

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of: *

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MBTA GREEN LINE TROLLEY *

COLLISION & DERAILMENT * Accident No.: RRD21FR013

IN BOSTON, MASSACHUSETTS, *

ON JULY 30, 2021 *

*

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Interview of: OWEN TURNER, Train Operator
Boston MBTA

Boston, Massachusetts

Monday,
August 2, 2021

APPEARANCES:

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I N D E X

<u>ITEM</u>	<u>PAGE</u>
Interview of Owen Turner:	
By Mr. Frigo	5
By Mr. Carney	32
By Ms. Legrow	33
By Mr. Evers	35
By Mr. Culp	36
By Ms. Gomes	38
By Dr. Garcia	40
By Ms. Gomes	42
By Ms. Gomes	49
By Mr. Frigo	56
By Mr. Carney	58
By Ms. Legrow	59
By Mr. Roman	62
By Mr. Culp	63
By Dr. Garcia	65
By Mr. Frigo	71
By Mr. Frigo	76
By Mr. Frigo	78

I N T E R V I E W

1
2 MR. FRIGO: All right. Good afternoon. My name is Ryan
3 Frigo. I'm an investigator with the National Transportation
4 Safety Board. We're here today on August 2nd to talk to
5 Mr. Owen Turner about a collision that occurred on July 30th MBTA
6 Green Line, and we're here at the MBTA Headquarters in Boston,
7 Massachusetts. The NTSB Accident Number RRD21FR013.

8 We have several people in the room, so we will go around and
9 introduce ourselves for the benefit of the transcriptionist, and
10 when you introduce yourself, please just spell your last name. So
11 I'll start and then I will pass to my right.

12 Ryan Frigo, F-R-I-G-O, NTSB Operations and Systems Safety.

13 MR. CARNEY: David Carney, C-A-R-N-E-Y, MBTA.

14 MS. LEGROW: Kate Legrow, L-E-G-R-O-W, Occupational Health
15 Services, MBTA.

16 MR. EVERS: Jim Evers, E-V-E-R-S, President of Carmen's
17 Union.

18 MR. ROMAN: Paul Roman, R-O-M-A-N, Mass Department of Public
19 Utilities.

20 MR. CARVALHO: Dave Carvalho, C-A-R-V-A-L-H-O, Mass
21 Department of Public Utilities.

22 MR. CULP: Steven Culp, C-U-L-P, MBTA Safety.

23 MS. GOMES: Alicia Gomes, G-O-M-E-S, MBTA Light Rail Ops.

24 DR. GARCIA: Anne Garcia, G-A-R-C-I-A, Performance Systems
25 Safety Group Chair for this accident for NTSB.

1 MR. TURNER: Owen Turner, T-U-R-N-E-R.

2 MR. FRIGO: And you're a train operator?

3 MR. TURNER: Yes.

4 MR. FRIGO: Okay.

5 MR. TURNER: Train operator.

6 MR. FRIGO: And Owen -- well, is it okay if we go on a first
7 name basis?

8 MR. TURNER: That's fine.

9 MR. FRIGO: Thank you. Is it okay if we record our
10 conversation today?

11 MR. TURNER: Yes, it is.

12 MR. FRIGO: Thank you, Owen, and do you wish to have a
13 representative with you today?

14 MR. TURNER: Yes.

15 MR. FRIGO: Okay.

16 MR. PAGE: Scott Page, P-A-G-E, Delegate for the Green Line
17 Boston Carmen's Union.

18 MR. FRIGO: Okay. Thank you.

19 INTERVIEW OF OWEN TURNER

20 BY MR. FRIGO:

21 Q. Owen, thank you, again, for coming in.

22 A. All right.

23 Q. You know, I know you got banged up a little bit and I, you
24 know -- I'm just, you know -- I'm thankful that you're here to
25 help us understand what happened and, you know, help us learn, you

1 know, some of the things that happened during the accident. You
2 know, how have you been a train operator?

3 A. Seven to eight years.

4 Q. Seven to eight years. Do you remember when you started at
5 the T?

6 A. Yeah, it was September 22nd, 2014.

7 Q. Okay, and were you hired on as an operator?

8 A. Yes.

9 Q. Okay. Is that the only job title that you've had at the
10 MBTA?

11 A. Yes.

12 Q. Okay, and do you have any -- prior to joining the MBTA, did
13 you have any other transportation experience?

14 A. Uber driving my own car and stuff like that.

15 Q. Okay. But no, like, railroad experience or --

16 A. No.

17 Q. -- or anything like that? Okay, and the entire time you've
18 been an operator?

19 A. Yes.

20 Q. Okay, and would that be both -- is that just light rail or
21 is --

22 A. Yes.

23 Q. It is. Okay. The -- so this is the -- are there more lines
24 than just the Green Line or is that the only light rail?

25 A. I think the Green Line is the only light rail.

- 1 Q. Okay.
- 2 A. Orange, blue, red is heavy --
- 3 Q. Heavy.
- 4 A. Assorted heavy.
- 5 Q. Okay. So you're just working on the --
- 6 A. (Indiscernible.)
- 7 Q. Okay.
- 8 A. I guess it's light.
- 9 Q. Okay. So but you're just working on the Green Line?
- 10 A. Yes.
- 11 Q. Okay, and that -- okay, and that would be for that full-time?
- 12 A. Uh-huh.
- 13 Q. All right. Do you remember your training at all? Was it
- 14 just training when you started?
- 15 A. Yeah, there was a lot of training. I don't know how long it
- 16 was, but we did a lot of training.
- 17 Q. Okay, and do you remember if after that initial training has
- 18 there ever been any refresher training or anything in the past
- 19 seven to eight years that you --
- 20 A. Yeah.
- 21 Q. -- can recall?
- 22 A. Yeah. They have refreshers and they have you come in and
- 23 recert.
- 24 Q. Okay. Okay.
- 25 A. Recertify.

- 1 Q. The certification?
- 2 A. Recertification.
- 3 Q. Yeah.
- 4 A. Yes.
- 5 Q. Okay. What's some of the stuff that they do during that? Do
6 you they give you, like, a written exam or --
- 7 A. Uh-huh. Both.
- 8 Q. Both? Okay.
- 9 A. Both. So it's written exam and hands on.
- 10 Q. And hands on?
- 11 A. Yeah.
- 12 Q. Okay, and is that in the classroom or is that out in the
13 field?
- 14 A. Both.
- 15 Q. It's both?
- 16 A. Uh-huh, and the class. But it's mostly in the class and then
17 towards the end, they have everyone go out and train on the line.
- 18 Q. Okay. Okay, and then how -- like, how many different types
19 of equipment are you trained to operate?
- 20 A. All of them, Type 8, Type 7, and Type 9.
- 21 Q. Okay. All right, and then do you also -- do you -- we heard
22 from some of the other operators that we spoke to that sometimes
23 they'll get assignments in the car shop or --
- 24 A. Yes. I'm car house qualified.
- 25 Q. Okay. So you could work in the car house too?

1 A. Yes.

2 Q. And is it -- are there any other qualifications that you have
3 that would impact your job assignment?

4 A. Flagging, I guess.

5 Q. Flagging also?

6 A. Yeah.

7 Q. Okay.

8 A. Yeah.

9 Q. All right. Okay. That's a lot. That's a lot to do. In
10 this job assignment that you're on now, how long have you been on
11 this assignment?

12 A. All eight years.

13 Q. Okay, and then what about the -- I don't know the right
14 terminology, but when you go through a pick and you select your --

15 A. Work.

16 Q. -- your work, this work that you're currently on right now,
17 how long have you had this work?

18 A. Pretty much all the eight years but because I like the BC
19 line out of the rest of them. I don't know. I just prefer BC.

20 Q. You like the BC line?

21 A. Yes.

22 Q. And do you find that from pick to pick you're able to usually
23 get the same run times?

24 A. No.

25 Q. No?

1 A. Just flag days, like, I'm usually working anywhere from
2 11:00, 12:00, 3:00. I think the latest I started was, like, maybe
3 4:00.

4 Q. Okay.

5 A. So as -- I guess it would be considered mid-work.

6 Q. Yeah, like the mid-day kind of?

7 A. Uh-huh.

8 Q. All right, and so you're always -- you've always been BC
9 line? That's your thing?

10 A. Not in the beginning. They had me at Riverside. They had me
11 at Cleveland and -- and P Street.

12 Q. So different locations originally, but --

13 A. Yeah.

14 Q. -- but lately?

15 A. Once you start to be here a little bit, kind of pick better
16 picks then I chose BC and I always chose to stay there.

17 Q. Okay. What's your preference for BC?

18 A. Honestly, it's because there was a -- I had liked someone
19 that was there, so I wanted to be around that person.

20 Q. That's good enough reason for me. That makes sense, and your
21 -- the -- if we look at the week, you know, that ended on Friday,
22 what -- can you remember what days you worked that week?

23 A. Wednesday, Thursday, Friday, drive to lunch, Trail 3, I -- my
24 on-time is 3:04 and I believe my takeout time is 3:19 for the
25 first trip.

- 1 Q. For the first trip?
- 2 A. Yeah.
- 3 Q. So that would've been on that Friday?
- 4 A. Yes.
- 5 Q. Okay. So 3:04 and you report on at Boston College?
- 6 A. Yes.
- 7 Q. Okay. How far do you live away from that location?
- 8 A. Depending on traffic, 20, 30 minutes.
- 9 Q. Okay. Do you drive there?
- 10 A. Yes.
- 11 Q. You drive there. Okay. So you're leaving your house 2:15,
- 12 2:30?
- 13 A. No, because I hear stories that people would try to leave and
- 14 then their tire got flat or something. So I go to -- I leave
- 15 early.
- 16 Q. Okay.
- 17 A. So I'm usually there, like, 1:00.
- 18 Q. Oh, you -- okay.
- 19 A. Yeah.
- 20 Q. All right. So you leave your house, what, about 12:30?
- 21 A. Yeah.
- 22 Q. Okay.
- 23 A. And I get up, make sure I do what I got to do, take care of
- 24 my mom and then it's off to work.
- 25 Q. Okay. All right, and when you get there, what are you

1 usually doing because you -- it sounds like you've got an hour,
2 hour and a half to --

3 A. About 2:00.

4 Q. About --

5 A. 2:00 something.

6 Q. Yeah.

7 A. I meditate. I check my -- my mail.

8 Q. Uh-huh.

9 A. I read a lot. I try and find ways to be productive for
10 myself. I plan for retirement, so --

11 Q. Okay.

12 A. -- I'm into that. So basically get -- or I go in, you know,
13 chit chat a little bit with people, say hi, speak to the officials
14 so they know I'm there.

15 Q. Okay, and when you talk to the officials, like, so that they
16 know you're there, what -- how -- can you walk me through that?

