

RECORD OF PROCEEDINGS OF A
COURT OF INQUIRY
CONVENED AT
TRIAL SERVICE OFFICE PACIFIC
BY ORDER OF
COMMANDER IN CHIEF
UNITED STATES PACIFIC FLEET
TO INQUIRE INTO A COLLISION
BETWEEN USS GREENEVILLE (SSN 772) AND
JAPANESE M/V EHIME MARU THAT OCCURRED
OFF THE COAST OF OAHU, HAWAII
ON 9 FEBRUARY 2001
ORDERED ON 17 FEBRUARY 2001
AS AMENDED ON 22 FEBRUARY 2001;
26 FEBRUARY 2001;
1 MARCH 2001; AND
9 MARCH 2001

At Trial Service Office Pacific
Naval Station, Pearl Harbor, Hawaii
Wednesday, 14 March 2001

The court met at 0800 hours.

PRES: Good morning. Please be seated. This court is now in session. Counsel.

CC: Let the record reflect that the members, parties, and counsel are again present. Legalman Senior Chief Sayers is absent as court reporter. Legalman First Class Leather is present as court reporter.

Sir, the court has no procedural matters.

PRES: Counsel for the Parties, any procedural matters?

Counsel for CDR Waddle, party (Mr. Gittins): None, sir.

Counsel for LCDR Pfeifer, party (LCDR Stone): No, sir.

Counsel for LTJG Coen, party (LCDR Filbert): No, sir.

CC: Sir, at this time I'd like to swear our interpreter.

PRES: Please.

[Yasuko Kawakami, civilian, was called as an interpreter, and was sworn.]

CC: Will you please be seated?

Interpreter (Yasuko Kawakami): Thank you.

CC: Sir, at this time the court calls CAPT Hisao Ohnishi to the stand.

CC: Please be seated, sir. Mr. President.

PRES: CAPT Ohnishi, welcome. Good morning. Thank you for returning to Hawaii. The court recognizes that this may be difficult for you but I think it's important to understand that your testimony is important for a more complete understanding of the collision. I'd like to begin.

Hisao Ohnishi, Captain, Master, M/V EHIME MARU, as a witness for the court, was sworn, and examined as follows:

DIRECT EXAMINATION

Questions by Counsel for the Court:

Q. Captain, would you please state your name and nationality?

A. Yes. My name is Hisao Ohnishi. The nationality is Japanese.

Q. And on the 9th of February 2001, were you the Captain of the Japanese Motor Vessel EHIME MARU?

A. Yes.

Q. Captain, why did you choose the waters surrounding Hawaii for your student's training?

A. Yes. Japan's National Marine Products High School Training Vessel Authorization Association determines the ocean training area for each training ship depending on the number of days of the voyage. Accordingly, I took my ship to this water.

Q. Captain, was your ship anchored in Honolulu Harbor on the morning of 9 February?

A. Yes, it was in the port.

Q. And did the EHIME MARU leave port and head out to sea that day?

A. Yes.

Q. Sir, what time did your ship set sail?

A. We set for sail at twelve noon on February the 9th.

Q. And how many crew members did you carry aboard the EHIME MARU?

A. We set sail with a total of 35 people, with 20 crew members including the captain, myself, 2 instructors, and 13 training students.

Q. Captain, after you left the pier--your anchorage did you pass by Buoy Hotel after leaving Honolulu Harbor?

A. Yes.

Q. Were you operating a surface search or a navigation radar when you left the harbor?

A. Yes.

Q. And what type of radar were you operating?

A. We were using X-Band radar with an output of 50 kilowatts. The model number is BR3440MAX59 and it is made by a Japanese company called Tokimec.

Q. Is that the only radar you were operating that day?

A. Yes.

Q. And was that radar operating continuously up until the time of the collision?

A. Yes.

Q. Captain, what course did you set after passing abeam of Buoy Hotel?

A. Yes, it was a course of a 166 degrees true.

Q. And Captain, what was your ship's speed?

A. Approximately 4 knots to 5 knots.

Q. And what were you doing at the time that the EHIME MARU was at course 166 degrees true speed, 4 to 5 knots?

A. I was minding on the duty of being on lookout along with 2 watchstanders.

Q. Sir, were you stowing your anchor at this time?

A. No, not completely done yet. We were working on stowing the anchor.

Q. Once your anchor was stowed did the EHIME MARU increase speed?

A. Yes it did.

Q. And did your course of 166 degrees true remain the same?

A. Yes, that is correct.

Q. Where were you going that day, sir?

A. To the next training sea area.

Q. And is that why you set course at 166 degrees true?

A. Yes, that is correct.

Q. What area in the ocean were you going to conduct your ship's training?

A. In the area of North latitude 14 degrees, and West of 156 degrees. Just approximately that area.

Q. Captain, was the EHIME MARU involved in a collision with a U.S. submarine on the afternoon of 9 February?

A. Yes.

Q. And sir, do you know at approximately what time the collision took place?

A. Although I am not sure of the exact time of the collision at that time I felt it was about 1330 to 1340. Around that time.

Q. And Captain, do you know the approximate location in the ocean where the collision took place?

A. I do not recall exact point but it was approximately 10 miles off toward the south of the Diamond Head. And as to the location of the sinking, I think it was in the vicinity of the disclosed location which was 21 degrees, 4.95 minutes in the North and a 157 degrees, and 49.58 minutes to the West.

Q. Captain, would you describe for the court where the U.S. submarine struck the EHIME MARU?

A. You asked me where. At that time--would you please ask me the question?

Q. What I'm interested in finding out, sir, and having you tell the court is as the U.S. submarine hit the EHIME MARU were you able to see where on your ship the U.S. submarine struck?

A. Yes. I'm not able to determine where exactly it was hit. However, the first impact was as if the stern of the ship was to be tossed or lifted up. And that impact was once. And after that terrible metal hitting sound occurred somewhere between the Helm's Room and the stack. And then there were two banging sounds and impact we felt.

Q. Captain, can you tell the court, was the--did the collision take place on the port or starboard side of the EHIME MARU?

A. I am not sure if it was the port side or the starboard side. Probably it was right on the bottom of the ship. However, right after the collision we saw the submarine toward the left aft of the ship.

Q. Captain, would you describe for the court what actions you and your crew took to abandon ship after you were struck by the U.S. submarine?

A. Yes. I will start.

INTERPRETER: I would like to have the court to have witness slow down for the benefit of the interpreter. Please.

Q. Mr.--CAPT Ohnishi, could you please slow down in your responses so the interpreter can keep up with you?

A. Yes. I understand. I will repeat--start from the beginning.

At that time the ship was taking the course of 166 degrees and the speed was 11 knots. It was taking the course that way and at 15--at about 1530 to 40 we felt an impact as if the lift of

the stern was lifted--strike that--as if the stern of the ship was lifted up. At the same time a terrible sound of bang, bang occurred about twice and then the ship came to a halt. Because the impact and the sound was abnormal, I intended to switch the auto-pilot to manual and I stood in front of the wheel stand. However, all the displays on the stand's instruments were all gone off at that time. At that time there was no other ships that could establish a ship relationship with our ship and therefore, I looked around to see what was happening. One of the watch had reported that he was able to see a submarine on the left aft side of the ship. And I also confirmed that fact.

At that time when I saw the left side of the--port side of the ship I was able to see the round port window which was on the very back end of the port-side cabin. Looking at that I realized that it was very abnormal water level and considering that was not normal I intended to gather people for emergency gathering. And I picked up--lifted up the microphone. The power was off all ready. At this time the First Navigator and Communications Chief felt the abnormality and did come up to the Bridge at this time. Communications Chief said that since the power was off he was going to put on the switch for EPIRB, which was located in the left rear side of the ship. I ordered the First Navigating Officer to gather everybody for emergency. And as to myself, I entered the Navigational Chart Room trying to pick up important documents. At that time I looked toward the right starboard side window and I was able to see a lot of crew members as well as training students gathering at that place. We had already decided that in time of emergency we were to gather at the muster loca--station which is behind the Bridge on the deck. I headed to the muster location to confirm the presence of the people. And the waves were already reaching the heels of me.

At that time everybody was trying to talk loudly trying to confirm if they were wearing the lifesavers or so-and-so were around and trying to communicate to each other through loud voices. However, nobody was in any state where they could respond to such call because they were clinging onto a handrail and some structural things of the ship. Immediately afterwards the water had reached the Bridge toward--back of the Bridge area and a number of people--a multitude of people were thrown off the ship into the sea. Myself, I was not even able to drop the life raft but I was thrown out of the ship to the water by the waves. And I was pushed away a great distance from the ship at once. At that time I took a real quick glance of EHIME MARU and I was able to observe a number of crew members as well as training students on the Compass Deck yet then.

After that I found all of the life rafts dislodged themselves automatically and all 10 of them surfaced. EHIME MARU was equipped with (8) 25 men rafts and (2) 6 men rafts. Only one raft of 6 men--strike that--6 man raft is the only one that had split. However, the remaining rafts were working properly.

All those afloat on the ocean got onboard the raft and started to lift up those who were in the water. I saw two of those rafts near the one I was aboard and therefore, I used the oar and approached them. I saw that some crew members were on those rafts so using the rope that was in the raft we connected each other and so three were tied together. Other rafts had been washed away.

At that time the submarine, which we thought had passed by us and had gone, returned after reversing the course and was drifting near us. I was able to see some people--2 to 3 people in the Bridge of the submarine. I was--we were hoping that they would lower their inflatable rubber boat, but the only thing they did was to lower the Jacob's Ladder. They were watching us.

The ship EHIME MARU was keeping the level attitude from the collision to the sinking. But at the end it had lifted the bow of the ship and sunk in that manner. I felt the time was very short. I felt the ship went in about 5 minutes--not even 10 minutes at that time. When I was lifted aboard the raft my wristwatch said, I think, about 1345.

Around the raft I was aboard there were many things floating such as fish float or life preservers. I was hoping that I would find somebody clinging to them. So we yelled and looked--searched for them but I was not able to find anybody.

In about an hour from that time we saw a helicopter coming and circling above us. Shortly after that two vessels of the Coast Guard came. One of them was the rubber boat. They started to recover those who were aboard the rafts. I got onto that rubber boat myself and informed them of my ship name, call sign, and also the number of crew members. We went around other life rafts one after another and started to make a headcount of the people aboard them. There were some rafts where there was nobody aboard. And we found 9 people were missing. I am not sure how long we remained at the site. We split ourselves to be on the vessels that the Coast Guard--2 Coast Guard vessels and arrived and was safe at the Coast Guard base.

That is the status of the accident.

Q. Captain, I'd like to talk briefly about the search and rescue effort that the U.S. submarine performed.

A. Yes.

Q. When you saw the officers on the Bridge of the submarine were they trying to communicate with you?

A. Because my boat was so far away from it any communication would not have been possible. Not in hearing distance.

Q. Did the U.S. submarine remain in the vicinity of the life rafts throughout the search and rescue?

A. Yes.

Q. Captain, initially after the accident occurred there was some criticism in the press concerning the search and rescue response of the USS GREENEVILLE. Are you aware of that criticism?

A. Yes.

Q. Captain, have you--since the accident and up until today's date have you learned of the reasons why the U.S. submarine did not put divers in the water?

A. I am not sure whether or not a diver was to be put in the water. However, as to the special structural facts or characteristics of the submarine, I had received an explanation from the Japan Maritime Self-Defense Force people as well as U.S. military people.

Q. And what was that explanation?

A. Yes, I received an explanation that if the submarine had come too close to the rafts or near the hull of the submarine the rafts had a danger of being sucked in to touch the submarine.

Q. Captain, what was the weather like on the afternoon of 9 February?

A. It was not a perfectly fine day. However, sometimes to the Steering Room the sun did shine in. So I would say it was a fine day.

Q. Describe the color of the sky.

A. Up to where the ship was heading a hundred and sixty-six degree course toward the south the visibility was good and it was fine. But toward Oahu--or the coastline it was hazy.

Q. So, Captain, if you were looking back towards Oahu what would have been the visibility in your opinion to the horizon? How far could you see to the horizon?

A. Because we were using the range--a 16 mile range radar at that time I think the visibility was around 6 miles.

MBR (RADM OZAWA): I think it was 12 miles not 16.

INTERPRETER: Just a minute if you will. Thank you. I stand corrected, Admiral. Thank you very much. I apologize to the court. It was 12 miles radar range and therefore the visibility was 6 miles. Thank you.

Q. Captain, I need you to describe hazy conditions. Would you agree that the conditions were--the color of the sky was kind of a white haze?

A. I don't think I can clearly say it was cloudy.

Q. Captain, could you describe the height of the waves?

A. When we were drifting at the sea it was not difficult for us to use the oar and row the boat. And I would say therefore, 1 to 2 meters--not even 2 meters. It would have been around that I would think.

Q. And could you estimate the swell--the height of the swells?

A. No. I do not recall.

Q. Okay. Captain, were any other vessels operating in the vicinity of the EHIME MARU when the collision occurred?

A. No there was not.

Q. Did you know of the possibility that submarines were operating in the waters along your ship's track?

A. No I did not.

CC: Captain, I'd like to show now what has been marked as Exhibit 52, the general arrangement chart of the EHIME MARU up here on the board [gesturing]. I'd like LCDR Harrison to bring Exhibit 52 over to you.

[LCDR Harrison did as directed.]

Q. Captain Ohnishi, would you describe the general characteristics of the EHIME MARU to the court. The overall size of the ship, masthead, and bridge height, and her color?

A. Yes. [Pointing with right index finger at EE-52.] The color of the ship is pure white. It also has about a 30 centimeter wide blue belt around. And at--around the middle of the ship on the exterior wall there is a logo of red and blue. And the radar mast has a height of approximately 15 meters from the water line, and from the water line to the ceiling of the

Helm's Room there would be about 7.5 meters. Would you need to know the length of the ship?

Q. Yes. Could you give us the length of the ship, sir?

A. Approximately 58 meters.

Q. And Captain, I'd just like to refer you to the color depiction of the EHIME MARU. That is what the EHIME MARU looked like, sir, in Exhibit--I think it's 10, on the afternoon of 9 February?

A. Yes, that is correct.

Q. Thank you, Captain Ohnishi.

CC: Mr. President, I have no further questions.

PRES: Are there any questions from the members? If there are no questions from the members are there any questions from counsel?

Counsel for CDR Waddle, party (Mr. Gittins): Yes, sir.

Counsel for CDR Waddle, party (Mr. Gittins): Good morning, Captain.

WIT: Good morning, sir.

CROSS-EXAMINATION

Questions by counsel for CDR Waddle, party (Mr. Gittins):

Q. Sir, I'm counsel for CDR Waddle and I want you to know that CDR Waddle, as the Commanding Officer of the submerged submarine, accepts responsibility for this accident. Please understand that my questions are only meant to provide more information to the investigation and not in any way to implicate or impose upon you some responsibility for this accident.

Sir, on the 9th of February, before the accident, did you or any watchstander on your ship report seeing a periscope of a submerged submarine?

A. No. Not at all.

Q. Sir, on the 9th of February was there a fish finder installed aboard your vessel?

A. Yes. Fish finder was equipped.

Q. Was the fish finder operating at or before the time of the collision, sir?

A. No it was not.

Q. Sir, on the 9th of February did you have depthometer--depth gauge--fathometer operating onboard the vessel?

A. No it was not operating.

Q. Sir, after the collision when you described meeting the crew in the area behind the Bridge, did you ever account for all the crew and students at that time?

A. We were not able to do so.

Q. Was any effort made to count heads?

A. Before even getting there I was washed by the wave. All I could do was hang onto something--hang onto the handrail. That was all I was able to do. It was very unfortunate.

Q. Sir, I would like to direct your attention to Exhibit 10. [Pointing laser at exhibit.] Is the area that I'm pointing to with the laser pointer, is that the area where the crew and students were gathered before the ship sank?

A. Yes. Right behind the Bridge.

Q. My final question, sir, is, was the EHIME MARU equipped with watertight compartments or watertight doors?

A. Yes. All the doors of each portion of the outside exterior of the Deck were metal and watertight.

Q. How about below decks. Were the engineering spaces separated from the rest of the ship with watertight compartmentation--the interior of the ship?

A. If you mean that it's watertight, no they were not.

Counsel for CDR Waddle, party (Mr. Gittins): Thank you. I have no further questions.

PRES: Counsel?

Counsel for LCDR Pfeifer, party (LCDR Stone): No questions, sir.

Counsel for LTJG Coen, party (LCDR Filbert): No questions.

PRES: Captain Ohnishi, thank you for your testimony. Before you leave I would like to give you the opportunity to address any matter that you think is important for this Court of Inquiry to understand.

WIT: Yes. I have one. I would like this Court of Inquiry to have a thorough investigation as to the cause of the accident--this terrible accident. And would find some way to ascertain the safety in the future. And that this kind of accident would be prevented in the future.

PRES: You can tell the Captain that that's why this court is charged with exactly what the Captain has suggested.

WIT: Thank you, sir.

PRES: Thank you, Captain.

[The witness withdrew from the courtroom.]

PRES: Counsel?

CC: Sir, at this time we would like the notes that Captain Ohnishi was using while he was testifying marked as the next exhibit in order, copies of which will be distributed to Counsel for the Parties.

PRES: Should we warn the Captain outside the courtroom since---

CC: It's been done.

PRES: It's been done.

CC: Yes, sir.

PRES: Alright. This court will recess until 0920.

The court recessed at 0858 hours, 14 March 2001.

The court opened at 0920 hours, 14 March 2001.

CC: All persons connected with the inquiry who were present when the court recessed are again present in court, with the exception of the Japanese interpreter.

CR: For the record, Exhibit 53 is the questionnaire for the Captain of the EHIME MARU.

CC: Thank you, LN1.

PRES: Any procedural matters?

CC: No other procedural matters.

PRES: Counsel for the Parties, any procedural matters?

Counsel for the CDR Waddle party (Mr. Gittins): No, sir.

Counsel for the LCDR Pfeiffer party (LCDR Stone): No, sir.

Counsel for the LTJG Coen party (LCDR Filbert): No, sir.

PRES: Okay. Let's call our next witness please.

CC: Sir, at this time, the court calls FT3 Brown.

William Thomas Brown, Jr., Fire Control Technician Third Class, U.S. Navy, was called as a witness for the court, was sworn, and examined as follows:

DIRECT EXAMINATION

Questions by the Assistant Counsel for the Court (LCDR Harrison):

Q. Would you please state your full name for the record?

A. William Thomas Brown, Jr.

Q. Would you spell your last name?

A. B-R-O-W-N.

Q. Thank you, Petty Officer Brown. Petty Officer Brown, what is your current duty assignment? Who are you attached to?

A. USS GREENEVILLE, sir.

Q. How long have you been attached to the GREENEVILLE?

A. A little over 2 years.

Q. And on the GREENEVILLE what department and division do you belong to?

A. I belong to Weapons Department and the Fire Control Division.

Q. I'm sorry?

A. Fire Control Division.

Q. Would you please describe your general duties and responsibilities in the Fire Control Division?

A. Underway I stand FTOW, OTH Database Operator. Inport I do PMS. I'm the Publications Petty Officer and Damage Control Petty Officer in the division.

Q. With regard to your underway watchstation of FTOW, how often do you have an opportunity to stand that? What sort of rotation do you normally have?

A. I'm not really sure.

Q. How long have you been qualified as an FTOW?

A. About 7 months.

Question by the President:

Q. Let me ask--Petty Officer Brown, how often do you stand watch? Over a three-day basis, how many watches would you stand when you are underway?

A. Probably about four watches, sir.

PRES: Thank you.

Q. How do you maintain proficiency on your watch as an FTOW other than standing the watch? Do you have training?

A. Inport we do have training, sir. Yes.

Q. Is this your first boat?

A. Yes it is, sir.

Q. And prior to being attached to the GREENEVILLE where were you stationed?

A. USS--I mean Groton, Connecticut.

Q. Groton? And what were you doing there?

A. FT "A" school.

Q. Now I want to talk to you a little bit about the 9th of February.

A. Okay.

Q. On that day did you have an opportunity, at some point and time, to relieve Petty Officer Seacrest as the FTOW?

A. Yes, I did.

Q. Do you remember approximately when that was?

A. It was right after lunch, sir.

Q. Why did you relieve Petty Officer Seacrest?

A. For a cigarette break.

Q. Generally how long did you have the FTOW watch before he came back and reassumed it?

A. Approximately 10 minutes, sir.

Q. And who was the Officer of the Deck while you had this watch?

A. LTJG Coen.

Q. During that 10 minutes that you had the watch, did you have any interactions with LTJG Coen?

A. Yes.

Q. Did you speak with him at all?

A. Yes. He said to let him know if bearing rates were getting higher on contacts.

Q. To alert him if the bearing rates were getting higher on the contacts?

A. Right.

Q. During that 10 minutes did you have the need to alert him as to any increasing bearing rates?

A. No.

Q. After Petty Officer Seacrest came back and reassumed the watch, did you pass on that request from the OOD to Petty Officer Seacrest?

A. I don't really remember if I did or not.

Q. Did you remain in the immediate area when Petty Officer Seacrest relieved the watch?

A. Yes.

Q. Did you hear the OOD make the same request of Petty Officer Seacrest?

A. No I didn't.

Q. But you do not recall turning over that request from the OOD to Petty Officer Seacrest?

A. No I don't.

Q. Now what--generally speaking, what gear or equipment is associated with your watchstation as the FTOW?

A. The 81-3 console, the 81-2, command watch console, basically everything in Control.

Q. When you had the watch for those 10 minutes, what console were you monitoring?

A. 81-2, the very last one.

Q. I want to direct your attention up here on the wall to court Exhibit 6.

A. Right.

Q. You've got one of these pointers up there on the stand. Would you point on this diagram to where that console is that you are talking about.

A. This one right here [pointing laser at exhibit].

Q. So that would be on the starboard side, the first fire control console from aft, right next to the Weapons Control Console?

A. Yes, sir.

Q. And that is where you were seated?

A. I was standing behind the console. I wasn't seated there.

Q. When you had the watch for those 10 minutes you were standing behind the console?

A. Yes, sir.

Q. Is the CEP plot also associated with your watchstation as FTOW?

A. Yes, it is, sir.

Q. Is that something that you normally maintain?

A. Yes.

Q. During the 10 minutes that you had the watch, did you have the opportunity to make any annotations on the CEP plot?

A. Yes I did.

Q. What annotations did you make?

A. Just the bearings to contacts we had is about all I put on there.

Q. What contacts do you recall having during that 10 minutes?

A. I do believe it was 12, 13 and 14. Yeah----

Q. Were any of those--I'm sorry.

A. 12, 13, and 14.

Q. 12, 13 and 14? Were any of those gained while you had the watch or were they contacts that Petty Officer Seacrest----

A. They were prior held before I relieved Seacrest.

Q. He held those before you relieved him? And you made CEP entries reflecting those contacts?

A. Yes I did, sir.

Q. Do you recall if at this time that you had the watch the Commanding Officer was in Control?

A. I do not think he was at the time.

Q. I'm sorry. I'm not sure if I asked you exactly when you think you had the watch. Do you remember approximately the time period?

A. Not really. It was during the lunch time frame. I'm not really sure.

Q. You don't recall if the CO was in Control then?

A. I don't recall.

Q. Do you happen to recall if the Executive Officer was in the Control Room?

A. I don't recall that either, sir.

Q. Do you recall if there were any distinguished visitors or VIPs in the Control Room at that time?

A. I think there were a few, but not that many because we hadn't started angles and dangles yet.

Q. Do you recall where those few were that you observed at that time?

A. I don't remember where they were.

Q. And were there distinguished visitors or VIPs in Control when Petty Officer Seacrest came back and relieved the watch?

