



SURVIVAL FACTORS ATTACHMENT

Witness Interview Transcript

Louisville, NY

HWY23FH005

(16 pages)

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

* * * * *

Investigation of:

*
*
*
*
*
*

FATAL CRASH OF A FREIGHTLINER BOX
TRUCK & BUS IN LOUISVILLE,
NEW YORK ON JANUARY 28, 2023

Accident No.: HWY23FH005

* * * * *

Interview of: JONATHAN LEBEL, Witness

via telephone

Saturday,
February 4, 2023

APPEARANCES:

RONALD KAMINSKI, Investigator
National Transportation Safety Board

I N D E X

ITEM

PAGE

Interview of Jonathan Lebel:

By Mr. Kaminski

4

I N T E R V I E W

1
2 MR. KAMINSKI: Okay. Today's date is February 4th, 2023. My
3 name is Ronald Kaminski. I'm going to be talking to a witness and
4 a first responder, a volunteer firefighter, Mr. Jonathan Lebel, L-
5 e-b-e-l.

6 And, Mr. Lebel, you have agreed to letting me tape our
7 conversation. Correct?

8 MR. LEBEL: Yes, sir. But I'm not a first responder. I was
9 just a --

10 MR. KAMINSKI: Oh, I thought you were -- I thought -- well,
11 you weren't a first responder, but you are a volunteer
12 firefighter. Correct?

13 MR. LEBEL: I was ten years ago.

14 MR. KAMINSKI: Okay, all right. Okay.

INTERVIEW OF JONATHAN LEBEL

15
16 BY MR. KAMINSKI:

17 Q. So, yes, if you could just give me a description of what you
18 were doing at your -- what direction were you heading and what you
19 all saw?

20 A. Yes. I was -- it's about approximately 6:00 a.m. I was
21 crossing (indiscernible) 14 and West 37, westbound, about
22 approximately 6:00 a.m. on January 28th. And I saw two cars
23 immediately pass me on the left, and up in the distance,
24 approximately 300 yards, I saw brake lights in my lane, westbound
25 lane, I believe moving left to right across the roadway and then

1 immediately headlights moving left to right across that, which
2 appeared to me as someone spinning out ahead of me. So I began to
3 slow down and as I got closer to the scene, I saw a box truck with
4 front driver's side damage to it on the left shoulder of the road
5 facing towards me. It would have been in the eastbound lane, I
6 believe with the heavy front-end damage, but just assuming the
7 battery was ruptured that was why they didn't have any lights or
8 hazard lights or anything on at that point.

9 As I slowed through the debris on the road, I signaled and
10 pulled off the right shoulder of the road. But I distinctly
11 remember from the distance, seeing it appeared the vehicle had
12 spun off the right side of the road, which kind of confused me
13 because at first I didn't realize there was a vehicle on the left-
14 hand side until I saw it. So as I pull off to the right-hand
15 side, I noticed a van, a bus -- a mini-bus down in the ditch on
16 the right-hand side, facing eastbound off the north shoulder. It
17 was pre-dawn darkness, I mean, black as night and I could see
18 multiple people, the outlines of multiple people out of the
19 vehicle with the bright yellow jackets.

20 I exited my vehicle, neglected to grab my cellphone from my
21 vehicle and proceeded towards the bus approximately 10 yards -- 10
22 to 15 yards down in the ditch from where I was, approximately a
23 foot of snow. As I was walking towards the people, I was asking
24 if everyone was okay, if they needed any assistance, and no one
25 was responding to me, which I found out as I got closer, I

1 realized that they were speaking in Spanish and you could tell by
2 the anguish in their voice that there was more wrong than what
3 appeared, because I didn't see any damage to the van from the
4 passenger side -- or the bus -- the passenger side of the bus as I
5 approached. It just looked like it had spun out.

6 As I saw multiple people were working their way up towards
7 the road, I looked at the rear of the bus and saw a victim with
8 his face down in the snow. I immediately flipped the victim up,
9 head out of the snow, pulled his head out of the snow, opened his
10 eyes and looked at me, gasped, closed his eyes. I unzipped his
11 jacket, put my hand on his chest, I can still feel a heartbeat and
12 breathing.

13 Q. And where was he located at in relation to the bus?

14 A. Approximately two feet directly behind the rear exit of the
15 bus. Based on what I could see from the injuries to his face, it
16 appeared that he had been ejected and gone through possibly some
17 glass. Or the other thought process was that as the other people
18 were exiting the rear exit of the bus, they may have had to push
19 him out of the way to get him -- so they could get themselves out
20 of the bus. So I'm not sure if he was ejected or if he was
21 removed from the bus by the other passengers attempting to escape
22 the bus.

