

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of: *

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CAPSIZE AND SINKING OF STRETCH DUCK 7 *

ON TABLE ROCK LAKE, BRANSON, MISSOURI, * Accident No.: DCA18MM028

JULY 19, 2018 *

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Interview of: KENNETH SCOTT McKEE

Captain

Cox Medical Center
Branson, Missouri

Friday,
July 20, 2018

APPEARANCES:

SGT. DAN NASH
Missouri State Highway Patrol (MSHP)

SGT. TRAVIS HITCHCOCK
Missouri State Highway Patrol (MSHP)

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I N T E R V I E W

1 SGT. NASH: Hello, sir.

2 MR. McKEE: Hello.

3 SGT. NASH: I'm Dan Nash. This is Travis Hitchcock. We're
4 investigators with the State Highway Patrol. Can we chat with you
5 for a bit?
6

7 MR. McKEE: (No audible response.)

8 SGT. NASH: Okay, perfect.

9 MS. PAINTER: This is our mother, Marina McKee. I'm Peggy.

10 SGT. NASH: Hi, Marina.

11 MS. PAINTER: That's my brother, Travis --

12 SGT. HITCHCOCK: What's your name?

13 MS. PAINTER: Peggy Painter. Pleased to meet you.

14 SGT. NASH: Hey, good to meet you. Good to meet you. Thank
15 you.

16 SGT. HITCHCOCK: How are you doing?

17 MR. McKEE: Wore out.

18 SGT. HITCHCOCK: Yeah, I bet.

19 INTERVIEW OF KENNETH SCOTT McKEE

20 BY SGT. NASH:

21 Q. So basically we're just trying to kind of figure out what
22 happened out here. So we just want to kind of get some
23 information from you. Can you spell your first name for me, sir?

24 A. First name is actually Kenneth.

25 Q. Kenneth. What's your middle initial, sir?

1 A. It's Scott.

2 Q. Scott. And I think I have your date of birth, but can you
3 give it to me anyway?

4 A. [REDACTED].

5 Q. And how about a good phone number for you, like a cell phone
6 number or something?

7 A. My cell phone got wet.

8 UNIDENTIFIED SPEAKER: His cell phone kind of got wet. He's
9 not answering his phone.

10 SGT. NASH: Okay. Can I get one of your guys' numbers as a
11 contact number?

12 UNIDENTIFIED SPEAKER: Do you want us to give them Laurie's
13 number or --

14 MR. McKEE: One or the other.

15 UNIDENTIFIED SPEAKER: Laurie (indiscernible). Okay.
16 (Simultaneous comments.)

17 MR. McKEE: One or the other. I mean, when I get to where I
18 get another phone it will be [REDACTED].

19 SGT. NASH: Okay.

20 MR. McKEE: That's my -- it was with me. So it got wet.

21 SGT. NASH: What's a phone number for you, ma'am?

22 MS. PAINTER: [REDACTED].

23 SGT. NASH: [REDACTED]. And spell your first name for me.

24 MS. PAINTER: Painter like a house painter. Just question.
25 Is this statement -- because we didn't get here until he was in

1 the ER. When we arrived they had already brought him in. So I
2 didn't know if Highway Patrol or police were taking statements.

3 SGT. NASH: I don't think anybody was taking a statement from
4 him.

5 MS. PAINTER: (Indiscernible) what's going on.

6 SGT. NASH: No. I don't think anybody was taking a statement
7 from him.

8 MR. MCKEE: There was a state police guy that was down there
9 that asked me briefly what happened.

10 SGT. NASH: Yeah, but that was basically more about we were
11 trying to figure out how many people were there and basic
12 information. This is a little bit more -- we need a little bit
13 more information than what we got from that first time. Because
14 initially it was just basically -- initially when we do these
15 things it's all about just trying to find, locate everybody and
16 rescue everybody. And then once we do that, that's been completed
17 now, and now it's moved over into trying to figure out what
18 happened. So that's kind of where we are now. So that's why we
19 have to ask some more questions than what he asked you just the
20 other day. Because that's just like basic stuff, like, hey, how
21 many people were on the boat, and who else was helping you, and
22 did you see anybody or that kind of stuff. This is more -- it's a
23 little bit more about kind of how you normally do things and what
24 happened out there that day.

25 UNIDENTIFIED SPEAKER: We're not accustomed to this kind of

1 thing. It's (indiscernible) experience --

2 SGT. NASH: Sure.

3 UNIDENTIFIED SPEAKER: -- with any of it. So is this like an
4 accident report what you're going to be doing at this point?

5 SGT. NASH: Well, it's not really an accident because you
6 didn't hit anything. So we're just trying to figure out what
7 happened. So --

8 SGT. HITCHCOCK: I would characterize it more as an incident
9 at this point.

10 UNIDENTIFIED SPEAKER: Yeah, uh-huh.

11 SGT. HITCHCOCK: More like just to we're investigating a mass
12 casualty incident. So --

13 UNIDENTIFIED SPEAKER: So my head's trying to get around when
14 insurance and attorneys and all that other stuff starts dealing
15 with because I'm still dealing with -- where's the media and
16 having to get him to a peaceful place after he leaves the
17 hospital. So I'm just trying to get a handle on all of this.

18 SGT. HITCHCOCK: Well, as far as the media goes we don't have
19 anything to do with that. You can speak to the media or not speak
20 to the media. That's totally your choice. And if you don't want
21 to speak to the media then you just tell them, I don't want to
22 talk to you people; Please leave me alone. And you're perfectly
23 fine with doing that.