A. Yeah, cause that is when they started the angles and dangles. He came back like right before then. And then they started coming up to Control then.

Q. Okay so then about the time that Petty Officer Seacrest came back was approximately the time you started with the angles and dangles?

A. Yes, sir.

Q. And at that point more DVs started coming into the Control Room.

A. Yes, sir.

Q. And did you remain in the Control Room at that time?

A. Yes, I did.

Q. As the DVs began to come in, where were they being disbursed in the Control Room if you recall and you can use your laser pointer to point that out?

A. About all around in here [pointing laser at exhibit].

Q. What you are saying is the DVs were being displaced both port and starboard and forward of the periscope stand?

A. Yes, sir.

Q. Do you recall approximately how many--when all the DVs had funneled in, do you remember approximately how many were in there at that time?

A. I'm not really sure how many people were in there.

Q. Let me ask you this, notwithstanding the request from Mr. Coen to report any increasing bearing rates, is this something that you as the FTOW would do anyway if bearing rates were increasing or you had a close contact?

A. Yes.

Q. So he wasn't asking you to do anything that normally as the FTOW you wouldn't do anyway?

A. No, sir.

Q. Now I want to talk to you a little bit about the time period--this time period we are talking about now where the DVs came into the Control Room and the ship commenced the period of angles and dangles and high-speed large rudder turns, which followed.

You said that after Petty Officer Seacrest came in and took the watch back that you remained?

A. Yes I did, sir.

Q. Why did you remain?

A. That is about when all the VIPs started coming into Control and I couldn't really get out of Control through the command passageway or the rear door so I just stayed in there.

Q. Okay. It was getting crowded?

A. Yes.

Q. It was easier for you to stay?

A. Yes it was, sir.

Q. Where did you position yourself once Petty Officer Seacrest took the watch back?

A. I was back here by that bench locker--by the TAC-3.

Q. By the TAC-3? So starboard aft where it says TAC-3 on court Exhibit number 6. What did you do while you----

A. I was reading OD 44979.

Q. I'm sorry?

A. I was reading an OD 44979, Casualty Procedure Book for Weapons.

Q. So you were doing some self-study there in the Control Room?

A. Yes, sir.

Q. Do you recall these events, the angles and dangles and the high-speed rudder turns that went on over the next period of 15 to 20 minutes? Did you remain in the Control Room during that period of time?

A. Yes.

Q. How long did you remain in the Control Room once Petty Officer Seacrest took the watch?

A. Up until the collision.

Q. Do you recall any specific reports coming from Sonar or from Petty Officer Seacrest with regard to contacts?

A. No I don't, sir.

Q. No reports orally or over the MC system?

A. I don't recall any reports, nothing out of the ordinary.

Q. Do you recall--at some point did the Commanding Officer come into the Control Room?

A. He was in there during angles and dangles, I do believe, yes.

Q. I'm sorry?

A. I think he was in there during angles and dangles.

Q. So he would have come in then at about the--when the DVs came in?

A. Yes, sir.

Q. Where was he?

A. Right up there [pointing laser at exhibit].

Q. So, he was on the periscope stand and you just pointed to court Exhibit 6 would be on the port side forward section of the periscope stand?

A. Yes, sir.

Q. What was the Commanding Officer doing?

A. Couldn't really see, sir.

Q. Could you hear him?

A. I wasn't really paying attention to what they were doing over there because I wasn't on watch.

Q. So you really didn't see him or hear him or take note of what he was doing?

A. Right, sir.

Q. Did you happen to observe the Executive Officer? Did he come into the Control Room?

A. I don't remember if he did or not, sir.

Q. You don't remember during the entire period between the commencement of the angles and dangles all the way through the collision? Do you recall if the XO ever came into the Control Room?

A. I don't really remember if he did.

Q. Did you remain in that area you described there by the TAC-3 for the entire time you were there?

A. Yes.

Q. Physically how--in terms of maybe feet or meters, how close is where you were positioned to where Petty Officer Seacrest would have been sitting?

A. 5 or 6 feet.

Q. 5 or 6 feet. Was he--did he sit in the same console seat that you had occupied when you or in that same area that you had occupied? I know you said you were standing.

A. Yes, sir.

Q. So he was monitoring the same console that you had monitored for that time?

A. Yes, sir.

Q. Do you recall if at any time from the time that you came in and had the watch until the time of the collision the OOD or the CO interacting with Petty Officer Seacrest?

A. I don't remember.

Q. Do you remember if you saw the OOD or the Commanding Officer walk to that side of the periscope stand over by where Petty Officer Seacrest would be?

A. I don't remember that either, sir.

Q. Do you remember seeing the Chief of Staff in the Control Room while you were there?

A. I don't remember, sir.

Q. When the ship--as the ship made preparations for coming to periscope depth, did you hear any announcements with regard to those preparations?

A. It was normal announcements, nothing out of the ordinary.

Q. Do you recall if there was a prepare for periscope depth briefing at all?

A. I don't remember.

Q. Are you normally a part of that briefing as the FTOW?

A. As the FTOW, yes.

Q. Now as the--when the ship came up to periscope depth, did you hear any reports of contacts at that point, at or about that time frame?

A. I don't remember.

Q. Did you interact with Petty Officer Seacrest at all after he took the watch back in terms of what he was seeing or doing?

A. No I didn't, sir.

Q. As the ship came up to periscope depth, did you observe the CO or the OOD with regard to their use of the periscopes?

A. No.

Q. Do you recall specifically if you heard no close contacts from the OOD or from any of the watchstations?

A. No I don't recall.

Q. Do you recall approximately how long the ship was at periscope depth?

A. No I don't, sir.

Q. Sounds like you were pretty much doing your self-study and reading your book during this.

A. Pretty much, yes.

Q. Do you remember who called emergency deep?

A. I'm not sure.

Q. Do you remember it being called?

A. I remember it being called away.

Q. Is that over the announcing system or----

A. I don't really remember.

Q. After the ship did the dive, do you recall any reports of contact or new contacts at that point?

A. No.

Q. Do you know if Petty Officer Seacrest--from your proximity of where you were, do you know if he ever had a solution on a close contact while the ship was at periscope depth or just prior to?

A. I don't know, sir.

Q. After the collision, did you participate in the search and rescue efforts at all?

A. I was on the Number 1 periscope.

Q. What were your duties and responsibilities?

A. I was giving bearings to the life raft to the GEO plot.

ASST CC (LCDR Harrison): Sir, I don't have anything else for this witness.

PRES: RADM Stone?

MBR (RADM STONE): I have no questions, sir.

PRES: RADM Sullivan?

MBR (RADM SULLIVAN): I just have a couple of quick questions for you, Petty Officer Brown.

Questions by court member (RADM Sullivan):

Q. When you did this short-term relief for Petty Officer Seacrest, whose permission did you get to do that or did you have to get anybody's permission?

A. It's the Officer of the Deck's permission, sir.

Q. During the time you were sitting in the aft or starboard corner of the Control Room studying, did Petty Officer Seacrest ever ask you to help him out?

A. No he didn't, sir.

Q. You did see him there correctly working the panels?

A. Yes he was.

Q. Did it look like he was overwhelmed or look like he needed any help?

A. Not really, sir. It looked like he was fine.

Q. Did it look like the extra people in the Control Room were in his way?

A. To get to the CEP, yes.

Q. Okay. Thank you.

A. Your welcome, sir.

Questions by the President:

Q. Petty Officer Brown, is GREENEVILLE your first boat?

A. Yes it is, sir.

Q. You had qualified on the GREENEVILLE?

A. Yes I did, sir.

Q. Got your dolphins on GREENEVILLE?

A. Yes I did.

Q. You've said the FTOW maintains the CEP?

A. Yes he does, sir.

Q. Does the CEP--was it properly maintained when you had the short relief for Petty Officer Seacrest?

A. Yes it was.

Q. To you, did the CEP look like it was properly maintained?

A. Yes it was, sir.

Q. Was the contacts up on the CEP?

A. Yes.

Q. You said there were three contacts?

A. Yes, sir.

Q. And you saw those three contacts on the CEP?

A. Yes.

Q. If you don't properly maintain the CEP would you expect to be corrected by the Officer of the Deck?

A. Yes, sir.

Q. Anybody else you would expect to correct you if you didn't maintain it properly?

A. The Officer of the Deck is really the only one that really uses it as the big picture thing.

Q. Is it normal practice on GREENEVILLE to put all the contacts up on the CEP?

A. Yes it is, sir.

Q. Is there a threshold in your mind--if you get a fire control solution--so if you get a fire control solution--this is just to kind to get an understanding of your urgency or sense of urgency on my part. But if you got a fire control solution at 10,000 yards or 6,000 yards or 4,000 yards, would there be a different

sense of urgency when you reported those solutions to the Officer of the Deck?

A. Depending on if they were closing, yes.

Q. You were in the Control Room when the collision occurred?

A. Yes, sir.

Q. Can you give me a sense of what you heard--you were there for the emergency dive--excuse me, for the emergency surface?

A. Yes I was, sir.

Q. What was an indication to you that--what did you hear that you thought was abnormal on the emergency surface or feel? Any comments?

A. Everything seemed to be going normal up until the collision. There was nothing really different, sir.

Q. What did the collision feel or sound like to you?

A. Kind of like a thud, I guess.

Q. A what?

A. Like a thud.

Q. A thud? A big thud or a small thud?

A. Yeah, it was--

Q. You've never been in a collision before on a submarine or on a surface ship or anything, right?

A. No I haven't, sir.

Q. Have you ever been in a bad car accident?

A. Kind of, yeah.

Q. Thank you.

A. Your welcome, sir.

PRES: Counsel for CDR Waddle?

CROSS-EXAMINATION

Questions by counsel for CDR Waddle, party (LCDR Young):

Q. Good morning Petty Officer Brown. Just a few questions for you and I want to make clear that we understand with the exception of those 10 minutes that you weren't on watch so if your memory is not clear about everything that happened we understand.

You stated that you do not recall specific reports that were being made in the Control Room, but from what you do remember, every report seemed to be normal?

A. Yes, sir.

Counsel for CDR Waddle, party (LCDR Young): Sir?

WIT: Ma'am.

Counsel for CDR Waddle, party (LCDR Young): Thank you.

Q. And if you did not hear a report it is most likely due to the fact that you were busy studying your qualification book, correct?

A. Yes, ma'am.

Q. And also because the ventilation fans were right above your head and they may prevent you from hearing the normal conversations in the Control Room?

A. Yes, ma'am.

Q. Petty Officer Brown, do you understand flip course and how that affects the system solution?

A. At 180 it outs the course of the contact of the system solution.

Q. And one other question. If while the GREENEVILLE was going to periscope depth you developed a 4,000 yard solution--closing solution on the FLIT MATE for a contact in ATF what would you do?

A. I would let the Officer of the Deck know.

Q. Immediately?

A. Yes, ma'am.

Counsel for CDR Waddle, party (LCDR Young): Thank you.

PRES: Counsel for LCDR Pfeifer?

Counsel for LCDR Pfeifer, party (LCDR Stone): Sir, we have no questions.

PRES: Counsel for Mr. Coen?

Counsel for LTJG Coen, party (LT Fulton): Thank you, sir.

Questions by Counsel for LTJG Coen, party (LT Fulton):

Q. Petty Officer Brown, I want to begin by going back really quickly to that period of time for about 10 minutes when you had relieved Petty Officer Seacrest.

You mentioned that the Officer of the Deck, LTJG Coen, asked you to alert him about any contacts that appeared to be--appeared to have a high bearing rate?

A. Yes, sir.

Q. Did it surprise you that he asked you do to that?

A. Not really, sir, no.

Q. You are kind of a quiet person aren't you?

A. Yes, sir.

Q. So it made sense to you that he was interested in asking you to speak up?

A. Yes, sir.

Q. You've stood watch with LTJG Coen before?

A. Yes, sir.

Q. When he's been the Officer of the Deck?

A. Yes, sir.

Q. Based on having stood watch with LTJG Coen before--is LTJG Coen in the habit of actively seeking out input from fire control about contacts?

A. Yes he is, sir.

Counsel for LTJG Coen, party (LT Fulton): Thank you, sir.

PRES: Counsel?

ASST CC (LCDR HARRISON): Thank you for your testimony. Before you leave I need to give you a witness warning. You are directed not to discuss your testimony in this case with anyone other than a member of the court, parties thereto, or counsel. You will not allow any witness in this case to talk to you about the testimony that you have given. If anyone other than counsel

or parties thereto attempts to talk to you about your testimony in this case, you should make the circumstances known to the counsel originally calling you and that would be myself. Thank you. You are excused.

PRES: Petty Officer Brown, you did a good job.

WIT: Thank you, sir.

[The witness withdrew from the courtroom.]

ASST CC (LCDR HARRISON): Sir, the court calls ET1 Thomas.

Anthony A. Thomas, Sr., Electrician Technician First Class, U.S. Navy was called as a witness for the court, was sworn, and examined as follows:

EXAMINATION BY THE COURT

Questions by the assistant counsel for the court (LCDR Harrison):

Q. Would you please state your full name for the record and just spell your last name?

A. Anthony Antoine Thomas, Sr. Last name is Thomas, T-H-O-M-A-S.

Q. Are you currently attached to a submarine?

A. Yes, sir.

Q. Is that the USS GREENEVILLE?

A. Yes, sir.

Q. What department and division do you work in on the GREENEVILLE?

A. I work in the Navigation Division.

Q. What do you do in the Navigation Division?

A. I'm the Assistant Navigator.

Q. What are the responsibilities, generally speaking, associated with the Assistant Navigator?

A. Safe navigation of the ship, maintaining proficiency of all the watchstanders, when stationed as modified piloting party keeping watch on the Quartermaster of the Watch and the Fathometer Watch.

Q. When you say maintaining the proficiency of your watchstanders, would that be all of your watchstanders in the navigation division?

A. Yes, sir.

Q. What underway watches are you qualified to stand?

A. Nav Supe and Quartermaster of the Watch, sir, and Contact Coordinator.

Q. How long have you been qualified as a Nav Supe?

A. On this boat, since January 7th.

Q. Since this past January 7th?

A. Yes, sir.

Q. Were you previously qualified as Nav Supe on any other boats?

A. On the USS NEWPORT NEWS.

Q. How long were you qualified as Nav Supe on that boat?

A. Approximately a year.

Q. Any previous qualifications as Nav Supe prior to that?

A. No, sir.

Q. How often do you get a chance to stand Nav Supe?

A. I've stood it quite a bit since I've been in this boat, sir.

Q. Did you stand it quite a bit in your previous boat as well?

A. Yes, sir.

Q. In addition to standing the watch, how else do you maintain proficiency as Nav Supe? You do training?

A. Conducting training, sir.

Q. You actually conduct training for subordinates in your division as well?

A. Yes, sir.

Q. I want to talk to you a little bit about the 9th of February. Did you have watch as Nav Supe on that day?

A. Yes, sir.

Q. When did you have the watch?

A. Approximately 0900.

Q. You assumed it at 0900 in the morning?

A. Yes, sir.

Q. How long did you keep the watch?

A. All morning until about early evening.

Q. Did you get a relief for lunch?

A. Yes, sir.

Q. But you generally had the watch all day?

A. Yes, sir.

Questions by the President:

Q. Petty Officer Thomas, is that unusual to have the watch that long?

A. Is it unusual? No, sir. A 6 hour watch is the standard for underway time. For the time period we were out from 0900 until the incident--about an hour or so after the incident I got a relief.

Questions by the Assistant Counsel for the Court (LCDR Harrison):

Q. What--as the Nav Supe, what are your general responsibilities on that watch and who do you supervise?

A. My general responsibilities on that watchstation are the Quartermaster of the Watch and the bottom sounder, the Fathometer Watch, making sure the logs are kept up to date, make sure they are doing their jobs properly.

Q. In addition to supervising those personnel, what equipment is associated with your watch as the Nav Supe? What specific equipment do you monitor?

A. ESGNs, the WSN-2 the WRN-6, GPS units, commercial and military and the bottom sounder.

Q. Do you recall if all of this gear or equipment was properly functioning on February the 9th?

A. Yes, sir.

Q. It was?

A. Yes, sir.

Q. I'm going to refer you up here [pointing laser at exhibit] to court Exhibit 6, which is this recreation of the GREENEVILLE

Control Room. As the Nav Supe where do you position yourself? Where do you stand? And you've got one of these pointers up there as well on your stand.

A. In this area right here [pointing laser at exhibit], sir.

Q. Okay, so the area you are referring to for the record is generally in between the navigation plotter table and the tactical plotting table sort of just aft of both of those two?

A. Yes, sir. Aft end of Control.

Q. In the Control Room--now on the 9th of February, generally speaking, where was the ship operating? In the water, where was the ship operating?

A. In the local Hawaiian OPAREAS.

Q. Within your operational area?

A. Yes, sir.

Q. Any particular portion of the operational area?

A. We were in the northern section of the area.

Q. And did the ship remain within that operational area the entire day?

A. Yes, sir.

Q. At any point as the ANAV or the Nav Supe, do you recall the ship getting close to the boundaries of the operational area?

A. No, sir.

Q. Ever get close to an area called Penguin Bank?

A. Yes, sir.

Q. When did you get close to that area?

A. During the PD evolution.

Q. And how close did you get to that area?

A. We were within approximately--I'd say approximately 5 or 6 miles, about 5 miles.

Q. So you got within 5 or 6 miles of Penguin Banks?

A. Yes, sir.

Q. During the PD evolution?

A. Yes, sir.

Q. Now at some point do you recall the ship commencing a series what are referred to as angles and dangles and high-speed large rudder turns?

A. Yes, sir.

Q. I want to talk to you a little bit about that time frame.

A. Yes, sir.

Q. Do you recall approximately what time the ship commenced those evolutions?

A. Approximately 1245, sir.

Q. And where were you--first of all, were you there in the Control Room when the ship commenced those?

A. Yes, sir. I was stationed as Nav Supe.

Q. Were you stationed where you had previously indicated you positioned yourself?

A. Yes, sir.

Q. As the Nav Supe, what particular responsibilities would you have during those sorts of evolutions?

A. Making sure the Quartermaster kept track, updated all his logs and that we stayed in our area.

Q. What--understanding your relationship with the individuals you've previously discussed, do you have any sort of a relationship or interaction with Sonar when you are the Nav Supe?

A. Only if there is an issue with the bottom sounder or my Fathometer Watch?

Q. How about the Fire Control Technician of the Watch? Do you interact with that watchstander?

A. Not really, sir.

Q. Do you typically interact with the OOD during these sorts of evolutions?

A. Yes, sir.

Q. Were there DVs or VIPs in the Control Room during this evolution?

A. Yes, sir.

Q. Do you recall approximately how many there were?

A. If I'm not mistaken all of them were in Control.

Q. Do you remember approximately where they were located during these evolutions?

A. Yes, sir.

Q. Using your pointer there, could you indicate for the court members where you remember the DVs being?

A. There were several here [pointing laser at exhibit] there were several here on the Conn, in front of fire control and forward of the Control Room, and there were a couple here, sir.

Q. Thank you. Were you--when did the DVs actually come into the Control Room, do you recall?

A. Approximately----

Q. Was it just before this evolution?

A. It was just before the angles and dangles started.

Q. Did you see the Executive Officer during this time frame once the angles and dangles commenced?

A. No, sir.

Q. Did you see him just prior to?

A. I saw him enter Control.

Q. Enter Control just prior to this evolution?

A. Yes, sir.

Q. Did you take note of where he went?

A. No, sir.

Q. So I guess as far as you know he remained somewhere in Control?

A. Yes, sir.

Q. Did you ever see him leave?

A. No, sir.

Q. When you did see the Executive Officer, where did you see him?

A. Coming through the Control Room door.

Q. Coming through the front door where it says bridge access?

A. Yes, sir.

Q. Did he just kind of stay in that area or did he turn in one direction or another?

A. I remember him turning left, sir.

Q. Turning left, so over by the CEP or sonar area?

A. Yes, sir.

Q. Did you note when he came in if he interacted with the CO or the OOD at all?

A. No, sir.

Q. Was the Commanding Officer in the Control Room during this period of evolutions?

A. Yes, sir.

Q. Where was he?

A. On the leading edge of the Conn.

Q. On the periscope stand?

A. Yes, sir.

Q. And forward?

A. Yes, sir.

Q. Up in this area?

A. Yes, sir.

Q. So forward, port side?

A. Yes, sir.

Q. What was the Commanding Officer doing? What was he doing up there? Was he just standing there? Was he interacting with anyone?

A. Are you talking during the angles and dangles?

Q. Yes, I am. I'm sorry.

A. During the angles and dangles he was letting the Officer of the Deck know what type of speed and what angles he wanted.

Q. When you say letting him know, how was he letting him know? Was he telling him what course and speed to come to?

A. Not so much of a course, during your angles he would give you a up angle or a down angle and that is what we would go to.

Q. Who was actually giving the orders to the watchstanders?

A. The Officer of the Deck.

Q. What about during the follow-on phase, the large rudder angles and the high-speed maneuvers? What was the CO doing during that portion?

A. Same thing, sir.

Q. Still interacting with the OOD?

A. Yes, sir.

Q. Was he interacting with the DVs at all as well or did you observe that?

A. I didn't observe that, sir.

Q. And so the OOD was actually providing the orders to the Control Room watchstanders based on information given to him by the Commanding Officer?

A. Yes, sir.

Q. During the angles and dangles phase or thereafter during the large rudder turns, do you recall--well let's just talk about the angles and dangle phase first. Do you recall a report of any contacts?

A. No, sir.

Q. What about during the large rudder angles, do you recall any reports of contacts over the announcing systems or otherwise?

A. No, sir.

Q. Did you notice if the CEP plot was being maintained during the angles and dangles or the large rudder turns?

A. No, sir. I did not.

Q. You didn't notice?

A. I didn't notice.

Q. Do you--is that normally maintained during these sorts of evolutions?

A. Yes, sir.

Q. Do you know why it wasn't maintained? Any idea why it wasn't maintained?

A. I don't know if it was or was not maintained.

Q. Oh, you do not know if it was or was not?

A. No, sir.

Q. Did you happen to notice again during the angles, dangles, or the large rudder turns if the CO or the OOD was interacting with the FTOW?

A. I don't recall, sir.

Q. From where you were positioned could you see the CO and the OOD up on the periscope stand?

A. Yes, sir.

Q. I don't know if I previously asked you this, but where was the OOD? You indicated where the CO was, but where was the OOD?

A. The Officer of the Deck was between the Number 1 and Number 2 scopes.

Q. Okay so pretty much where it indicated on that diagram?

A. Yes, sir.

Q. Did you ever see the CO or OOD over on the starboard outboard side of the periscope stand over by the FTOW?

A. No, sir.

Q. How many DVs would you say were there behind the FTOW?

A. Approximately three to four.

Q. Did you--did you know the Chief of Staff was onboard?

A. Yes, sir.

Q. Did you ever notice him in the Control Room during this time frame?

A. Yes, sir.

Q. Where did you observe him?

A. In the forward part of Control--forward of the OOD stand.

Q. Forward, port of the OOD stand?

A. Yes, sir.

Q. During this--is this during the angles and dangles and the large rudder turns?

A. Yes, sir.

Q. Now at some point was the ship ordered to make preparations for periscope depth?

A. Yes, sir.

Q. Do you recall that order?

A. I remember--I remember, prepare to go to PD.

Q. Who made that announcement?

A. The CO told the Officer of the Deck.

Q. CO told the Officer of the Deck?

A. Yes, sir.

Q. And did the Officer of the Deck then get on the MC circuit and announce that or did he just announce that orally in the Control Room?