23 Q. Okay.

24 A. I started yelling at the other people, asking if anyone had a
25 cellphone and to call 9-1-1 and none of them could really tell

1 what I was saying until one man came forward and said he spoke
2 English. And I said do you have a phone; he said no. I said find
3 someone with a phone, call 9-1-1.

4 At that point a silver, I believe it was a Chevy, with I know
5 it had a silver Boss plow on the front of it, pulled over in the
6 northbound lane facing eastbound, so on the same side of the road
7 but facing in the wrong direction, and unrolled his window and
8 asked if everyone was okay. At that point I yelled to him no,
9 call 9-1-1. Tell them we need, you know, a life light and we have
10 multiple victims here. And he immediately dialed 9-1-1, jumped
11 out of the vehicle and brought his phone up and held it on
12 speakerphone for me. I don't recall exactly what I told the
13 dispatcher on speakerphone, but just relayed that there was
14 multiple casualties.

15 The one person on the bus that I found that spoke English --
16 I asked him immediately how many were on the bus. He told me 15.
17 I said how many do you have with you on the side of the road
18 there. He said only 8, and then the one I was holding was 9, and
19 they said there was two under the bus still, which I didn't assess
20 them because looking at the bus, it didn't appear there was any
21 room for anyone to have survived being underneath the bus.

22 I didn't even leave the rear of the bus, I didn't circle the
23 entire bus. He -- but he did say there was three still on the
24 bus, and that math didn't add up. I said that means we're still
25 missing one, help me look in the snow, because I assumed another

1 one had been ejected. But I could hear people on the bus still
2 moaning in anguish.

3 Q. Moaning in Spanish you mean?

4 A. No, just they were in pain.

5 Q. Oh, okay.

6 A. Yes, they needed assistance.

7 Q. Yes.

8 A. So when Louisville Fire Chief Jeff Vice was the first fireman
9 I saw. I come up on the side of the road and I recognized him
10 because we worked together, and he looked at me and asked me if I
11 was okay. And I said I wasn't involved in the accident; I just
12 pulled over. And I asked him help me pull this man up to the
13 road, because he just stopped breathing and I couldn't do CPR in
14 the foot of snow.

15 Q. Sure.

16 A. We pull him up to the road and at that point, the EMTs were
17 pulling up and immediately I told them that he just stopped
18 breathing, and they grabbed their bags and went to assist him at
19 that point. I jumped in the back of the bus to see what I could
20 do in there, and the seat to the -- coming in from the back, the
21 two seats on the right were both empty. The two seats on the left
22 were both empty. I mean, they had lunch pails and book bags and
23 stuff on them, but no victims. The third seat from the rear on
24 the left had a crushed victim. The seat immediately in front of
25 him had pinned him. I didn't detect breathing or a pulse on him.

1 Moved it forward to the next seat in front of him, there was
2 another victim. I didn't detect breathing or a pulse on him.
3 Just in front of him -- there was nobody on the right, this was
4 all on the left on the driver's side. There was one between the
5 seats, feet down -- oh, I'm sorry -- his butt was down between the
6 seats on the aisle. His feet were facing the north side of the
7 bus, the driver's side and his head was facing the other
8 direction. He had visible blood on the front of him. Didn't
9 detect any breathing or pulse on him.

10 At that point, one of the EMTs entered the front of the bus
11 and looked at me, and the one underneath him was still vocally
12 making sounds, and moving -- flailing his arms and legs, and we
13 were trying to tell him to hold still. And that's when we asked
14 for that translator to come and just tell him to, you know, hold
15 still, we'll be with him as soon as we can, but we can't help him
16 if he continues flailing. I looked at the EMT and I told him we
17 had to move the one on top of him, which he didn't think was
18 advisable. He thought he wanted to wait until they actually get
19 back toward the guy that was still underneath. And at that point
20 I realized that there was enough qualified people -- I'm just an
21 observer -- to at that point I needed to, you know, let them have
22 the scene.

23 Q. Sure.

24 A. And I had no (indiscernible) or anything else so I probably
25 shouldn't have been in the bus at that point, because it was still

1 on an angle leaning in the ditch. So I exited the rear of the
2 vehicle. At that point I noticed the one we pulled up to the road
3 had stopped breathing and the EMTs had put a sheet over him, so he
4 had been deceased.

5 Q. Right.

6 A. So at my count, I mean, checking the vitals on the three plus
7 the one I'd had, there was four victims, plus the two that the one
8 that spoke English told me were underneath the bus. So I assume
9 those were the six, and I never even got to the box truck to check
10 on the victim on the box truck. The roads were -- it's funny,
11 too, because reading the comments on the news -- not that I want
12 to comment on anything myself, but people piss me off --

13 Q. Sure.

14 A. -- about the DOT was the roads really weren't that bad that
15 morning. I've driven that every day, every night since September.
16 I drive up there at 7:30 in the evening and I drive back at 6:00
17 a.m., and the roads were nothing compared to some days they
18 usually are. There may have been a dusting along the yellow line
19 to the weight line from blowing snow, but where the tires go was
20 bare. And --

21 Q. Was it snowing at the time or flurries or --

22 A. I think it was just blowing at the time, like so that will
23 stretch in there. There's always wide-open fields in the
24 snowballs across the road kind of there.