17 Like --

18 A. Park the car. Depending on when I feel like going, but it's
19 usually before -- between 2:00 and 2:30 and then I'll go and then
20 I'll ask if they need me early --

21 Q. Uh-huh.

22 A. -- or can I, you know, show up on time.

23 Q. Uh-huh.

24 A. Which doesn't mean 3:19 because you have to leave at 3:19.

25 So I'm there around maybe 3:10 --

- 1 Q. Okay.
- 2 A. -- depending because sometimes the other trains come in late.
- 3 So --
- 4 Q. So depending on what's happening?
- 5 A. Yeah.
- 6 Q. Okay.
- 7 A. And they have my number and I'm in my car. I let them know.
- 8 Q. Oh, so you're hanging out in your car?
- 9 A. Yeah.
- 10 Q. And then they'll call you if they need you?
- 11 A. Yes.
- 12 Q. Okay.
- 13 A. Or just some -- some of them call me or I just go in early.
- 14 Q. Okay, and what are some of the things that -- I mean do they
- 15 ask you how you're doing? I mean what are some of the questions
- 16 they might ask you when you report on?
- 17 A. They're really busy with their work --
- 18 Q. Okay.
- 19 A. -- and I kind of don't want to bother or interrupt them, so I
- 20 just hi, how you doing?
- 21 Q. Okay.
- 22 A. As long as I get eye contact and I say hi and they know me, I
- 23 have a good reputation of being there.
- 24 Q. So that's what they're looking for? They're kind of just
- 25 looking for that check in and --

- 1 A. That I don't know.
- 2 Q. Okay. All right, and so on this day, on Friday, did you get
3 -- kind of get there around that? Between 1:00 and 2:00, is that
4 your --
- 5 A. Yeah. I was there, like, around 1:00.
- 6 Q. Okay.
- 7 A. 1:00 something.
- 8 Q. All right, and what'd you do? Can you walk me through kind
9 of what you were doing from 1:00 when you got there until when
10 you --
- 11 A. I had bought me a crunch roll, brought it to work. Break is
12 kind of short and we usually get back late, like 30 minutes late,
13 so I decided that day to eat it early and that's when I had my
14 crunch bowl, watermelons, and have a car (sic) that'll cut it in
15 half, and then probably eat half, one half, and then eat the other
16 half later.
- 17 Q. So like a crunch bowl?
- 18 A. Oh, the crunch bowl is --
- 19 Q. Yeah.
- 20 A. -- chicken -- it's chicken, shrimp, rice, vegetables.
- 21 Q. Okay.
- 22 A. Stuff like that.
- 23 Q. So enough to fill you up for the ride for work?
- 24 A. Yeah.
- 25 Q. That's good.

- 1 A. Yeah.
- 2 Q. That's --
- 3 A. But that's, I usually eat at -- eat lighter at Playa Bowl and
4 get, like, a fruit bowl.
- 5 Q. Like a fruit bowl?
- 6 A. Yeah.
- 7 Q. Oh, from Playa Bowl.
- 8 A. Yeah, Playa Bowl.
- 9 Q. Okay. Okay. Okay. So you had some food. Did you -- were
10 you doing anything else that day before?
- 11 A. Yeah. I had time to meditate. I read probably on chapter in
12 my book --
- 13 Q. Okay.
- 14 A. -- and then I went to go meditate that was by the church. I
15 meditated over there and then I decided to go see the official.
- 16 Q. Okay.
- 17 A. Rohan was there, and I don't -- I know him by face, but I
18 don't know his -- his name, young Jamaican kid. I -- I guess he
19 was there by the time I'm supposed to be in, but Rohan was the
20 first person that I seen.
- 21 Q. Okay. All right, and then when it gets closer to your time,
22 what happens then?
- 23 A. I was there probably maybe after 3:00, because I know the
24 other trains -- like, you know now this happen in situation, and I
25 like to be a team player. So I came in early, asked them, "Is the

1 train going to be here on time?"

2 Q. Uh-huh.

3 A. He's like -- he looked at the thing, was, like, yeah, you
4 know, it'll be here. But he -- no, I think he pulled up a train.
5 Pulled up a train and then I was -- waited until my team and then
6 got on that one.

7 Q. Okay, and what's some of the stuff that you do when you get
8 on the train?

9 A. Get on them before the customers, if any are out there, set
10 the machine up, get it warmed up, make sure this is done, that's
11 done, lights, you know, circle check, stuff like that.

12 Q. Okay. Everything was working okay?

13 A. Yes.

14 Q. All right, and nothing stood out to you as a problem during
15 that first check?

16 A. No.

17 Q. Okay. Do you ever talk to -- do you talk to the operator
18 that's in that second car?

19 A. Yes. I consider -- I consider myself. Like, the captain of
20 the ship.

21 Q. Okay.

22 A. So I run -- yeah, people know I leave on time.

23 Q. Okay.

24 A. I don't want know, like, leaving late. I don't know.

25 Q. So you -- so on Friday, once you were on the train getting

- 1 all set up, you -- did you talk to the --
- 2 A. Yes. It's -- her name is Imani.
- 3 Q. Okay. You talked to Imani, and how -- what do you guys talk
- 4 -- like, what's that conversation look like?
- 5 A. Actually, say Hi. I seen she talked to other people.
- 6 Q. Uh-huh.
- 7 A. I'm, like, 3:19. She's, like, yeah, I'll be there.
- 8 Q. Okay.
- 9 A. I'm already on the train. I see her come around and then
- 10 she's going back that way. She's waist high. I say, "hi." I'm
- 11 looking in the mirror. She gets on track break. She tracts break
- 12 just to make sure she's on there, okay, cool, and that -- a cousin
- 13 was coming on helping them with money, stuff like that.
- 14 Q. Okay.
- 15 A. It was a lot of people had money that day.
- 16 Q. Okay, and is there any communication over the radio or
- 17 intercom between the two of you before you leave?
- 18 A. Not that I -- I remember --
- 19 Q. Okay.
- 20 A. Not that I remember.
- 21 Q. Okay. Is that pretty typical or --
- 22 A. It depends on the other one, but I try not to stay on the --
- 23 the radio.
- 24 Q. Okay.
- 25 A. Yeah.

1 Q. Okay. So you -- do you remember what time you guys actually
2 left out there?

3 A. 3:19.

4 Q. At 3:19, because that's your time?

5 A. Yeah.

6 Q. Okay, and how was the run?

7 A. First run was fine. Smooth, no problems. Came back. I sit,
8 brought around, parked it, stand by neutral and exit the train and
9 went to the lobby and just waited for the next one.

10 Q. Okay. So that first train that you were on, is that the one
11 that you then get back on?

12 A. That I don't know.

13 Q. Okay. So let's just -- let's talk about that first trip from
14 BC into the loop, right?

15 A. Uh-huh.

16 Q. How was it handling, good train?

17 A. The first trip?

18 Q. The first trip?

19 A. Yeah. It was fine.

20 Q. Okay. Anything stand out to you during the trip? Any -- I
21 think you said there were a lot of people paying with cash?

22 A. Yeah. That's what I remember the most because it's -- that's
23 -- you have to know how to be able to, like, for whatever reason,
24 the first person is usually someone with -- someone with cash. So
25 it's, like, okay, can you stand to the side for a second please

1 and -- let everyone else tap and I'll tell them that and they're
2 kind of used to it because, you know, because you usually see the
3 same people on the same run. They're, like, okay, you know. They
4 wait their turn and -- but I'm helpful. When they come back, you
5 press this, you press that, put that in there.

6 But I'm glancing, watching, make sure that, you know, it's a
7 five or a 10 or 20 --

8 Q. Uh-huh.

9 A. -- and that's about it. But I'm listening because I can
10 tell, ding. You can tell by the beeps. So yeah.

11 Q. So you're making sure no one's sneaking on also?

12 A. Yeah.

13 Q. All right, and is this while -- you're still stationary,
14 right?

15 A. Uh-huh.

16 Q. Yeah. Okay. So you had a good train --

17 A. Uh-huh.

18 Q. -- on your way into the loop?

19 A. Uh-huh.

20 Q. You get off. So --

21 A. At the loop.

22 Q. Well, where do you get off at?

23 A. Oh, you mean all the way back at BC?

24 Q. Oh, you get all the way -- you go all the way around?

25 A. Yeah. They --

1 Q. Okay.

2 A. -- or no one took us off, so I brought it around. Sometimes
3 there's people that take you off, which is helpful because you
4 have to go to the bathroom. But brought it around, standby
5 neutral, and then exit the train and went to the lobby.

6 Q. Went to the lobby, and how long were you in the lobby?

7 A. It was a pretty good run. I would say we came back early.
8 Not early, early but we came back early enough to, you know,
9 stretch the legs.

10 Q. Okay.

11 A. Maybe back five -- five -- a few minutes.

12 Q. Okay.

13 A. I'm not quite sure, but it was enough time to stretch the
14 legs and then Imani could go to the bathroom and I could go to the
15 bathroom, kind of waited and then it was our trip time again.

16 Q. And then it was your trip time again.

17 A. Yeah.

18 Q. And what was -- what time was that next one at?

19 A. Second one was at 5:01.

20 Q. Was at 5:01. Okay, and then is it that you follow the same
21 routine? You get on --

22 A. Yes. What I did before.

23 Q. Check everything?

24 A. Uh-huh.

25 Q. Everything was okay --

- 1 A. Yeah.
- 2 Q. -- to you?
- 3 A. Yeah.
- 4 Q. Okay. You talked -- and Imani's with you for the next trip
- 5 too?
- 6 A. Uh-huh.
- 7 Q. Okay. So it's kind of the same thing, the brake test --
- 8 A. Uh-huh.
- 9 Q. -- and any communication between the two of you before that
- 10 5:01 trip?
- 11 A. Yeah. She had that disgruntled person, but it's nothing that
- 12 she can't handle. But I tell her to just let me know or track
- 13 brake if something happens.
- 14 Q. Okay.
- 15 A. So if she needs helps, I can come back there.
- 16 Q. Okay. So you guys leave out at 5:01?
- 17 A. Yes.
- 18 Q. And how's that run going?
- 19 A. Same thing. Money. That's -- that's why I remember because
- 20 just, like, everybody had money.
- 21 Q. Everybody had cash again?
- 22 A. You remember those, yeah, because that slows us down a lot
- 23 because they're, like, put the money on --
- 24 Q. Okay.
- 25 A. -- or they don't know how to put it in and, you know, you --

1 so you've got to wait and help them out.

2 Q. All right, and when you say it slows you guys down, are you
3 guys trying to keep to a schedule? Are there certain time points
4 that you have to be in certain locations?

5 A. No, not -- not really that I -- no, not really. I don't
6 think so. It's just that -- I don't know. It's just easier when
7 people tap and then all of a sudden, it's, like, the -- or people
8 come with change and it's one coin at a time. Like, really?