A. It was in the Control Room.

Q. Were preparations then made as a result of that? Preparations for PD?

A. Yes, sir.

Q. What preparations do you make as the Nav Supe for coming to periscope depth?

A. For Nav Supe we make sure the WRN-6 is in initiate so once we get up we can put in the navigate for a fix.

Q. What--the watchstanders that you supervise, what are they doing?

A. Maintaining their logs, the fathometer watches, keeping track of the bottom.

Q. Was there any sort of a prepare for periscope depth briefing that went on during this time frame?

A. Not that I remember, sir.

Q. Is that a normal evolution when you are preparing to go to PD?

A. Yes, sir.

Q. Do you recall as the ship came out of the large rudder turns, high-speed evolution, do you recall what course the ship was on just as you came out of that evolution?

A. Three-four-zero.

Q. Did you note any announcements of contacts on that course?

A. I remember hearing that we had three distant contacts to the north.

Q. You say you remember hearing that--was that something over an announcing system or a conversation that you overheard?

A. If I'm not mistaken, sir, it was over the announcing system.

Q. Three distant contacts to the north? Yes, sir. And this is as your coming out of the high-speed rudder angles?

A. Yes, sir.

Q. And this was during that--on that three-four-zero course?

A. Yes, sir.

Q. Did the ship at some point change course?

A. Yes, sir. We came to one-two-zero.

Q. How--do you recall approximately how long you were on three-four-zero before you came to the one-two-zero course?

A. No, sir--approximately 5 minutes or so.

Q. And did you come up to periscope depth while you were on the one-two-zero course?

A. Yes, sir.

ASST CC (LCDR HARRISON): If you would, speak up just a little bit louder. Unfortunately the microphones don't amplify our voices.

WIT: Yes, sir.

Q. When you came up to periscope depth, did you get a lock on GPS?

A. No, sir.

Q. Do you know why not?

A. We were taking a few wave slaps and every time the antenna gets wet, it loses signal.

Q. Okay, so the antenna was taking wave slaps?

A. Yes, sir.

Q. Okay, does that indicate that that wasn't high enough out of the water to avoid the wave slaps?

A. Well, at the initial, when we first came up to PD we took a few wave slaps, but other than that it was clear.

Q. Did the ship come up for a higher position after that initial periscope depth?

A. I don't remember the call for a high look, sir.

Q. But at some point, you stopped getting the wave slaps?

A. Yes, sir.

Q. Do you recall approximately how long the ship was at periscope depth?

A. It was approximately 3 to 4 minutes.

Q. Does the time at periscope depth affect your ability to get a GPS lock as well or can that happen instantaneously?

A. On a normal basis the commercial unit will lock on pretty much immediately, it depends on where the satellites are at the time and where your location is.

Q. So if you recall being at periscope depth for 3 to 4 minutes and you initially got wave slaps, but there after--at some point those wave slaps stopped?

A. Yes, sir.

Q. Why weren't you able to get a GPS lock after that?

A. There wasn't sufficient time for the satellites to lock into the WRN-6.

Q. Understand. Could you see from where you were at--well, let me stop there, at periscope depth, any additional reports of contacts or any new reports of contacts?

A. Not that I remember, sir.

Q. Any reports of high bearing rates on any contact that the ship held that you recall?

A. No, sir.

Q. From where you are positioned on your watch, can you see--can you normally see the screens that the FTOW monitors?

A. Can I normally see them? Not really, sir. No.

Q. Can you see one of the PERIVIS screens from where you are at back there in the--between the plotter tables?

A. Yes, sir the Quartermaster of the Watch has a monitor--flat screen monitor right by his plot.

Q. So you were able to observe that?

A. Yes, sir.

Q. Did you observe that when the ship was at periscope depth?

A. Yes, sir.

Q. Did you observe any contacts or anything on the PERIVIS?

A. No, sir.

Q. Were you observing it the entire time during the periscope revolutions?

A. Yes, sir.

Q. Is that part of your job to observe that or did you just happen to observe that?

A. It is not so to say part of the job, but it is something I am in the habit of doing.

Q. Did you--while you were watching that, were you also able to observe the periscope sweeps physically that the CO or the OOD were doing or were you pretty much trained on the PERIVIS?

A. On some of the sweeps.

Q. Did they appear to be normal in length to you?

A. Yes, sir.

Q. Did the ship at some point get a higher look?

A. I don't remember the high look, sir.

Q. Do you, were you watching the PERIVIS when the Commanding Officer was on the periscope doing his look around?

A. Yes, sir.

Q. Do you recall if he trained the periscope on any particular coordinates?

A. No, sir.

Q. Do you recall if he slowed down at all during his look--slower than the initial look would have been?

A. He was a little slower than the initial look, yes.

Q. Now after the approximately 3 to 4 minutes, you recall being at periscope depth, did the ship go to emergency deep?

A. Yes, sir.

Q. Who called that?

A. The Commanding Officer.

Q. Please describe what occurred after the ship began to go deep.

A. The call was made for emergency deep. The bottom sounder called out the sounding to the Quartermaster. The Quartermaster checked it, he charted, reported that to the Officer of the Deck. The Helms and Planesman commenced the emergency deep with the Dive.

Q. Were you still on course one-two-zero?

A. Yes, sir.

Q. How deep did you go?

A. To 400 feet.

Q. Did you remain on that course one-two-zero?

A. Once we went down?

Q. Yes.

A. We turned.

Q. You turned?

A. Once we got down.

Q. Which way did you turn?

A. To three-four-zero.

Q. Any--do you recall any reports--from the moment emergency deep was called until the moment the ship initiated the blow, do you recall any reports of new contacts?

A. No, sir.

Q. Any reports of existing contact changing bearing rates or increasing bearing rates?

A. Not that I heard, sir.

Q. Did you note any interaction between the OOD or the CO with the FTOW?

A. No, sir.

Q. Did you ever see the Executive Officer during this phase at periscope depth or during the emergency deep?

A. No, sir.

Q. Where was the--earlier you had said that the Chief of Staff was port forward, was he there during the periscope depth phase as well?

A. I'm not sure, sir.

Q. Do you know if he ever moved from that area?

A. I remember seeing him in the forward part of Control. I didn't keep track of him, sir.

Q. How long was the ship under water before the blow, do you recall?

A. Approximately 4 hours?

Q. I'm sorry, after the emergency deep, just before the emergency blow, how long was the ship down?

A. No more than 5 minutes, just a few minutes.

Q. Want to talk to you for just a moment about the navigational charts. After the collision did you secure the charts that the GREENEVILLE had been using during the collision?

A. No, sir.

Q. What became of the mylar overlay to the chart that would have depicted the ships track just prior to the collision?

A. By mistake, sir, I ordered the Quartermaster of the Watch to scrub it because we were circling in the general area and it was getting cluttered.

Q. I would imagine at that point you were thinking about search and rescue and the collision and not about record keeping?

A. Right, sir.

Q. So you ordered the Quartermaster of the Watch to go ahead and scrub it?

A. Yes, sir.

Q. And by scrubbing it, what was he able to do with it?

A. It cleared up the picture as far as where we were.

Basically if you keep going in circles all you have is just a bunch of pencil marks and you can't keep track of where the ship is and DR out.

Q. What was your role after the collision in terms of the search and rescue?

A. Making sure we stayed in the area and basically we were checking for the life rafts.

ASST CC (LCDR HARRISON): Mr. President, I don't have anything else.

PRES: RADM Stone?

Questions by a court member (RADM Stone):

Q. With regard to the mylar overlay, was there any other option available in still being able to maintain track? In other words, could you have just changed out the mylar overlay with a fresh one?

A. Yes, sir.

Q. And why wasn't that done? Was it just because you were focused on the SAR?

A. Yes, sir. It was an oversight by me, sir.

MBR (RADM STONE): Okay, thank you. Good morning, Petty Officer Thomas.

WIT: Good morning, sir.

Questions by a court member (RADM Sullivan):

Q. I just had a couple of quick questions for you. During this evolution as the ship prepared to go to periscope depth, did you

see the Commanding Officer and the Officer of the Deck interact having discussion?

A. Not that I recall, sir.

Q. You mentioned that you were observing the PERIVIS repeater as periscope searches were done, is that correct?

A. Yes, sir.

Q. When the Commanding Officer was on the scope you mentioned during his search the rate was slower?

A. Yes, sir.

Q. Did you see--let me ask you this, could you detect, by watching the PERIVIS monitor if the power of the periscope--magnification power was changed? Can you observe that?

A. Yes, sir, you can see that?

Q. Did you see any changes?

A. Yes, sir.

Q. Can you--you've obviously looked at a PERIVIS presentation quite a bit in your career, correct?

A. Yes, sir.

Q. Could you give me a feel, your opinion, the clarity of the picture you saw as far as a combination of magnification, sweep rate? Could you really see the horizon very well from your vantage point?

A. Not really, sir. The horizon--the sky itself was overcast so the horizon was hazy.

Q. But as the periscope sweeps, could you really see very much--like if you are looking for contacts, in your opinion what could you see? Was it hard to see--would it have been hard to see any contacts? I mean that is what you are looking for, right?

A. Yes, sir. Would it have been hard to see contacts? I don't think so, sir.

MBR (RADM SULLIVAN): Okay, thank you.

Questions by the president:

Q. Your duties that morning were ANAV, Petty Officer Thomas?

A. Yes, sir.

Q. The Navigation Officer was with you in Control for angles and dangles up to the collision?

A. Yes, sir.

Q. But you are still responsible for the watchstation, is that correct?

A. Yes, sir.

Q. Even though he's assisting you or kind of observing I guess--monitoring what you are doing?

A. Yes, sir. He just happened to be in Control.

Q. Did you sense any--you have a time for "Papa Hotel"?

A. Yes, sir.

Q. Did you sense any urgency between the Officer of the Deck--you typically would keep the Officer of the Deck informed about timelines and that role, did you do that with the Officer of the Deck?

A. Yes, sir.

Q. Tell me about that a little bit, what kind of information did you pass to the Officer of the Deck on timelines?

A. Approximately at 1200, I informed the Officer of the Deck that we needed to start heading towards "Papa Hotel" and if we were going to conduct angles and dangles, we needed to get going?

Q. Did you confirm with the Navigation Officer over this issue also on "Papa Hotel"?

A. Yes sir, I informed the Navigator.

Q. And just to say, we have a certain time to make, we got to start getting there or something?

A. Yes, sir.

Q. I don't want to put my words, put it in your words for me, would you please?

A. I told the Navigator, I said around 12, we needed to start heading towards "Papa Hotel" and conduct angles and dangles if we're going to do it.

Q. Do you know what he did with that information?

A. Ah, he went to the XO.

Q. The XO?

A. Yes, sir.

Q. Okay, did you sense any urgency in the operations that were associated from the time you started just before angles and dangles up through the closing. Did you sense any urgency in the Control Room, in relationship to your navigation track?

A. A little bit, sir.

Q. Tell me about that?

A. As far as I could see, I felt we should have stayed at PD a little longer, but--other than that everything seemed normal.

Q. Okay, did you sense any urgency based on the "Papa Hotel" time as a Nav--in other words, did you get feedback that said we're OK, or don't worry about it, or did you still sense the ship was still committed to "Papa Hotel" time.

A. I felt we were committed to "Papa Hotel" time.

Q. Why did you feel like you were committed to "Papa Hotel" time?

A. Because, I had no other information.

Q. You had no other information?

A. No, sir.

Q. Okay. You mentioned besides the sense of urgency that you--I'm not sure of how you detected, but, you have a significant amount of time I assume in a Control Room on a submarine?

A. Yes, sir.

Q. When you said the normal--what you said was a normal briefing and preparation to go to periscope depth was not conducted?

A. Yes, sir.

Q. What did that mean to you, did that mean anything to you at all.

A. Well, under normal periscope depth evolution, you have a brief, the Sonar Supervisor, the FT, the Radioman, the ESM--the ESM watch and the Quartermaster will stand there while the Officer of the Deck briefs what you're actually going to be doing at periscope.

Q. What does that do for you as a member of the--of the team in Control?

A. It lets us know exactly what we're going to be doing--exactly how long we're going to be at PD.

Q. As ANAV, do you think that is an important brief for you?

A. Yes, sir.

Q. Were you surprised that it wasn't conducted?

A. Yes, sir.

Q. Why were you surprised?

A. Because, it's a normal evolution.

Q. Is it normal practice on GREENEVILLE to have the "preparing to go to periscope depth" briefing?

A. Yes, sir.

Q. Had this ever occurred before in your time on GREENEVILLE--that you didn't get the brief?

A. No, sir.

Q. Had it ever occurred before?

A. No, sir.

Q. I know you never--I assume you've never been in a submarine that's that had a collision before

A. No, sir.

Q. Can you tell me a little about--I know you have a lot of experience--you've been wearing those dolphins for awhile right?

A. Yes, sir.

Q. Tell me, when you've heard the ship thud occasionally on other things, I guess when you had mammal or--I don't want to say that, but I--but, there's other reasons why you occasionally hear noises that sound unusual on a submarine?

A. Yes, sir.

Q. But, we'll go to that, but, when you heard--what was your sense of the collision, what did you feel, what did you hear?

A. Ah, my initial sensation was, I actually forgot I was on a 688I because on the 688 with fairwater planes, when you break the plane of the water, coming from emergency blow, you get a thunk. And that's originally what I thought it was. But, then we felt the second thunk and I'm like, "Okay I'm on a 688 I," and everybody just took into action to find out what happened.

Q. How big was the thunk? Was it a big thunk or just a thunk? Did it shutter the ship at all, did it----

A. Yes, sir, it shuttered the ship.

Q. It vibrated or something in Control, you felt some----

A. Yes, sir.

Q. Okay, I'm just trying to understand that a little bit more clearly.

A. Yes, sir.

PRES: Alright, thank you very much, Petty Officer Thomas. Counsel for CDR Waddle?

Counsel for CDR Waddle, party (LCDR Young): Good morning Petty Officer Thomas.

WIT: Good morning, ma'am.

CROSS-EXAMINATION

Questions by Counsel for CDR Waddle, party (LCDR Young):

Q. You're the one that recommended the course change to 340 correct?

A. Yes, ma'am.

Q. And, that's because--not because of a sense of urgency to get to "Papa Hotel", but you stated prior to today, but because of Penguin Bank being within a 5 mile range.

A. Yes, sir--ma'am.

Q. With regard to the weather that day, you've also stated that you observed some rain squalls that day?

A. Yes, ma'am.

Q. You also talked about preparations to periscope depth and--other than the omission of the brief, your opinion is that everything else was done via normal procedures?

A. Yes, ma'am.

Q. And, you've stated you've had a significant time in a Control Room and watching an OOD or CO conduct periscope searches?

A. Yes, ma'am.

Q. And, from what you observed, the CO's sweeps seemed appropriate in time?

A. Yes, ma'am.

Q. After surfacing, you were involved in keeping track of the life rafts on the secondary plot right?

A. Yes, ma'am.

Q. And, from your observations, you could barely make out the shoreline correct?

A. Yes, ma'am.

Q. Finally, Petty Officer Thomas, can you describe the command climate onboard GREENEVILLE? In other words, did you feel that there was a good command climate and that you could speak freely at anytime to the CO, the XO or OOD if you felt the need to?

A. Yes, ma'am.

Q. Can you elaborate on that?

A. The climate on the GREENEVILLE is an excellent climate ma'am. They actually promote the fact to back the--no matter how senior the person is, to back them up--if you feel that something is not right, to back them up.

Q. And, you would do that whether or not there were DV onboard?

A. Yes, ma'am.

Counsel for CDR Waddle, party (LCDR Young): One second.

WIT: Yes, ma'am.

Q. Isn't it true that the periscope depth briefing that was omitted, is an evolution brief where the OOD basically tells the watchstander what evolutions he expects to conduct at periscope depth?

A. Yes, ma'am.

Counsel for CDR Waddle's party (LCDR Young): Thank you. Nothing else, sir.

PRES: Counsel for LCDR Pfeifer?

Counsel for LCDR Pfeifer, party (LCDR Stone): Yes, sir.

Good morning, Petty Officer Thomas.

WIT: Good morning, sir.

Question by counsel for LCDR Pfeifer party(LCDR Stone):

Q. Now you have testified that at some point during the time between maybe 12 o'clock to 1300, you remember seeing the Executive Officer at some point in this area right here [pointing laser at exhibit]?

A. Yes, sir.

Q. And you said this is sometime around the lunch period, is that right?

A. Yes, sir, it is.

CR: Sir, may I ask what you're pointing to?

Counsel for LCDR Pfeifer party (LCDR Stone): I'm sorry. I'm pointing to the part of the Control Room where it's labeled Bridge Access, right before the OOD stand.

CR: Thank you.

Q. Now, you aren't real sure exactly the time you saw the XO in that area are you?

A. No, not the exact time, no, sir.

Q. It's possible it could've been just prior to angles and dangles or just subsequent to it's beginning?

A. Yes, sir.

Q. And, you didn't see him doing anything specific while he was there, you just recognized that he was in this area at one point?

A. Yes, sir.

Q. And, other than seeing the Executive Officer in the previously mentioned area, you don't particularly remember the XO in Control during this period of time?

A. No, sir.

Q. Now, I want--do you remember the Commanding Officer calling emergency deep?

A. Yes, sir.

Q. Now, is it true that initially this caught you off guard when he called emergency deep?

A. Yes, sir.

Q. And it takes you about--and it wasn't for about 30 seconds after the call of emergency deep that the LMC announce was made explaining what was happening?

A. Yes, sir.

Q. It wasn't until about this 30 second interval that you were for sure that this was actually done for training and this purpose was just to get the ship down before you get to blow?

A. Yes, sir.

Counsel for LCDR Pfeifer's party (LCDR Stone): Sir, I don't have any further questions.

PRES: Counsel for Mr. Coen?

Counsel for LTJG Coen's party (LCDR Filbert): Thank you, sir.

Questions by counsel for LTJG Coen's party (LCDR Filbert):

Q. Petty Officer Thomas, have you stood watch when LTJG Coen was the OOD underway?

A. Yes, sir.

Q. Could you tell us based upon what you observed, how LTJG Coen conducted the watch while he was OOD?

A. I feel LTJG Coen stands an excellent watch, sir.

Q. Okay, you say he runs a pretty squared away watch?

A. Yes, sir.

Q. Is--based upon what you've been able to observe, is he particular about the watchstanders following the proper procedures while they're on watch?

A. Yes, sir.

Q. Does he allow any kind of joking around anything like that on watch?

A. Not really sir.

Q. And the formality that you have grown accustomed to since you've been serving on submarines does he maintain that while he was the Officer of the Deck?

A. Yes, sir.

Q. Now, you mentioned earlier this brief prior to going to periscope depth, would you expect LTJG Coen to conduct that brief based upon what you know about him and how he stands the watch?

A. Yes, sir.

Q. And, you--the periscope depth report that the Officer of the Deck would make to the Commanding Officer prior to going to periscope depth, are you familiar with that?

A. Yes, sir.

Q. Now, that wasn't made in this case, is that right?

A. I don't recall that, sir.

Q. Alright, would you expect LTJG Coen to make that report under normal circumstances?

A. Yes, sir.

Counsel for LTJG Coen's party (LCDR Filbert): Thank you, I don't have any further questions.

ASST CC (LCDR HARRISON): Petty Officer Thomas, thank you for your testimony, I'm required to give you a witness warning. You are directed not to discuss your testimony in this case with anyone other than a member of the court, the parties thereto or counsel. Do not allow any witness in this case to talk to you about the testimony that you have given or that you may give. If anyone other than counsel or parties thereto attempts to talk to you about your testimony, you should make the circumstances known to the counsel who originally called you as a witness, that would be myself. Thank you.

WIT: Yes, sir.

PRES: Petty Officer Thomas, we appreciate your straight forward answers. You did a good job.

[The witness withdrew from the courtroom.]

Omar Jerome Blanding, Electronics Technician Third Class, U.S. Navy, was called as a witness, was sworn, and examined as follows:

DIRECT EXAMINATION

Questions by the Assistant Counsel for the Court (LCDR Harrison):

Q. Would you please state your full name and spell your last name?

A. My name is Omar Jerome Blanding. B-L-A-N-D-I-N-G.

Q. Are you currently attached to the USS GREENEVILLE?

A. Yes, sir.

Q. And how long have you been attached to the GREENEVILLE?

A. It will be 3 years in September.

Q. 3 years this coming September?

A. Yes, sir.

Q. What department and division do you work in?

A. NAVOPS Department, Navigation Division.

Q. Would you please generally describe for the members what your duties are in the Navigation Division in terms of watchstanding, and maintenance, and training? Generally what do you do in the division?

A. Basically just make sure that the equipment stays running.

Q. The navigation equipment stays running?

A. Yes, sir.

Q. What watchstations--underway watchstations are you qualified on?

A. Helmsman, Planesman, QMOW, AEF, and Lookout.

Q. What would you consider is your primary watchstations of those underway watchstations?

A. QMOW, sir.

Q. And how long have you been qualified as QMOW?

A. About a year and a half, sir.

Q. Is the GREENEVILLE your first boat?

A. Yes, sir.

Q. Where were you before the GREENEVILLE?

A. Sub school, Groton.

Q. Submarine School?

A. Yes, sir.

Q. And before that? Did you go to an "A" School?

A. Yes, sir. That was the one in Groton, sir.

Q. That was in Groton as well?

A. Yes, sir.

Q. In terms of the ship being underway, how often do you get to stand QMOW?

A. Once every--out of 18 hour days, once every 6 hours in 18 hour days.

Q. Once every 6 hours. So you had like a three section rotation?

A. Yes, sir.

Q. How often would you--would you say you stood it a lot during the ship's underway periods?

A. Yes, sir.

Q. In addition to standing the watch to maintain your proficiency, do you also have training periodically?

A. Yes, sir.

Q. Is that within your department or division?

A. Yes, sir.

Q. Is there also training opportunities outside the ship?

A. As far as what, sir?

Q. Any other schools or any other training locations here on base?

A. Yes, sir.

Q. I want to talk to you a little bit about the 9th of February. Did you have watch as QMOW on that day?

A. Yes, sir.

Q. What watch did you have?

A. Basically--Aft of the Watch--after Maneuvering Watch until about lunch time.

Q. I'm sorry?

A. I had the watch from--after Maneuvering Watch until about lunch time and then from about 1230 on.

Q. So you had it from after the maneuvering watch. What time did the maneuvering watch secure approximately?

A. About 9 o'clock, sir.

Q. So you had QMOW from about nine o'clock on till lunch time?

A. About 1130. Yes, sir.

Q. And then you got a relief?

A. Yes, sir.

Q. And then you returned to that watch and you stood that for the remainder of the day?

A. Yes, sir.

Q. Through the time of the collision and thereafter?

A. Yes, sir.

Q. Is that normal to stand watch for that length of time?

A. No, sir.

Q. Why were you standing watch?

A. Because I thought we was pulling in at two o'clock.

Q. Oh, you thought you were pulling in at two o'clock?

A. Yes, sir.

Q. Were there others available to stand that watch?

A. Yes, sir.

Q. And if you could generally describe for the members what your duties are as QMOW.

A. Basically my duties as QMOW is the safe navigation of the ship, to make sure we don't come close to any hazardous navigation and--basically that's it, sir.

