so. Sometimes we'll take it out and put it in the
16 -- on the floor with them, but yeah, I think it was.

17 Q. Okay. And do you know who broke down the coffee station the
18 night of March 24th?

19 A. I'm not sure.

20 Q. Okay. Have you ever seen birthdays or anniversaries or
21 anything celebrated on board that they used candles, say, for a
22 dessert or candles on a cake?

23 A. Yeah.

24 Q. And do you know, on the night of March 24th, was there any
25 type of celebration that used candles on board that you recall?

1 A. Yeah, I'm not sure.

2 Q. Okay. Have you ever -- because you said that you bussed the
3 tables, have you ever dealt with cleaning up after a celebration
4 that had candles?

5 A. Yeah.

6 Q. And is there any procedure to clean up candles, have you ever
7 -- like, what did you do with that?

8 A. Usually, it would just be on the plate that they use and just
9 bring them back and that's it.

10 Q. Okay. Have you -- I know you said you haven't dealt with the
11 Sterno cans on the coffee station, have you ever disposed of any
12 Sterno cans on board any of the vessels, say the ones that warm
13 the food or anything like that?

14 A. No, I don't think so. Usually the galley's the one who takes
15 care of the buffet, so they'll break it down and take care of it.

16 Q. Have you ever witnessed that?

17 A. The galley?

18 Q. The galley. Taking the Sternos. How do they go about doing
19 that?

20 A. I don't know exactly what they do, but they just take all,
21 like the pans of food, we usually just dump them out, and the
22 water, dump it out, kind of collect everything and then bring it
23 down to the galley.

24 Q. Okay. Do you, yourself, smoke or vape?

25 A. No.

1 Q. Okay. I'm going to ask you just some questions pertaining to
2 the smoking policy. Where would I go on board, specifically, the
3 *Spirit of Boston* if I wanted to smoke or vape?

4 A. So you're not supposed to smoke or vape on the boat.

5 Q. Okay. And that goes for passengers and crew members?

6 A. Yes.

7 Q. Okay. Have you ever witnessed any crew members taking a
8 smoke or vape break on board the vessel after passengers departed?

9 A. No, usually they'd be like off the boat on the dock.

10 Q. Okay. Have you ever seen any vape pens or e-cigarettes of
11 any type of fashion laying around charging, in the trash? I know
12 you said people don't, but have you ever seen that on board?

13 A. No.

14 Q. Okay. We're going to kind of go to the pier after the
15 restaurant staff evacuated. Can you kind of describe the scene at
16 the pier for us, like what everyone was doing, what the vessel
17 looked like from the pier?

18 A. We were all just kind of standing there, we were actually
19 waiting now on the fire trucks because they were like driving on
20 that road right there, so we were waiting on them and then just
21 waited for them to come.

22 Q. And how long were you out on the pier?

23 A. I don't know, maybe an hour.

24 Q. Okay. And did you see the fire on board the vessel from the
25 pier?

1 A. Yeah.

2 Q. Can you describe for us what that looked like?

3 A. Like a 5-foot fire, I would say.

4 Q. How close were you to the vessel when you noticed the fire
5 from the pier?

6 A. So right when we got off, we could see it. And then we like
7 moved further away.

8 Q. And you're talking about the window to the wait station?

9 A. Yeah.

10 Q. Okay. Did you hear any kind of alarms when you were on the
11 pier coming from the vessel?

12 A. I don't think so, but I'm not positive. I mean, it was like
13 all the fire trucks were then going off too, so --

14 Q. Understood. Did you see any smoke coming from the vessel
15 when you were on the pier?

16 A. Yes.

17 Q. Okay. And are you aware of any photos or videos that were
18 taken by either yourself or other crew members while they were on
19 the pier?

20 A. Yeah, I'm sure they got some photos on the pier.

21 Q. Did you, yourself, get any photos?

22 A. I think I took one of the firefighters, just one.

23 Q. And how about video?

24 A. No videos.

25 Q. Okay. And are you aware of who took videos from the pier,

1 who your crew members were that did?

2 A. No.

3 Q. Okay. So I'm going to kind of switch to another topic. On
4 June of 2022 there was a fire on board the *Spirit of Norfolk*,
5 another vessel owned by the company. Were you aware of that?

6 A. Yes.

7 Q. So after that fire in June, did the company put on any
8 special type of training, any safety training after that?

9 A. Well, we've had training, more training since this fire, so I
10 can't say it was because of the one in Norfolk, so --

11 Q. Okay. And what does that more training entail, what is that?

12 A. Like I said, the fire blanket and then they went over the
13 fire extinguishers, that there's two different types, and one for
14 the galley, specifically.