9 Q. So it's more that it's kind of -- it's messing up the flow?
10 Like it's --

11 A. Yeah.

12 Q. -- it's there's no -- when you say it's slowing you down,
13 there's no --

14 A. Yeah. There's just -- it happens. It happens. But --

15 Q. Okay.

16 A. -- you know, it's just, like --

17 Q. There's no reason to speed up then, right?

18 A. No.

19 Q. Okay. All right. All right. So you guys -- no issues with
20 the train?

21 A. None.

22 Q. Everything's working okay?

23 A. Uh-huh.

24 Q. Good radio communication?

25 A. Yeah. I check that. I could -- I could hear the radio good.

1 Q. Okay.

2 A. So --

3 Q. What are some of the stuff you heard on the radio that
4 afternoon?

5 A. I don't know because you're focused on driving. The thing
6 that I do is I listen for my number for the train to be called.
7 So I do that too. Like, I'll, like, that train was 3894.

8 Q. Okay.

9 A. That's the one -- second one that I was on and I'll say it to
10 myself a few times or I'll say 894. So sometimes they call 894 or
11 they'll call 3894. So I try and say it a few times so because if
12 I hear it, then I can pick up the phone and answer it.

13 Q. So you're listening for your train really?

14 A. Yeah.

15 Q. Okay.

16 A. And everything else is just --

17 Q. It's other chatter?

18 A. Yeah.

19 Q. Okay.

20 A. You listen to it, but it's, you know -- you filter out what
21 the stuff that you need --

22 Q. Okay.

23 A. -- like an official being in the --

24 Q. Uh-huh.

25 A. -- (indiscernible) you're, like, okay, I know they're going

1 to be there or such and such. But it's just -- if it's, like,
2 Riverside or Cleveland, you're just, like, phew, just let it go.

3 Q. And everything in -- everything was working?

4 A. Uh-huh.

5 Q. You heard the radio?

6 A. Yeah.

7 Q. Okay. So you guys are going along --

8 A. Uh-huh.

9 Q. -- what happens?

10 A. Come around the loop. We met the other train or pretty much
11 near there either BU East or BU West. We was close to them around
12 there and they went across the bridge first and I waited. I don't
13 like having a whole bunch of trains on that bridge because before
14 they fixed it, like, you could see down in the --

15 Q. Okay.

16 A. -- hole, so I'm kind of, like, a little hesitant about that.
17 So they go, waited, I go. I don't know about BU West if we picked
18 up anyone or not, and then St. Paul, they wasn't on St. Paul. I
19 don't remember picking up anyone or letting anyone off. All I
20 remember is I had the vertical light. I went to go black and then
21 that's when the accident happened over there.

22 Q. Okay.

23 A. From my vantage, I was up, and I was, like, why am I up,
24 because I questioned myself in the head. Like, why am I up and
25 I'm looking in the corner right here. So I turn my head forward

1 and then the train was in front of me. I'm, like, why is the
2 train in front of me?

3 And then that's when the customers in the back were, like, oh
4 God. They was, like, panicking but something in my head was, like
5 -- I went back there. So I'm, like, I can't panic because they're
6 going to panic if they see me panicking. So I stayed calm. I
7 was, like, "It's fine. It's fine. It's just a little bump," just
8 so they'd calm down.

9 But they really wanted to get off the train because -- there
10 was, like, a -- a gray mist or something. It wasn't smoke because
11 I didn't smell smoke, but it was something and I think it was,
12 like, maybe dirt or something because when I made it to the
13 hospital, the nurse said, "Look at your mask," and I looked at it.
14 It was, like, all black right here.

15 We opened up the A -- no, first I tried the A3 door but that
16 got stuck because of the cement that was there and we couldn't --
17 we two -- there was me and maybe two other guys, customers, we
18 tried to pry it open. Nothing. So I said, "Okay. Let's try the
19 next one." Nothing again, and then that's when I got a little
20 worried but, you know, I stayed calm.

21 I was, like, "One more door." Went to that one. It opened
22 up and then I was like, "Everyone, come off the train this way."
23 So they got off. I did ask if everyone's okay. Everyone said
24 yeah but then one guy was, like, there was a lady sitting in the
25 back and her head was bleeding and then I asked her if she was

1 okay. She just kind of nodded, and after that I just didn't see
2 her, but I know she got off the train.

3 Q. Okay.

4 A. The first person on the scene, I don't know if it was MBTA.
5 There was a, like, maybe stocky, muscular white guy, but he was
6 old. He had a beard and I remember him and then I was just, like,
7 oh, good and you take over and -- and then after that, after I
8 relinquished it to him, it was, like, the pain in my side, that
9 kicked in and then it was just that at first and I was, like, oh.

10 I thought, like, oh, why's that hurt, and then another
11 officer came and he was definitely tall, skinny MBTA and then he
12 was saying, "Stay on the train. No one can talk to you. You're
13 going to stay here," and then he -- every five or 10 minutes, he
14 kept asking if I was okay and then I'm -- because I was wondering.
15 I'm, like, why's he keep always asking me that.

16 But I noticed and thought about it, because I kept putting my
17 head down like that and I was holding my side and then I'm, like,
18 oh, he probably thinks I'm going to pass out or something and then
19 later on, that's when, I forget her name, but MBTA police, the
20 lady, came and then she came, asked me questions.

21 Another white guy, gray beard, he didn't say too much. I
22 think he asked one question, then that was it. But she asked the
23 most questions. They were done, and then they asked, like -- I
24 think they gave me an ice pack. So I held it there and then
25 they's like, "Do you need the ambulance," and I was, like, I

1 thought about it and I was, like, "Yeah. I think I'll take the
2 ambulance."

3 And as I'm getting off the train, that's when my pelvic and
4 hip bone there, that's when that kicked in and I was, like, "Uh,"
5 and then it just, as I'm walking, it wouldn't let me walk on that
6 leg. So we made it to the -- I think they -- they helped me to
7 the ambulance and got on and that's when they took me to Mass
8 General.

9 Q. Do you remember -- did you call the dispatcher after the
10 accident?

11 A. No, because I had turned to take care of the customers. As
12 I'm walking down, I seen the back door ajarred and I seen Imani
13 and she was up and I seen her on the phone and I could hear her,
14 because the -- the other end was open and the radio was working,
15 and I'm, like, okay. Good. She's calling --

16 Q. Okay.

17 A. -- Dispatch. She had called Dispatch and she hit the -- from
18 what I know, she hit the button and so I went back, started taking
19 care of the customers.

20 Q. Okay. So you saw her --

21 A. Yes.

22 Q. -- and you could hear it because the -- there was --

23 A. The -- yeah.

24 Q. -- something was open?

25 A. It was ajar. It popped open --

1 Q. Okay.

2 A. -- and I could hear the radio -- the radio.

3 Q. Okay, and I just want to make sure we captured this
4 correctly. So when you were -- you remember waiting at the
5 bridge, because you were --

6 A. Yeah. I --

7 Q. -- you were close?

8 A. -- didn't just --

9 Q. Okay, and then coming into St. Paul, do you remember at all
10 where that train in front of you was?

11 A. No.

12 Q. Okay.

13 A. And I had -- the police came Saturday, and we had a talk and
14 I -- from my recollection, I know I had stopped -- like, there's
15 St. Paul and then there's that -- that sign. It wasn't white at
16 first. So I'm -- they're sure that I stopped, but now I don't
17 know but I do know it was white and I had went and then after that
18 everything went black.

19 Q. Okay. Do -- so when was the last time that you remember
20 seeing that train in front of you?

21 A. Coming over the bridge, BU West, and then I'm not sure if I
22 seen them at -- at St. Paul. I'm not going to guess that. I'm
23 not sure.

24 Q. Yeah. Please -- yeah. I don't want you to guess anything.
25 But definitely at the bridge, right?

- 1 A. Yeah.
- 2 Q. Okay.
- 3 A. Yeah.
- 4 Q. All right, and how many stops are there between the -- when
5 you get over the bridge and St. Paul? There's --
- 6 A. There's a bridge, BU West, the new platform, intersection,
7 St. Paul.
- 8 Q. Anything -- do you remember anything unique going on in that
9 area? Any distractions or anything that might've took your
10 attention away from --
- 11 A. Uh-uh. No.
- 12 Q. Okay. What do you think happened?
- 13 A. I don't know.
- 14 Q. Okay. All right. I know, like, in one of the statements I
15 saw, it said that you thought that maybe you fell asleep?
- 16 A. I said I -- I believe I fell asleep.
- 17 Q. Okay.
- 18 A. Because it's -- in my mind, it's a process of elimination. I
19 don't drink. I don't smoke. I'm pretty healthy. My phone was in
20 the car.
- 21 Q. Uh-huh.
- 22 A. I didn't bring that and when the police get done with my
23 phone, you guys will see that and that's an assumption but, like I
24 said, St. Paul and that's it.
- 25 Q. So you're just -- you're kind of just going off of -- you're

- 1 doing it in your head. You're trying to figure it out?
- 2 A. Yeah.
- 3 Q. Has that ever happened to you before?
- 4 A. No. No.
- 5 Q. Okay, and are you taking any over the counter --
- 6 A. No.
- 7 Q. -- medication or any prescription?
- 8 A. No.
- 9 Q. No?
- 10 A. I don't even do that.
- 11 Q. Okay. Do you see a doctor regularly?
- 12 A. No.
- 13 Q. Do you know the last time -- like, do you have to see a
- 14 doctor in order to, like, get recertified?
- 15 A. Yes.
- 16 Q. You do. Would that have been the last time that you --
- 17 A. I had a drug test this year. I don't know when but I'm sure
- 18 they got the records on that and, as always, I passed that. I
- 19 passed the eye test. I passed the hearing test.
- 20 Q. Okay. So that's what they do? It's a drug test, high --
- 21 hearing and --
- 22 A. And an eye.
- 23 Q. -- and eye. What about the last time you might've seen,
- 24 like, a doctor for, like, a physical where maybe they check your
- 25 blood pressure, they listen to your heart?

1 A. MGH, when -- when the accident happened.

2 Q. When the accident happened, and what about before that? Can
3 you remember?

4 A. The drug test.

5 Q. The drug test?

6 A. The random.

7 Q. The random?

8 A. It was a random. Yeah.

9 Q. Okay. Any times before that? Like, if you had to go to
10 urgent care, like, if you got sick or something, especially with,
11 you know, with the -- with COVID and everything? Have you -- did
12 you have to go to urgent care in the past year and a half or
13 anything?