Q. Did you come close to any hazardous navigation during this day, other than, of course, during the collision?

A. No, sir.

Q. Did you stay within your operating area?

A. Yes, sir.

Q. Do you recall getting close to an area known as Penguin Bank?

A. No, sir. We weren't that close to it, sir.

Q. What is the closest you recall ever getting to that area?

A. I don't remember, sir.

Q. Okay, I want to talk to you about the time frame where the ship commenced the large angles on the bow and then the high-speed large rudder turns as well. I want you to refer up there to [pointing laser at exhibit] court Exhibit 6, and you can use your laser pointer if you would and indicate for the court members where you stand you watch as Quartermaster of the Watch.

A. I was standing right here [pointing laser at exhibit], sir.

Q. Okay, so just inboard of that tactical plotting table?

A. Yes, sir.

Q. That space between the two plotting tables?

A. Yes, sir.

Q. And that is also the general area where the navigation supervisor stands as well?

A. Yes, sir.

Q. And during those particular evolutions, the large angles on the bow and then the high-speed large rudder turns, what are your duties as a Quartermaster of the Watch?

A. Basically, maintain the deck logs and make sure that we don't go out of area any there. Break down the rudder angles and stuff like that.

Q. So, maintaining the logs and ensuring that the ship doesn't go out of its operating area?

A. Yes, sir.

Q. As the Quartermaster of the Watch, do you have any sort of a relationship or interaction with the FTOW during these sorts of evolutions?

A. No, sir.

Q. How about Sonar; do you converse with them at all?

A. No, sir.

Q. How about the Officer of the Deck?

A. Yes, sir.

Q. So what sort of interactions would you have with him?

A. Just make sure I--not turn to anything bad, and if there is, let them know.

Q. So if he is going to go in a direction where you think the ship shouldn't go, you would let him know that?

A. Yes, sir.

Q. Now during the time frame when the ship commenced these large angles, and the large angle rudder turns, were there DV's or VIP's in the Control Room?

A. Yes, sir.

Q. Do you remember where they were?

A. I remember they were [pointing laser at exhibit] somewhere right here.

Q. To back by where you were?

A. Yes, sir. In the corner, and one right there.

Q. Let me slow you down just so I can make the record. Your pointing to the area between the plotter tables----

A. No, the one right there, sir. Right on the edge of the other one.

Q. The one right there [pointing laser at exhibit], was that actually on the periscope stand?

A. It was leaning against the plotter, sir.

Q. Okay. So that is three. Were there others?

A. Yes, sir. They were scattered throughout Control.

Q. Scattered throughout Control?

A. Yes, sir.

Q. Forward? Port? Starboard?

A. Somewhere over here [pointing to exhibit].

Q. So some on the port side, both fore and aft. Any on the starboard side that you remember?

A. Yes, sir. There was a couple over here. [Pointing to exhibit.]

Q. Do you recall approximately how many DVs there were?

A. No, sir.

Q. Now, during this time frame, just prior to the angles and dangles or thereafter, did you ever see the Executive Officer.

A. Not really, but he was in Sonar.

Q. Okay, you saw him in Sonar?

A. I didn't actually see him but--

Q. Did you see him----

A. I didn't see him go into sonar.

Q. You saw him go into Sonar?

A. I didn't see him go into Sonar.

Q. Oh, you didn't see him go into Sonar. Where did you see the Executive Officer.

A. I saw him stick his head out like once out of Sonar.

Q. You saw him stick his head out from Sonar?

A. Yes, sir.

Q. Okay, so you saw him--is there a curtain there or a door?

A. Yes, sir.

Q. Do you remember approximately when that was?

A. Probably after the baffle clears.

Q. After the baffle clears?

A. Yes, sir.

Q. That's when you saw him stick his head out?

A. Yes, sir.

Q. Had you seen him in there before that time?

A. No, sir.

Q. Did you see--you didn't see him go into Sonar, so you don't know exactly when he actually got into Sonar?

A. No, sir.

Q. Do you know if he had been in the Control Room prior to going into Sonar before the angles and dangles?

A. I didn't see him at length. When I went to eat lunch at 1230, I didn't see him in Control.

Q. When he poked his head out of Sonar, did--was he talking to someone or did you observe? I mean if you didn't observe anything, fell free say that.

A. I saw him stick out--he said something--something to the effect like--something's okay or whatever. Something like that.

Q. So he said something to the effect that something's okay.

A. Yes, sir.

Q. And that was around the baffle clear time frame?

A. After that, sir.

Q. And he said, whatever it was, he said something is okay or words to that affect. Who was the talking to?

A. I believe the OOD, sir. I believe it was. I'm not really sure who he was talking to.

Q. The OOD?

A. I believe so, sir.

Q. Was the Commanding Officer in Control as well?

A. Yes, sir.

Q. During that time frame?

A. Yes, sir.

Q. Let me back you up, was the Commanding Officer in the Control Room at the beginning of the angles and dangles as well?

A. Yes, sir.

Q. And he remained in Control throughout that time frame?

A. Yes, sir.

Q. Where was he?

A. He was on the Conn, sir.

Q. He was up on the periscope stand?

A. Yes, sir. The Conn.

Q. Where was the CO? Let's just talk about the angles and dangles time frame. Where was the CO?

A. I believe he was over there [pointing laser at exhibit], sir.

Q. Okay, by the--just below where the PERIVIS would be forward of the Number 2 scope?

A. Yes, sir. By the screens.

Q. I'm sorry. Not the PERIVIS, but the AVSDU.

A. Yes, sir.

Q. Did he change position at all during these evolutions?

A. He probably did, sir, but I didn't realize it.

Q. And where was the OOD during the angles and dangles?

A. On the Conn also.

Q. Where about on the Conn, was he moving around?

A. Yes, sir. He was moving around.

Q. When the XO poked his head out there at or about the time of the baffle clear, you're thinking he might have been talking to the OOD. Do you recall where the OOD or the CO were on the Conn during that time?

A. No, sir.

Q. What--during the angles and dangles and the high-speed rudder turns, what was the CO doing?

A. Basically he would say something--he would like say an angle and relay it to the OOD and the OOD would relay it to the helm.

Q. So he would--on the angles he would give the OOD the angle and the OOD would make that happen?

A. Yes, sir.

Q. Was he doing the same thing during the large angle rudder turns?

A. Yes, sir.

Q. Was he interacting with the DVs at all--the VIP's?

A. He was explaining to them what was going on, and that was about it, sir.

Q. How was he explaining it to them? Was he using an announcing system or---

A. No, they were in Control themselves, sir. Right there [pointing laser at exhibit].

Q. Other than that time when you saw the Executive Officer poke his head out of the Sonar Room and say something perhaps to the OOD, did you observe the XO interacting with the OOD or the CO on any other occasions?

A. No, sir.

Q. During the angles and dangles or the high-speed rudder angles, do you remember any reports of contacts?

A. I wasn't listening for them, sir.

Q. You weren't listening for them?

A. No, sir.

Q. So they may have happened, but you just weren't listening for them?

A. Yes, sir.

Q. Did you happen to notice during, again during this same time frame with high-speed rudder turns or the angles and dangles whether the OOD or the CO was interacting with the Fire Control Technician of the Watch?

A. No, sir. I don't remember.

Q. Did you happen to notice if the OOD or the CO sort of made way over to the starboard side of the Conn in the direction of the FTOW?

A. No, sir. I don't remember.

Q. Do you recall the--as the ship was coming out of these high-speed large rudder angle maneuvers, do you recall the ship's depth and course?

A. That was at 400 feet, and we were coming to like course one-two-zero.

Q. Did you say 400 feet?

A. Yes, sir.

Q. Coming to course one-two-zero?

A. Yes, sir. Coming up also.

Q. What course were you on when the ship actually came to periscope depth?

A. one-two-zero, sir.

Q. Prior to coming to periscope depth, do you remember an announcement to prepare for periscope depth?

A. No, sir.

Q. Do you remember any sort of a briefing--periscope briefing?

A. There is normally a brief, sir----

Q. I'm sorry.

A. We normally don't pay attention to briefs, but usually there is one.

Q. Okay. You normally don't pay attention to those briefs. The briefs then don't include the Quartermaster of the Watch?

A. Yes, sir, but I knew what was going on and the mission.

Q. So you knew what the ship was intending to do at periscope depth?

A. Yes, sir.

Q. So you're saying that you normally wouldn't pay attention as a result because you knew what was going on?

A. Yes, sir.

Q. Just ask you to--I want to concentrate on that period you spoke about earlier where the Executive Officer poked his head out of Sonar and said something to the OOD. If you could, take a moment to reflect and recall what he said or who he said it to other than what you've already testified to or the direction he may have been looking. Not sure?

A. No, sir.

Q. Fair enough. Now as the----

PRES: Petty Officer Blanding, please speak up. We just need to hear you and it's hard to you, alright. Okay.

WIT: Aye, sir.

PRES: Thank you.

Q. Now as the ship was coming up to periscope depth and at--or as it was coming to periscope depth, did you hear any reports of contacts?

A. No, sir. I wasn't paying attention. There was little contact, sir.

Q. What about at periscope depth?

A. Those are things--it would've been when it came to periscope depth they'd said, "No close contacts," sir.

Q. So you heard a "no close contacts"?

A. Yes, sir.

Q. Who said that?

A. The person on the scope, sir.

Q. Do you recall if that was the OOD or the CO?

A. The CO, sir.

Q. Did you--from your vantage point where you're stationed on your watch, did you have an opportunity to observe the OOD or the Commanding Officer when they did their periscope searches?

A. No, sir. I was trying to get a GPS fix.

Q. Trying to get a GPS fix?

A. Yes, sir.

Q. Were you able to get a GPS?

A. No, sir.

Q. Why not?

A. It takes a while to get a GPS fix, sir.

Q. It takes a while to get GPS?

A. Yes, sir.

Q. So you weren't at periscope depth long enough to get your GPS fix?

A. No, sir.

Q. Now, other than the CO calling out, "no close contacts", did you hear any reports from Sonar or the FTOW at all with regard to contacts?

A. No, sir. Not that I remember.

Q. Anything from ESM?

A. Also, "no close contacts", sir.

Q. You heard that from ESM?

A. Yes, sir.

Q. Do you recall approximately how long the ship was at periscope depth?

A. No more than 5 minutes, sir.

Q. And what happened next?

A. Did emergency deep.

Q. Who called emergency deep?

A. The CO, sir.

Q. And then what?

A. We sped up and then we was coming to course about

three-four-zero.

Q. You sped up and then you came to course three-four-zero?

A. We was coming to course three-four-zero. Yes, sir.

Q. And you come right or left?

A. I believe it was right, sir.

Q. After the collision occurred, did you have any duties or responsibilities with regard to the search and rescue effort?

A. What I did when we had the collision was froze the GPS, and marked the latitude and longitude as a way-point so they have a bearing and range as to where the collision took place at.

Q. So you froze the GPS?

A. Yes, sir.

Q. Anything else?

A. No, sir.

ASST CC (LCDR HARRISON): Sir, that's all I have.

PRES: RADM Stone?

MBR (RADM STONE): Yes, sir.

Questions by a court member (RADM Stone):

Q. You were aware that the game plan was to be at "Papa Hotel" at 1400?

A. Yes, sir.

Q. When you came on back from lunch break did you have any conversations with Petty Officer Thomas about how that time line was looking when you looked down at the chart?

A. I was like we should be headed back to "Papa Hotel" by now but we were already on course North when I took the watch, so we were headed back to "Papa Hotel".

CR: Admiral, could you repeat that back?

MBR (RADM STONE): He wanted you to repeat what kind of conversation you had with Petty Officer Thomas.

WIT: We were headed towards "Papa Hotel" and basically we were on course North, so I guess we were headed back to "Papa Hotel".

Q. Do you remember whether you thought at that time that you'd be able to make it back on time or were you--the distance so

great that you believed that you would be late based on that conversation?

A. No, sir, we would've made it on time.

Q. You thought you'd make it on time after you got back from lunch?

A. Yes, sir.

Q. Okay, as you--as you went through some of these events and you're looking down at the chart, did you at any point think that the distance was such that you weren't going to make 1400?

A. No, sir.

Q. You did not?

A. No, sir.

Q. When the submarine went down to it's emergency deep and started to turn up towards the north and northwest one of the first questions probably that was going to be asked of you is what course and speed do we need to get to "Papa Hotel"? Is that correct?

A. Yes, sir.

Q. Were you doing any calculations in order to be able to answer that question?

A. We were headed toward--that course, three-four-eight was a pretty good course. It goes right to "Papa Hotel", sir.

Q. I couldn't hear you.

A. Course three-four-eight was a good course heading back towards "Papa Hotel", sir.

Q. And the distance and the speed that would be required, what was going to be your recommendation for that based on----

A. I think I'll go this way--I don't remember.

Q. Do you know how far away you were from "Papa Hotel" roughly as you looked at where you were located?

A. No, sir.

Q. Had you already calculated that you wouldn't make 1,400 at that point or weren't you really aware?

A. No, sir, I didn't calculate it.

MBR (RADM STONE): Thank you.

MBR (RADM SULLIVAN): Good morning, Petty Officer Blanding.

WIT: Good morning, sir.

MBR (RADM SULLIVAN): I have just a couple of more questions for you.

Questions by a court member (RADM Sullivan):

Q. You mentioned that you were the Quartermaster of the Watch during a modified piloting party on the afternoon of the 9th, right?

A. Yes, sir.

Q. How did you know that you had that watch assignment? Where was it promulgated?

A. There's a watchbill, sir.

Q. Was it the ship's watchbill?

A. Yes, sir. Originally it was Petty Officer Carpenter who was supposed to have the watch but since we was pulling in at two o'clock he wanted to prepare charts - that's how I took the watch, sir.

Q. Okay, so you substituted for him?

A. Yes, sir.

[Court reporter requests that witness re-state name of member witness stood watch for.]

WIT: Carpenter.

Q. Did you just agree on your own to do that or did you get permission from someone?

A. On my own, sir. And then I got permission to relieve the watch.

Q. You've been on the GREENEVILLE for about two years?

A. 3 years in September, sir.

Q. So, when you swap watches, do you normally just swap 'em or do you get someone's permission to do it?

A. You don't need to get permission to relieve the watch, if you're qualified that watch you can relieve the watch basically at any time.

Q. So, Petty Officer Thomas basically knew you were swapping watches?

A. Yes, sir.

Q. Okay great. There are two different plotting tables, which of those two plotting tables was your chart on?

A. This one, sir, [pointing laser at exhibit] the technical plotting table.

Q. And that's the starboard table?

A. Yes, sir.

Q. During the evolutions just prior to coming to periscope depth and during the evolution of periscope depth, did you happen to overhear the Skipper talking to the Officer of the Deck at all?

A. No, sir.

Q. Did you hear them talking?

A. They probably said something, they could have talked, I'm not sure, sir.

Q. And one final question. How long does it typically take to get a GPS fix here in the local Hawaii OPAREAS when you come to periscope depth?

A. About 15 minutes.

Q. 15 minutes?

A. Yes, sir.

Q. How about commercial?

A. Commercial usually pops up right away but this time we didn't see nothing get up.

Q. You're a very experienced Quartermaster, do you have any thoughts why you didn't get that fix?

A. No, sir. It depends on where the satellites are at.

Q. Okay, besides where the satellites are, is there anything else that contributes to how quickly it takes to get a fix?

A. Yes, sir, what mast you have selected for GPS.

Q. And what antenna were you using?

A. Scope, sir.

Q. Right off the Number 2 periscope?

A. Yes, sir.

Q. Okay.

MBR (RADM SULLIVAN): Thanks.

Questions by the President:

Q. Petty Officer Blanding, you got your dolphins on the GREENEVILLE?

A. Yes, sir.

Q. Nice job. When are you going to make Second Class Petty Officer?

A. Hopefully this past test, sir.

Q. Okay, good luck on that. You stood Quartermaster of the Watch many times on GREENEVILLE?

A. Yes, sir.

Q. How many times have you gone to periscope depth as Quartermaster of the Watch?

A. A lot, sir.

Q. A lot?

A. Yes, sir.

Q. Have you ever failed to--how many times have you failed to get a GPS commercial fix going to periscope depth that you recall?

A. A lot, sir.

Q. Huh?

A. A lot, it depends on where we are at.

Q. I'm sorry I can't hear you.

A. It depends on where we were at, so quite a few times.

PRES: Thank you. Counsel for Commander Waddle?

Counsel for CDR Waddle, party (CDR Herold): Good morning, Petty Officer Blanding.

WIT: Good morning, ma'am.

CROSS-EXAMINATION

Questions by Counsel for CDR Waddle, party (CDR Herold):

Q. I've just got a couple of real quick questions. And they are relating to the command climate. Do you remember when we talked after you went with your discussion with me about what happened on the 9th, we talked a little bit about the command climate on the GREENEVILLE. Can you give the members of the Court a little sense of what your impression of command climate on GREENEVILLE is under Commander Waddle?

A. The command climate is good, ma'am.

Q. What's that?

A. The command climate is good.

Q. And do you remember what Commander Waddle's theme words were?

A. Efficiency, and team backup, ma'am.

Q. And what does those, this mean to you?

A. Efficiency, basically to make sure you do things right, back up, when something is going wrong you back the person up, you tell 'em, "Hey something is wrong." And safety, be safe while you're doing it, don't hurt yourself.

Q. And what about with respect to the CO on backup?

A. Same thing. Those same rules apply.

Q. Do you feel like if you recognize something's wrong you could speak up to the CO or anybody on the ship?

A. Yes, ma'am.

ASST CC (LCDR HARRISON): Excuse me. Petty Officer Blanding, if you could continue to speak up and slow down just a little bit so that all the parties can hear you.

WIT: Aye, sir.

ASST CC (LCDR HARRISON): Thank you.

Q. Could you just repeat your last answer for me? Do you remember my question? It was with regard to the CO or anybody else on the ship, did you feel like you could speak up and back that person up if they needed it?

A. Yes, ma'am.

Counsel for CDR Waddle, party (CDR Herold): Thank you very much.

PRES: Counsel for LCDR Pfeifer?

Counsel for LCDR Pfeifer, party (LCDR Stone): Good morning, Petty Officer Blanding.

WIT: Good morning, sir.

Questions by Counsel for LCDR Pfeifer, party (LCDR Stone):

Q. When the Executive Officer stuck his head out of the Sonar Room is it possible that that actually occurred after the order was made to come to periscope depth?

A. I don't remember, sir.

Q. Don't remember?

A. No.

Counsel for LCDR Pfeifer, party (LCDR Stone): Thank you. No other questions, sir.

PRES: Counsel for Mr. Coen?

Counsel for LTJG Coen, party (LT Fulton): No questions, sir.

PRES: Counsel?

ASST CC (LCDR HARRISON): Thank you for your testimony, Petty Officer Blanding. I need to give you the following witness warning. You are directed not to discuss your testimony in this case with anyone other than a member of the court, parties of the court, or counsel. You will not allow any witness in this case to talk to you about the testimony that you have given or that you may give. If anyone, other than counsel or parties attempts to talk to you about your testimony in this case, you should make the circumstances known to the counsel originally calling you and that would be myself. Thank you for your testimony.

WIT: Aye, sir.

ASST CC (LCDR HARRISON): You're excused.

PRES: Petty Officer Blanding, you did a fine job.

WIT: Thank you, sir.

[The witness withdrew from the courtroom.]

Brandon J. Bowie, Sonar Technician (Submarines) Third Class, U.S. Navy, was called as a witness, was sworn, and examined as follows:

ASST CC (LCDR HARRISON): Good morning.

WIT: Good morning, sir.

ASST CC (LCDR HARRISON): I'd ask you to--I'd let you know that the microphones don't amplify your voice at all. So you'll need to speak up if you would and keep your pace nice and slow, and wait for me to finish asking my question before you answer, if you would. Thank you.

DIRECT EXAMINATION

Questions by the Assistant Counsel for the Court (LCDR Harrison):

Q. What is your full name?

A. Brandon Joseph Bowie, sir.

Q. And how do you spell your last name Petty Officer Bowie?

A. B-O-W-I-E.

Q. Are you currently assigned to the USS GREENEVILLE?

A. Yes, I am.

Q. And how long have you been assigned to the GREENEVILLE?

A. Approximately a year and a half now, sir.

Q. What department and division do you work in on GREENEVILLE?

A. In the Weapons Department, Sonar Division.

Q. Have you been in the Weapons Department, Sonar Division your entire time?

A. Yes, I have.

Q. Is this your first boat?

A. Yes, sir.

Q. Would you describe for the court members the various underway watches that you were qualified to stand.

A. I'm qualified, Basic Sonar Operator, Passive Broadband, Classification, Active, I can also stand Fathometer, Towed Array Operator qualified, Towed Array Workstation qualified, Auxiliary workstation qualified. As far as Sonar watches, that's all, sir.

Q. Which of these would you consider your primary underway watchstations?

A. Passive Broadband, sir.

Q. How long have you been qualified at the Passive Broadband?

A. Just over a year, sir.

Q. How often do you get an opportunity to stand that watch?

A. Frequently, sir. Almost every underway I stand the watch, sir.

Q. Almost every underway. And what section duty do you have generally when you're underway in the Sonar Division?

A. Three sections, sir.

Q. Other than standing the watch, how else do you maintain proficiency on the Passive Broadband?

A. Inport we would have attack trainers. At sea, I almost definitely would be standing the watch at some point during the underway.

Q. Okay, so you stand the watch at sea and inport you're over at the attack trainer?

A. Yes, sir.

Q. And that's a simulator?

A. Yes, sir.

Q. I want to talk to you about the events on the 9th of February. Did you have watch on that day as Passive Broadband?

A. I was on watch, yes, sir.

Q. You were on watch. And that was at the Passive Broadband?

A. Yes, sir.

Q. When did you have that watch?

A. I don't recall exactly when I assumed the watch, approximately an hour and a half before the collision.

Q. Okay, so you didn't have the--during the maneuvering watch what were you doing?

A. I was--we were in topside watch.

Q. And after the maneuvering watch was secure you didn't have the Passive Broadband for the remainder of the morning did you?

A. No, sir.

Q. Okay, so you would have had the afternoon watch at Passive Broadband?

A. Yes and no, sir. I wasn't officially on the watchbill. I relieved so we could rotate some of the guys through. So they could eat and use the head or whatever they needed to do, sir.

Q. Okay, so you weren't officially on the watchbill for that day to stand that watch?

A. No, sir.

Q. Who did you relieve in an effort to assist the other watchstanders?

A. I believe it was Petty Officer Anderson, sir.

Q. Okay. And you relieved him at some point after lunch?

A. Yes, sir, so he could eat.

Q. At approximately what time do you think that might have been that you relieved the watch?

A. Approximately 1030, sir.

Q. Did you then get a relief for lunch after that or did you just remain on watch?

A. I don't recall, sir.

Q. Could you explain for the members, generally speaking, what your duties and responsibilities are on that watchstation?

A. Primary duty as the Passive Broadband Operator is safety of the ship. To gain contacts, send data to fire control.

Q. Did you say to gain contacts and send the data to fire control?

A. Yes. Our primary duty is safety of the ship.

Q. Safety of the ship. Now, you've got one of these laser pointers up there on your stand, using court Exhibit 6, which is a re-creation of the GREENEVILLE Control Room, would you

indicate for the members where your watchstation was on this day?

A. It was right there [pointing laser at exhibit], sir.

Q. Okay, so you're in the Sonar Room and you're at the second panel forward of the Sonar Room door?

A. Yes, sir.

Q. And what console is that?

A. We normally have primary broadband on that console, that's Unit 1103, sir.

Q. Now just for the record I just want to keep it clear. Did you say that you normally have the Passive Broadband on the very first console?