15 Q. Okay. And you had never received that type of training prior
16 to June 2022?

17 A. Not the same training, but I have been trained before that.

18 Q. Did they put any safety alert or e-mail that you received
19 since then, as well, in regards to the fire in Norfolk?

20 A. No.

21 Q. Were there any changes to any of the fire reporting or any of
22 the procedures that you stated, were there any changes from your
23 awareness after that fire?

24 A. Changes as like what, exactly?

25 Q. You said that, like, to notify 9-1-1, you would do that, you

1 were talking about the fire blanket and the fire extinguisher, but
2 do you know, like, if there's any changes that you've noticed
3 since a year ago that you have been trained on prior to that?

4 A. I don't think so.

5 Q. Okay. Did City Cruises ever bring in any outside persons to
6 train personnel in Boston and talk about fire safety?

7 A. I don't believe so.

8 Q. Okay. So kind of my final questions, if there was ever a
9 safety concern that you had personally, how would you go about
10 raising the alarm and notifying someone of a safety concern?

11 A. So I would either like run to the marine crew and bang the
12 door or just tell the manager and she could use a walkie-talkie.

13 Q. Okay. Is there any kind of e-mail address or phone number
14 that you can contact someone in the company to raise a safety
15 concern?

16 A. Yeah.

17 Q. Okay.

18 A. And I can just like talk to one of the captains.

19 Q. Okay. And have you ever seen like something posted, like,
20 report a safety concern or anything like that posted anywhere?

21 A. I think there is a way to report a safety (indiscernible).

22 LCDR ██████████ Okay. All right, that's all the questions I
23 have for you, Mr. Lawless. I'm going to turn it over to
24 Mr. Fawcett.

25 MR. FAWCETT: Hey, Mr. Lawless, thank you. Can you hear me

1 okay? Hang on just a minute.

2 (Pause.)

3 MR. FAWCETT: Can you hear me now? We're shifting --

4 (Audio feedback.)

5 MR. FAWCETT: Can you hear me now, Mr. Lawless?

6 THE WITNESS: Yes.

7 BY MR. FAWCETT:

8 Q. Thank you very much for being here and taking the time for
9 this interview. I have a few clarifications on your -- on the
10 questions that -- and the answers that you gave to Lieutenant
11 Commander ██████████ So when we're talking about -- talking about
12 two different kinds of training that you received, one is the new
13 hire orientation that -- you said that you got that training, I
14 don't want to put words in your mouth, but about every 6 months,
15 is that correct? The same type of training?

16 A. Yeah.

17 Q. And did you sign a sign-in sheet when you did that training?
18 Did you have to, you know, sign that you had attended?

19 A. Yeah, I think we had to do that.

20 Q. And then there's a different kind of training which you
21 mentioned where the vessel crew provides training, for example,
22 they show you where the fire blankets are or they demonstrate the
23 use of a fire extinguisher. I'll call that, I don't -- correct me
24 if I'm wrong, but it's like a vessel-specific safety orientation.
25 When you did that, did they ask you to sign a sign-in sheet?

1 A. No, I don't think so.

2 Q. And then, just to get the record straight, so the *Odyssey*,
3 you had attended those type of vessel-specific -- where they
4 showed you where the fire extinguishers are, they demonstrated the
5 use and location of a safe -- of a fire blanket. Did they do that
6 on the *Odyssey*?

7 A. On the *Odyssey*, yeah.

8 Q. Okay. So did they do that on the *Spirit of Boston* while you
9 worked there?

10 A. I don't think I had training on the *Spirit*.

11 Q. And then, just so I get this straight, you've worked on all
12 the dinner boats, so how -- how much time have you spent on the
13 *Spirit of Boston* versus the *Odyssey*?

14 A. So I started on the *Odyssey* and then I didn't start working
15 on the *Spirit* until like this winter, so only like 3 or 4 months
16 on the *Spirit* and then the rest have been on the *Odyssey*.

17 Q. Did you notice, like, related to safety, there were -- the
18 boats operated differently and, you know, when it comes to safety
19 issues, like we already mentioned the *Odyssey*, they demonstrated
20 the use of the fire blanket and so forth, were there any other
21 safety issues that were different from one boat to the other?