14 A. Uh-uh.

15 Q. Nothing. Okay. Do you, like, drink any, like, herbal teas
16 or any -- anything like that?

17 A. No, it's mostly water or, like, juice smoothie or something
18 from Juice Up or something or from Playa Bowl.

19 Q. Okay. Any vitamins or any supplements, like vitamin
20 supplements or anything?

21 A. No.

22 MR. FRIGO: No. Okay. Owen, thank you. Thank you. Thank
23 you so much. I'm going to pass it off to my right and if you
24 could just reintroduce yourselves when you go around, again, for
25 the transcriptionist. But thank you --

1 MR. TURNER: Sure.

2 MR. FRIGO: -- Owen.

3 MR. CARNEY: David Carney, C-A-R-N-E-Y.

4 BY MR. CARNEY:

5 Q. I just hope you're feeling better soon.

6 A. Thank you.

7 Q. Do you recall having any problems with the brakes on that
8 second train that you had throughout --

9 A. Uh-huh.

10 Q. -- the trip at all?

11 A. No.

12 Q. Was there any damage so that you had any difficulty getting
13 from the operator's cab into the passenger compartment or was that
14 open, no problems?

15 A. Can you explain that? I don't --

16 Q. Yeah. So you're sitting in the seat in the operator's cab --

17 A. Uh-huh.

18 Q. -- after the accident occurred. Were you able to just get up
19 and normally get into the -- where the passengers sit or did you
20 have to somehow --

21 A. Wiggle out?

22 Q. Yeah.

23 A. No. Like I said, when I came to, I was looking in the
24 corner, the left right here, and then I looked forward and then I
25 seen a train and then I was, like, why is the train in front of me

1 and then that's when I heard the back of the -- the customers
2 panicking and then, I don't know, I just turned and went to them.

3 Q. Okay. So no significant damage that you had to work through.
4 Okay.

5 A. No.

6 MR. CARNEY: I think that's all I have. Thank you.

7 BY MS. LEGROW:

8 Q. Hi Owen.

9 A. Hi.

10 Q. Kate Legrow. I'm going to ask you a couple of questions.
11 I'm really glad that you came in to talk to us today. This is
12 going to be really --

13 A. You're welcome.

14 Q. -- helpful for us. You mentioned that before you left home
15 you were taking care of your mom?

16 A. Uh-huh.

17 Q. Do you live with your mom?

18 A. Yes.

19 Q. Yeah. Do you have any -- is she healthy? Is she --

20 A. Yeah. She's in good spirits.

21 Q. She's in good spirits. All right. Is there any family
22 stress? Is it hard? Is it just you doing that or is it other
23 people helping you?

24 A. I do have a brother. He's a younger brother and I have --
25 before, I was living with the mother of my child, but that didn't

1 work out so that's why I'm back home with my mom --

2 Q. Okay.

3 A. -- and I help her out from there. But I'm trying to get out.

4 Q. Okay. Is there any stresses in your life that could've
5 caused you some distraction that you were thinking about while
6 you're driving or that were bothering you?

7 A. No. No one was up there with me.

8 Q. Okay.

9 A. I wasn't talking to anybody.

10 Q. How'd you sleep the night before on Thursday night? Do you
11 have any trouble sleeping?

12 A. I woke up early Thursday and I woke up early that Friday
13 around 8:30 Thursday. I forced myself to go back to sleep. I
14 probably would've got up and went to the gym, but, like I said,
15 Wednesday, I did leg day and my legs were hurting. So I took a
16 rest.

17 Friday, I woke up early and then I -- I felt good. I was,
18 like, I'll go to the gym.

19 Q. Okay. How many times a week do you usually go to the gym?

20 A. As many times as I can go. I do mark it down on my calendar.
21 Last month, I went a lot. This month, I didn't seem to go too
22 much.

23 Q. Okay.

24 A. Maybe twice or three times.

25 Q. Was it because there was something wrong or just --

1 A. I don't know. Sometimes you just get a little burned out.
2 So it's, like, I'm not going. But I try to go as much as
3 possible.

4 Q. Do you have a personal physician or a family doctor?

5 A. From insurance? Yeah, but I don't -- I don't see them.

6 Q. Okay.

7 A. So I --

8 MS. LEGROW: And I think that's all I have for now. Thank
9 you.

10 MR. EVERS: How you doing?

11 MR. TURNER: Hi.

12 MR. EVERS: Jim Evers.

13 BY MR. EVERS:

14 Q. I know the piece that you were talking about maybe sleeping
15 during this confusing time. You're nervous obviously. That was
16 -- was that a suggestion to help with the people asking what any
17 ideas of what happened?

18 A. It was --

19 Q. I'm just making sure --

20 A. -- it was more --

21 Q. -- it's on the record.

22 A. -- my own thoughts and picking up from what they was doing.

23 I was tell -- they was trying to piece this and that together and
24 so was I.

25 Q. All right. So but for the record, you're not aware that you

1 fell asleep, correct?

2 A. No.

3 MR. EVERS: Okay. All right. I'm good. Thank you.

4 MR. ROMAN: How you doing?

5 MR. TURNER: Hi.

6 MR. ROMAN: Paul Roman, DPU. I don't have any questions for
7 you at this time.

8 MR. TURNER: Okay.

9 MR. ROMAN: Thanks.

10 MR. CARVALHO: Dave Carvalho, DPU.

11 The only question I have, do you know what the speed limit is
12 to -- when you're going over that bridge into St. Paul?

13 MR. TURNER: I --

14 MR. CARVALHO: The posted speed limit. I don't know if
15 there's a speed restriction out there, but is -- what, are the
16 posted speed limit what it usually is?

17 MR. TURNER: I don't know offhand.

18 MR. CARVALHO: That's all I have.

19 MR. CULP: Thank you for coming in, Owen, today. Steven
20 Culp, MBTA Safety.

21 BY MR. CULP:

22 Q. Do you know approximately how many people were in your car at
23 the time?

24 A. Anywhere from one to 10 maybe.

25 Q. And of the people in your car, do you know approximately how

1 many of them were transported for medical besides yourself?

2 A. Besides myself of the customers? Just it has to be the lady
3 that was bleeding from the head I'm sure, but I'm guessing, and
4 there was an Asian lady and I did -- I spoke on the phone with --
5 with her daughter because she didn't speak that well of English
6 and her daughter wanted to know what was going and I explained it
7 to her and she asked where we was and I said, "Pleasant Street
8 across from Cane's Chicken," and I did see her at MGH and I did
9 saw her."

10 Q. Now one of the things you had mentioned earlier is that you
11 were slowed down a lot because of people using a lot of cash, but
12 you also said you got back early.

13 A. Uh-huh.

14 Q. Just --

15 A. Yeah. That's why I'm surprised.

16 Q. Okay, and did you -- after the incident, did you have any
17 interaction with the operators of the car that was ahead of you?

18 A. Not until -- like I could see them. Charlemagne was
19 distraught. As for Imani, she was in the ambulance with me. She
20 did ask if I was okay. I asked her if she was okay. We was both
21 kind of quiet the whole time and then we went separate. We didn't
22 know where King was but come to find out when they was bringing me
23 to the scans, I looked to the right and King was, like, in the
24 next room. So we found her -- well, Imani found her too.

25 Q. So all four of you went to the hospital?

1 A. I don't know about Charlemagne.

2 MR. CULP: (Indiscernible.)

3 MS. GOMES: Hi.

4 MR. TURNER: Hi.

5 MS. GOMES: Alicia Gomes. Thank you for coming in.

6 MR. TURNER: No problem.

7 BY MS. GOMES:

8 Q. So you wear glasses?

9 A. Yes.

10 Q. Are they prescription?

11 A. Yes.

12 Q. Okay. Did you wear your glasses --

13 A. Yes.

14 Q. -- the day of?

15 A. All the time.

16 Q. And you normally do?

17 A. Uh-huh.

18 Q. Okay. I just want -- I have one -- a couple of questions to

19 clear something up. I know you said the first person that was on

20 scene that you remember is a stocky guy, a stocky muscular guy.

21 Was it an MBTA person that you recognize or you just don't --

22 A. I'm assuming --

23 Q. -- and you don't know their name or --

24 A. I'm assuming it was MBTA because it was, like, blue and black

25 and it was just blue and black, and I seen him with the doors

1 and --

2 Q. They weren't in uniform or anything like that? They --

3 A. I don't --

4 Q. -- any uniform that you, you know -- you're familiar with?

5 A. Yeah. I'm assuming it was them because the -- I seen some
6 kind of insignia on the back and I assumed that was either us or
7 regular police.

8 Q. Okay. Then my last question is, are you aware of any sort
9 of, like, rules or policies or anything like that for spacing of
10 cars or do you know if there's any --

11 A. Yes.

12 Q. -- you know, how --

13 A. Five poles.

14 Q. Five poles?

15 A. Five poles.

16 Q. Okay, and do you know if that's how far you were from --

17 A. Yes.

18 Q. -- when the last --

19 A. I count the poles. I count them.

20 MS. GOMES: Okay. That's it. Thank you.

21 DR. GARCIA: Anne Garcia. Thank you, again, for coming in --

22 MR. TURNER: No problem.

23 DR. GARCIA: -- and for explaining this to us. It's a big
24 help. So I have a number of questions, but they're kind of
25 scattered. Some are following up from other questions.

1 MR. TURNER: Okay.

2 DR. GARCIA: Okay. So I might jump around a little bit,
3 okay?

4 BY DR. GARCIA:

5 Q. Stepping back to what Ryan was talking about, your schedule
6 for the week, I would like to kind of walk through that day by day
7 as best as you can remember. So the accident happened on Friday,
8 July 30th?

9 A. Uh-huh. Yes.

10 Q. So from Sunday through to Friday, what was your work week
11 like?

12 A. I do Mattapan 2:00 to 10:00 --

13 Q. I'm sorry. I just mean which days were working and then
14 we'll go through what times.

15 A. I have Wednesday -- I work Wednesday, Thursday, Friday,
16 Saturday, Sunday and I have Monday and Tuesday off.

17 Q. Okay. So on Sunday, do you have a regular schedule every
18 week for each day?

19 A. Yeah. The work that I pick, I try and pick something that's
20 consistent. I don't like bouncing all over the place.