24 UNIDENTIFIED SPEAKER: Yeah.

25 SGT. NASH: You have every right to do that. If you want to

1 talk to them, you can talk to them, but that's totally up to you
2 guys as to how you handle that.

3 UNIDENTIFIED SPEAKER: No.

4 SGT. NASH: But that has nothing to do with us.

5 UNIDENTIFIED SPEAKER: Yeah. We just want --

6 SGT. NASH: And we also have nothing to do with any insurance
7 or anything like that about what you're talking about. I'm not
8 even sure what you're talking about when you say insurance.

9 UNIDENTIFIED SPEAKER: I don't know. I mean, I have no idea.
10 Because --

11 SGT. NASH: We're just simply here to investigate this, and
12 figure out what happened. That's it. That's the only reason that
13 we're here. Does that make sense?

14 UNIDENTIFIED SPEAKER: Um-hmm.

15 UNIDENTIFIED SPEAKER: Yeah, kind of.

16 UNIDENTIFIED SPEAKER: Yeah, kind of.

17 SGT. NASH: Does that make sense to you?

18 UNIDENTIFIED SPEAKER: We don't have any experience -- this
19 sort of thing.

20 MR. MCKEE: I don't want to --

21 UNIDENTIFIED SPEAKER: Trying to minimize the trauma to him.

22 SGT. NASH: Sure. Sure. And we're going to try to do that
23 but, I mean, unfortunately we have to ask questions. Because he
24 -- I mean, it's not just him. We have to ask everybody that
25 survived the incident what happened, and other witnesses and

1 things like that. And some of that might not be super
2 comfortable. We'll try to make it as comfortable as possible for
3 everyone because we don't want to cause any more trauma or hurt to
4 anyone, but we've got to ask questions, and the best people to ask
5 questions to are the ones that were there and saw things or
6 participated or whatever. And obviously since he's one of the
7 people that was driving the boat, obviously, that's one of the
8 people that we're going to have to talk to.

9 MR. MCKEE: So I'm wondering if I should have one of the
10 management staff here with me.

11 UNIDENTIFIED SPEAKER: I think you're supposed to.

12 UNIDENTIFIED SPEAKER: No.

13 UNIDENTIFIED SPEAKER: I don't know.

14 SGT. HITCHCOCK: It's entirely up to you. I mean, we
15 don't --

16 SGT. NASH: I mean, we're trying to get this completed and
17 done, so we want --

18 UNIDENTIFIED SPEAKER: It's fine.

19 SGT. NASH: -- to go as -- excuse me?

20 UNIDENTIFIED SPEAKER: It's fine. Have at it.

21 SGT. NASH: Okay.

22 BY SGT. NASH:

23 Q. What's your current address, sir?

24 UNIDENTIFIED SPEAKER: [REDACTED] -- you said -- it's
25 going to be a public statement though. Does that mean --

1 SGT. NASH: [REDACTED] what is it? [REDACTED]?

2 UNIDENTIFIED SPEAKER: [REDACTED].

3 SGT. NASH: Okay, [REDACTED].

4 UNIDENTIFIED SPEAKER: [REDACTED].

5 SGT. NASH: I know where [REDACTED] is.

6 UNIDENTIFIED SPEAKER: If you guys want to contact him there,
7 that's fine, but we don't want the --

8 SGT. NASH: Here's how this works. Here's how this works.
9 We're conducting an investigation.

10 UNIDENTIFIED SPEAKER: Right.

11 SGT. NASH: That investigation is not open to the public.
12 Okay. So it's not going anywhere. Now at some point down the
13 line eventually it will become an open record under what they call
14 the Sunshine Law.

15 UNIDENTIFIED SPEAKER: Right.

16 SGT. NASH: Okay. But that may be three months. It may be
17 six months. It may be nine months. It may be a year whatever,
18 whatever, whatever. But there's nothing that we can do about
19 that.

20 UNIDENTIFIED SPEAKER: Right, right.

21 SGT. NASH: Because once we pass this along then at some
22 point someone goes okay, this is decided, this is decided, this is
23 decided, and then under State law in Missouri, it's called the
24 Sunshine Law, then it becomes an open record just like most things
25 do.

1 UNIDENTIFIED SPEAKER: Right.

2 SGT. NASH: Just like a divorce or an arrest or all these
3 things eventually will become open record under the Sunshine Law.

4 UNIDENTIFIED SPEAKER: Right, right. That's --

5 SGT. NASH: And we're guided by that law as much as anybody
6 is, and we have no control over that.

7 UNIDENTIFIED SPEAKER: Right (indiscernible).

8 SGT. NASH: But until that day --

9 UNIDENTIFIED SPEAKER: Yes.

10 SGT. NASH: -- nobody gets this.

11 UNIDENTIFIED SPEAKER: That's totally --

12 SGT. NASH: So like tomorrow, next week --

13 UNIDENTIFIED SPEAKER: Yes.

14 SGT. NASH: CNN's not getting this. Fox News isn't getting
15 it. Nobody is getting any of this.

16 UNIDENTIFIED SPEAKER: I don't want an accident report going
17 where --

18 SGT. NASH: No, that's -- none of this is happening.

19 UNIDENTIFIED SPEAKER: I've already been reading Facebook,
20 okay?

21 SGT. HITCHCOCK: Correct.

22 SGT. NASH: And nothing that we do is going to be on social
23 media. We don't -- we're not talking to anybody. What we do
24 is --