A. This one here [pointing laser at exhibit], sir.

Q. Okay, the second one in, and that's where you were stationed when you had the watch [pointing laser at exhibit]?

A. Yes, sir.

Q. Do you sit there at that console? Are there chairs there?

A. Yes, sir.

Q. And when you have that watch are you monitoring that console?

A. Yes, sir.

Q. Do you monitor any other consoles to your right or to your left as well when you have that watch?

A. No, sir.

Q. Is there generally another operator seated next to you monitoring another console?

A. Yes, sir.

Q. Where would that be?

A. Workload Share, sir, right here [pointing laser at exhibit].

Q. Okay, Workload Share, is that, as the name implies, sharing the Passive Broadband workload?

A. Yes, sir.

Q. Is that watchstation in a support role to the Passive Broadband watchstander.

A. Yes, sir. And also he is the workstation that's going to classify the contacts. You also have classification on that stack also.

Q. So, that person would further develop and classify the contacts that you've identified on the Passive Broadband?

A. Yes, sir.

Q. Was there someone on that watchstation when you took the watch that morning?

A. Yes, there was, sir.

Q. And who was that?

A. SN Rhodes, sir.

Q. Is he a qualified Workload Share operator?

A. No, he's not.

Q. Who was his over instruction watch, the person assigned to him for that watch?

A. As far as I know, sir, there was no over instruction officially assigned to Seaman Rhodes. STS1 Reyes was there for senior guidance, but he wasn't officially assigned to Seaman Rhodes as an over instruction, that I know of, sir.

Q. Is that unusual to have an under instruction person manning a panel without a dedicated over instruction watch?

A. No, sir.

Q. It's not unusual?

A. Not since I've been onboard it hasn't been, sir.

Q. Okay, you say that Petty Officer Reyes was there, is he a senior Sonarman?

A. Yes, he is, sir.

Q. He's a First Class?

A. Yes, sir.

Q. First of all, was SN Rhodes on that panel--on that console--when you got there? Or did he come after you took the watch?

A. I'm not sure, sir.

Q. When he did get there, whenever that time was, was Petty Officer Reyes there the entire time with him?

A. I don't recall if he was there the entire time.

Q. Is it possible that there was a time when he was sitting there next to you on the console and Petty Officer Reyes was not there with him?

A. Yes, that's possible, sir.

Q. Now, as the primary Passive Broadband Operator, were you interacting with SN Rhodes?

A. Not much at the times, sir.

Q. Let me ask you this, would you have some oversight duties--I know you weren't assigned as his dedicated over instruction watch--but just sitting next to him as a qualified operator, would you have some sort of oversight duties?

A. Yes, sir. I would ask him if he's got any classification data on any of the contacts that I've gained.

Q. Now, who else is manning the Sonar Room in addition to yourself. Is there a Sonar Supervisor?

A. Yes, sir.

Q. Was that person in Sonar when you took the watch?

A. Yes, sir.

Q. Who was that?

A. STS1 McGiboney, sir.

Q. Did he remain as the Sonar Supervisor throughout the day?

A. I'm not sure, sir.

Q. I want to talk to you about a period of time when the ship commenced the angles on the bow--large angles in the bow--and then followed by the high-speed large angle rudder maneuvers. Do you remember or recall approximately what time the ship commenced those angles on the bow?

A. No, sir.

Q. It was after you had taken the watch, though?

A. Yes, sir.

Q. Were there any distinguished visitors in Sonar at that time period?

A. No, sir.

Q. How about earlier when you said you had taken the watch at around 1030, were there any in there earlier in the day?

A. During the time that I was on watch in Sonar no civilians were in Sonar, sir.

Q. And during the angles on the bow evolutions generally what are your duties as the Passive Broadband? Do they continue to be as you've described them before?

A. Yes, sir.

Q. Safety of the ship, contact management?

A. Yes, sir.

Q. Do these angles on the bow when you do them, do they affect your ability to monitor your screen and to see contacts?

A. Yes, they would, sir.

Q. How do they affect your screen or your ability to monitor your contacts?

A. The high-speed, sir, would cause contacts to fade and the large rudder angles would also do the same.

Q. Okay, high-speed would cause your existing contacts to fade?

A. Most of the time, yes, sir.

Q. And large rudder angles has that affect as well?

A. Sometimes, sir. Yes, sir.

Q. What--Let's talk about that high-speed and large rudder angles portions of the evolutions. How do your screens, when you say it causes contacts to fade, how do your screens appear? What are you looking at on your screens, if you could describe it for the court members as to what your contact picture would look like?

A. Normally at high-speed you would have some striping, stripe interference on your display and normally the noise that own ship is creating would be enough to cause the contacts to fade that would be on display.

Q. What is--can you describe for the members what striping is? The members had an opportunity to go over and look at the screens that you look at when you're on watch. What is striping?

A. A number of lines or spokes that would show up in your display from high-speed. There are display enhancements to clear those out.

Q. What about continuing at the high-speeds? What about the large rudder angles, how does that effect your screen? Or how can it effect your screen?

A. The only thing I can think of, sir, is you would have to change your orientation from north to south several times. It might put contacts in the baffles.

Q. What contacts did you hold, to the extent you recall them during the angles on the bow--well let's just talk about that phase before we get to the high-speed rudder turns. When you were doing the up and down angles, do you recall what contacts he held?

A. Sierra 12, Sierra 13, and Sierra 14.

Q. Do you recall where they were?

A. The only thing I recall, sir, was two of the contacts were on the left of the bow, one contact was on the right of the bow.

Q. Two on the left and one on the right? Any indication of their range?

A. No, sir.

Q. Do you consider them close?

A. I had no idea what the range was, sir.

Q. Did you report them as close contacts at that time frame?

A. No, I didn't, sir.

Q. Now how about as the ship went into the high-speed rudder angles, did you still hold those three contacts?

A. I don't recall, sir. I remember keeping track on two of the three contacts; I don't recall specifically which Sierra numbers they were.

Q. So you recall keeping track on 2 of the 3 during those high-speed turns?

A. Yes, sir.

Q. Did you develop any new contacts during the high-speed rudder angles?

A. No, sir.

Q. During the angles on the bow evolution and the high-speed rudder turns, was the Executive Officer in Sonar, for any portion of that time?

A. During high-speed angles, no he wasn't.

Q. What about following that time as you were coming out of the high-speed angles, was the XO in Sonar during that time frame?

A. No, sir.

Q. When was the XO in the Sonar Room, if you recall?

A. The XO was in the Sonar Room during the baffle clear maneuver.

Q. Okay, I'd ask you to take a look at what we've labeled exhibit number 4 [pointing laser at exhibit]. This is a re-creation of the ship's track. This provision here that I'm--this section here that I'm pointing at is the angles on the bow portion, followed by your high-speed large rudder angles. Where are you referring to when you talk about the baffle clear portion? If you could use your pointer and point to what you think of as the baffle clear?

A. I believe this is it right here, sir. [Pointing laser at exhibit].

Q. So the baffle clear would be coming out of the high-speed large rudder angles on course three-four-zero and then coming right to course one-two-zero?

A. Yes, sir.

Q. That's what you're referring to as the baffle clear?

A. Yes, sir.

Q. And that's when the Executive Officer came into Sonar?

A. Yes, sir.

Question by the President:

Q. I want to make sure I'm clear on this. Petty Officer Bowie, the baffle clear for you was which turn? Describe it to me what you thought the baffle clear was.

A. Okay, sir. We were--own ship was on a course approximately north. We then came right to approximately south [pointing laser at exhibit].

PRES: Okay.

Questions by the Assistant Counsel for the Court (LCDR Harrison):

Q. So it was about the time that you came right heading south that you noticed the Executive Officer come into Sonar?

A. Yes, sir.

Q. Okay. Where did he go in Sonar? Where was he? You can use the Control Room sonar chart there to assist you.

A. About right there, sir. [Pointing laser at exhibit.]

Q. Okay, so he came into Sonar and then took position pretty much just behind where you were seated at your console?

A. Yes, sir.

Q. Do you know what he was doing?

A. No, sir.

Q. Did he interact with you at all?

A. No, sir.

Q. Do you know if he was looking at your screen?

A. I don't know, sir.

Q. Well, let me ask you this, are there other things that he would have been--knowing what goes on in Sonar, are there other screens that he may have been looking at, other than the one you were looking at?

A. Not that I know of, sir.

Q. Would your screen have been the screen of interest at that point?

A. Yes, sir.

Q. Can you think of any other reason why the XO might be in there? Was he performing any other functions that you know of?

A. No, sir.

Q. How long did the Executive Officer remain?

A. I don't recall, sir.

Q. Was the Commanding Officer ever in Sonar?

A. He passed through, sir. If I remember correctly, right after the high-speed rudder angles and high-speed maneuvers.

Q. Would that have been before or after the Executive Officer came in?

A. Before, sir.

Q. So the Commanding Officer came through Sonar just before--just after the high-speed rudder angles, but before the XO came in there during the baffle clear?

A. Yes, sir.

Q. What direction did the CO come in from?

A. I believe, sir, he came in through the forward Sonar door. He passed through Sonar into Control.

Q. Okay, so he came in--when you say, passed through, what do you mean? Did he just walk through or did he stop and converse with you or what did he do?

A. I remember him asking the, the Sonar Supervisor, if we had any contacts? That's all I recall, sir.

Q. So you heard him ask the Sonar Supervisor if he had any contacts?

A. Yes, sir.

Q. And what did the Sonar Supervisor reply?

A. I don't know, sir.

Q. At that point you were holding those three contacts that you've previously described?

A. Yes, sir.

Q. Okay. So, if he was going to report on contacts it would have been those contacts?

A. I would assume so, sir.

Q. You report those contacts to the Sonar Supervisor?

A. Yes, sir.

Q. Does the Sonar Supervisor have access to other equipment or gear that might show other contacts that you're not aware of?

A. At that time, no, sir.

Q. So the CO came through and talked to the Sonar Supervisor, got the contact picture and then continued out?

A. I don't know what went on between the Commanding Officer and the Sonar Supervisor at the time.

Q. Other than requesting the contacts?

A. Yes, sir.

Q. And then you said that he passed through. Did he continue out the aft door of the Sonar?

A. Yes, sir.

Q. Or the curtain I guess----

A. Through the curtain to Control, sir.

Q. Did he ever come back in?

A. No, sir.

Q. To the best that you can recall, how long after the Commanding Officer departed Sonar in that aft door, until the Executive Officer came into Sonar?

A. Approximately 2 minutes, sir.

Q. And how long--you may have already said this, I'm sorry if I missed, how long did the Executive Officer remain in Sonar, once he took up position behind you?

A. I don't recall, sir.

Q. Do you recall the Executive Officer going to the door, the aft door of Sonar and communicating with someone on the Conn at any point thereafter?

A. No, I don't, I don't recall.

Q. So, you're not aware of whether or not the Executive Officer may have communicated what he was seeing in Sonar to someone in the Control Room?

A. No, sir.

Q. Okay. Let me ask you this, on the--back to this exhibit, number 4, as I'm pointing now to the point right after the high-speed rudder turns where the ship comes to course three-four-zero. [Pointing laser to exhibit.] I want to talk to you for just a moment about that time frame. Do you remember approximately where you were on that course, three-four-zero, before you came right to one-two-zero?

A. I couldn't accurately say, sir.

Q. While you were on that course of three-four-zero, do you remember anything on your sonar screen that would have looked like a Right 6 bearing rate?

A. No, sir.

Q. Would you know--I would imagine you've stood these watches quite often, would you know a Right 6 when you see one?

A. Yes, sir.

Q. What would that mean to you, a Right 6 bearing rate, on one of your contacts?

A. I usually, with high bearing rate contacts when they're closing pretty quickly--the range is closing----

Q. Is that something you'd report?

A. Yes, sir.

Q. If you saw that?

A. Definitely, sir.

Q. Who would you report that to?

A. The Sonar Supervisor, sir.

Q. And then would he then make a report to Control?

A. Yes he would, sir.

Q. He didn't see anything like that on that three-four-zero line?

A. No, sir.

Q. And if you could just describe for me to the extent that you recall it, as you're coming out of the large angle--or large rudder maneuvers here, coming off the high-speed on this 3-4-0 leg, so you recall what your screen looked like? Let me ask you this, did you have any difficulty identifying the contacts that you were holding and in monitoring them?

A. No, sir.

Q. So, on the baffle clear, as you referred to it when you come to the course one-two-zero, did your contact picture change? Once you got to the--as you coming to the one-two-zero leg?

A. Yes, sir, the contacts that I held were then put outside of the port baffles.

Q. Did the three contacts that you previously held----

A. Yes, sir----

Q. Were now just outside the port baffles?

A. Yes, sir.

Q. Did you gain any new contacts at that time?

A. No, sir.

Q. How long in your experience as a Sonar Operator, how long does a ship need to stay on a leg for you to get a good target motion analysis--good contact picture? I know there are a lot of factors and variables that go into that, but generally speaking, do you know how long the ship would stay on a leg for you to get a good TMA picture?

A. No, sir, I don't know.

Q. Now, at any point as own ship was coming to periscope depth or at periscope depth, did you notice the SNR increasing on any of the contacts that you held?

A. Not during that time, sir, no.

Q. During anytime? Do you remember any significant increases in SNR at any of your contacts?

A. Yes, sir, I don't remember exactly when, but SNR increased on two of the contacts during high-speed, I don't remember if it was rudder angles or the up and down angles, but I do remember SNR increasing when we were travelling at about 24 knots.

Q. That was before you came to periscope depth?

A. Yes, sir.

Q. On descent--one of your contacts or two of you contacts?

A. I believe it was two, sir, I don't recall.

Q. Was it a significant enough increase that you reported that to the Sonar Supervisor?

A. Yes, sir, I mentioned it.

Q. Do you know if he reported that out to the Control Room?

A. At that time he went to the curtain in Control, I don't know who he spoke to or what he did say, if anything.

Q. Is this before the Commanding Officer came through the Sonar Room?

A. Yes, sir.

Q. What about--let me jump just ahead just a little bit, what about after the ship did the emergency deep, what course were you on, do you recall for the emergency deep?

A. No, I don't recall, sir.

Q. Okay. Did, as you were going deep and then getting down to 400 feet, did the ship change course?

A. Yes, it did, sir.

Q. Now, either just before that course change or thereafter before the blow, did you notice SNR increasing on any of your contacts during that point?

A. No, sir.

ASST CC (LCDR HARRISON): Just a moment, sir. [Talking to bailiff.] Stand-by for just a moment.

[Bailiff did as directed.]

Q. While we're putting up these charts let me ask you some questions about when you were at periscope depth. Do you recall how long you were at periscope depth?

A. Approximately 5 minutes, sir.

Q. Pick up any new contacts once you were up at periscope depth?

A. No, sir.

Q. Did you at any time during angles on the bow or the high-speed rudder turn evolutions, did you communicate with the FTOW with regard to your contacts?

A. I did not, sir.

Q. Earlier you had said that part of your watch was sending information to the FTOW, is that electronically sending it from your console to his?

A. Yes, sir.

Q. That doesn't require any sort of communications between you and the FTOW?

A. No, sir.

Q. After--did you ever have communications with the FTOW after those evolutions, as you were coming up to periscope depth?

A. No, sir, I didn't.

Q. What about at periscope depth?

A. No, sir.

Q. Petty Officer Bowie, these are some--I'm quite certain you haven't seen these before--these are some re-creations that were done by the folks over at SUBPAC with regard to contacts and bearing. I want to draw your attention to this exhibit 7 over here, which is titled "Sierra 13 Versus Reconstruction". This being Sierra 13 here on this first chart. [Pointing laser to exhibit.] Now this sonar data here comes out electronically--out of the ship's A-RCI machinery--so it may or may not resemble exactly what you actually see on your screens. But up here, at this time frame, this is a portion of the ship's course as you were coming out of these high-speed large angle maneuvers that--the Right 6 that I was referring to earlier--was recorded by the ship's recording system. Do you recall seeing anything like that on your screens during that leg?

A. [Reviewing exhibit.] No, sir.

Q. And of course here it is again expanded, grossly expanded on this chart and again, you recall seeing nothing like this, during that leg?

A. No, sir.

Q. With your level of experience, it would be fair to say that you would report that if you were to see something like that?

A. Definitely, sir.

Q. And you'd report that to that Sonar Supervisor?

A. Yes, sir.

Q. And I think you'd previously testified that the Executive Officer was not yet in the Sonar Room during this three-four-zero leg? He came right at about the time you did the, what you call the baffle clear? That one-two-zero?

A. Yes, sir.

Q. Are you fairly certain about that being the time when he came into the Sonar Room?

A. Yes, sir.

ASST CC (LCDR HARRISON): Sir, I don't have anything else.

PRES: I think we're going to recess. Go ahead and warn the witness and then we'll recess.

ASST CC (LCDR HARRISON): We're going to recess Petty Officer Bowie and then we're going to recall you to the stand after lunch, but I want to give you a standard witness warning, if you'd just pay attention for a moment.

You are directed not to discuss your testimony in this case with anyone other than a member of the court, parties thereto, or counsel. You will not allow any witness in this case to talk to you about the testimony that you have given or which you may give after lunch today. If anyone other than Counsel for the Parties attempts to talk to you about your testimony in this case, you should make those circumstances known to the counsel that originally called you, and that would be myself.

Thank you, you are excused.

Counsel for CDR Waddle, party (Mr. Gittins): Sir, can we have the witness warned not to speak to anyone, including counsel, during the recess since he's on the stand between examinations.

ASST CC (LCDR HARRISON): Certainly. Don't speak to anyone, including counsel, parties' counsel or anyone else.

PRES: Don't excuse him, just warn him.

This court will be in recess until 1300 hours.

The court recessed at 1227 hours, 14 March 2001.

The court opened at 1300 hours, 14 March 2001.

PRES: This court is now in session. Counsel for the Court?

ASST CC (LCDR HARRISON): Yes, sir. Let the record reflect that all members, parties, and counsels are again present, and that Senior Chief Legalman Sayers is again present the courtroom.

PRES: Any procedural matters?

ASST CC (LCDR HARRISON): No additional procedural matters, sir, other than to mark as the next exhibit in order, the various ship's characteristics of EHIME MARU, previously provided to the parties counsel.

PRES: Procedural matters for Counsel for the Parties?

Counsel for CDR Waddle, party (Mr. Gittins): Yes, sir. I just have one question. Exhibit 1 is the Preliminary Inquiry. Is it the classified version or is it unclassified?

ASST CC (LCDR HARRISON): Both. The members have the entire exhibit, which includes classified materials. The same exact binders that you have.

Counsel for CDR Waddle, party (Mr. Gittins): Okay. In my cross-examination of the witness, Petty Officer Bowie, I intend to show him the confidential enclosure 24 to exhibit--to Exhibit 1. It's the Sonar Log, to refresh his recollection about what may have transpired. So, I just want to make sure that's okay, I'm not violating and security rules.

SECURITY OFFICER (CDR CACCIVIO): Sir, Mr. President, it's okay to show him the log. Alright. As I've indicated previously, there's portions of the data that is available in an UNCLASS format. That particular piece of piece of data was provided in an UNCLASS format. If you'd rather refer to that then it reduces all risk of discussion of confidential material.

Counsel for CDR Waddle, party (Mr. Gittins): Yes, it's important, sir, to have the written logs in the witness' hand.

PRES: Sure.

Counsel for CDR Waddle, party (Mr. Gittins): I just want to make sure that's okay and I'm not going to be violating any security rules.

PRES: Security Officer?

SECURITY OFFICER (CDR CACCIVIO): That log right there, the written comments of the operator has been downgraded by removing the classified sections. No material data was removed from the log to do that.

PRES: Okay. Just monitor the conversation and make sure we stay in the--it seems like we can do this.

Counsel for CDR Waddle, party (Mr. Gittins): Yes, sir. I just wanted to make sure.

PRES: I understand.

Security Officer (CDR CACCIVIO): Sir, may I talk to Mr. Gittins--just ask him what he intends to ask, just to make sure?

PRES: Sure. Why don't you do that then.

[Mr. Gittins and CDR Caccivio conferring.]

Counsel for CDR Waddle, party (Mr. Gittins): We're squared away.

PRES: Are you satisfied. Alright.

Counsel for CDR Waddle, party (Mr. Gittins): Absolutely, sir.

PRES: Counsel, anything else?

Counsel for CDR Waddle, party (Mr. Gittins): No, sir.

Counsel for LCDR Pfeifer, party (LCDR Stone): No, sir.

Counsel for LTJG Coen, party (LCDR Filbert): No, sir.

PRES: Proceed.

CR: Did you say Exhibit 54?

ASST CC (LCDR HARRISON): Exhibit 54. Nothing further, sir.

At this time the court recalls Petty Officer Bowie.

[Petty Officer Bowie entered the courtroom.]

ASST CC (LCDR HARRISON): Petty Officer Bowie, if you'd take your seat again in the witness chair. I'd remind you that you're still under oath.

[Witness resumed seat in witness box.]

PRES: Thank you. RADM Sullivan, go ahead.

MBR (RADM Sullivan): Good afternoon, Petty Officer Bowie.

WIT: Good afternoon.

EXAMINATION BY THE COURT

Questions by a court member (RADM Sullivan):

Q. LCDR Harrison this morning, walked you through, basically, broad brush of what happened on the afternoon of the 9th, while you were on sonar. What I intend to do, and what I'd like to do, is walk you back through those steps, if you will to go down a little more to ask some things that were going through your mind, or things you saw. Some of these, you might not have seen. If you say you don't know, that's perfectly correct. Just--I'm trying to get a sense, as a fact finding body, here, what transpired. And, as the ship's Broadband Operator, you were in a position to provide, I think, some information that we need to deliberate. Okay.

A. Yes, sir.

Q. First, I want to go back and visit the watchbill issue, the watchbill itself. You mentioned earlier this morning that--the fact that you weren't on the watchbill, at least assigned on the watchbill. Is that correct?

A. Yes, sir. I wasn't--I wasn't assigned on the watchbill.

Q. And, that occasionally, you can go up and relieve for head break, smoke break, chow break. Is that correct?

A. Yes, sir.

Q. And, who gives you that permission to do that? The Sonar Supervisor will give permission to relieve the watch in Sonar.

Q. You also talked about that you went up there about 1030, in the morning on the 9th?

A. Yes, sir, as best as I can remember.

Q. And, you stayed on watch at least until the collision, correct?

A. Yes, sir.

Q. So, that's a--on the order of 3 1/2 hours, or so?

A. Yes, sir.

Q. Did you consider that a some sort of chow relief, or that sort of thing? I'm a little bit confused.

A. No, sir. I relieved him with the intention of staying on the watch for the--for some time. I wasn't doing anything else, sir, so I decided to relieve.

MBR (RADM SULLIVAN): Okay. We have a blow up of the watchbill, could we post that.

ASST CC (LCDR HARRISON): Yes, sir.

[LCDR Harrison did as directed].

Questions by a court member (RADM Sullivan):

Q. I don't know, can you read that from there? We'll bring it over and show it to you if you can't.

A. No, sir I can't read it

MBR (RADM SULLIVAN): Okay. Counsel, you can bring it over, so he has a chance to look at it.

[LCDR Harrison did as directed.]

Questions by a court member (RADM Sullivan):

Q. When I look at that, I see that--and you mentioned this morning to believe that Petty Officer Anderson was assigned watch?

A. Yes, sir.

Q. For the afternoon period?

A. Yes, sir.

Q. And, before him was Petty Officer Reyes, for the morning period?

A. Yes, sir.

Q. So, could you explain how you ended up on watch. I'm not saying nothing is wrong or right about it. I'm just trying to figure out how you ended up taking that watch when it wasn't indicated by the approved watch.