21 Q. Okay. All right. So let's go ahead and just start with
22 Saturday and Sunday.

23 A. Uh-huh.

24 Q. What hours were you working?

25 A. Mattapan 2:00 to 10:00.

- 1 Q. 2:00 to 10:00. So that's p.m.?
- 2 A. Yes, p.m. until --
- 3 Q. Okay.
- 4 A. -- 10:00 p.m.
- 5 Q. Okay. Good. So on Saturday, what time would you generally
- 6 wake up in the morning?
- 7 A. Depends. I might go to the gym or if I don't, I'll sleep in
- 8 as best I can and probably around 10:00 or 11:00.
- 9 Q. Okay, and do you usually have breakfast at home? Is --
- 10 A. No. No. I usually don't eat at home.
- 11 Q. Okay.
- 12 A. Unless it's, like, a piece of fruit or something like that.
- 13 I could just grab it and go.
- 14 Q. Okay. So when do you have breakfast?
- 15 A. I'm not a breakfast person. I usually don't eat breakfast.
- 16 Q. Okay. So what time do you leave the house to go to work then
- 17 on Saturday?
- 18 A. I'm usually there around 1:00 or so because it's so close to
- 19 where I live at. It only takes, like, tops maybe 15 minutes to
- 20 get there.
- 21 Q. Okay.
- 22 A. I could walk there if I wanted to.
- 23 Q. So that would be 12:45 you leave home to get there at 1:00?
- 24 A. I mean, yeah, around 12:00 -- no, around 12:00 or something
- 25 I'll probably be going. I get my mother's donuts and coffee, come

1 back, give it to her and then it's around 1:00 or so I'm heading
2 out.

3 Q. Okay. Okay. Good. So do you take lunch with you or you
4 get --

5 A. Sometimes, yes.

6 Q. Okay. If you don't, there's a place for you to get lunch?

7 A. Yeah. There's plenty of stuff, but I -- I try not to eat
8 there because it's just Burger King, pizzas, you know, stuff like
9 that.

10 Q. Uh-huh.

11 A. I try to bring my own food.

12 Q. Okay, and what time is your lunch break?

13 A. Usually probably 5:00 or 6:00. It's about 30 minutes.

14 (Phone rings.)

15 Q. On Saturday, it would be --

16 UNIDENTIFIED SPEAKER: I'm sorry.

17 MS. GOMES: -- your lunch break would be 5:00 to 6:00 or
18 around there?

19 MR. TURNER: No. It's -- it's either 5:00, 5:30. It depends
20 on I make sure that whatever's need done is done.

21 MS. GOMES: Gotcha.

22 MR. TURNER: I guess usually around 5:00, 5:30, 6:00, 6:30.

23 MS. GOMES: Okay.

24 BY MS. GOMES:

25 Q. And then when would you start work again?

- 1 A. The break is 30 minutes and then it's back to work.
- 2 Q. Okay. So what time would you get off on Saturday? You said
- 3 10 o'clock?
- 4 A. Uh-huh.
- 5 Q. Okay, and then you go home or you go out and do something
- 6 or --
- 7 A. No. Go home.
- 8 Q. Okay.
- 9 A. Get ready for the next day.
- 10 Q. So about 15-minute drive home?
- 11 A. Uh-huh.
- 12 Q. Okay, and when you get home, when do you actually go to bed
- 13 then?
- 14 A. That's a good question. Maybe around 1:00 or 2:00. Anywhere
- 15 from 12:00 to 2:00. Yeah, anywhere around 12:00 to 2:00 because
- 16 you -- you can't just come home and just go right to sleep. Your
- 17 body has to unwind.
- 18 Q. Right.
- 19 A. Shower. See, you know, check mail, phone, all that stuff.
- 20 Q. Uh-huh. So that's Saturday --
- 21 A. Uh-huh.
- 22 Q. -- and then you wake up around 10:00 or 11:00 --
- 23 A. Yeah.
- 24 Q. -- on Sunday?
- 25 A. Probably around --

1 Q. Is your schedule --

2 A. -- 10:00 or 11:00.

3 Q. -- the same for Sunday?

4 A. Yeah, but then I have Monday and Tuesday off. So I'll
5 probably go to bed later because I don't have to work those days.

6 Q. Okay. So what do you do on your days off usually?

7 A. You do all your chores on the -- well, for me personally, I
8 do all my chores, shopping, washing clothes, get your work clothes
9 ready, iron them out. That takes a long time. I go see my son,
10 talk to his mother, make sure everything's all right for both of
11 them.

12 If my son calls me and needs me to come get him, I go get him
13 from school. He's in an afterschool program so he goes from time
14 to time and he might call me.

15 Q. Uh-huh.

16 A. I don't know. It's been raining, like, three or four weeks
17 straight. So pretty much in the house. But if it was nice and
18 sunny, I'll go to the beach --

19 Q. Uh-huh.

20 A. -- meditate over there, reading. I do have a new
21 girlfriend --

22 Q. Okay.

23 A. -- you know, if we're able to meet up, we meet up. Tuesday,
24 try to have fun, just back to the gym, kind of the same thing, go
25 see my son --

- 1 Q. Okay.
- 2 A. -- and we check on my phone --
- 3 Q. Is your sleep schedule the same on your days off, on Monday
4 and Tuesday? Was it the same?
- 5 A. I give myself leniency unless I want to get up early for the
6 gym.
- 7 Q. Okay.
- 8 A. So it's, like, the latest I'll probably stay up is, like,
9 3:00 or 4:00 on Monday. But then on Tuesday, I try not to be
10 until 3:00 so I'm in the bed, yeah, around 2:00 or 3:00 or 1:00.
- 11 Q. Okay. So on this particular Tuesday, do you know if it was
12 2:00, 3:00, 1:00? Do you recall?
- 13 A. No.
- 14 Q. Okay. Okay. So that takes us through Monday, Tuesday. So
15 then Wednesday --
- 16 A. Actually --
- 17 Q. -- that's -- yeah.
- 18 A. Actually, I probably went to bed early because I did go to
19 the gym that Wednesday.
- 20 Q. So you went to bed early when, Tuesday?
- 21 A. I don't remember but I know I woke up early to go to the gym.
- 22 Q. On Wednesday?
- 23 A. Yeah. I woke up early on Wednesday to go to the gym, but I
24 went to bed early Tuesday so I can get to the gym.
- 25 Q. Okay. So you said that normally you go to bed and you --

1 1:00, 2:00 or 3:00, so it was probably on the earlier side, say, 1
2 o'clock, 2 o'clock?

3 A. Yeah, around 1:00 or 2:00 then --

4 Q. Okay.

5 A. -- the gym opens up around 5:00 in the morning.

6 Q. So what time Wednesday did you get up?

7 A. I don't recall, but I didn't go there around 5:00. It was
8 maybe 7:00 or 8:00ish and I leave there probably 10:00 or
9 11:00ish. I'm back 10:00 or 11:00ish, make sure my mom's taken
10 care of and that's -- that's why I come back.

11 Q. Uh-huh.

12 A. And then I -- (microphone interference) usually at work early
13 around 1:00 and then I -- 1:00 or 2:00, and then I'm just in the
14 car.

15 Q. Okay. So that's Wednesdays. Thursday, Friday it's the same
16 schedule pretty much?

17 A. Yeah.

18 Q. Okay. All right. That's very useful. Thank you, and sorry
19 if it --

20 A. No. No problem.

21 Q. -- seems like -- okay -- particulars on that. So that's --
22 thank you.

23 A. No problem.

24 Q. And you mentioned your experience. You've got seven or eight
25 years as a train operator with MBTA, and prior to that, what were

1 you doing? You had some other work?

2 A. No. I worked at MGH, Mass General.

3 Q. Okay, and have you had any education after high school?

4 A. Yes. One year of college, Bunker Hill.

5 Q. Okay. Anything in particular you studied?

6 A. General studies, but I was doing good. I was getting -- was
7 they wanted me to -- in a -- like, a -- this honor roll group or
8 membership --

9 Q. Uh-huh.

10 A. -- but that's when the T had come around. My professors
11 didn't want me to go, but I needed the money so --

12 Q. Yeah. Okay. Thank you. That's very helpful. Now so they
13 took you -- jumping now to the day of the accident, they took you
14 to the hospital?

15 A. Uh-huh.

16 Q. What kind of tests did they do?

17 A. They brought -- the first thing with them was, you know, they
18 ask you questions, phone number, all this other stuff.

19 Q. Uh-huh.

20 A. Then they brought me in the room, laid me down, then I get up
21 and walk over there. I don't know. One of the two, but I -- they
22 put you on another bed and I forget her name, but she was very
23 nice. She came in, talked to me because she put gel on my area
24 right here --

25 Q. Uh-huh.

1 A. -- I guess up in this section. You know the gel that they
2 put on --

3 Q. Right.

4 A. -- for the pregnant women and then she used that to scan it
5 to go over --

6 Q. So ultrasound?

7 UNIDENTIFIED SPEAKER: Ultrasound?

8 MR. TURNER: Yeah.

9 DR. GARCIA: Yeah.

10 MR. TURNER: I (indiscernible) that.

11 MS. GOMES: Okay.

12 MR. TURNER: And then I asked her questions and the gel was
13 cold, real cold, and because I asked her what it was that she was
14 doing and she --

15 MS. GOMES: Uh-huh.

16 MR. TURNER: -- told me that and she said she's checking to
17 make sure that there's no fluid or anything like that.

18 MS. GOMES: Right.

19 MR. TURNER: But they're going to send me to a CAT scan,
20 which is, I guess, more in-depth or more detailed, and then they
21 did that --

22 MS. GOMES: Uh-huh.

23 MR. TURNER: -- after that -- oh, the lady, another lady came
24 in. I guess she was a doctor, but she left and then another lady
25 came in and then that's the one that told me about all the -- the

1 mask was completely black, but I didn't know.

2 MS. GOMES: Yeah.

3 MR. TURNER: And she's, like, "I think you should remove your
4 mask." So I'm, like, "Why?" So I looked at it and was, like,
5 just dirty. So I threw --

6 MS. GOMES: Yeah.

7 MR. TURNER: -- that away, and then she's the one that took
8 the COVID test. She jammed that thing up my nose.

9 MS. GOMES: Okay. So you did get a COVID test?

10 MR. TURNER: Yeah.

11 MS. GOMES: And do you know the results of that?

12 MR. TURNER: Yes. I have papers. No, I don't have it.

13 MS. GOMES: It was negative? Okay.

14 UNIDENTIFIED SPEAKER: Good.

15 MS. GOMES: Yeah. Right. We'd all be.

16 BY MS. GOMES:

17 Q. And did anybody do blood or urine tests?

18 A. Yeah. They -- they took blood.

19 Q. Did they test --

20 A. Took blood.

21 Q. -- for alcohol or drugs?

22 A. Urine, yeah.

23 Q. Uh-huh.

24 A. That's why I said. I have the papers with me if you want to
25 see them.

- 1 Q. Okay. That would be useful. We can -- when we're done here.
- 2 A. Okay.
- 3 Q. Yeah. Thank you.
- 4 A. Okay.
- 5 Q. And I'm just, for the record, do you know your height and
6 your weight?
- 7 A. I'm 6' 1". My weight fluctuates because you work out, you
8 get --
- 9 Q. Yeah.
- 10 A. -- hungry, you eat, and that's the hard part. You've got to
11 control it. So I'm, yeah, two something probably. Two something.
12 The last time, they told me it was -- I was, like, 230, 240.
- 13 Q. Okay.
- 14 A. But I should be smaller now hopefully.
- 15 Q. That's what I say. Okay. All right, and when -- have you
16 had any -- Ryan was asking you about medical conditions.
- 17 A. Uh-huh.
- 18 Q. And there's nothing that you recall having any medical
19 conditions?
- 20 A. No, because I -- unless it's serious, I'll go but there's --
- 21 Q. Uh-huh.
- 22 A. -- nothing that's --
- 23 Q. Okay.
- 24 A. -- that -- that, for me --
- 25 Q. Yeah.