25 UNIDENTIFIED SPEAKER: You guys wouldn't --

1 SGT. NASH: Yeah, so.

2 BY SGT. NASH:

3 Q. Okay. How long have you worked for the Ride the Ducks?

4 A. As a captain 18 years.

5 Q. 18 years. Did you work before that as another aspect or --

6 A. I've had a captain's license for over 30 years.

7 Q. Okay. So 18 years as a captain for them, and then previous
8 to that you didn't work as any other?

9 A. I ran a boat called Polynesian Princess.

10 Q. Okay. So other companies?

11 A. Oh, yeah, other companies.

12 Q. Other companies. So 30 years total.

13 A. 32, 33 years ago, I worked for the Ducks as a mechanic.

14 Q. Okay.

15 A. So that was a long time --

16 Q. Okay.

17 A. That probably doesn't -- is not relevant.

18 Q. No. I'm just getting, trying to get some background. 30
19 years total as a captain. Okay. Just kind of tell me what
20 happened yesterday. What was going on yesterday?

21 A. Well, I went out on the 6:30 trip. We noticed there was some
22 weather coming in on our weather radar. Didn't look like it was
23 severe, little bit of thunder and little bit of lightning. So I
24 went out and got in the Duck, and we were getting ready to go, and
25 my manager or manager on duty, Charles, come by and says can you

1 hit the lake first instead of doing mountain. I said, okay. I
2 went into the lake first --

3 Q. And who told you that, your --

4 A. My manager. The manager on --

5 Q. Okay. Charles. What's his last name?

6 A. I couldn't tell you. I don't know. Don't --

7 Q. But he's your direct supervisor then?

8 A. My -- he's one of the managers on duty. Next one up would
9 have been Matt Solinger, and the Curtis is general manager there.

10 BY SGT. HITCHCOCK:

11 Q. So normally you don't go to the lake first or --

12 A. Normally go up on the mountain, do that, and then go down on
13 the lake. So we went -- he asked me to go to the lake first, and
14 I went to the lake. We're going to get a little bit of lightning
15 and some rain is what I -- what I thought this was about because I
16 had no idea there was anything severe coming in.

17 Q. Did you look at the radar yourself or --

18 A. I seen it, and seen it was quite a ways away.

19 BY SGT. NASH:

20 Q. Okay. So then what happened?

21 A. Well, we got down to the edge of the lake. I went in the
22 water basically right behind the two -- the Ducks that went out at
23 six o'clock. They went in, and they went out, and did their
24 thing, and I went in. And they were on the south ramp. I turned
25 north.

1 Q. Back up here for a second. And --

2 A. Or south ramp, and I turned facing north.

3 Q. You go in one ramp and come out of another. Is that correct?

4 A. Right.

5 Q. So because I'm -- I don't know how this works, so that's why
6 I'm asking this stuff. I'm just trying to figure out for myself
7 how this works.

8 A. Right.

9 Q. So there's one ramp on one side of the Branson Belle, and
10 that's the one you go in or come out on?

11 A. The one on the south end we were going in on.

12 Q. Okay. So you so south end.

13 A. North end is one we come out on.

14 Q. South end is in, and the north is out. And you basically
15 followed the six o'clock boat in?

16 A. I was the 6:30 one, yeah. Because it went to the water
17 first. Went in not too far behind that.

18 Q. And you're the 6:30 boat?

19 A. I was the 6:30.

20 Q. Okay. So you go in, and the 1800 boat is in front of you?

21 A. The six o'clock's ones were ahead of me.

22 Q. Okay. So then what happens?

23 A. In the water, I turn to the north. We were doing our tour,
24 and you could see the -- off in the distance quite a ways you
25 could see some dark clouds. I'm doing, continuing on with the

1 tour. All of a sudden there was -- you could just see the water
2 just erupt and turn white coming towards up.

3 Q. What was the lake like? Before that what was the lake like?

4 A. It was calm.

5 Q. Lake was calm.

6 A. I mean, we might have light winds. Pretty calm.

7 Q. Okay. Then what happened?

8 A. So and I was proceeding over towards the exit ramp to the
9 north ramp, and --

10 Q. Now do you -- what's the normal protocol? Do you go around
11 that little island or in front of that little island or --

12 A. Some -- we usually go around it. I didn't go around it.

13 Q. Okay.

14 A. I just turned and went straight that way shortening the ride
15 a little bit.

16 BY SGT. HITCHCOCK:

17 Q. How much of a shortening does that --

18 A. I couldn't tell you how much exactly. I did shorten it.

19 Q. How long -- how normally how long are those rides normally?

20 A. On the water, oh, shoot, I don't know, 15, 18 minutes, 20
21 minutes, something like that maybe.

22 Q. Okay.

23 A. At the most. So it shortened just a little bit. I didn't
24 have any idea this was going to happen. I had no idea, no clue
25 that (indiscernible) the way it was. And when I come up, I have

1 never in all my years of doing this seen that lake get that rough
2 that fast.

3 BY SGT. NASH:

4 Q. Where is this other boat at, at this time?

5 A. At that point in time, I don't know where they were. I was
6 -- when it got rough, and I was dealing with trying to get off the
7 water.

8 Q. Did the captain in front of you that was in the six o'clock
9 boat, did he shorten his trip too or did he go around the island?