A. In the section with the Petty Officer Anderson and SN Rhodes, Petty Officer Anderson is the only one in that section qualified Fathometer Operator, and that had to be manned continuously, the whole time. So, Petty Officer Anderson went to man the fathometer and I took his place in Sonar.

Q. Okay. And, who--who directed you to take his place?

A. No direction, sir. He--we decided amongst ourselves. He wanted to stand Fathometer and I told him I would sit Broadband.

Q. Okay. So it was a conversation between you and Petty Officer Anderson?

A. Yes, but the final permission to relieve comes from the Sonar Supervisor.

Q. Okay. Great. Your name is on there, down near the bottom?

A. Yes, sir.

Q. I kind of interpret it as an extra person because that makes sense to me.

A. Yes, sir. I believe we're assigned as a cleaning team of some kind.

Q. As you discussed this morning, the watch that you stood ship's safety, correct?

A. Yes, sir.

Q. Were you adequately ready to take the watch?

A. Yes, sir, I was.

Q. Had you received sleep? Had you been up all night? Were you feeling not wide-awake, so forth?

A. I felt fine, sir.

Q. Okay. Great. When you went up to take the watch, could you describe for me and my other board members how you do that? You obviously get yourself ready and walk into the Sonar control space. Can you explain what transpired before you actually said "I have the watch"?

A. Yes, sir. Normally broadband would get relieved first. You would stand next to the Broadband Operator. And, he would give you a turnover, what contacts he holds, ship's course, any display enhancements that he has on at the time, next Sierra number, anything that he feels pertinent to tell you in the turnover. And then you, as the person relieving, will ask the

Sonar Supervisor, repeat back the turnover that you received to Sonar Supervisor, and ask permission to relieve. And, the Sonar Supervisor will give you that permission if he feels that--that you understand.

Q. Okay. Do you discuss acoustic sea state?

A. Yes, we do. We turnover LE.

Q. And, could you explain to the court what that is?

A. Measurement of total background noise.

Q. And, why do you need to know that?

A. The higher the background noise is, the shorter your detection range on contacts is going to be. It's an important thing to know as far as the sonar equation for the passive sonar.

Q. Okay. So it's important that you know that, because that gives you a sense of how well you will be able to detect contacts. Is that what you're saying?

A. Yes, sir.

Q. Do you discuss the status of your operating equipment? What's in commission, what isn't?

A. Yes, sir. If something is degraded inside the shack, I assume it will be turned over.

Q. On this given day was, there any equipment in the sonar system that was out of commission?

A. The entire sonar system? Yes, sir. The remote display in Control, the AVSDU was out of commission at that time.

Q. And, to you as an experienced Sonar Operator, what impact does that have on the way you're going to conduct watch?

A. As a Broadband Operator, I don't see how it would impact me. The Officer of the Deck would be the one impacted by that.

Q. And how would he be impacted?

A. Well, he--his sonar display is taken away from him.

Q. So, and I think your answer is good. How would that--what would you expect to see? Would you see any different kind of operation to compensate for the loss of this equipment?

A. I couldn't tell you, sir, what actions he would do.

Q. Okay. But, there was no turnover, nothing you heard, expect certain things to be done different, more frequent visits by the Officer of the Deck? That sort of thing, into the Sonar controlled space?

A. No, sir.

Q. When you assume the watch can you describe--you're sitting--what you're doing? You're sitting down in front of a console, the CDC. What equipment do you have on, in terms of earphones, that sort of thing. The only equipment we have on as the time is the standard Sony headphones. We sit--we assume the watch, put on your headphones and begin your acoustic search.

Q. You have it on both your ears?

A. Normally we have one ear uncovered, and one ear would be covered.

Q. And, why's that?

A. To hear--to hear the Sonar Supervisor, if he tells you something.

Q. What other communications can you hear, in your configuration sitting down, looking at your console with your headset on in one ear?

A. When the open mike is energized, we can hear 27MC reports. We can hear all those things, sir.

Q. Is the open mike always energized when you're submerged?

A. No, sir.

Q. Pardon me?

A. No, sir.

Q. Was it energized on this day?

A. When we were going up to periscope depth, it was energized. Or maybe sometime before that.

Q. Okay. That's what you recall?

A. Yes, sir.

Q. You were on watch, as we talked about, for about 3 1/2 hours or so, before this collision?

A. Yes, sir.

Q. Were you ever relieved to have your own head break, chow break?

A. No, sir. Not that I recall.

Q. So, you worked all the way through lunch?

A. I don't recall, sir, if I ate that day or not.

Q. But, you do recall that you didn't get relieved of the watch?

A. Yes, sir.

Q. Is that typical of GREENEVILLE to have that watch as the Passive Broadband Operator for that long a period time without being expelled?

A. No, sir. Usually we rotate every 2 hours. At the time, I felt I was capable of standing it for more than that. It happens all the time. I do it all the time.

Q. Okay. Did--did the Sonar Supervisor or anybody else ask you how you were doing, or if you needed relief, or that was a decision you may made on your own?

A. Yes, sir. I don't recall to Sonar Supervisor--he might have asked me something along those lines, sir. I don't recall.

Q. Okay. I just want to move to a subtly different area. You were in the Sonar Control space--Sonar Room for that 3 1/2 hour period. I'd like you to try to think through, starting when you first got in there and got positioned. Who was in there? Who changed? So, I can get a clear picture of the personnel inside Sonar. And, I'll start off with Sonar Supervisor. Who was the Sonar Supervisor when you first took the watch?

A. STS1 McGiboney, sir.

Q. Did he keep it for the same time frame? Did he ever get relieved for a head break?

A. No, sir he didn't.

Q. How about the Work Load Share Operator?

A. I believe SN Rhodes was on the entire length, also. I'm not exactly sure about that.

Q. Okay. You mentioned you don't remember civilians, but during that time period, were there any civilians that walked into--came through there on a tour, or anything of that nature?

A. No, sir. Not while I was the watch, sir. No civilians.

Q. Did any of your fellow Sonarmen come up there to ask how you were doing, if you wanted coffee, or--you know, that sort of thing, come in and see what's going on?

A. Not that I recall, sir.

Q. So, the only person who actually showed up in Sonar was--during the events was Petty Officer Reyes, later on?

A. Yes, sir.

Q. How often do you recall the Officer the Deck in the morning, I believe it was the Navigator, how often did he come in there to check--to check what you were doing?

A. I don't recall, sir.

Q. How about Mr. Coen?

A. I don't recall.

Q. The XO?

A. The XO came in at one point, that I remember.

Q. And, when--could you--could you give me a better feel for when that part of the--when he was actually there?

A. It was very soon after we completed the angles and dangles and we were making preparations to proceed to periscope depth, including the baffle clear. And, at that point was when the XO came into Sonar. I couldn't give you an accurate time of how long he remained in Sonar. At that point he was in there.

Q. Okay. How about your Skipper?

A. He passed through very soon after the angles and dangles, right before the XO came to Sonar in between that time, he passed through, sir.

Q. Did the FT of the Watch, did he ever come in and discuss contacts? Or just come in and talk to you all?

A. Not that I recall, sir, no.

Q. Is it--is it--typically, do the FT's come in and talk to you all, once in awhile, about what's going on or before they take the watch type thing?

A. Usually, once an hour, sir, they come in to get--to get the current LE they keep in their logs. I don't recall the FTOW doing that, though, sir.

Q. Okay. When you're operating your sonar system at sea, there's a guideline that you use, that's created. A Sonar Search Plan, correct?

A. Yes, sir.

Q. And, what does that tell you to do? What types of things does it give you direction to?

A. The Sonar Search Plan gives you recommendations on how to best detect your threat, the optimum speed that you want to work

with and the best depth and equipment lineups, things like that would be included.

Q. Okay. And it covers a variety of different types of contacts, correct?

A. Yes, sir.

Q. Did you review that, or get a chance to review it before you took the watch?

A. No, sir, I did not.

Q. Do you typically look at it before you take the watch?

A. No, sir.

Q. So, could you give me a little help here? How do you take this written guidance, that you very accurately described and take that and put into practice on your displays? What's your role in that?

A. Normally, we continue the same lineup on passive broadband. And, being in the local Hawaiian OPAREAs, I just didn't see the reason to look in the search plan, sir.

Q. So, I get the sense you're saying that you guys--I believe were operating the week before, coming back from California?

A. Yes, sir.

Q. You'd been sitting there on the panel, and pretty much conditions hadn't changed. Is that fair?

A. Yes, sir, that's fair.

Q. Okay. I'd like to just move to another area, and that's the Workload Share Operator.

A. Yes, sir.

Q. You described, this morning, that he's sitting next to you?

A. Yes, sir.

Q. And, in fact, he works in concert with you, if not getting direction from you correct?

A. Yes, sir.

Q. What other things does he typically do, besides help you?

A. He would also be taking logs, sir.

Q. And, what types of help does he give you, besides keeping the logs?

A. He would help to classify the contacts. In fact, that's one of his one--that's one of this main purposes of sitting there as Classification Operator.

Q. Okay. And, when you say "classify a contact," can you explain what that means?

A. Yes, sir. A contact that I would gain on broadband would be referenced to Workload Share. And, then you would take your DEMON data, which gives you screw blade configuration and you can classify based on the RPMs the contact is making, or the number of screws, shafts it has.

Q. Okay. I've had a chance to look at the logs you all kept, and I'm not drawing any conclusions. But, I would just like to talk about what I saw on those. I was struck that after, I believe 1149, a little before noon, that was the last classify-- or any contact had much classification for the rest of the afternoon; that the last three contacts, I believe, that you described this morning, did--had just the general classification of surface contact. Did that--does that seem--is that what happened, to your recollection?

A. I couldn't say, sir. I really don't recall.

Q. Okay. In your opinion, as the Passive Broadband Operator, was Petty Officer Rhodes able to accomplish his job? Was he doing it correctly? Was he able to provide you the support you described?

A. I wasn't--I wasn't really able to--to monitor how he was operating his stack, sir. I couldn't accurately say.

Q. Okay. But--I think I said Reyes. I meant Rhodes. I'm sorry if I confused you.

A. No.

Q. SN Rhodes.

A. Yes, sir.

Q. Did you feel as the Passive Broadband Operator, again, this is just your gut feel. Were you getting the support that you needed?

A. Yes, sir. I feel that he was doing that.

Q. When Petty Officer Reyes went into the Sonar Shack, I believe to retrieve his jacket, from what I've read, he ended up, as you already discussed--or testified to, he ended up stepping in, and helping out.

A. Yes, sir.

Q. Why do you think he did that? What's your thoughts on that?

A. Just for senior guidance, sir. Just to make sure he was-- that if he had any problems that could be addressed or helped.

Q. Was there a sense on your team that the situation you found yourself in, that you needed the extra help?

A. No, sir. I didn't feel that way.

Q. Okay. In your opinion, do you think three surface contacts as a difficult workload for you all to handle in the sonar space?

A. No, sir.

Q. Okay. I'd like to walk you forward now, into angles and dangles.

A. Yes, sir.

Q. And, just before we start this process, how do you feel about the contact situation you had and your situational awareness? Did you feel you didn't really understand it or you felt pretty good about it, or you had a pretty good handle about what's going on?

A. I felt pretty good about it, sir.

Q. You testified this morning, that once you started taking angles with the ship and changing course and putting on speed, that degrades your sensor, correct?

A. Yes, sir.

Q. What did you do with the contacts you did have? You had trackers assigned, correct?

A. Yes, sir.

Q. When the ship's--own ship's parameters caused this degradation, what did you end up doing with the trackers?

A. I don't remember right now, sir, if I maintained track on them the entire time or faded them at points.

Q. Could you walk it through for my other two folks here, what you're doing when a contact fades or gets lost, when you assign and unassign trackers, what that involves?

A. The actual process, sir?

Q. Yeah. Just tell them what you do. What makes you decide to drop the track on a given contact?

A. Decrease in SNR. Visually, on the display, the trace will start to fade, and the tracker won't hold track so good. It will start to wander. So, it's best just to terminate the track on that, so you don't send incorrect data to fire control.

Q. Okay. So, if you look over on Exhibit 7 here and, again, this is not what you're looking at in the Sonar space, we all know this, but it's a representation of, at least, the type of display, waterfall display, you see. What you're talking about, for instance, is the way this track Sierra 13 wandered off, right?

A. Yes, sir.

Q. So, this data here, if you were to send it to fire control what use is it? Or is it of any use?

A. No, sir, it's of no use.

Q. Okay. Now, I want to take you to right here where we slow down, and I think--I believe the ship was fairly deep, 400 feet, slowing down to come up to do it's baffle clear. Can you give me that same--earlier you said prior to this evolution, you had a pretty good sense of the surface contact situation?

A. Yes, sir.

Q. How did you feel about it at that point, after the ship had done these fairly significant maneuvers?

A. I don't recall, sir. At the time I felt pretty good about it, sir.

Q. Okay. Listening on the headset, and with the 27MC, and all the--the open mike operating, did you hear any reports, preparation--the preparatory reports to go to periscope depth, "All of stations make preparations to go to periscope depth"?

A. I don't recall, sir.

Q. If you did hear that report--or how did you know you were going to periscope depth?

A. I don't recall, sir. I assume that I did hear that report, and that's how I knew.

Q. Okay. Let's assume you either heard it or the Sonar Supervisor told you, "Hey, we're doing this." It's not that important. The point I'm trying to get here is what do you do with your sonar--the part of the sonar system that you're operating, when you hear, "Making preparations to come to periscope depth," clearing baffles?" What do you do?

A. At this point are we clearing baffles?

Q. You're getting set up to do it, or you may even be on the first leg of your baffle clearing.

A. During the baffle clear, you would continuously do acoustic search, and search for contacts in your baffle region, and where your baffle region was and see if there's any new contacts that the baffle clear brought out.

Q. Do you reconfigure your displays at all?

A. Not at that point, sir.

Q. Okay. You mentioned this morning, sometime around this point, the Executive Officer was in the space--Sonar Control space?

A. Yes, sir.

Q. And, he was behind you, the way I recall. Is that correct?

A. Yes, sir.

Q. Did--did you hear your Exec give any direction, to anybody, to you, to the Sonar Supe, or was he just there, if you recall?

A. I don't recall, sir.

Q. During this period, did anybody else come in to help out, or look at your displays?

A. No, sir.

Q. Okay. Let's--let's--we're through the baffle clear, and the baffle clear, the way I understand, was the northerly leg, three-four-zero, coming up to 400 feet, slowing at the top, and also leveling at 150 feet, and then turning to the right to course one-two-zero, right?

A. Yes, sir.

Q. During that period, did you pick up any new contacts you hadn't seen before?

A. No, sir.

Q. At this point, what typically hap--what reports do you, as the Sonar Operator make to the Sonar Supervisor, after the baffle clear, prior to proceeding to periscope depth?

A. We make the report of no new contacts to the Sonar Supervisor.

Q. Okay. And, what are you looking at as you're--during this baffle clear? What are you concentrating on, as the Passive Broadband Operator?

A. New contacts, sir.

Q. And, are you looking for the ones--what about the ones you already hold? Are you looking for any changes or anything like that?

A. Yes, sir.

Q. Because, that's the intent of a baffle clear, right? To see change?

A. Yes, sir.

Q. Uncover your baffles?

A. Yes, sir.

Q. On your displays, as the ship is turning or slowing down, does that have any effect on what you're able to see?

A. No, sir.

Q. Did you hear over the open mike, or some other way the Officer of the Deck make his formal report, he's prepared to go to periscope depth, and ask permission from the Commanding Officer?

A. I don't recall, sir.

Q. What report do you typically hear? If you were listening?

A. Typically, you would hear "supervisors to the Conn for periscope depth brief." After that's conducted, you'll hear reports for course changes for the baffle clear, and then, I think, sir, that they'll test the early warning receiver and then proceed to periscope depth.

Q. Okay. Is there anybody in the Sonar space trying to do the ranging on a bearing rate slide rule or some other mental gym?

A. A lot of times, sir, we do get ranges. These contacts I held in the upper D/E's, I was--I wasn't able to get any range--ranges on them, so no ranges were being worked on in Sonar at the time.

Q. But nobody else was doing Eklund ranging or that sort of thing?

A. Not that I know of, sir.

Q. Do you typically, in your experience, try to do ranging?

A. Typically, yes, sir.

Q. Why do you think it wasn't done this time? It's obviously your speculation.

A. I don't know, sir.

Q. Did you hear the report, the ship was proceeding to periscope depth?

A. I don't recall, sir.

Q. Hearing that report's very important to you, isn't it?

A. Yes, sir.

Q. And, why's that?

A. I would change my display from a 3-time history to a 2-time history display, and then----

Q. Could you explain that to the folks that aren't used to looking at your displays?

A. Yes, sir. Changing to a 2-time history display will give you more real-time data on your display.

Q. Okay. So during this evolution, did you do that?

A. Yes, sir.

Q. When did you do that? Can you--I know--can you think back? Was it on the way up, or was it prior to leaving 150?

A. After they tested the early warning receiver, sir.

Q. So, that was your first--I mean that was your clue that the time was to go?

A. Yes, sir. That's when I usually switch, sir.

Q. So, you did it like you typically do?

A. Yes, sir.

Q. During this period, do you remember any communications, either face-to-face, or otherwise with the FTOW that was stationed?

A. No, sir.

Q. Do you remember reporting the direction of the seas or acoustic sea state, prior to proceeding to periscope depth?

A. No, sir.

Q. Do you typically do that?

A. Yes, sir.

Q. There's been a lot of things that you said you typically do, but you didn't. And that's not a criticism. I'm just trying to get a sense. Why do you think these things weren't done?

A. Sir, I just--I don't remember. I don't remember doing it, sir.

Q. Okay.

A. I don't know if it happened or it did not happen.

Q. Okay. The ship is going up to periscope depth, you're reconfigured. What are you looking for, on your displays?

A. I'm going to be concentrating on the upper D/E's, to look at the surface, doing an acoustic search, 40 degrees to the left and 40 degrees to the right of the bow, to make sure we don't collide.

Q. Okay. When you're going up, you are, again, you're one of the ship's safety watches.

A. Yes, sir.

Q. And, if you were to say there was a close contact, and make that report to the supervisor, you know things would change quick--quickly, correct?

A. Yes, sir.

Q. So, what's your threshold? What would be considered a close contact?

A. During?

Q. During the ascent.

A. During the ascent?

Q. Yeah.

A. As soon as I would gain a contact, I would call it the su--as soon as I saw it on my display, I would tell the Supe, and he would make the decision whether or not he needs to report the that periscope depth.

Q. Any other acoustic clues that would cause you to say I have a close contact?

A. A very close contact, you would have near field affect.

Q. Could you explain that?

A. Yes, sir. It's--the sensor is completely saturated by the sound--the contact. It's very obvious on the display.

Q. Right. I believe you go from spherical spreading to cylindrical spreading. You have propagation's of the water?

A. Yes, sir.

Q. How about--you see something in D/E angles--is that--are you looking for that?

A. Yes, sir, a contact would also show up in all of your 8 D/E's on your display. Close aboard contact would be pretty obvious on your display.

Q. Can I ask you, how do you train on this? Obviously, you don't go out and practice coming up under close contacts. So, how do you--how do you know to recognize this? How do you train? A. Through "A" school, sir, and also attack trainers. We do training on close aboard contacts.

Q. Okay. So, you feel pretty comfortable, you know a close contact if you saw it?

A. Yes, sir.

Q. In the case of let's go back to the inside of the hull on the 9th February. Prior to you hearing the ESM being tested and ready to go to periscope depth, had you completed your search-- your sonar search?

A. Yes, sir. I was constantly searching.

Q. But, did you feel comfortable with a situation that you had--you know, you're effectively the ship's safety. You're a major player at this point. Do you feel comfortable that you knew what was going-on on the surface around you?

A. Yes, sir.

Q. Okay. So, you felt comfortable when the word was go to periscope depth?

A. Yes, sir.

Q. You didn't--did you feel rushed in doing your search?

A. No, sir.

Q. Going back to that day, do you remember what contacts you held?

A. No, sir, I don't recall.

Q. Okay. But, you do recall holding Sierra 13?

A. Yes, sir.

Q. The contact that eventually the collision occurred with?

A. Yes, sir.

Q. As you thought back through this, what did you have on Sierra 13? What indicators? And, I'll walk you through them. You obviously had bearing, correct? Bearing to the contact?

A. Yes, sir.

Q. Did you have a bearing rate?

A. As I remember it, sir, there was a slight bearing rate to the left.

Q. Okay. And, looking at that picture, that's what it was. How about SNR and the way it was changing?

A. At one point, sir, I do remember SNR increasing to approximately a +13.

Q. And, on a relative scale, what's that mean to you?

A. It's relatively high.

Q. Okay. How about D/E?

A. It just remained in the +3 and +11 D/E.

Q. The upper--the upper D/E's?

A. Yes, sir.

Q. Classification of the contact?

A. I don't believe we had any, sir.

Q. Have any--I think you already said this, but I'll ask you again. No bottom bounce?

A. No, sir.

Q. You said you had a general classification, based on your logs. What did you think that contact was?

A. Orally classified, I would say he was the trawler.

Q. Okay. I meant to ask you this before. I want to step you back just for a second. Were you cognizant of what the sound velocity profile was, the day you were at sea?

A. No, sir.

Q. Is that a key thing for you to know about, operating the sonar system?

A. Yes and no, sir.

Q. Could you explain?

A. Yes, sir. The sound velocity profile would help me, as a Broadband Operator, estimate what paths--what receiving paths I'm going to get from a contact that would already be--that I would already be able to see on my display. If it's in the upper D/E's, it's most likely direct path. Lower D/E's, it's most likely bottom bounce.

Q. Okay. That's a yes. What about your "no" side? I believe you said yes and no.

A. Never mind the no side, sir.

MBR (RADM Sullivan): Thanks. I thought I was going to learn something here.

Q. Okay. Seriously, back to where we are. We're on the way up. You've reconfigured. You're doing your job. Do you have any recollection of the Sonar Supervisor, did he seem surprised, the fairly rapid baffle clearing and proceeding to periscope depth? Did he express himself to you?

A. No, sir, he didn't.

Q. Did he express himself to any of the principals, the Officer of the Deck, the CO or XO?

A. Not that I recall, sir.

Q. When the ship safely arrived at periscope depth, what did you hear?

A. Over the open mike?

Q. Yes. Whatever source.

A. I heard report of "no close contacts" from Control. I don't remember hearing a report from ESM. I assume they gave a report. And, then the Sonar Supervisor also made a report of no close contacts. At that point, I returned my display back to a three-time history.

Q. Okay. Which is, as I recall, in accordance with which are trained to do?

A. Yes, sir.

Q. Did you hear--did you know that there were no visual contacts detected at periscope depth?

A. No, sir, I didn't.

Q. So, you never got--well, let me ask the question this way. When you hear there is a visual contact, how does that help you do your job?

A. It would give you a range to the contact--one of the contacts that we're tracking.

Q. How about what is--if you looked up and you thought it was a trawler, the scope operator says it's the trawler, how does that feel? You got it right, right?

A. Yes, sir.

Q. So, as far as you knew, as pass--in your position, you don't know what the visual picture was, because you never heard it, or don't recall hearing it?

A. Yes, sir.

Q. Is it--in your experience, when you're at periscope depth, and the operator on the scope is trying to find visual contacts, and he's having problems, either because of whether, or whatever, darkness. How do you help him find the contacts from the sonar?