1 A. No.

2 Q. And I'm just curious, following up on the questions, you
3 mentioned several times that you go and check in on your mom.
4 Does your mom have bad health?

5 A. She won against cancer. She had breast cancer. What else?
6 She took the COVID test, so she's -- she's vaccinated. She did --
7 she was funny. She has the same thing I got with the hip because
8 she had fell.

9 Q. Oh.

10 A. But that was back in the days. So but she never kind of,
11 like, worked it out like I did --

12 Q. Uh-huh.

13 A. -- so she got arthritis in it, so it's -- it's pretty bad for
14 her to move around and stuff.

15 Q. Yeah. How long have you been staying with your mom?

16 A. I don't know but it's been a -- a few years. My son was born
17 in 2003. Maybe I left his mother's house around four or five
18 years after that maybe, if I can recall. I'm not sure.

19 Q. Okay. Okay. Thank you. So now for a couple of completely
20 different questions.

21 A. Uh-huh.

22 Q. Okay?

23 A. Okay.

24 Q. So I'm curious, because I've never operated a train --

25 A. Uh-huh.

1 Q. -- okay? Could you just kind of describe the feeling when
2 you use the control, and I did go and see the train, okay, so I
3 understand that you have to turn the handle and then you --

4 A. Yes. It's -- like this is the stick and it sticks out like
5 this --

6 Q. Uh-huh.

7 A. -- and you have to pull this way for you to even move it back
8 and forth like that.

9 Q. Right.

10 A. They were told if it -- even if you let go, it'll snap back
11 that way and go right to an emergency.

12 Q. Uh-huh. Right.

13 A. On that train?

14 Q. Uh-huh.

15 A. It was fine.

16 Q. Okay.

17 A. That train, it was fine.

18 Q. Okay, and the motion to turn it, did -- was it -- how did
19 that feel? How much pressure did you have to put to turn it in
20 order to get it to move?

21 A. It was fine. I was fine. Yeah.

22 Q. Okay.

23 A. It was fine.

24 Q. Nothing out of the ordinary?

25 A. No.

1 Q. Okay. So I noticed that when you move it coming back, it's
2 braking and going forward it's accelerating?

3 A. Uh-huh.

4 Q. And it seemed like it's possible or just kind of --

5 A. Coast. There's a neutral.

6 Q. There's a neutral. Yeah.

7 A. Yeah, you can -- and then it kind of sets in there and you
8 could -- well, you can't let go, but it's -- it'll stay there --

9 Q. Uh-huh.

10 A. -- in neutral --

11 Q. Yeah.

12 A. -- because they don't want us to ride through the cutout, so
13 you have to -- I kind of know where the cutouts are. So you put
14 it there, coast it and then coast right throughout without
15 sparking.

16 Q. Okay. Have you ever just kind of leaned on it in order to
17 just keep it going at whatever speed you have it?

18 A. Like, what do you mean? Like, what do you --

19 Q. Well, there's a -- it's a -- kind of a different thing. If
20 you're sitting up and you're doing this --

21 A. Oh, oh.

22 Q. -- versus if you're -- you get it in position. You just kind
23 of lean on it so you don't have to be constantly pushing?

24 A. I don't consider myself leaning as it's the way I have my
25 chair -- my chair, I'm 6' 1", so I have to have to room. It's

1 pretty much back. My elbow's on this little block thing where
2 they can tell you you could rest it, but I don't like using it
3 because it's -- it just feels weird.

4 Q. Uh-huh.

5 A. So my hand is, like, neutral, like this and you can -- I can
6 go all the way up, but I don't have to, like, lean forward and
7 nothing. I can go like this, like this.

8 Q. Uh-huh. Thank you. That really helps me. I know you
9 mentioned not going to the doctors in the last year or so.

10 A. Years.

11 Q. Years?

12 A. Yeah.

13 Q. Since the accident, have you been to see a doctor after? I
14 mean you left the hospital. You came home.

15 A. Uh-huh.

16 Q. Have you been to see a doctor since then?

17 A. I'm making plans to because I would like to know what
18 happened.

19 Q. Yeah.

20 A. Yeah.

21 Q. Okay. I'm going to ask you just a couple of specific
22 questions just for the record, because that was a general
23 question. So have -- are you considering going for a sleep apnea
24 test?

25 A. I'm up for anything. I would do that, yes.

- 1 Q. Okay. Have you ever had one?
- 2 A. No.
- 3 Q. Okay. Do you know if you snore at night?
- 4 A. No. You would probably have to ask my girlfriend.
- 5 Q. Yeah. Yeah.
- 6 A. I don't know.
- 7 Q. That's something that some -- we're not aware of, but other
8 people would be, and have you talked to a doctor or -- about
9 getting an appointment to, for example, check your -- to see if
10 you got a bump on the head?
- 11 A. No, but I -- actually, yeah, I should do that because
12 there's, like, lingering effects, like, right here on my eyebrow
13 --
- 14 Q. Uh-huh.
- 15 A. It's, like, I don't know. It's just -- just, like, tender.
16 I would say not sore but it's, like, tender.
- 17 Q. Uh-huh.
- 18 A. It doesn't hurt but, like, if you touch it, it's, like --
19 because my girlfriend happened to touch me there and I was, like,
20 uh, okay.
- 21 Q. Yeah.
- 22 A. And, like, I'm bruised here and I'm bruised right here.
- 23 Q. Okay. Do you recall ever, in the past, having any type of
24 seizure or blackout?
- 25 A. That I recall? No.

1 Q. Have you ever felt -- had the feeling of waking up and kind
2 of like where am I? how did I get here?

3 A. Not that I can recall, no.

4 DR. GARCIA: Okay. But that's all. Thank you very much.

5 MR. FRIGO: Owen, I just have a few more questions and I
6 think that's probably the consensus around the room. Are you okay
7 to keep going?

8 MR. TURNER: Yeah.

9 MR. FRIGO: Okay.

10 BY MR. FRIGO:

11 Q. With the -- when you were at the hospital, did they give you
12 anything for the pain?

13 A. No. She said to take some Tylenol and she prescribed the
14 amount. Tylenol and something else, but I guess I'm kind of
15 hardheaded and, like, I don't know. I just deal with the pain,
16 like, I'm fine. Even when I had braces, they gave me medicine
17 that --

18 Q. And you didn't take it?

19 A. Yeah.

20 Q. Okay.

21 A. I'll sleep and I -- like a honey badger. Like, you just get
22 better.

23 Q. So you haven't taken anything for the pain?

24 A. No.

25 Q. Okay, and I mean I can tell by looking at you that you hit

- 1 the gym a lot. So what do you --
- 2 A. Yeah.
- 3 Q. How do you recover from those workouts? What do you -- you
- 4 do a shake or, like, what do you --
- 5 A. Eat protein.
- 6 Q. A lot of -- just eating --
- 7 A. Yeah.
- 8 Q. -- protein?
- 9 A. Well, not protein fresh frozen stuff, but they say eat
- 10 protein because it helps with the soreness.
- 11 Q. Okay.
- 12 A. So when I was sore that Wednesday, yeah, I had the -- that's
- 13 when I'll eat more, like, meat, chicken or something.
- 14 Q. But at --
- 15 A. That does help.
- 16 Q. -- any of those, like, powdered --
- 17 A. No.
- 18 Q. -- shakes or anything like that?
- 19 A. No. They taste horrible.
- 20 Q. Okay, and anything else for, like, recovery or anything after
- 21 post-workout?
- 22 A. Oh, yoga.
- 23 Q. Okay.
- 24 A. I just I try and stay stretched out.
- 25 Q. So all-natural foods basically?

1 A. Yeah.

2 MR. FRIGO: Okay. Owen, that's all the questions that I
3 have.

4 MR. CARNEY: Dave Carney.

5 MR. TURNER: Hi.

6 MR. CARNEY: Couple of questions or --

7 MR. TURNER: Uh-huh.

8 MR. CARNEY: -- three questions, I guess.

9 BY MR. CARNEY:

10 Q. At any time during your workday on Friday, did you feel
11 drowsy, anything like that?

12 A. No. I have been drowsy driving a train but it doesn't affect
13 me.

14 Q. At any time during that day, did you feel lightheaded, dizzy,
15 headache, any sort of symptoms that could've been problematic for
16 you?

17 A. Not that I recall. No.

18 Q. Okay, and then the last question. You had talked about when
19 you tried to open the doors for the customers, that there was
20 concrete that was preventing you from opening the doors. Now at
21 the new station at Pleasant Street --

22 A. Uh-huh.

23 Q. -- it's a raised platform with sort of a curb. Was that the
24 concrete that was stopping you from opening the doors?

25 A. There's that we -- we wasn't near the yellow strip. It's,

1 like -- it's, like, this but then there's, like, a piece of
2 concrete that's just, like, up there. Can I see this? So this,
3 like, sticking out like this. There'll be another thing and that,
4 we couldn't get the door open because of that.

5 But I think it was because also that we probably derailed.
6 So it shifted the train.

7 MR. CARNEY: Right. Thank you very much.

8 MS. LEGROW: Kate Legrow.

9 BY MS. LEGROW:

10 Q. Owen, did you lose consciousness after the accident? Do you
11 know if you blacked out after the accident and maybe hit your
12 head?

13 A. I wonder about it because it's -- I had that right there, but
14 it's not, like, hurting. I did hold my side and I leaned over to
15 rest, but the -- the police guy kept asking me questions, so I
16 would get back up and then I was -- opted just to stay up because
17 he just -- every time I tried to lay down, he'd just get me right
18 back up.

19 Q. Okay. When you talked about right after the accident and you
20 were looking up and you saw the other train --

21 A. Uh-huh.

22 Q. -- was like you were coming to or did you feel like you had
23 lost consciousness and now you were waking up, and I don't want to
24 say waking up. I want to use the words coming to, that maybe you
25 had lost consciousness?