22 MR. DENLEY: Objection. Go ahead.

23 THE WITNESS: No, it's like the same, yeah.

24 BY MR. FAWCETT:

25 Q. And then Commander [REDACTED] asked you about a phrase, Code

1 Red. I know about Code Red because there was a fire on the vessel
2 *Rendezvous* and one of the crew persons came up to the captain and
3 used a -- I'll call it a secret phrase, he said we have Code Red
4 in the engine room. Is there any phrase that you're supposed to
5 use to tell the marine crew there's an emergency so you don't
6 scare the passengers? Like, if you saw a fire, is there like some
7 kind of special phrase you use to tell the marine crew?

8 A. No.

9 Q. So Mr. Mulvaney (sic) is a crew person, we heard that he went
10 back aboard the vessel, I'm just trying to refresh your memory,
11 there are two people that went aboard the vessel after the fire
12 and you all got off the vessel and were standing on the pier, one
13 was the disc jockey --

14 MR. DENLEY: Mr. Fawcett --

15 MR. FAWCETT: Yeah.

16 MR. DENLEY: -- I don't believe that -- I don't believe
17 that's what Mr. Lawless testified to.

18 BY MR. FAWCETT:

19 Q. No, I know that. I'm asking to help refresh -- he said he
20 wasn't aware of anybody, but if I told you that the disc jockey
21 went up the gangway and went aboard, and a crew person, identified
22 as Mr. Mulvaney, went aboard the vessel and both of them came off,
23 does that refresh your memory of those nights, that night?

24 A. Yeah, I mean, it was kind of like a lot going on, so I could
25 definitely see them like running back on while we were like all

1 just getting off, getting their stuff or whatever.

2 Q. And one of the pieces of information was that Mr. Mulvaney
3 came back with a life jacket on, did you see him come off the
4 vessel with a life jacket on?

5 A. No, I did not.

6 Q. So then, are you aware that in the new hire orientation, when
7 it talks about -- it talks about various subjects, it talks about
8 fire safety, man overboard, those type of emergencies, and when
9 they talk about a fire extinguisher, they do explain to you the
10 acronym PASS, what you described.

11 They also say that, as an employee, you should use a fire
12 extinguisher, if possible. As an employee, did you understand the
13 company expected you to use a fire extinguisher, if possible?

14 A. Yeah, I mean, the manager told us to get off, so I was kind
15 of like following her orders.

16 Q. Understood.

17 A. Yeah.

18 Q. And then Ms. [REDACTED] also asked you about like written
19 procedures for the use of Sterno or paraffin and I believe you
20 answered that you weren't aware of written procedures, but did
21 anybody on the vessel at any time, on any of the City Cruises
22 vessels you work on, show you about fire safety regarding the
23 open-flame paraffin candles and the Sterno cans?

24 A. No.

25 Q. And then I want to revisit the birthday candle as a fire

1 source, potential fire source. The candle that you see, that you
2 mentioned, on the plate, are those just wax regular candles, they
3 don't have any special sparkler effect, you know, when you blow
4 them out, they're out, they don't relight, they're just a regular
5 birthday candle?

6 A. Yeah, just a regular one.

7 Q. And then there was a description by Mr. Kinney, who actually
8 witnessed the fire, about a sound he heard which sounded like the
9 release of compressed air and he said it was -- from the time that
10 he witnessed the fire, it was more or less like a continuous
11 hissing sound. Now, you said you didn't see smoke, you didn't see
12 the fire and so forth, did you hear any unique sounds?

13 A. I don't believe so.

14 Q. And then what was the closest, if you could tell me
15 approximately how many feet you were closest to where the fire
16 area was in the wait station, like how close did you get?

17 A. I was sort of like 20 feet away, and there is a wall --

18 Q. Um-hum.

19 A. -- so that's why I couldn't see it, and then she told us to
20 get off and from that point I just like ran up the stairs.

21 Q. And then it's a very important aspect of this investigation,
22 but one of the witnesses we spoke to talked about cleaning up
23 something on the floor in the vicinity of the wait station. When
24 you were on the dock, did anybody talk about dropping anything on
25 the floor, cleaning anything up, anything related to a Sterno can,

1 like throwing the Sterno can in the trash, so did anyone -- I'll
2 just go through those, so I get it correct. Did anybody talk to
3 you about cleaning -- not talking directly or did you overhear
4 someone talking about cleaning up a liquid on the floor?

5 A. Did not.

6 Q. And then did you hear anybody talking about throwing a Sterno
7 can in the trash?

8 A. No.

9 Q. Did anybody on the dock that you overheard or someone that
10 spoke directly to you mention anything about a possible source of
11 the fire?

12 A. No.

13 Q. And did anybody on the dock describe, like, when they
14 witnessed the fire initially, what they saw?

15 A. So there was the smoke that they initially saw and then they
16 must have walked over and seen the fire, I'm not sure what they
17 saw.