A. The data from the trackers in Sonar, we send to fire control, and the FTOW would usually give bearings to the contacts.

Q. Okay. Did that happen in the 9th of February?

A. I can't accurately say what happened in Control, sir.

Q. Okay. Fair enough. This--on Exhibit 7 here, on the left-hand side where we have the time bearing display, as we discussed this morning, this isn't what you saw, because this is from the SLOGGER data, reconstructed data. But you have a--your displays her effectively similar to this, right, as far as format, bearing versus time?

A. Yes, sir.

Q. And, if you saw this on your display, again, don't get hung up on the scales, but, this type of change on the course's bearing--excuse me, a contact's bearing, that--what does that mean to you? You obviously have to know what the ship's doing, but when you get this, this is a contact that we're on course of three-four-zero, and it bears somewhere around zero-one-five, so it's on your starboard bow, with a high right bearing rate. What does that mean? Your course is effectively over here [pointing laser at exhibit].

A. That'd mean that's the contact is--made a pretty severe course maneuver, or it's really close

Q. Okay. It's definitely something you're interested in, right?

A. Yes, sir.

Q. You talked about this morning, and I don't disagree with you, certainly, because I wasn't there. You didn't see this on your displays, correct?

A. No, sir.

Q. And, there are limitations on your display. For instance, the way the presentation of sonar contacts is from the raw data from the sphere is presented, correct?

A. Yes, sir.

Q. What helps--what helps you see a change in bearing rate? In other words if the ship is turning, does that degrade the ability for to see this sort of change?

A. Yes, sir. It could.

Q. And, why is that? Do you recall why? After you're done, I think you'll be able to be a Sonar Supervisor.

A. Sir, I believe that if own ship is turning, you're going to take some of his speed across the line of sight out, by matching his--falling in with his own motion. It--it--it might--it might degrade it.

Q. Does the term "beam walking" or the fact that it's moving, changing azimuth on your sphere, does that have an influence on what you see?

A. Not that I know of, sir. I really don't know, sir.

Q. The final area I want to talk about is the contact, S-14, which is one of the contacts I believe you held during this late part of this evolution.

A. Yes, sir.

Q. Do you recall when you first picked up S-14, gained S-14 as a contact?

A. No, I don't, sir.

Q. Okay. Now, we went down, did the emergency deep and now we're doing the emergency surface, and you testified of what you saw on the screen, so I won't review that. But, can you tell me the noises you heard, what you heard, what you saw during the collision?

A. On the ascent?

Q. Right. And the actual physical--what happened to the ship?

A. Okay. During the ascent, the Commanding Officer came over the LMC, at some time. I remember glancing up at the--looking at the depth of the ship, and if I remember correctly, it read 94 feet and then the first impact, and then a second impact, and after that, I regained some contacts on my display. And, I regained, if I remember correctly, sir, it was three contacts, S-12, 13 and 14. I don't remember exactly, sir, but I assume that those are the same contacts that I had previously.

Q. You obviously, I'm sure never had a collision at sea, so did you understand what was happening?

A. No, sir.

Q. Shortly thereafter the collision, which contact did you think hit? I mean, you really don't know exactly the ranges of any of them. Which one did you think you had hit?

A. After the collision, sir, I didn't think we hit any of the contacts we were tracking sir, directly on.

MBR (RADM Sullivan): That's all the questions I have.

PRES: RADM Stone?

MBR (RADM Stone): Good afternoon, Petty Officer Bowie.

WIT: Good afternoon sir.

MBR (RADM STONE): I know you've been doing a super job onboard GREENEVILLE, so please don't take my questions as being critical of your performance. We're just trying to get a better understanding of things.

WIT: Yes, sir.

Questions by a court member (RADM Stone):

Q. You had told us a little earlier, something to the effect that it was not unusual to have situation where an under instruction watchstander was not being continuously monitored. Is that correct?

A. Yes, sir, it is.

Q. If you were walking down the pier, and you ran into another Sonar Operator, another Broadband Sonar Operator from another boat similar to GREENEVILLE, and that operator told you, "Hey on our boat, we're required to have two fully qualified operators and if there's an under instruction one there must be a qualified person continuously monitoring," would that surprise you to hear that that's the requirement?

A. Yes, sir.

Q. And, that's because that's not what the requirement is, as you understand it onboard GREENEVILLE?

A. No, sir. I do know, as far as BSY-1 OP Guidelines say it is a requirement.

Q. Okay. How about this, have you ever heard somebody from some other boat say, "We don't follow that requirement on our boat. We do it differently"?

A. Yes, sir.

Q. You have?

A. Yes, sir.

Q. Tell me about that. You don't have to mention any names or boats, but in general, you've had conversations with folks off other boats?

A. Yes, sir. As far as I know, junior Sonarmen that come to their command, as they're qualifying their watchstation, they'll sit with no over instruction stationed.

Q. So, your understanding is there's other boats that aren't following the requirement? They don't have somebody continuously monitoring an under instruction watch? They're not doing that and sometimes there might be an under instruction watch sit alone, without any qualified person looking over them?

A. Yes, sir.

Q. I wanted to talk to you a little bit about your summary of initial interview. Are you familiar with that document that was part of the Preliminary Investigation? Did you ever get a chance to look at that after you were interviewed, a summary of that was made up?

A. Yes, sir.

MBR (RADM STONE): We'll provide you a copy to look at while we're talking about it.

ASST CC (LCDR HARRISON): For the record, I'm handing the witness enclosure 9 from the UNCLASS binder, Court Exhibit 1.

Q. And, I realize that is just a summary of the interview, but you've previously had a chance to check it out, in terms of whether it's accurate. Is that correct?

A. Yes, sir.

Q. On the second page of that, the second to the last paragraph, it says, "During high-speed maneuvers, two contacts, having increasing signal-to-noise ratio, indicated to him if they were moving quickly. The tripwire was called to Control." What I'd like for you to talk to me a little bit about is, "The tripwire your was called to Control." Tell me what that's--what that means.

A. Sir, that phrase was--it was used incorrectly from me, at the time during the interview. When I went through this statement, I brought it up to LCDR Harrison, that it was an inappropriate phrase at the time. The SNR did increase. I wouldn't exactly call it--I wouldn't call it the tripwire though, sir. My Sonar Supervisor was told of the increase in SNR and he then went to Control. What he said, at that point, I don't know, sir.

Q. What does the term "tripwire" normally meant to be, now that you've rethought that? "Tripwire is used to reflect what? Some state of--a certain level that you're not allowed to pass without a certain report? Why did you originally use "tripwire"? I just wanted to understand the content.

A. I don't know, sir. I don't know why I originally used it. To be honest with you, sir, I don't know what it----

Q. What it would imply----

Questions by the President:

Q. And, that's why you took it out?

A. Yes, sir.

Questions by a court member (RADM Stone):

Q. Basically, though, on this paragraph, "the increase signal-to-noise ratio," Did that get your attention and were you concerned about it?

A. I mentioned it to the Sonar Supervisor because I thought it was odd that at the speed we were traveling at, SNR would increase when it normally would decrease.

Q. So, your antennas were kind of up at that point, because of that increased signal-to-noise ratio during the period of the high-speed maneuvers?

A. Yes, sir.

Q. How--what I'm going to ask you now, is just personally how you felt at the time--how you were feeling in your gut. We all know when we're standing watches, something is a concern to us, your stomach tightens, you're focused on something, something doesn't feel right. So, I'm trying to get a feel for how you felt at the time, as GREENEVILLE's proceeding to periscope depth and they're at periscope depth, and then emergency deep. Are you, basically, very comfortable? There's nothing that's raising your antennas of concern? Or is there something inside of you that you're uneasy about during that time frame?

A. No, sir. I felt pretty comfortable the entire time. After the trip to PD, it kind of assured my comfort in things.

Q. Because you heard reports, that visually, there were no contacts, and that eased you?

A. Yes, sir.

Q. Prior to that, was it just a normal feeling of concern that one normally has on a submarine when one's going up to periscope depth? Was there anything unusual about how you felt prior to the ascent to periscope depth?

A. No, sir it was a normal trip to PD.

Q. I wanted to ask you a bit about the role of the XO. When you're in an area which historically has no contacts, and you only have three, which was described earlier as only being a small amount, why would the XO be positioned behind the Broadband Operator for such a routine operation? Were you--did you find it unusual that--with such low contact density, only three contacts that the XO of the ship is personally behind you monitoring what's going on?

A. I assumed that the XO was in Sonar at the time, sir, because the display in Control was not operating properly, so he wanted a sonar display to look at during the baffles.

Q. Okay. Did the XO have any conversations with you at all during the time he was there? Did he touch you on the shoulder, ask you any questions, or make any comments that you overheard?

A. No, sir.

Q. Previous to the 9th of February, have you ever had any discussions with the XO about contacts? Has he ever come into the space before, while you've been sitting there and asked you any questions about contacts?

A. Not that I recall, sir. Usually, the Officer of the Deck won't speak to me directly, but to the Sonar Supervisor.

MBR (RADM STONE): Great. Thank you very much.

WIT: Thank you, sir.

Questions by the President:

Q. Petty Officer Bowie, do you know of any troubleshooting--are you aware of any troubleshooting on the AVSDU?

A. No, sir. I wasn't aware of any.

Q. We talked a little bit about watchstanders and understanding that. You mentioned that you weren't on the watchbill, but you relieved at 1030, and I think it was to support for the Fathometer Watch that needed to be set. And, so a general agreement and permission from the Sonar Supe, you stood watch from 1030 right through the collision?

A. Yes, sir.

Q. You mentioned that--I think you said at one time that typically the watches would be stood for 2 hours. Did you say that?

A. Yes, sir. We tried to rotate every with the state for 2 hours.

Q. Okay, but you also said that it was common for you to sit on watch longer than that.

A. Yes, sir. Sometimes it's not possible.

Q. Okay, but is there a standard for the Sonar Watch, in terms of how long you sit? In other words, is 2 hours the standard and then you just sometimes choose to stay on longer? Or--can you reconcile those two numbers or the habit that you have versus this comment about 2 hours?

A. I'm not aware of any guidelines to it sir. They try to rotate every 2 hours, if possible. Sometimes the manning, it doesn't allow it, so you have to stand longer, sir.

Q. Is that driven by the Sonar Supe, based on how he feels you guys are doing or something?

A. Yes, sir.

Q. Okay. Fine. Let's go to your--SN Rhodes.

A. Yes, sir.

Q. Who's sitting to your right. My understanding is he's in a support role or backup role. What's the exact classification of this watch?

A. Workload Share.

Q. Workload Share. So he's sharing some of your workload as the primary operator on sonar?

A. Yes, sir.

Q. Okay. Now, part of his duties are to maintain the logs?

A. Yes, sir.

Q. And, to classify contacts?

A. Yes, sir.

Q. You had three contacts that day, that you recall?

A. Yes, sir.

Q. You were working three from 1030 to 1340, or so, until the collision?

A. Yes, sir.

Q. He was there with you?

A. As far as I can remember, sir, yes.

Q. Okay. Now, to my knowledge, I heard testimony other than the fact that they are classified as "S" or surface contacts, there's been no other classification of those contacts. There's no--there's no report on RPM or the number of shafts, etcetera, et cetera, to your knowledge?

A. Not that I'm aware of, sir.

Q. Why wasn't it done?

A. I don't know, sir.

Q. Would you expect it to be done?

A. Yes, sir.

Q. Did anybody question why that wasn't being done?

A. Not that I recall, sir.

Q. Do you classify contacts in the logs supporting the signal-to-noise ratio?

A. No, sir.

Q. You don't. Was there a trend on Sierra 13, on signal-to-noise ratio that you could enlighten me on? I mean was it going from a weak--you said it was a +15, or something like that, at one time on Sierra 13?

A. Yes, sir, on 13 I believe.

Q. What I'm trying to understand was you had the watch for a significant amount of time from 10:30 to 1:30. Can you tell me anything about the trends of signal-to-noise ratio on Sierra 13 over that period of time?

A. I believe, sir, it was increasing.

Q. Okay. Would that be--would SN Rhodes be expected to help you with that type of classification or understanding?

A. Yes, sir. With the increase signal-to-noise ration, some classification data would be easily obtained.

Q. Can you understand why there's a requirement now to have a qualified watch directly supervising an under instruction watch?

A. Yes, sir.

PRES: Thank you. Counsel for CDR Waddle?

Counsel for CDR Waddle, party (Mr. Gittins): Yes, sir. I'm going to have marked the changes to Petty Officer Bowie's statement.

PRES: Counsel, do we have the wrong statement? Did we read the wrong statement?

Counsel for CDR Waddle, party (Mr. Gittins): Oh, no, sir.

Counsel for CDR Waddle, party (Mr. Gittins): Yes with changes.

CROSS-EXAMINATION

Questions by counsel for CDR Waddle, party (Mr. Gittins):

Q. Petty Officer Bowie, I'm going to hand you Exhibit 55 and ask you some questions about that document, in comparison with the other document, I think it's 54, that you were asked to look at.

A. Yes, sir.

Q. Sir, if you would, on Page 1 of the summary of interview that found its way into--into the investigation--report--Preliminary Inquiry, I want you to go down about three paragraphs on the original, the one that--the clean copy without your handwritten changes. And, do you see the paragraph that starts "unsure of blade rate?"

A. Yes, sir.

Q. The whole sentence says, "Unsure of blade rate, configuration had been determined by Class. 12 and 13 looked like merchants." Do you see that?

A. Yes, sir.

Q. I'd like you to refer to Exhibit 55 for a minute and tell me what changes you made to that sentence, "12 and 13 looked like merchants."

A. I underlined that statement and wrote to the side, "I never said."

Q. You never said 12 and 13 looked like merchants?

A. Yes, sir.

Q. And, is there something else written next to what you wrote?

A. "No detection made as to classification."

Q. So, what is in the smooth version, "12 and 13 looked like merchants," you never said that, correct?

A. No, not that I remember, sir.

Q. But when you were given the opportunity to correct your statement, you clearly indicated that you didn't believe you said that, correct?

A. Yes, sir.

Q. But, nonetheless, that change that you made was not input into the final version, correct?

A. It looks that way, sir.

Q. I'd like you to go down four paragraphs on the clean copy, the one that made it into the investigation, where it says, "Observed the three contacts, very slight bearing rate." The next sentence is, "XO was in Control," correct?

A. Yes, sir.

Q. How about looking at Exhibit 55 and tell me, what, if anything you changed in that statement?

A. Where it says, "XO was in Control," I underlined "Control" and wrote "Sonar" next to it. And, then there's an arrow to the bottom that states "XO was in Sonar during the maneuver."

Q. So, you corrected the statement to indicate that the XO wasn't in Control, that he was in Sonar, and you made clear that he was there for the baffle clearing maneuver?

A. Yes, sir.

Q. And, that didn't find its way into this results of interview either, did it?

A. No, sir.

Q. And, that wasn't because you didn't make an effort, you were trying to get it right. Correct?

A. Yes, sir.

Q. On the second page of the clean copy the one that hasn't been marked up by you, the second to last paragraph, that starts with "During high-speed maneuvers, two contacts had increasing SNR, indicated to him that they were moving quickly. The tripwire was called to Control." Now, I'd like you to look at Exhibit 55, which is your correction, and tell me what correction that you made to that statement that didn't find its way into the version that was placed into the investigation

A. "During high-speed maneuvers, two contacts had increasing SNR indicated to him that they were moving quickly," and that was in parenthesis and written in next to it, it says, "May have been, not necessarily."

Q. "Indicated to him that they were moving quickly," and what you meant to say was may have been, but not necessarily"?

A. May have been moving quickly.

Q. So you weren't so--you were not so specific as to say that they were moving quickly, you just thought that may have been correct?

A. Yes, sir.

Q. And, you wanted to make it clear that you weren't being so definite in your answer, correct?

A. Yes, sir.

Q. Okay. What change did you make to that last sentence in that paragraph, sir?

A. Where it says "the tripwire," it was lined out, and wrote in the "increasing SNR was called into Control."

Q. You never used the word "tripwire"?

A. I might have, sir.

Q. Did you know what the word "tripwire" meant?

A. No, sir. I don't even have an understanding of what a tripwire is, sir.

Q. Do you think you would have used a word you didn't understand, when you're talking about signal-to-noise ratio?

A. It's unlikely, sir.

Q. And, when you made those corrections on Exhibit 55, you intended those corrections should be made so that the investigating officer would understand exactly what you meant, correct?

A. Yes, sir.

Q. Who did you provide those corrections to, if you know? Obviously, the statement was given to you to look at. Do you remember who gave it to you?

A. LCDR Harrison, sir.

Q. And, when you made the corrections, who did you give it back to?

A. LCDR Harrison, sir.

Q. Let me move on to something----

PRES: Counselor, are you satisfied the members now clearly understand the facts that we established earlier, that we were able to get those disconnects, in terms of what he said on the earlier statement and what we took his testimony a moment ago?

Counsel for CDR Waddle, party (Mr. Gittins): I'm satisfied that the testimony's correct, sir. But, I didn't want the

members to be left with the impression that that statement is accurate.

PRES: Okay. I think that's why we sort of focused, specifically, on the testimony.

Counsel for CDR Waddle, party (Mr. Gittins): Okay.

PRES: Not on the statement.

Counsel for CDR Waddle, party (Mr. Gittins): Yes, sir.

Questions by Counsel for CDR Waddle, party (Mr. Gittins):

Q. Petty Officer Bowie, would it be fair to say that, having been in a collision at sea was a very traumatic event for you?

A. Yes, sir.

Q. There was a lot of confusion and--on the ship, immediately after the accident, correct?

A. Yes, sir.

Q. And, the Commanding Officer took charge and tried to calm everyone down, didn't he?

A. Yes, sir.

Q. He made a LMC call over to the entire ship, correct?

A. Yes, sir.

Q. Told everybody to calm down and do their job, right?

A. Yes, sir.

Q. Now, you were the--you were stationed on the Passive Broadband Operators station?

A. Yes, sir.

Q. On the accident day?

A. Correct.

Q. And, you understood that your job was the safety of the ship, correct?

A. Yes, sir.

Q. And, the way you stand that watch is, you are continuously on watch, correct? You are watching your displays continuously, correct?

A. Yes, sir.

Q. The idea is not to be distracted, correct?

A. Correct.

Q. So some things that may go on behind you may go--may escape your attention because you are concentrating on what you're looking at correct?

A. Yes, sir.

Q. And, what you're listening to in your headphones, correct?

A. Yes, sir.

Q. And, you don't spend time with unnecessary communication in the Sonar, correct?

A. No, sir.

Q. You don't--you don't unneces--you don't talk about things not directly related to the contact picture, correct?

A. Not usually, sir.

Q. The idea is, you're supposed to be focused on Passive Broadband Sonar picture, and you're supposed to relay what you see to the Sonar Supervisor so that he can relay it to Control, correct?

A. Yes, sir.

Q. Is that the way it worked on the 9th of February? Was it working right that day?

A. Yes, sir. Everything that I saw on my display, I was taking to Sonar Supervisor. Where it went from him, I couldn't say, sir.

Q. But, you felt like you were doing your job and standing your watch appropriately, correct?

A. Yes, sir.

Q. And, from what you could sense from around you, in that Sonar Room, SN Rhodes was doing his job as well, correct?

A. Yes, sir.

Q. And, the Sonar Supervisor, to the best of your knowledge, was doing his job to the best of his ability too, correct?

A. Yes, sir.

Q. Was there any time that you can specifically remember, prior to the accident, that you were distracted from your duties?

A. No, not for any lengthy period of time. Just--we did took a big angle, and I reached over here to grab onto something. That's about it, sir.

Q. Okay, nothing that would've distracted you from performing your duties?

A. No, sir.

Q. Like, for example, the DVs were not in the sonar area bothering you?

A. No DVs were in Sonar, sir.

Q. Now, you were asked some questions about Exhibit 7, and Exhibit 7, the bearing--the bearing rate diagram, about this change in bearing rate [pointing to diagram] right here. Do you see that?

A. Yes, sir.

Q. You don't have any display that really looks like that in your sonar, do you?

A. No, sir. It's not going to look like that. It is set up in the same fashion, time versus bearing, sir.

Q. Okay. But, it doesn't--the scale is substantially different, correct?

A. Yes, sir.

Q. But, you're trained to observe and identify 6-degree bearing rate, correct?

A. Yes, sir.

Q. Do you think you're a good enough Sonar Operator that you'd be able to identify a 6-degree bearing rate?

A. Yes, sir.

Q. If you saw it?

A. [Affirmative response.]

Counsel for CDR Waddle, party (Mr. Gittins): You have to say yes or no, because the court reporter's going to take down what you say.

WIT: Yes.

Q. And, if you had seen a 6-degree bearing rate, you would have reported that to the Sonar Supervisor, correct?

A. Yes, sir.

Q. Because, you understand that an increasing bearing rate like that, 6-degree rate, could indicate safety of the ship issues, correct?

A. Yes, sir.

Q. You indicated that you arrived on watch at about 1030, and you were there until the collision, correct?

A. Yes.

Q. You had the approval of the Sonar Supervisor to assume the watch?

A. Yes, I did.

Q. And, you saw that as an opportunity to get some training and practice on the sonar, correct?

A. Yes, sir. It's always some sort of training.

Q. It was a useful training benefit to you sitting there for couple of hours, monitoring the contact picture, correct?

A. Yes, sir.

Q. And, one of the reasons you assumed the watch, in addition to getting the training, was because Anderson was a qualified fathometer watch, and he had to go stand that watch, correct?

A. Yes, sir. Either me or Anderson had to go stand fathometer watch. We decided he would. As far as I remember, sir. I don't clearly remember speaking with Anderson. It's how it worked out.

Q. Now, you indicated you saw--you sensed or did you see the CO come into Sonar at some point?

A. I saw him come through.

Q. Okay. And, he came in through the forward hatch? Door, I'm sorry, forward door?

A. The forward Sonar door.

Q. That would be--as you're sitting at your stack, to the left----

A. It's----

Counsel for CDR Waddle, party (Mr. Gittins): It's been taken down.

WIT: Oh.

Questions by Counsel for CDR Waddle, party (Mr. Gittins):

Q. But, that would be to your left, as you're sitting facing your panel, correct?

A. Yes, sir.

Q. And, you didn't actually hear what CDR Waddle said to the Sonar Supervisor, or what the supervisor said to him, correct?

A. That's correct.

Q. And, that's because you were doing your job, correct?

A. That's correct.

Q. Was it unusual for the Commanding Officer to come through Sonar?

A. Not very, sir.

Q. CDR Waddle frequently came through to check the sonar picture when he was the Commanding Officer of your ship, correct? When you were operating?

A. At times, sir.

Q. And, then the XO came in sometime after CDR Waddle?

A. Yes, sir.

Q. And, that was before the ship went to periscope depth?

A. Yes, sir.

Q. Around the time you were clearing baffles?

A. Yes, sir.

Q. You were asked some questions about the Sonar Search Plan. The Sonar Search Plan, in a safe--when you're operating Passive Broadband Operator, safety of the ship, not doing a mission--tactical mission--do those parameters usually change?

A. No, sir.

Q. So the Sonar Search Plan for local operations would be, typically, not different, correct?

A. Related to passive broadband, yes.

Q. The Passive Broadband Sonar Search Plan would be about the same if you were doing local operations on Monday as they would be on a Wednesday, correct?