1 A. It was -- it was just kind of unreal. There's just a -- the
2 sound kind of got me, but it was more, like, it's -- it's hard to
3 explain. It's like I couldn't hear but I was hearing it, but it
4 was hearing as it was coming in and then I'm -- I noticed I'm
5 looking into the corner and I'm, like, in my head, I'm just, like,
6 kind of just telling, like, why am I looking over here and then I
7 look forward and then the train was in front of me and then it's,
8 like, why is the train there and then that's when the waves of the
9 customers --

10 Q. Uh-huh.

11 A. -- and then I -- I just automatically just started dealing
12 with them.

13 Q. Okay. I want to switch gears for a minute, okay? When
14 you're at home, do you watch TV?

15 A. No, not really. It's nothing but bad news.

16 Q. When you read, you talk about reading --

17 A. Uh-huh.

18 Q. -- when you read, do you ever fall asleep while you're
19 reading?

20 A. Uh --

21 Q. Do you feel yourself getting drowsy?

22 A. If I read a lot, but -- and it's late.

23 Q. Okay.

24 A. I -- I can --

25 Q. When you --

1 A. -- say that.

2 Q. When you go to sleep at night, do you use any music or sound
3 or anything to help you go to sleep at night?

4 A. I used, like, white noise, waves, rain --

5 Q. Uh-huh.

6 A. But that's about it. That's far and few in-between.

7 Q. Do you have trouble falling asleep?

8 A. Not really, but sometimes I -- I just wake up, like, the
9 neighbors'll be have -- I have problems with the neighbors
10 upstairs. I called the police on them a few times. It's just too
11 loud.

12 Q. Okay.

13 A. I don't think I have a problem going to sleep. It's I wake
14 up early. Like, you just wait up and then it's, like, you look at
15 what time is it? Then you think, gee, I want to go back to sleep.
16 So it's between one of those two, but I try to go to the gym.

17 Q. Is it a fair statement if I said something you have a problem
18 staying asleep?

19 A. Yeah, I guess so. Yeah.

20 Q. Okay.

21 A. So yeah.

22 MS. LEGROW: Thank you. Thank you for coming in today.

23 MR. TURNER: No problem.

24 MR. EVERS: Jim Evers.

25 MR. TURNER: Hi, Jim.

1 MR. EVERS: I just wanted to have you clarify when you were
2 talking about being drowsy sometimes.

3 MR. TURNER: Uh-huh.

4 MR. EVERS: The day of the accident, were you feeling drowsy?

5 MR. TURNER: No.

6 MR. EVERS: Okay. I just wanted to make sure that --

7 MR. TURNER: (Indiscernible.)

8 MR. EVERS: -- that's clarified on the record. That's all
9 good. That's just -- that's all I have.

10 MR. TURNER: Okay.

11 MR. EVERS: Thank you.

12 MR. ROMAN: Paul Roman, DPU.

13 MR. TURNER: Paul.

14 MR. ROMAN: Owen, just had one question. When you, on
15 Friday, you were coming over the BU bridge.

16 MR. TURNER: Uh-huh.

17 MR. ROMAN: Do you remember what the lighting situation was
18 like?

19 MR. TURNER: I know that that they went first because way it
20 is, whoever's at East and if they get that light, the next train's
21 going to automatically have to wait.

22 BY MR. ROMAN:

23 Q. When -- sorry. When you say they, do you mean --

24 A. The -- yeah. The train that -- that's ahead of us.

25 Q. Okay.

1 A. Or at any time, because it's -- I don't know. It's just the
2 way it is. Like, you just can't go right behind them.

3 Q. Okay, and how about the actual lighting. Like, was the sun
4 out? Was --

5 A. It was nice. It was clear.

6 Q. Clear day?

7 A. Uh-huh. Not, like, no, like, that's another reason for BC,
8 because the sun doesn't really hit you from dead on. It's usually
9 on your side or something.

10 MR. ROMAN: Okay. That's all I have. Thank you for coming
11 today.

12 MR. TURNER: No problem.

13 MR. CARVALHO: Dave Carvalho, DPU. I have no further
14 questions. Thank you.

15 MR. TURNER: Okay.

16 MR. CULP: Steven Culp. Just one -- at least one or two more
17 questions.

18 BY MR. CULP:

19 Q. Besides the MBTA, do you have any other employment?

20 A. No. That's impossible. If someone does that, they're --
21 good luck to them.

22 Q. And dealing with the follow up on -- oh, you said sometimes
23 the -- that your neighbors are very loud and you've had to call
24 the police on them. How often does that happen that it may be
25 affecting your sleep?

1 A. It's pretty quiet over there. It's they're young, early 20s,
2 because I have been up there. I even talked to them, knock on the
3 door, I bang on it until they come. They came. "Hey, I live
4 beneath you. Mind if you turn it down. It's pretty loud. I'm
5 trying to sleep."

6 "Okay. Sure. Yeah. Okay." "Okay. Thank you." Bam, bam,
7 da da da, just they go right back to whatever they was doing and
8 just, like, okay. You know, you just call the police and they
9 usually go there.

10 Q. So often would you say you've got to go up and knock on their
11 door?

12 A. I guess it depends on their situation and, like, maybe if
13 it's, like, a holiday. On days off, I don't bother it, because,
14 you know, I can catch sleep. But if it's, like, a workday and
15 it's really bothering me, you know, I -- I call the police.

16 MR. CULP: That's all I have.

17 MS. GOMES: Alicia Gomes. No additional questions. Thank
18 you for coming in. Thank you.

19 MR. TURNER: No problem.

20 DR. GARCIA: Okay. Anne Garcia. I have a few more
21 questions.

22 MR. TURNER: No problem.

23 DR. GARCIA: Okay. Thank you. We really appreciate your
24 time and bearing with --

25 MR. TURNER: No problem.

1 DR. GARCIA: -- us on this.

2 BY DR. GARCIA:

3 Q. So you mentioned that you haven't been to see a regular
4 physician for --

5 A. Yes.

6 Q. -- a couple of years because --

7 A. Years.

8 Q. -- there's been no need. You've been healthy.

9 A. In my opinion, yeah.

10 Q. In your opinion?

11 A. Yeah.

12 Q. But you have seen the MBTA --

13 A. Yeah. They check me.

14 Q. -- doctor and they check you? But have you gone to see an
15 eye doctor?

16 A. When was the last time? Not regency -- recently, but my
17 glasses are fine.

18 Q. Okay.

19 A. I would see them to get new glasses. That's about it. If
20 these happen to be broken or something like that, that's when I
21 see them.

22 Q. Okay.

23 A. But when I go for the MBTA test, they test me for all that.

24 Q. They test your vision?

25 A. The vision, the hearing --

- 1 Q. With the glasses?
- 2 A. -- drug test. Yes.
- 3 Q. Okay.
- 4 A. And my glasses are always on.
- 5 Q. Okay. Thank you.
- 6 A. Uh-huh.
- 7 Q. And you mentioned that the meditating --
- 8 A. Uh-huh.
- 9 Q. -- and you mentioned that several times doing that. How long
10 have you been meditating?
- 11 A. Probably a couple of years back or a year back. I -- I just
12 remember I decided doing it. It the summertime when I started
13 because I was looking into it and was very interested about it and
14 it does help with the customers.
- 15 Q. Helps with what?
- 16 A. The customers.
- 17 Q. Oh.
- 18 A. Yeah. Some customers.
- 19 Q. Do they get at you? I mean I haven't been a train operator.
20 So --
- 21 A. Yes, they do. Some -- sometimes it's understandable.
22 They're grouchy, train's late or they're just not in the mood for
23 whatever.
- 24 Q. Yeah.
- 25 A. But I don't -- I have never had a complaint except for one,

1 and that was years ago. That's because I asked her to stand to
2 the side and she reported me. I was, like, really?

3 Q. Yeah.

4 A. Yeah. We was at Harvard and there's just a whole bunch of
5 people and, of course, she's the first one that gets on that has
6 money. So I was, like, can you stand to the side please?

7 Q. Yeah.

8 A. Yeah.

9 Q. Okay. Have you ever gotten so relaxed while meditating that
10 you've fallen asleep?

11 A. Yes, it can happen.

12 Q. Okay. Would you consider that to be the point of meditating
13 or is it just something that happens sometimes?

14 A. Well, the point is not to fall asleep. It's you, to me, you
15 come close to it but it's your up and aware. You're aware of --
16 like your eyes are closed. You're aware of your surroundings.
17 You can kind of hear it but you're just -- you kind of zone it out
18 and you focus on your breathing or the mantras that you're doing.

19 Q. Uh-huh.

20 A. Or when you feel yourself drifting to that, you come back.
21 So it's kind of like flexing a muscle.

22 Q. Uh-huh.

23 A. Yeah.

24 Q. Have you ever meditated while you were operating the train?

25 A. No. No.

- 1 Q. Okay. Thank you.
- 2 A. Uh-huh.
- 3 Q. But you also mentioned that you've been drowsy in the past
4 when you were operating the train, but it was all right. Can you
5 tell us more about that?
- 6 A. Yeah. We was on BC westside Blackhawk and it was just, yeah
7 -- it was I couldn't deal with it. So I called -- but I called my
8 partner and I told him, and he was, like, "Okay," and we traded
9 places. I went in the back and he took the front.
- 10 Q. Okay. So you did that just at a station stop?
- 11 A. Yes. We was at a complete stop --
- 12 Q. Yeah.
- 13 A. -- and I called him on the phone.
- 14 Q. Okay.
- 15 A. I was, like, I -- "I can't keep my eyes open."
- 16 Q. Yeah, and so that is basically -- would you say that's a tool
17 in your toolkit --
- 18 A. Yeah. I feel every operator should do that. Yeah.
- 19 Q. Uh-huh.
- 20 A. It's important.
- 21 Q. Okay, and your partner was okay with that or --
- 22 A. Uh-huh. Yeah.
- 23 Q. Okay, and MBTA is okay with that? Do you know?
- 24 A. I don't know.
- 25 Q. Okay. Okay. So you know what it feels like when you feel

1 yourself that you're too sleepy --

2 A. Uh-huh.

3 Q. -- to really have control of the train?

4 A. Yes.

5 Q. And in the past, when you have felt that, and you took
6 actions so that the train would be operated safely?

7 A. Uh-huh.

8 Q. On the day of the accident, on Friday, did you feel that at
9 any time?

10 A. No. No. No.

11 Q. Okay.

12 A. I was fine.

13 Q. Okay, and then just one last question. It was just I don't
14 think I recorded here. The night before, Thursday night, what
15 time did you go to bed?

16 A. I don't know, but maybe 1:00, 2:00.

17 Q. Okay, and when you came home from work on Thursday --

18 A. Uh-huh.

19 Q. -- what type of activities did you do?

20 A. You come home, shower, read a little -- well, probably, you
21 know, on the phone, checking, you know, flipping through to see
22 who paid you or this, that, see who contact you. Probably that,
23 then read, then try to -- because, yeah, then meditate because
24 it's supposed to help you to sleep.