25 Q. Yes, yes, we noticed that the last couple of days, we went

1 out to the scene and we noticed that right there, around where the
2 scene was, yes.

3 A. Yes. But that's always been a theme. You know, at that
4 point, I just know when I'm coming up on that area, I usually take
5 the cruise off because that would be the point where you're going
6 to not see where the tire tracks go on your tires.

7 Q. Right.

8 A. But that day it really wasn't bad and I kept the cruise on
9 pretty much the whole ride home. You know, it's funny because
10 since this incident, I've noticed that I used to, prior to this at
11 6:00 a.m. on my way home, I would never see a plow truck. Now I
12 see five to six --

13 Q. Oh,

14 A. -- ever since this incident. I don't know if people are just
15 making assumptions and putting more people out there now --

16 Q. Sure, right,

17 A. -- because of it, but --

18 Q. Okay.

19 A. -- it was a nice ride home this morning.

20 Q. Okay. Well, that's good.

21 A. At that point I realized that everyone -- they had plenty of
22 help there, that I was doing nothing to help. I had been up all
23 night and I was going to go home and go to sleep. And so I
24 relayed to Louisville Fire Chief Jeff Vice that, you know, if the
25 investigator state police get a hold of them and they want to get

1 in contact with me, feel free to give them my name and number and
2 I'd provide a statement. And at that point, I came home and went
3 to sleep.

4 Q. Okay. And I did want to tell you I appreciate you calling
5 our headquarters and reporting this as well. I found this out
6 yesterday when we talked to Jeff Vice and --

7 A. Yes.

8 Q. -- he mentioned you. And at that point, we hadn't been -- I
9 don't know when you called our comm center, but -- and it was only
10 about an hour later --

11 (Crosstalk)

12 A. -- they told me to send an email --

13 Q. Oh, okay.

14 A. -- to email centers, so I -- that's why I -- I just emailed a
15 photo of my statement that I gave to the state police, and that's
16 what I forwarded to you, too.

17 Q. Right, yes. Yes, and we're still gathering information, and
18 sharing and gathering from the state police. So I hadn't even
19 seen that as well, but I appreciate you calling us.

20 A. Yes.

21 (Crosstalk)

22 Q. Yes. So, okay, well you gave us a great description. What
23 -- is this a good callback number for you --

24 A. Yes --

25 Q. -- what you called me on in case we have any follow-up or

1 anything?

2 A. Yes, I just -- I normally work midnights, so I try to sleep
3 till 2:00 in the afternoon usually.

4 Q. Sure, sure, that's why I texted you this morning. I didn't
5 want to call you.

6 A. No, that's fine. I keep the ringer off anyhow.

7 Q. And we had a meeting going on last night when you called --

8 A. That's --

9 Q. -- and --

10 A. -- what Jeff Breeds (ph.) who said you had a meeting at 6:30,
11 so --

12 Q. Right, so --

13 A. -- leave a message and get back to me.

14 Q. Yes. So, okay, well, Mr. Lebel, I appreciate your help very
15 much. And, you know, and really appreciate you doing what you
16 could. I'm sure the passengers on the bus did as well, you know,
17 trying to do what you could to save the --

18 A. Yes --

19 Q. -- save their friends.

20 (Crosstalk)

21 A. -- anybody would do. I mean, just --

22 Q. Sure, right. So, okay. I thank you very much. And again if
23 there's any other follow-back -- do you have a good email?

24 A. Yes, it's --

25 Q. I probably have that. That's probably on -- because they

1 forwarded your email, so it's probably --

2 A. Oh, okay.

3 Q. -- I already have that, so.

4 A. Okay.

5 Q. Okay, great. I thank you again, sir.

6 A. Yes, thank you, sir. All right, have a good day.

7 Q. You, too, sir. Bye-bye.

8 MR. KAMINSKI: That concludes our interview here. It's 10
9 minutes after 2:00.

10 (Whereupon, at 2:10 p.m., the interview was concluded.)

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

CERTIFICATE

This is to certify that the attached proceeding before the
NATIONAL TRANSPORTATION SAFETY BOARD


IN THE MATTER OF: FATAL CRASH OF A FREIGHTLINER BOX
TRUCK & BUS IN LOUISVILLE, NEW YORK
ON JANUARY 28, 2023
Interview of Jonathan Lebel

ACCIDENT NO.: HWY23FH005

PLACE: via telephone

DATE: February 4, 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.



Maria Socorro R. Abellar
Transcriber