10 A. I don't know.

11 Q. Okay.

12 A. I don't know.

13 Q. Was there, do you guys, is there a capability of talking
14 between the two of you?

15 A. We do have radios that do repeater or marine radio on them.
16 We do have those on there.

17 Q. Okay. Was there conversation between you guys?

18 A. No.

19 Q. Was there conversation amongst you and anyone else on the
20 radio, like, do you have, like, a base like a Ride the Ducks base
21 or something or --

22 A. I tried to call in, and I couldn't get an answer.

23 Q. Okay.

24 A. Nobody answered me on it when I tried to call on the radio to
25 back to the -- which has the repeater on it, to the base.

1 Q. What about with the Branson Belle? Is there a way to
2 communicate with them?

3 A. If you're on the right channel, yes.

4 Q. Okay.

5 A. Which is Channel 13 or 16. If there is somebody in the
6 wheelhouse on the boat. It's -- if there are people there with
7 the radios on.

8 Q. But you didn't have any contact with them either?

9 A. (No audible response.)

10 Q. What time do they normally go out?

11 A. I don't know. I don't know what times they -- right off the
12 top of my head right now.

13 Q. Okay. So the lake's gotten rough now, and then what happens?

14 A. I didn't have time to do much of anything. I shut the fire
15 door, which is the hood closure and dropped it, which helps
16 prevent water from going into the engine compartment. And --

17 Q. Is the engine kind of normally open?

18 A. We run with the hoods open on the front.

19 Q. Okay.

20 A. So you get a little air into them.

21 Q. So they're maybe six or eight inches open?

22 A. Something like that.

23 Q. Okay. So you closed that to keep the water from going in.

24 A. And I was headed for shore as quick as I could get there.

25 And --

1 Q. Did you turn around or did you keep going?

2 A. I was far enough around that I was closer to the exit ramp
3 than I was the entrance ramp.

4 Q. Okay.

5 A. I never expected it to get this rough. Never had any -- I've
6 never seen it get that rough.

7 Q. Okay.

8 A. I didn't have time to do much of anything. When I realized
9 we weren't going to make it, I reached up and pulled the release
10 for the curtains on the side, this curtain over here. Pulled the
11 release to drop the curtains which makes it --

12 Q. What are the curtains?

13 A. Side panels.

14 Q. Okay. Are they like just plastic?

15 A. Plastic ones.

16 Q. Okay. So are they normally up or --

17 A. We run with them up when it's hot out. If it's raining,
18 we'll have them closed.

19 Q. Okay.

20 A. For rain and such.

21 Q. So yesterday was up because it was hot and humid.

22 A. It was up. When there's rougher water out there, you'll
23 lower them to help keep water from splashing in.

24 Q. Okay.

25 A. So --

1 Q. So you lowered the curtains.

2 BY SGT. HITCHCOCK:

3 Q. So it just unlocks them so --

4 A. There's with that --

5 Q. -- do they automatically --

6 A. -- lever you just pull the pin, flip the lever, and the whole
7 thing falls off.

8 Q. Okay.

9 A. Completely.

10 Q. Okay.

11 A. I pulled that lever.

12 BY SGT. NASH:

13 Q. You mean like completely falls off the boat?

14 A. Completely falls off to release. It's -- Coast Guard has
15 them set up that way so they're quick release so they're not in
16 the way.

17 Q. Okay. I want to make sure I understand this. So you --

18 A. You can go --

19 Q. -- drop the curtains, and that keeps the water from splashing
20 in, and it's just like glass so that they can look through and
21 still see everything, and then you can release those curtains and
22 they'll just fall off into the water?

23 A. They're powered so you can raise and lower them. But if you
24 have a problem, like, if you have a fire onboard, you can flip
25 that release and they'll fall off. Or if you have a problem with

1 a Duck doing what this one did, you can release them so people can
2 get out quickly.

3 Q. Okay. So you drop the curtains, and then you release them,
4 and they go off?

5 A. Because I had lowered them when I seen the waves getting a
6 little bit bigger out there. Because they weren't that big, and I
7 though, well, let's keep from splashing everybody when I did that.
8 Because I said I had no idea, and had never see it be this big
9 like this before.

10 Q. Okay.

11 A. I mean, when it gets windy the water splashes in so. And
12 with a storm coming it's going to be raining. So we did that for
13 them. I released that. And as soon as I released it, I was
14 pushed out through the front windshield. The front windshield
15 folds down on the Ducks.

16 Q. Okay.

17 A. You open it like a jeep. They'll fold down.

18 Q. So it's plastic too just like the others? It's a glass?

19 A. The front window, windshield is a VO2 glass window. I mean
20 it's a -- windshield. It can fold down like a jeep does.

21 Q. And that's not -- is that part of the release thing?

22 A. No. You can fold that down when you're driving around slow
23 or driving on the water you can lower it down just to --

24 Q. So you released the curtains. You expect those to go away
25 and go off.

1 A. The windshield folds down just by pushing it down.

2 Q. Did you expect that to happen or did you try to push the
3 front windshield down?

4 A. I think the water pushed me through it, I think.

5 Q. So there's -- you didn't hit the button to release the
6 windshield?

7 A. The windshield you manually lower it.

8 Q. Oh. You just push it and lower it?

9 A. You grab a lever and lower it.

10 Q. Okay.

11 A. There's no latches or anything on it. You just --

12 Q. Okay. And you didn't do that?

13 A. I think the water just pushed me through it. Because at that
14 point the Duck was gone. It just -- I had no time to do anything.
15 The storm came on so fast, I had no time to do anything. And like
16 I said, I've never seen that lake get like that ever.