18 Q. Did anybody characterize the size of the fire, in other
19 words, did they say it was a small fire, it was a -- anything
20 about dimensions or size?

21 A. No.

22 MR. FAWCETT: Thank you very much, Mr. Lawless, that's all I
23 have. Mr. Young with the NTSB may follow me. Thank you.

24 BY MR. YOUNG:

25 Q. Thanks very much, Mr. Lawless. I just have two questions.

1 You had spoken with Lieutenant Commander [REDACTED] about the smoking
2 on board and you said that people are not supposed to smoke or
3 vape, how do you know that? How do people, the crew, specifically
4 know that you're not supposed to smoke or vape?

5 A. There's a safety announcement at the beginning of every
6 cruise and it will say no smoking.

7 Q. Okay. And who makes that announcement?

8 A. So it's like an audio that the DJ will play.

9 Q. Okay. And it specifically says no smoking aboard?

10 A. Yeah.

11 Q. And that pertains to crew and passengers, is that correct?

12 A. Yeah.

13 Q. Okay. And since March 24th, when the fire occurred on the
14 *Spirit of Boston*, since then, what changes have been made to your
15 job aboard that vessel, aboard the *Odyssey*, say, or any vessel
16 you're working?

17 A. Yeah, so we don't use any more candles for the birthdays.
18 (Indiscernible) no more candles, but that's about it.

19 Q. That's about it.

20 A. And some more training.

21 Q. Such as? Like, what type of training?

22 A. Like the fire training I talked about with the fire blanket
23 and different fire extinguishers.

24 Q. And with these additional training sessions, can you talk
25 about what actually happens when they're talking about a fire

1 extinguisher, do you actually put one in your hand and hold it and
2 -- or do you just listen to someone speaking about it?

3 A. I don't hold it, I didn't hold it in my hands.

4 Q. Okay.

5 A. But one of the captains did.

6 Q. So he displayed it in front of you so you could see?

7 A. Yeah.

8 Q. And how about regarding the fire blanket, what kind of
9 training have you received about that now?

10 A. The same thing, he just had it in his hands and he was kind
11 of showing us how to hold it.

12 Q. So it was actually taken out of its canister and displayed to
13 the crew?

14 A. I think he actually used a linen, so like somebody's one.

15 Q. So he used a linen as a prop to show what the fire blanket
16 could do?

17 A. Yeah.

18 Q. Understood. Any other topics that he talked about other than
19 the blanket or the extinguishers?

20 A. No. Life jackets, actually.

21 Q. What did they talk about with life jackets?

22 A. He just showed us how to put it on. He put it on himself.

23 Q. Is there any additional training regarding the use of the
24 fixed fire suppression systems such as inside the deep fryer area?

25 A. Not for me.

1 Q. Was there any discussion, I know you said you're not supposed
2 to be using candles anymore, can you talk about any changes to the
3 use of Sterno?

4 A. I don't think there was changes.

5 Q. Okay. Have you been working steady on the *Odyssey* since the
6 fire on the *Spirit of Boston*?

7 A. Yeah.

8 Q. And in the time, it's been April, May, June, maybe 3, 4
9 months, how many fire safety meetings or safety drills have you
10 attended on the *Odyssey* since the fire aboard the *Spirit of*
11 *Boston*?

12 A. Probably like three or four.

13 Q. Three or four. And is the makeup consistently of marine crew
14 and back-of-the-house staff and wait staff, or is it just the wait
15 staff? Like, who attends these meetings?

16 A. Everyone who's working on the boat for that day will be
17 there.

18 Q. Are you required to sign any paper saying that you've been in
19 this training session or anything?

20 A. No.

21 MR. YOUNG: Okay. Thank you very much, I'm good with my
22 questions.

23 LCDR ██████ Thank you, Mr. Young.

24 Mr. Denley, do you have any questions?

25 MR. DENLEY: Yeah, I do. Just a couple.

1 BY MR. DENLEY:

2 Q. Mr. Lawless, it's nice to -- I just met you briefly, and just
3 a couple questions. I kind of want to just go back to the night
4 of the fire, the evening that you were working. You talked about
5 kind of passing sort of -- repeatedly sort of passing between,
6 kind of, the floor that you were working and the galley, and then
7 you talked about kind of passing in front of the wait station
8 several times, including -- I mean, I guess, how long before, I
9 guess, the fire was noticed, maybe, did you pass by, pass by that
10 area, so just a couple minutes?

11 A. That, I'm not sure. Maybe like 20 minutes.

12 Q. Oh, okay. So you said you didn't see anything and you said
13 you didn't hear anything. Did you smell anything at all, anything
14 out of the usual?