25 Q. Okay. When you go to bed, where do you have your phone?

- 1 A. It's, like, up right here. It's close.
- 2 Q. Is that -- I don't know what your --
- 3 A. Oh.
- 4 Q. -- what is that, a nightstand or is it --
- 5 A. It's --
- 6 Q. -- on your bed?
- 7 A. It's the bed. Like, say that's the edge of the corner and my
8 phone would be, like, up over here. So I'm sleeping --
- 9 Q. So it's on your bed?
- 10 A. Yes.
- 11 Q. And would be, like, on -- if you're lying in bed on your
12 back, would it be on the right side or left side?
- 13 A. Left. Upper left corner.
- 14 Q. Upper left corner and it's actually on your bed, not a
15 nightstand?
- 16 A. Uh-huh.
- 17 Q. Okay.
- 18 A. It's on the bed.
- 19 Q. And do you put it on, like, airplane mode or do you turn it
20 off?
- 21 A. No. I have a bedtime thing, so it goes off on its own and --
- 22 Q. Your --
- 23 A. -- no one can call unless I give them permission.
- 24 Q. Okay.
- 25 A. That's what I like about the iPhone. So, like, my son, my

1 baby's mother, girlfriend, maybe one or two friends and that's
2 about it.

3 Q. Okay. So they're allowed -- their calls are allowed to go
4 through?

5 A. Yes, if -- yeah.

6 Q. Okay. Do you recall receiving any phone calls that night?

7 A. No. That's why they're allowed. They don't really call.

8 Q. Yeah.

9 A. Yeah. They just -- they don't really call.

10 Q. Okay. So I just have one last question. Can you think of
11 any reason why you might've been fatigued while you were at work
12 on Friday?

13 A. I didn't say I was fatigued. I was fine. First trip was
14 good. The second trip was good. Then coming back, I see the
15 horizontal light. I go and that's it.

16 Q. Thank you. That really helps to clarify.

17 A. Okay.

18 DR. GARCIA: Okay. That's all I have.

19 MR. FRIGO: I just have a few more questions and we'll go
20 around. I think maybe Scott might have some clarifications or
21 we'll --

22 MR. TURNER: Uh-huh.

23 MR. FRIGO: -- just check in with him just to make sure.

24 BY MR. FRIGO:

25 Q. Owen, when you're normally operating --

1 A. Uh-huh.

2 Q. -- what's your style for when you're departing stations as
3 far as taking a point of power and with the throttle?

4 A. I prefer to Type 8s over the 7s. I don't like using keeping
5 my foot on the dead man. That hurts.

6 Q. Uh-huh.

7 A. And keeping it there for, like, long periods is -- I don't
8 like it. So I prefer the 8. I don't know. It's not, like, some
9 kind of power trip or nothing. It's just -- it's just, I don't
10 know, it's -- I feel I have better control over the train.

11 Q. Okay, and, you know, everybody's got their own way of, you
12 know, throttling up and --

13 A. Uh-huh.

14 Q. -- getting upgrades and I mean there's so much out there, the
15 characteristics.

16 A. Yeah.

17 Q. I mean do you find that you like to take a, you know, full
18 point of power and then ease it back or what do you usually like
19 to do?

20 A. I would say it depends on the situation. Like, crosswalks,
21 pathways, you -- like there's that part where it's in the
22 middle --

23 Q. Uh-huh.

24 A. -- and then you just -- you go lightly. They say we can do
25 10, but I do, like, five or six because --

1 Q. Okay.

2 A. -- cars can just cut in front of you for no reason and some
3 of them do it on purpose, I believe, and, you know, you've got to
4 be aware of that. So I drop that. Uphill, you give it a little
5 bit more juice because it's up hill.

6 Q. Uh-huh.

7 A. Straightaways is just regular, like, almost coasting so you
8 can easily just pull it right back.

9 Q. All right, and on that BC line, are there posted speeds or,
10 you know, how -- I've never operated on there and if -- I mean,
11 how would I know? How would I know how to govern my speed?

12 A. All the -- all platforms are 10. I don't know. Certain
13 spots you could -- you could tell and you can see it, but
14 sometimes it -- they're not there.

15 Q. And is there -- I mean is there a maximum? Like, if I -- you
16 know, if I had to make up time, if I wanted to run hot, is there a
17 max? Like, what's -- what can I not go over?

18 A. I think the highest that BC line can get is 25.

19 Q. Okay.

20 A. Riverside is 40 in some spots, Cleveland, in my opinion, is
21 10 all the way in and all the way out because it's just too much.

22 Q. Do you ever see inspectors out there just making sure
23 everybody's --

24 A. Uh-huh.

25 Q. -- going along --

1 A. Yeah.

2 Q. -- at what speed they're supposed to go?

3 A. Yeah. They're clearly out there.

4 Q. Okay.

5 A. They're out there and I know some of them, yeah, they're out
6 there.

7 Q. Do they give -- do you get feedback if they do an observation
8 on your run or if they see you someplace? Do you know that they
9 saw you or --

10 A. I don't get reprimanded or nothing like that. It's I do
11 hear, like, they -- they asked them to slow down, other people or
12 something, something -- or somewhere else.

13 Q. Okay.

14 A. You know, you hear that over the air. You know, they're
15 like, oh, it's three miles per hour or 10 miles per hour here.

16 Q. Okay. What about if you're doing something good though? Do
17 you ever hear anything back if you're doing something good?

18 A. No.

19 MR. FRIGO: All right. Owen, that's all I have. We'll just
20 -- I'm just kind of looking around the room making sure
21 everybody --

22 MR. ROMAN: Just have one.

23 MR. FRIGO: Okay. We have time for one more. Just say your
24 name again for the --

25 MR. ROMAN: Paul Roman.

1 MR. FRIGO: Yeah. Thanks, Paul.

2 MR. ROMAN: All right. Owen, just one question.

3 MR. TURNER: Uh-huh.

4 MR. ROMAN: You mentioned, have you ever been reprimanded for
5 speeding?

6 MR. TURNER: Honestly, yes.

7 MR. ROMAN: Okay. Do you remember when that was?

8 MR. TURNER: Years ago. Yeah. It was years ago and, yeah,
9 they told me -- they go on me.

10 MR. PAGE: Do you remember -- sorry. My apologies.

11 MR. ROMAN: Okay. That's all I had. Thank you, Owen.

12 MR. FRIGO: Scott, did you have some stuff you wanted to
13 clarify?

14 MR. PAGE: I did, and I apologize for that. I --

15 MR. FRIGO: Okay.

16 MR. PAGE: Alicia can tell you I tend to --

17 MR. FRIGO: It's not a problem. You've been --

18 MR. PAGE: -- say what's on my mind.

19 MR. FRIGO: You're been behaving.

20 UNIDENTIFIED SPEAKER: No comment.

21 MR. FRIGO: So you can -- that's why I thought I'd give you a
22 chance to --

23 MR. PAGE: Dave can tell you that too.

24 UNIDENTIFIED SPEAKER: Absolutely.

25 MR. PAGE: So, yeah, I did. I had two questions and now I

1 actually have a third, but --

2 MR. FRIGO: Okay. That's okay.

3 BY MR. PAGE:

4 Q. Early, early, early in your testimony, you had referenced a
5 white light. Later you referenced a horizontal stripe. Now I
6 know what you're talking about, but I just want to clarify for the
7 record. Are you referring to the new traffic signal type that
8 they've been putting in over the last few years?

9 A. Yeah. It's horizontal.

10 Q. The horizontal stripe on the triangle?

11 A. It's this way. It's white. Yeah.

12 Q. Okay. Just wanted to clarify. Another question I had had to
13 do with the ability to stay asleep. I got to visit your house
14 yesterday, so I know that you live in a pretty similar area to me.
15 A lot of traffic, a lot of people.

16 When you say that you've had some issues staying asleep, is
17 that the result of ambient noise or is that a chronic issue in
18 which you just have trouble remaining asleep?

19 A. That would be -- I don't know. I don't know if it's a
20 problem, but I would say I'm light sleeper because even when I was
21 little, I'm -- I'm just aware of stuff. So if I hear someone at
22 the door or, like, the car will come around my window, I don't
23 wake up but I -- I know that -- that I hear that noise or I can
24 hear the neighbors upstairs and then you try to --

25 Q. Yeah.

1 A. -- go back.

2 Q. I live across the street from Brigham & Women's Hospital. So
3 I hear everything, and then my last question for you was based off
4 of Paul's. You had referenced getting disciplined for speed.

5 A. Uh-huh.

6 Q. Could you ballpark a year for me? 2014, '15, '16, '17, '19?

7 A. That would be my beginning years when I was learning.

8 Q. Okay.

9 A. And Green (ph.), I would say. He was good. He was real good
10 because he would nail people --

11 Q. John Green?

12 A. -- discipline -- yes.

13 Q. John Green? So --

14 A. Yes.

15 Q. Okay.

16 A. We named him Batman because you wouldn't know where he was.

17 MR. TURNER: Yeah. He'd just pop out of nowhere and you're
18 just, like, oh, shit.

19 MR. PAGE: Okay.

20 MR. TURNER: He's, like, you know. Like, he -- he -- but he
21 would scare you.

22 MR. PAGE: There was another nickname for him too, but I'll
23 tell you outside. Anyway, those are the questions that I had and
24 so thank you.

25 MR. FRIGO: Okay. Owen, I've got, promise you, just two

1 more.

2 MR. TURNER: Okay.

3 MR. FRIGO: Okay?

4 BY MR. FRIGO:

5 Q. So did -- is there anything that we should ask you that we
6 haven't asked you?

7 A. No, not that I can think of.

8 Q. Okay.

9 A. Nothing I can think of, no.

10 Q. And this is one I ask everybody just to kind of close these
11 out, but is there anything that you can think that could've, you
12 know, prevented this accident or could prevent another accident
13 like this in the future? Is there anything that you could think
14 of?

15 A. Accident, nothing. I -- I don't know.

16 Q. Okay.

17 A. I don't know. I would like to know because I -- I like my
18 coworkers. I like my job. Some people complain, but I -- I do
19 like my job. I try and come in and be positive and --

20 Q. Uh-huh.

21 A. -- do my work, hit home and take care of family and make
22 plans. That's -- that's pretty much all I do.

23 MR. FRIGO: Well, I -- Owen, thank you for coming in and
24 talking with us today and helping us learn more.

25 MR. TURNER: Okay.

1 MR. FRIGO: Really appreciate it, and with that we'll go off
2 the record.

3 (Whereupon, the interview was concluded.)
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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: MBTA GREEN LINE TROLLEY
COLLISION & DERAILMENT
IN BOSTON, MASSACHUSETTS
ON JULY 30, 2021
Interview of Owen Turner

ACCIDENT NO.: RRD21FR013

PLACE: Boston, Massachusetts

DATE: August 2, 2021

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



Lisa Smith
Transcriber