17 Q. Do you remember what happened after you went into the
18 windshield?

19 A. I swam and swam and swam to get back up to air.

20 Q. Okay. So you were under the water?

21 A. I was underwater.

22 Q. Was the boat underwater too or?

23 A. The Duck was underwater.

24 Q. Okay.

25 A. It went down and just -- it just went.

1 SGT. HITCHCOCK: Quick. You would say it went quickly?

2 MR. McKEE: It was quickly. It was quick.

3 UNIDENTIFIED SPEAKER: That's probably what was holding you
4 under.

5 MR. McKEE: I was paddling as hard --

6 UNIDENTIFIED SPEAKER: What was sucking under --

7 MR. McKEE: -- as I could to get to the top. And when I got
8 to the top, the waves were so big they come over the top of me,
9 and pushed me back down, and they kept pushing me back down and
10 pushing me back down. And I got water in my lungs. That's why
11 I'm in here. And I tried to work my way over towards the Branson
12 Belle's dock, and when I -- I don't -- if I would have been any
13 farther away, I don't think I would be here honestly because the
14 way the waves were coming over the top of me. I was so exhausted
15 how -- I'm trying to just stay above water with that coming over
16 me, and trying to breathe with water in my lungs. Because they've
17 got -- they said I had some water in my lungs. When I got to the
18 dock (indiscernible) strong enough to hang on the dock, I got a
19 hold of it, and some guys reached down and grabbed my arms and
20 pulled me up. I don't know who they were. But if it had been any
21 longer, I wouldn't be here.

22 BY SGT. NASH:

23 Q. And, obviously, you're not wearing a lifejacket and no one is
24 wearing a lifejacket. Is that understanding?

25 A. Didn't have time to -- I didn't have time to get anybody in

1 lifejackets.

2 Q. Okay.

3 A. At the same time --

4 Q. But there's lifejackets on there, right?

5 A. There are lifejackets on --

6 Q. Where are they one the duck?

7 A. They're located over your head.

8 Q. Okay. So all of them? How does that work?

9 A. There's adult ones on this side, children's ones on this
10 side.

11 Q. Are they like in a --

12 A. Before we go in the water, we brief the people on how to use
13 them. We actually demonstrate the lifejacket, which I did, and
14 demonstrate how to take them down, release the little snap, take
15 them out, how to put them on.

16 Q. When you say release the little snap, are they just like
17 sitting up there?

18 A. They're sitting up there with a little strap around it, a
19 little snap. Just a --

20 Q. So they're not like in a cabin or something. You just reach
21 up and grab it.

22 A. You just reach up and grab it. And then when you grab that
23 little strap, just pull down on it. They're loose.

24 Q. Okay.

25 A. I didn't have any time. And that water got so rough out

1 there you couldn't move around.

2 Q. So --

3 A. And I lost the PA that I use to talk on. It got water on it.
4 Yeah, it -- at some point where I couldn't actually with the PA
5 that we use to talk to do our tours, I couldn't talk to the people
6 because it was so loud on the Duck with the waves and the wind and
7 everything going on even if I yelled I don't think they could have
8 heard me. I mean, I don't think they could hear me yelling.

9 UNIDENTIFIED SPEAKER: You were underwater too at that point
10 in time.

11 MR. McKEE: So fast.

12 BY SGT. NASH:

13 Q. Okay. So have you ever been out there before when you saw a
14 storm coming, and you told people to put lifejackets on? I mean,
15 what's the normal protocol for that? How does that work? Or
16 what's the policy or your -- I don't know, whatever you want to
17 call it.

18 A. When we see storms coming shorten the trip and get off the
19 water.

20 Q. Okay.

21 A. Yeah. If we feel that it's getting rough enough to need them
22 you can have the people put them on.

23 Q. Okay.

24 A. And at the very beginning of this, I didn't -- it wasn't
25 rough. It was a little bit windy. It wasn't rough. And then all

1 of a sudden, boom, there it was.

2 Q. Okay.

3 A. There was no time for that.

4 Q. And the way I understand this is you're the captain of the
5 boat, and then there's a driver of the boat.

6 A. There's a driver.

7 Q. Explain to me how that works because I'm kind of confused
8 about that whole process.

9 A. The driver drives on land, the captain drives the Duck in the
10 water.

11 Q. Okay. And where -- is he sitting up there by you?

12 A. He's sitting right behind me.

13 Q. Okay. So he's sitting right behind you. Are you having
14 conversations with him when you're going out there? What is his
15 duties when you're on the water?

16 A. When we're on the water, he is -- his duties is -- his --
17 because we're not, we're not required to have a deckhand by the
18 Coast Guard. He is trained to be a lookout, and to assist with
19 whatever needs, which would be any kind of emergency situation out
20 there, you know, if you have somebody has medical emergency, to
21 help with that. Any kind of emergency he'd have to help assist
22 the captain with that.

23 Q. Okay. And did you have any conversations with him? Did he
24 say anything like, hey, Ken, looks like the weather's coming in or
25 look out for these waves or --

1 A. I didn't have -- when it -- the front edge of the storm come
2 through it wasn't that intense, and then all of a sudden boom it
3 was huge, and I had no time to do anything.

4 Q. Was it just wind or was it rain?

5 A. There was extremely high wind, and I think there was a little
6 bit of rain with it. I don't know.

7 Q. Okay.

8 A. Because the waves were splashing up on the Duck so bad I
9 couldn't tell.

10 Q. And there's no way you can see, like, you know, sometimes you
11 can see the rain coming across the lake and that kind of stuff.