15 A. Yeah, once Sharon pointed out the smoke, then I was like --
16 then I started smelling it.

17 Q. Okay. But before that, did you smell any -- did you smell
18 anything electrical, did you smell anything that smelled like
19 machinery or anything like that, out of the usual?

20 A. No.

21 MR. DENLEY: I don't have any further questions, thanks.

22 LCDR ██████ Thank you, Mr. Denley.

23 Ms. ██████ do you have any further questions?

24 LCDR ██████ I don't have any further questions.

25 MR. FAWCETT: I do.

1 LCDR ██████ Thank you, Ms. ██████
2 Mr. Fawcett, do you have any further questions?

3 MR. FAWCETT: Yes.

4 BY MR. FAWCETT:

5 Q. Hello again, Keith Fawcett for the Coast Guard. Mr. Lawless,
6 I just want to be clear, we talked about increased training, I
7 want to make sure that in our questions to you where you talked
8 about every 6 months, those were every 6 months before March 24th,
9 2023, is that correct?

10 A. So I'm just like thinking of how often I've had to -- I've
11 been trained. So I know we have like a big training where it's
12 like 200 people from the company will come to the *Odyssey* and
13 we'll have to do like a 2-hour training. But I'm not sure how
14 often they do that, but it feels like I've done that at least
15 maybe every year, I guess.

16 Q. All right. And then in the period -- Mr. Young asked you
17 about what happened after the fire on March 24th, has anybody in
18 the training that you've received or orientations on board the
19 *Odyssey* told you anything that you're supposed to do different if
20 the marine crew is not aboard and you guys are aboard securing the
21 vessel after a cruise?

22 A. No.

23 Q. Has there been a policy change where a marine crew person
24 stays aboard until the last person is off, for the safety of the
25 vessel and company personnel?

1 A. I'm not sure.

2 Q. Well, have you witnessed marine crew on the *Odyssey* staying
3 aboard until you guys are all secured for the night and then the
4 marine crew departs?

5 A. No. Usually, we'd be like cleaning up a little bit later
6 than they would, so I don't there there's a marine crew that stays
7 with us.

8 Q. So that has not changed, to your knowledge?

9 A. Yeah, to my knowledge.

10 Q. And then have you -- I just want to be clear on follow-up to
11 Ms. [REDACTED] question, have you ever seen a vape pen or electronic
12 cigarette being charged in an outlet on the vessel?

13 A. No.

14 Q. Have you ever seen one just laying around, like dropped out
15 of somebody's pocket?

16 A. I mean, sometimes, like the -- like all the cruises will have
17 security that will take their vapes, but like that's the only time
18 I've really seen them out.

19 Q. And then if security takes the vapes, based on what you've
20 witnessed, do you know what the security folks do with the vapes?

21 A. I don't.

22 Q. Have you ever seen vape pens or electronic cigarettes like in
23 a drawer, in a box, like just around the vessel, that belong to no
24 one in particular or just like a -- it's a lost and found item and
25 there it is and somebody just sticks it somewhere on the vessel?

1 A. No.

2 MR. FAWCETT: That's all I have. Thank you very much, sir.

3 LCDR [REDACTED] Thank you, Mr. Fawcett.

4 Mr. Denley, do you have any further -- I'm sorry, Mr. Young,
5 do you have any further questions?

6 MR. YOUNG: No, thank you, Lieutenant.

7 LCDR [REDACTED] Mr. Denley?

8 MR. DENLEY: No, I don't. I just want to thank Mr. Lawless
9 for his support in the Coast Guard's investigation, thanks.

10 LCDR [REDACTED] Absolutely. If nobody has any further
11 questions at this time, we'll conclude our interview of
12 Mr. Lawless. Again, Mr. Lawless, thank you very much for your
13 time and your support, and if you have any questions, please feel
14 free to reach out to myself or anybody on the investigations team.
15 And with that, we are concluding this interview. Thank you.

16 MR. FAWCETT: Thank you, sir.

17 MR. LAWLESS: Okay, thank you.

18 (Whereupon, at 10:58 a.m., the interview concluded.)

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: FIRE ABOARD THE *SPIRIT OF BOSTON*
 NEAR THE BOSTON SPORTS DISTRICT
 IN BOSTON, MASSACHUSETTS
 ON MARCH 24, 2023
 Interview of Joel Lawless

ACCIDENT NO.: DCA23FM022

PLACE: via Microsoft Teams

DATE: July 12, 2023

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



Karen D. Martini
Transcriber