12 A. I don't know.

13 Q. Okay. Was there any time that you had contact or
14 conversations with any of the passengers? Did any of the
15 passengers say, hey, I want to put my lifejackets on or are we
16 okay or, hey, I'm getting uncomfortable with this?

17 A. When it, like I said, it got so bad so fast it was just so
18 loud in there, I couldn't talk with them.

19 Q. Okay. And you couldn't hear them either? Were they -- what
20 were they doing? Were they yelling? Were they screaming? Were
21 they --

22 A. I think there were some people yelling on there. I don't
23 know. Like I said, it was so loud on there, I don't know.

24 BY SGT. HITCHCOCK:

25 Q. How far behind you are the first row of seats of passengers

1 when you're in that front seat?

2 A. Oh, probably as far from me to you.

3 SGT. NASH: So three, four feet, five feet maybe?

4 MR. McKEE: Something like that.

5 SGT. NASH: Okay.

6 BY SGT. HITCHCOCK:

7 Q. When your Duck is normally operating when you -- just under
8 normal conditions without any kind of wind going on or storm, can
9 you communicate without the PA with folks on the boat too or --

10 A. The engine is right in front of you, underneath of you. It's
11 very hard to hear over the engine in the front.

12 Q. Okay.

13 A. So it's hard to hear people having -- you can't hardly hear a
14 person -- it's hard to hear someone normal conversation.

15 Q. I see. So --

16 A. The PA does work to be able to communicate with them.

17 Q. So how do you, like if you're on a tour, a normal tour and
18 you've got the PA system, you're basically telling people, hey,
19 we're going by -- we're doing this, look at that, look this way,
20 look that way. With people do you ever get feedback from folks
21 that you've able to communicate?

22 A. People do try to, people do try to ask questions on there at
23 times.

24 Q. Do they have a PA system too or --

25 A. They do not.

1 Q. They just verbally --

2 A. They do not. They just ask, and it's difficult to hear them
3 under normal conditions on a Duck. Driving down the road it is
4 difficult to hear them. A lot of times we're having to say wait
5 until we get like up on top of the mountain where we're going
6 really slow it's easier to hear. Or after we're on the water
7 where we're just idling slowly. With that wind and noise,
8 couldn't hear.

9 Q. Okay. But even in normal conditions it's difficult --

10 A. In normal conditions driving on the road is hard to hear.

11 Q. So does your passenger or the driver that's with you, is he
12 tasked with any kind of communication with the folks who are in
13 there too or is it just you?

14 A. It's mainly us.

15 Q. Does he have a PA system as well?

16 A. (No audible response.)

17 Q. Do you know if he attempted to yell back anything to anybody
18 or --

19 A. (No audible response.)

20 Q. Can you see when you're up front, I mean, you're facing
21 forward? You're basically trying to operate this boat to get it
22 to shore, right?

23 A. (No audible response.)

24 Q. So you're trying to navigate the waves and do whatever. So
25 you're not necessarily looking. You're not turning around looking

1 backwards. How do you visually --

2 A. There's a mirror right there.

3 Q. Okay.

4 A. I mean, under normal conditions you can look back at them.

5 Q. Sure.

6 A. This my job is to operate the vehicle.

7 Q. Okay.

8 A. Make sure to get us out as safely as possible.

9 Q. Do you remember what your driver next to you was doing when
10 that -- when you were doing that?

11 A. He was sitting right there behind me (indiscernible).

12 Q. Is he facing the people? Is he facing forward?

13 A. I think he was sitting sideways he could see -- where he
14 could see the people.

15 BY SGT. NASH:

16 Q. Where did -- how did, how did the Duck actually take on
17 water? At what point? I mean, you know, was it back to front,
18 front to back? Was it to the side? Did it list to the side? How
19 did that, how did the water actually enter the Duck?

20 A. We turned behind the Branson Belle. It just went down,
21 straight down.

22 Q. Went straight down.

23 A. Just --

24 Q. Do you remember it rocking backwards or forwards or --

25 A. It was --

1 Q. -- sideways?

2 A. -- so fast I don't know.

3 Q. How quickly after you dropped the curtains do you think it
4 started going down?

5 A. It was underwater in seconds.

6 Q. Okay. So I mean, did you hit the thing on the curtains --

7 A. I reached up, pulled the lever, shoved it forward, and I got
8 washed out the windshield just like that.

9 Q. Okay. So just like within seconds. So you hit the curtains,
10 and within seconds you're out the front?

11 A. Washed out the front.

12 Q. Did you see the curtains at all? Did you see if they
13 actually detached from the boat?

14 A. I released it, pushed on it. So this one -- this one
15 released, I think.

16 Q. Okay.

17 A. It was so fast.

18 Q. Yeah.

19 A. I've never seen the lake do that out there.

20 Q. Don't take this wrong, but there are certain questions we
21 have to ask that are -- were you on any kind of medications that
22 day?

23 A. No. I don't drink.

24 Q. Don't drink.

25 A. I don't do drugs. I don't --

1 Q. No illegal drugs.

2 A. Don't drink coffee.

3 Q. Okay.

4 A. Soda pop. I'm not taking any medication whatsoever.

5 Q. Okay. And, again, I don't -- I'm not trying to offend you.

6 I'm just --

7 UNIDENTIFIED SPEAKER: He did a drug test.

8 MR. McKEE: They just, they do --

9 SGT. NASH: I know.

10 (Simultaneous comments.)

11 MR. McKEE: Give you a drug and alcohol test. It's for the
12 Coast Guard.

13 SGT. HITCHCOCK: Okay.

14 MR. McKEE: So that's already done, and done with the Coast
15 Guard.

16 BY SGT. HITCHCOCK:

17 Q. That was going to be my next question. Have you already
18 talked to -- have you talked to anybody else? Have you talked to
19 anybody with the Coast Guard or anybody else?

20 A. Not yet.

21 Q. Okay. There's probably going to be -- I know the NTSB is
22 involved in this as well. So at some point a member of the Coast
23 Guard or NTSB is probably going to try to reach out to you too,
24 just so you know. They're just not here yet. The NTSB will try
25 to do that --

1 UNIDENTIFIED SPEAKER: You're (indiscernible) the official,
2 like actually take a statement. That's why I was asking
3 because we hadn't --

4 SGT. NASH: And one of the reasons, one of the reasons it
5 took us a little bit to get here was, like I said, at first it's a
6 rescue operation, and then we change gears, and we were kind of
7 waiting for the NTSB to be here too, but they're all coming from,
8 like, DC, and other places. So we just couldn't wait anymore. We
9 had to --

10 (Simultaneous conversations/phone call taking place.)

11 SGT. NASH: I think we're okay right now. I think that's
12 probably it for right now. We may need to come back, and ask some
13 more questions.

14 BY SGT. NASH:

15 Q. Are they talking about when they might discharge you or?

16 A. They were saying after I ate lunch, which I've ate lunch.

17 Q. Okay.

18 UNIDENTIFIED SPEAKER: I was trying to figure out --

19 MR. McKEE: I don't know why they haven't.

20 SGT. NASH: I don't know when they're going to get here. So
21 if they discharge you, I'd just move on.

22 MR. McKEE: Yeah.

23 SGT. NASH: Go on home.

24 MR. McKEE: I assumed they were going to -- as soon as I ate
25 lunch, I assumed they were going to come here and say --

1 SGT. NASH: Is he -- are you guys just going --

2 UNIDENTIFIED SPEAKER: (indiscernible) unplug him.

3 BY SGT. NASH:

4 Q. Yeah. You're planning on just going back to Verona, right?

5 A. No. I'm going to -- Laurie's coming from work, my
6 girlfriend.

7 Q. Okay.

8 A. And we're going -- I'm going over to her house.

9 Q. Where is she?

10 A. She lives here in Branson.

11 Q. Oh, okay.

12 A. We both work at the Ducks.

13 Q. But I got Peggy's number. What's Laurie's number?

14 A. Oh, crap.

15 UNIDENTIFIED SPEAKER: Let me get it for you.

16 SGT. NASH: Okay.

17 MR. McKEE: Phone got soaked so --

18 BY SGT. HITCHCOCK:

19 Q. What's her name again?

20 A. Laurie Doucet, D-o-u-c-e-t.

21 Q. D-o-u-c-e-t-t?

22 A. T, one --

23 Q. One 't', sorry.

24 SGT. NASH: C-e-t.

25 BY SGT. HITCHCOCK:

1 Q. Sorry. And she lives here in Branson?

2 A. Yes.

3 Q. Okay.

4 A. She works at the Ducks.

5 Q. And it's [REDACTED], and it's L-a-u-r-i-e. Thank you.

6 BY SGT. NASH:

7 Q. Okay. Charles is the manager?

8 A. Was the person --

9 Q. And then Matt, what did you say Matt's last name was?

10 A. Matt Solinger.

11 Q. Solinger.

12 A. And then the general manager is Curtis Linham.

13 Q. Curtis what?

14 A. Linham.

15 Q. Curtis Linham.

16 A. I don't know how to spell it.

17 UNIDENTIFIED SPEAKER: I think Laurie had written

18 L-i-n-h-a-m, (indiscernible).

19 SGT. NASH: Okay. I think we have what we need for right

20 now.

21 UNIDENTIFIED SPEAKER: Will he get a copy of that, your

22 report or --

23 SGT. NASH: Only after everything is done, and you request it

24 under the Sunshine Law.

25 SGT. HITCHCOCK: Yes.

1 UNIDENTIFIED SPEAKER: I've read that Sunshine Law so many
2 times. It's a pain.

3 SGT. HITCHCOCK: Yeah. It's not releasable to anyone outside
4 of law enforcement circles.

5 SGT. NASH: Not even him.

6 SGT. HITCHCOCK: Not even him until --

7 SGT. NASH: Until it's --

8 SGT. HITCHCOCK: It's open.

9 SGT. NASH: -- it's open records.

10 SGT. HITCHCOCK: The case is an open record.

11 UNIDENTIFIED SPEAKER: Oh.

12 SGT. HITCHCOCK: As long as --

13 SGT. NASH: And once it becomes an open record, then you can
14 send in a request, and they'll give it to you.

15 SGT. HITCHCOCK: Correct.

16 SGT. NASH: But up until then, nobody but the police have it.
17 So you don't have to worry about anybody else having it either.

18 UNIDENTIFIED SPEAKER: No. We don't want --

19 SGT. NASH: Nobody will have it. Media won't have it. They
20 can't get it. Nobody can have it.

21 UNIDENTIFIED SPEAKER: We occasionally watch TV and
22 (indiscernible).

23 UNIDENTIFIED SPEAKER: We don't want to do (indiscernible).

24 SGT. NASH: I don't watch the news so no purpose in it. It's
25 not accurate. So why deal with it.

1 SGT. HITCHCOCK: You can contact us any time.

2 UNIDENTIFIED SPEAKER: So the Coast Guard and the --

3 SGT. NASH: S-B.

4 SGT. HITCHCOCK: S-B.

5 UNIDENTIFIED SPEAKER: T --

6 SGT. NASH: NTSB.

7 UNIDENTIFIED SPEAKER: Sorry. I (indiscernible) that either.

8 SGT. HITCHCOCK: National Traffic Safety Board.

9 UNIDENTIFIED SPEAKER: Safety Board. So they would expect to
10 talk to him?

11 SGT. NASH: At some point, yes.

12 SGT. HITCHCOCK: At some point. I'm sure --

13 SGT. NASH: Whenever they're ready.

14 UNIDENTIFIED SPEAKER: Better that he talks to them at the
15 hospital or the public place or --

16 SGT. NASH: I think if the hospital is ready to discharge
17 you, you just move with your lives.

18 SGT. HITCHCOCK: Do whatever --

19 MR. MCKEE: I'm sure the company is going to want to talk to
20 me and --

21 UNIDENTIFIED SPEAKER: Because you're not going to want to do
22 that at home. He needs to rest.

23 SGT. HITCHCOCK: Sure.

24 SGT. NASH: They'll be happy to say, hey, can you meet us
25 somewhere? They can meet you at -- wherever just like we would

1 do. I mean, we only came here because--

2 SGT. HITCHCOCK: Accommodate yourselves.

3 UNIDENTIFIED SPEAKER: (Indiscernible) he was all banged up.

4 SGT. NASH: Well, we knew he was here. We knew he wasn't
5 discharged yet so --

6 UNIDENTIFIED SPEAKER: (Indiscernible) know he was here.

7 SGT. NASH: So, I mean, but had he already been released, we
8 would have just tracked him down, and called him, and said, hey,
9 we --

10 UNIDENTIFIED SPEAKER: Yeah.

11 SGT. NASH: -- need to meet with you. Where do you want to
12 meet with us at? And --

13 MR. McKEE: (Indiscernible) called me. She had to call the
14 work and have them get a hold of me to get to you.

15 SGT. NASH: We would have found you.

16 SGT. HITCHCOCK: Yeah. And they'll do the same. Yeah.

17 SGT. NASH: Yeah.

18 SGT. HITCHCOCK: But I wouldn't be concerned with trying to
19 put yourself into a position to let other people talk to you. You
20 should just go about your -- you need to get better, and you need
21 to, you need to --

22 MR. McKEE: Rest.

23 SGT. HITCHCOCK: -- take a break and get away from here, and
24 decompress, and do whatever, I mean, do whatever --

25 SGT. NASH: Do whatever you think is best for you, and then

1 they'll get a hold of you when they need to.

2 SGT. HITCHCOCK: Yeah, they'll get a hold of you. Don't hang
3 around waiting for --

4 SGT. NASH: And if we need to get a hold of you again, which
5 it's very possible we might, we'll just call you.

6 UNIDENTIFIED SPEAKER: Laurie. Laurie can --

7 SGT. NASH: We'll call Laurie. We'll call you. We'll get a
8 hold of you.

9 UNIDENTIFIED SPEAKER: He's (indiscernible) be with Laurie.
10 So he's close enough to deal with this stuff because we're an hour
11 and a half drive.

12 SGT. HITCHCOCK: Sure.

13 UNIDENTIFIED SPEAKER: So.

14 UNIDENTIFIED SPEAKER: And we're going to leave him here with
15 her. So --

16 MR. McKEE: I've never seen that never get that rough.

17 SGT. NASH: Is it Ken or Kenneth? Do you go by Ken or --

18 MR. McKEE: I go by Scott.

19 SGT. NASH: Scott. Oh, okay.

20 MR. McKEE: I'm hearing reports of that wind being over 80
21 mile an hour. People are telling me that the SeaTel people were
22 saying that the winds was over 80 out there.

23 SGT. NASH: I've heard 60 to 65. I've not heard 80 yet,
24 but --

25 SGT. HITCHCOCK: I've heard that. I've heard --

1 UNIDENTIFIED SPEAKER: I heard near 90 on the news.

2 SGT. HITCHCOCK: Even 60 and 65 is pretty --

3 MR. McKEE: I have never seen --

4 UNIDENTIFIED SPEAKER: Well, they don't have anything to
5 measure it in the middle of the lake.

6 SGT. HITCHCOCK: That's true. That's true. And there's
7 nothing to stop it out there either.

8 SGT. NASH: No, there isn't anything to slow it down.

9 UNIDENTIFIED SPEAKER: Are they going to pull that boat up?

10 SGT. NASH: Yeah.

11 UNIDENTIFIED SPEAKER: Have they already started?

12 UNIDENTIFIED SPEAKER: Close to getting it up.

13 SGT. NASH: I think they're working on it, yeah.

14 SGT. HITCHCOCK: Peggy --

15 SGT. NASH: I would say it would probably be up today.

16 SGT. HITCHCOCK: Peggy. I'm sorry.

17 UNIDENTIFIED SPEAKER: She's the Painter. I'm not.

18 SGT. NASH: All right, thank you. Appreciate it.

19 (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: CAPSIZE AND SINKING OF STRETCH DUCK 7
 ON TABLE ROCK LAKE, BRANSON, MISSOURI,
 JULY 19, 2018
 Interview of Kenneth Scott McKee

ACCIDENT NO.: DCA18MM028

PLACE: Branson, Missouri

DATE: July 20, 2018

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.



Katherine Motley
Transcriber