A. Yes, sir.

Q. And, you were familiar with the normal Sonar Search Plan for local operations and the Hawaiian operating area?

A. Yes, sir.

Q. Have you stood watches with SN Rhodes before?

A. I don't believe so, sir.

Q. How about on EASTPAC, did you ever stand any watches with him when you were doing the EASTPAC trip?

A. I don't recall, sir. I might have.

Q. As for the 9th of February, you thought SN Rhodes was giving you appropriate support, correct?

A. Yes, sir.

Q. And, you didn't feel that a 3-contact picture was a particularly challenging situation for you correct?

A. No, sir.

Q. Particularly because most of the contacts had relatively constant bearings, correct?

A. Yes, sir.

Q. And, you felt pretty good about the contact picture in your own mind?

A. Yes, sir.

Q. And the contacts that you had, had relatively low signal-to-noise ratio, correct?

A. They did increase. Some of them did increase.

Q. You maintain a log in Sonar, correct?

A. Yes, sir.

Q. And, the log would indicate signal-to-noise ratio at times, correct?

A. Yes.

Q. How often do you make that log entry?

A. For a non-contact of interest, every 15 minutes.

Q. What's a contact of interest?

A. A threat to own ship, a warship that we're interested in, submerged contacts, we would log even more frequently.

Q. Okay. On 9 February, you didn't have any safety of ship contacts, correct, to your knowledge?

A. To my knowledge no, sir.

Q. And, you weren't tracking any warships or submerged contacts, correct?

A. No, sir.

Q. So, you were doing it on the normal time, 15 minutes, about?

A. Yes, sir. I wasn't the one taking logs. I don't know what SN Rhodes was taking--was doing with it.

Q. But that--the log, to your knowledge, was being maintained appropriately?

A. To my knowledge, yes, sir.

Q. During the time the GREENEVILLE went from--well, let me ask you about the periscope depth. The transit from depth to 150 feet to periscope depth, was there anything unusual about that in your mind?

A. No, sir.

Q. You did the things you were supposed to do? You changed from a 2-time--3-time--history to a 2-time history?

A. Yes, sir.

Q. And, that gives you more real time information?

A. Yes.

Q. And, did you feel that you maintained a pretty good contact picture at that time, in your own mind?

A. Yes, I do, sir.

Q. And, when the ship was clearing baffles, turned from three-four-zero to one-two-zero, there was no significant signal-to-noise ratio increase, was there?

A. Not that I remember, sir.

Q. And, a signal-to-noise increase at that time might indicate a close aboard contact, correct?

A. Yes, sir.

Q. And, you also, when you went to a 3-time history to the 2-time history, you didn't note any changes in me in the near field--you didn't have any near field effect?

A. No, sir.

Q. And, you never did, did you?

A. No, sir.

Q. And you didn't have any--you didn't have an obvious display in all D/E's did you?

A. No, sir.

Q. That would be an indication of a close aboard contact, as well, correct?

A. Yes, sir.

Q. A closing contact?

A. Yes, sir.

Q. In particular, in the lower D/E's, depression elevation angles, that's were you expect to see a close in contact closing, correct? When you see that indication, that tells you you've got a threat to ship, correct?

A. Yes, sir. If he's in all of your D/E's, he's a threat to ship.

Q. Okay. You never saw that either, before the collision, did you?

A. No, sir.

Q. And, did you ever hear any screw noises that indicated a close contact?

A. No, sir.

Q. How about did you detect any fathometers or fish finders?

A. No, sir, we had no indication of any.

Q. And, you indicated earlier that to had an opportunity to see near field effect and contact in all D/E's at a school and in the attack trainers, correct?

A. Yes, sir. I've seen what it looks like.

Q. So, it would have been obvious to you if you had that situation, correct?

A. Yes, sir.

Q. And, you would have known what to do?

A. Yes, sir.

Q. And what would that be?

A. Report it to the Sonar Supervisor, immediately.

Q. Because it's a safety of ship issue, correct?

A. Yes, sir.

Q. And, the contact, Sierra 13, that turned out to be--it remained in the upper D/E's, correct?

A. Yes, sir.

Q. When you went to periscope depth, the Control Room's quiet and you guys don't make any--any statements at periscope depth, correct, until after no close contacts has been called?

A. That's correct, sir.

Q. And, the way it goes, the Officer of the Deck, on this day, called no close contacts. Did you hear that?

A. Yes, sir.

Q. Did you to hear the Commanding Officer say no close contacts?

A. I'm unclear as to who made the announcement.

Q. Did you hear that said twice by personnel in the Control Room?

A. I don't remember, sir.

Q. But, that would be the normal course, whoever was on the scope would be calling no close contacts, if that was the case, correct?

A. Yes, sir.

Q. The other alternative is emergency deep, correct?

A. Yes, sir.

Q. And, then did you hear the ESM call no close contacts?

A. I don't remember, sir.

Q. That would be the normal circumstances, as well, correct?

A. Correct.

Q. And, the when you heard--when Sonar hears those reports from periscope operator and ESM, then Sonar makes a report to the Conn, correct?

A. Correct.

Q. And, there's no requirement that the Fire Control Technician of the Watch makes such a report, correct?

A. Not that I know of, sir.

Q. To your recollection, since you've been on GREENEVILLE, have you ever heard a circumstance where the periscope operator says "no close contacts", ESM reports "no close contacts", your Sonar Supervisor has reported "no close contacts", and the Fire Control Technician of the Watch reported "no close contacts"?

A. No, I haven't.

Q. That would be an unusual circumstance, correct?

A. Yes, sir.

Q. And, when you're tracking the contacts, and this indicates--we're talking about Exhibit 7, this indicates that your sonar--you had a tracker on contact S-13, it tracked for a pretty extensive period of time, it tracked off and then picked back up, correct?

A. Yes.

Q. Does that sound about what happened on the 9th of February?

A. Yes, sir.

Q. The contact faded in the high-speed maneuvers, tracked off, then you picked it up again, when you steadied after clear baffles?

A. Yes, sir.

Q. And, when the trackers--when you have a tracker engaged, that information is sent to the Fire Control Technician of the Watch, correct?

A. Yes, it is, sir.

Q. And, the data that is obtained from Sonar, in the computers that are in his equipment, he can obtain a fire control solution for the target, correct--for the contact?

A. Yes, sir, he should be able to.

Q. During the time before, and even during periscope depth, to your knowledge, was SN Rhodes attempting to classify S-13?

A. Yes, he was attempting.

Q. Based on your experience, if you have 2 contacts on the same bearing, does that make it more difficult to classify a target?

A. Yes, it does.

Q. Why is that?

A. You get a mixture of both of their screw blades and their narrow band information.

Security Officer (CDR CACCIVIO): Mr. President, we may be discussing classified topics. Request an opportunity to speak to the witness.

PRES: Please. Counsel, would you like to talk with----

Counsel for CDR Waddle, party (Mr. Gittins): Sir, I don't think I'm going to go any further down that road. I just wanted----

Security Officer (CDR CACCIVIO): It's really his answers I'm concerned about.

PRES: Okay, go ahead, please.

Security Officer (CDR CACCIVIO): It will only take a minute.

PRES: Okay.

Security Officer (CDR CACCIVIO): [Conferring with the witness].

PRES: Are you satisfied?

Security Officer (CDR CACCIVIO): Yes, sir.

PRES: Counsel?

Counsel for CDR Waddle, party (Mr. Gittins): Yes, sir.

Q. RADM Sullivan asked you earlier about the effect of the ship turning on bearing rate--on how a bearing rate might appear in your indicators. Do you remember those questions?

A. Yes, sir.

Q. It actually depends on the direction of the turn by your own ship, which direction the ship turns in, whether or not it will degrade or--it might even improve your picture, correct?

A. Yes, sir.

Q. So, it doesn't always degrade. Sometimes a turn can improve the bearing rate change on your equipment, correct?

A. Yes, sir.

Q. And, it might even improve--a turn, depending on which direction it is, might improve your ability to identify a bearing rate, correct?

A. Yes, sir.

Q. When you talked about your experience in the under instruction watchstanders, to your knowledge, you're not aware of any under instruction watchstander standing Passive Broadband Sonar on GREENEVILLE?

A. Since I've been onboard, sir? Yes, I've seen it.

Q. Did they have somebody backing them up when they did that?

A. No, sir.

Q. Not at all?

A. The Sonar Supervisor was--would be watching the display, but not so much that he would lose the tactical picture or anything. But I have seen it a few times, sir.

Q. At what depths do you think you'd be operating when that happens?

A. Oh, I don't know, sir.

Q. Deep or shallow?

A. A number of depths, sir.

Q. And, you're aware that on the waterfront here at Pearl Harbor that that's not an unusual circumstance, for a UI watch to stand without an over instruction person standing by?

A. As far as I know, I don't think it's unusual.

Q. The--Petty Officer Reyes came--came in and actually did back up SN Rhodes before the ship went to periscope depth, correct?

A. Yes, sir.

Q. And, Petty Officer Reyes is a fully qualified Sonar watchstander?

A. Yes, he is.

Q. And, when you went to periscope depth, before you had the Officer of the Deck's report no close contacts, you felt comfortable you had a pretty good handle on the contact picture, correct?

A. Yes, sir.

Q. And, you felt even better after the report no close contacts correct,

A. Yes, sir.

Q. And, you don't think there's anything you could have done differently today?

A. No, sir.

Q. The indications you had, from what you saw, you believe you acted appropriately, correct?

A. Yes.

Q. You've been on GREENEVILLE for some period of time under CDR Waddle, correct?

A. That's correct, sir.

Q. About a year and a half?

A. Yes, sir.

Q. What do you think about the command climate onboard USS GREENEVILLE?

A. I think it's very good, sir.

Q. Have you heard the words, "safety, efficiency, backup"?

A. [Smiling.] Several times, sir.

Counsel for CDR Waddle, party (Mr. Gittins): The record should reflect the witness smiled.

Q. What--what--tell me how you've heard those terms used aboard GREENEVILLE.

A. Safety, efficiency and backup are the--the command tenants. Three things that CDR Waddle really pushed on us to do.

Q. Tell me what they meant.

A. It became--it's just the way we do business onboard the GREENEVILLE. It's what--just something that was said to us over and over again.

Q. Did you feel that if you saw something that wasn't right, you could talk to CDR Waddle, about that situation?

A. Definitely. Anytime.

Q. You wouldn't feel uncomfortable about bringing a mistake to his attention would you?

A. No, sir.

Counsel for CDR Waddle, party (Mr. Gittins): That's all I have, sir.

PRES: Counsel for LCDR Pfeifer?

Counsel for LCDR Pfeifer, party (LT Shanahan): Yes, sir.

PRES: Right now it might be a good time for a recess. Let's recess. This will be about a 16, 17 minute recess. We're going to recess until 1455.

The court recessed at 1442 hours, 14 March 2001.

The court opened at 1454 hours, 14 March 2001.

PRES: This court is now in session. Counsel?

ASST CC (LCDR HARRISON): Let the record reflect that all parties are again present, sir.

PRES: Recall the witness, please.

ASST CC (LCDR HARRISON): Bailiff?

[The bailiff did as directed.]

ASST CC (LCDR HARRISON): Please have a seat, Petty Officer Bowie. I remind you you're still under oath.

PRES: Counsel for Lieutenant Commander Pfeifer?

Counsel for LCDR Pfeifer, party (LT Shanahan): Yes, sir. Thank you. Good afternoon, again, Petty Officer Bowie.

WIT: Good afternoon, sir.

Questions by the counsel for LCDR Pfeifer, party (LT Shanahan):

Q. You described earlier in your testimony, pretty clearly when the XO came into Sonar, you said it was after the baffle clear. You also described pretty clearly who was in Sonar. I don't want you to have to rehash that. I'd like to kind of put two and two together. At the time the XO came into Sonar, after the baffle clear, can you tell me who was in Sonar at that moment?

A. Yes, sir, myself, as Broadband Operator; SN Rhodes, as Workload Share Operator; STS1 Reyes was standing right behind SN Rhodes; the XO; and the Sonar Supervisor--the Sonar Supervisor, STS1 McGiboney was in Sonar.

Q. Good. And, you already kind of described this, but the way people were positioned, you and Rhodes were seated at your consoles and the other three were standing behind you. Is that correct?

A. Yes, sir.

Q. And, basically, you're all looking at the same waterfall display, correct?

A. Yes, sir.

Q. In your experience, when the XO came into Sonar, who is he more likely to talk to, you or the Sonar Supe?

A. The Sonar Supervisor.

Counsel for LCDR Pfeifer, party (LT Shanahan): Thanks. That's all the questions I have,.

PRES: Counsel for Mr. Coen?

Counsel for LTJG Coen, party (LT Fulton): Thank you, sir. Good afternoon, Petty Officer Bowie.

WIT: Good afternoon, sir.

Questions by counsel for LTJG Coen, party (LT Fulton):

Q. I want to go back for a moment and discuss the contact picture you saw, after you took the watch. In particular, I want to make sure that I'm absolutely clear on what happened to the information about the SNR regarding Sierra 13--12 and 13. After you gained Sierra 12 and 13, you were attempting to get a range on those two contacts. Is that correct?

A. No, sir.

Q. You weren't trying to get any range information on 12 and 13?

A. The D/E's that we had them in, we weren't to able get readings.

Q. So, basically, you just didn't have enough information to get good ranges for 12 and 13?

A. Not at that time, no, sir.

Q. But, at some point, during and dangles and during the fast turns, you recognized an increase in SNR from 12 and 13?

A. Yes, sir.

Q. And, you communicated that right away to the Sonar Supe, Petty Officer McGiboney?

A. Yes, sir,

Q. Now, did Petty Officer McGiboney acknowledge this?

A. I don't recall, sir.

Q. Do you know if Petty Officer McGiboney ever did anything with that information?

A. I don't know, sir.

Q. You don't know if he ever left the Sonar Shack or went to take that information to fire control, anything like that?

A. He did walk over to the curtain. What he did over there, or who he talked to, sir, I don't know.

Q. This act of him walking over to the curtain, how sure are you in your mind, that this had something to do with the information that you had given him regarding this SNR?

A. Fairly certain, sir.

Q. Do you have any reason for that? Just the timing, or what information are you going off?

A. Yes, sir. Just the timing.

Q. Moving up now to the period before you came up to periscope depth, did anybody communicate to you what the ship's plan was going to be? I mean, it sounds like you didn't have a formal brief, but did anybody even communicate to anybody in Sonar what the plans was going to be for going to periscope depth?

A. It wasn't communicated to me, sir. I don't know if it was communicated to the Sonar Supervisor. I don't know exactly.

Q. One more question, with respect to this bearing rate issue and the 6 degree per minute bearing rate, and all that. In general, when you're on a TMA leg, is it generally true that the longer you're on that leg, the more you're going to be able to tell about that contact's bearing rate?

A. Yes, sir.

Counsel for LTJG Coen, party (LT Fulton): I don't have any further questions.

PRES: Counsel, no redirect?

ASST CC (LCDR HARRISON): Yes, sir. Petty Officer Bowie, thank you for your testimony. Before you leave let me give you the following warning. You are directed not to discuss your testimony in this case with anyone other than a member of the court, parties thereto, or counsel. You will not allow any witness in this case to talk to you about the testimony you have given or which you may give in the future. If anyone other than counsel or parties thereto, attempt to talk to you about your testimony in this case, you should make the circumstances known to the counsel who originally called you and that would be the Court. Thank you. You're excused.

[The witness withdrew from the courtroom.]

Stuart Rhodes, Sonar Technician Submarines Seaman, U.S. Navy, was called as a witness for the court, was sworn, and examined as follows:

DIRECT EXAMINATION

Questions by the court (LCDR Harrison):

Q. SN Rhodes, would you please state your full name for the record, and would you spell your last name?

A. My name is Stuart Rhodes, last name is spelled R-H-O-D-E-S.

Q. Thank you. I just want to let you know that the microphones don't amplify at all, they'll just pick it up. So, be sure to speak up.

A. Yes, sir.

Q. Thank you. Are you currently attached the USS GREENEVILLE?

A. Yes, sir.

Q. And, how long have you been attached to the GREENEVILLE?

A. I've been attached for 6 months.

Q. 6 months. And, what department and division do you work in?

A. I am in Sonar Division and I'm in Weapons Department.

Q. And, generally, what are your duties and responsibilities in the Sonar Division?

A. In the Sonar Division, I'm a basic student, you would say. I am learning and I'll be a basic operator, beginning of as Passive Broadband, and then I'll work up to Class information.

Q. Have you qualified any underway watchstations at this point?

A. All I've qualified underway is basic--helping out with the boat, like TDU. That's about all. It's just getting rid of trash, sir.

Q. Thank you. Those are important duties.

A. Yes, sir.

Q. Where--how close are you in your qualifications to passive broadband?

A. I'm about--sir, I have five signatures, I believe.

Q. Five signatures remaining?

A. Yes, sir.

Q. Are those watchstanding related signatures?

A. Yes, sir.

Q. So, you've gotten a lot of your knowledge checkout work done already?

A. Yes, sir.

Q. How many underway Passive Broadband watches would you say you've stood in your 6 months onboard the GREENEVILLE?

A. I stood watch during our EASTPAC, which was 4 weeks, a month long. And, during that I stood Workload Share about, I would say--sir, I'd say about 30-plus.

Q. Thirty? Thirty-plus watches on the Workload Share?

A. Yes.

Q. Thank you. I want to ask you some questions about the 9th of February. Did you have an opportunity on that day to stand the Workload Share watchstation?

A. Yes, sir.

Q. And, when did you--when did you take that watch?

A. Sometime after the maneuvering watch was placed, I was told to operate the--I was supposed to secure the weapons shipping hatch, and then I took the Workload Share watch.

Q. Okay. So, after the maneuvering watch was secured, sometime after that?

A. Sometime after that.

Q. That would have been some time in the morning of the 9th?

A. Yes, sir.

Q. And, how long did you stand that watch?

A. I stood that watch for pretty--for the whole time, sir.

Q. Did you get some relief for chow or anything else?

A. Yes, sir.

Q. Would that have been at lunchtime?

A. Yes, sir.

Q. And, you were done and then you came back?

A. Yes, sir.

Q. Were you--so you were standing this as an under instruction watch?

A. Yes, sir. I was under instruction. Basically, I--on the EASTPAC, sir, as we--as I stood the Workload Share, the Supe or the Passive Broadband would help me out in understanding everything I was supposed to do. All things that I gained and tried to get information about, I would correlate with the Supe, and say, "Is this right, Supe?" And, he would say yes or no. And, I learned all in that way. The Supe would pretty much supervise what I did, everything I wrote down and so, sir.

Q. Okay. So was this--this opportunity to take the watch on this day, was this one of the watches you could use to assist you in qualifying for a signature?

A. Yes, sir.

Q. And, you had done that in the past?

A. Yes, sir.

Q. And, then, of course, you had conversations with the Sonar Supe and other watchstanders to assist you in your duties?

A. Yes, sir.

Q. Now, on this particular day, did you have someone who was assigned to you as your over instruction watch for the entire period?

A. No, sir.

Q. You were seated right next to----

A. Petty Officer Bowie, sir.

Q. Most of the time. And, the Sonar Supe was in the area?

A. Yes, sir.

Q. And, what--what gear or console were you monitoring? Was this called the Workload Share--Workload Share console?

A. It's called the Workload Share, but it is, basically, the same thing as Passive Broadband, sir. And, I would bring up another screen of information that held classified contacts, sir.

Q. What we're going to do, SN Rhodes, is put up a diagram of the re-creation of the Control Room on the GREENEVILLE. And, I'm going to ask you to show me where it was you stood your watch on that day. You've got an infrared laser pointer there on your table somewhere. If you could take that and examine that diagram for a moment, and then show us where it was you were standing your watch?

A. Sir, I was standing watch right there, sir [pointing laser at exhibit].

ASST CC (LCDR HARRISON): Let the record reflect that it's the first BSY-1 console, just forward of the aft sonar stack leading into the Control Room.

WIT: Yes, sir.

Q. So you were working alongside and in conjunction with the Petty Officer Bowie who was the Passive Broadband Operator?

A. Yes, sir.

Q. And were you interacting with him on that watch?

A. Yes, sir. We were interacting some. I'd ask him about information on contacts and I believe he was having me listen to

certain contacts, telling me about how they sound, and other teachings, sir.

Q. Did you--now, in the morning, when you first took the watch, did you have an opportunity to do some classification on some of your contacts that you held?

A. Yes, sir. Every time I gained a contact--or he would gain a contact, more correctly, he would gain the contact and I'd bring up another screen and I will classify it. I do that on all the contacts.

Q. And, you've been trained to do the classification?

A. Yes, sir. And, after I gain the contact and bring up the classification information, I'd always ask the Supe, this--I'd tell him this is what I see, and he would tell me, yes, that's right.

Q. Terrific. Now, we noted from reviewing some of the sonar records, that in the morning there appeared to be a great deal of classification, but less so in the afternoon. Is there a reason for that?

A. Yes, sir. I don't know exactly what the reason is, but I was also backed up from Petty Officer Holmes, as I showed him the classification I was getting on contacts and telling him I wasn't able to get any information from these contacts. And he was telling me, he was just saying, "Yes, you're right."

Q. Who's Petty Officer Holmes?

A. Petty Officer Holmes is a First Class ST. And, he arrived at the boat a couple of months ago.

Q. Was he in Sonar with you in the morning?

A. No, sir. He relieved Petty Officer McGiboney, the Sonar Supe. After McGiboney left, he had come in. Petty Officer Holmes, he's a Sonar Supe also, sir.

Q. Let me ask you this. In the morning when you took the watch, the Workload Share station, who was the Sonar Supe at that time?

A. Petty Officer McGiboney, sir.

Q. Okay. And, I think you testified that Petty Officer Bowie was already there, working the Passive Broadband?

A. I believe so, sir.

Q. And, are you saying that at some point after this, that Petty Officer Holmes relieved Petty Officer McGiboney?

A. After the collision yes, sir.

Q. After the collision----

CR: LCDR Harrison, could you ask the witness to speak a little louder, please?

ASST CC (LCDR HARRISON): We'd ask you just to speak up a little bit, if you would. Again, they won't amplify for us.

WIT: Okay.

Q. I want to take you to the point and time, after lunch, where the ship commenced a period of angles and dangles and high-speed large rudder angles. Do you remember those evolutions?

A. Yes, I remember those, sir.

Q. Were you in Sonar still at that point?

A. Yes, sir.

Q. And, if you remember, who was in Sonar with you during those time frames?

A. Sir, it was me, Bowie, Reyes, and the Sonar Supe, McGiboney.

Q. So, Petty Officer Reyes had joined you in Sonar as well?

A. Yes, sir.

Q. Now, when did he join you in Sonar?

A. I don't remember the exact time. I know he walked in, because we were looking at--we were trying to keep things still on the boat, when we was doing those rudder angles. I remember him helping. That's how I remember him being in Sonar.

Q. He was helping out in Sonar?

A. Yes, sir, because we were doing rudder angles. Things--we had to keep things still.

Q. Okay. So, he was assisting in getting things stowed in the Sonar Room?

A. Yes.

Q. So, you didn't have any missile hazards?

A. Yes, sir.

Q. Was he also assisting you on your watchstation?

A. Yes, sir. He'd watch over me, making sure I was doing things right when we were going to periscope depth, sir.

Q. At periscope depth?

A. Yes, sir. The time before periscope depth and as we did periscope depth, sir.

Q. Okay. Was he assisting you during the time period of the angles--the large angles and the high-speed rudder turns as well?

A. Yes, sir. He was there. He kept an eye over me, sir.

Q. Do you recall what your screens looked like during those high-speed large rudder angles?

A. Yes, sir. When we did those, I had the same screen as Bowie, Passive Broadband does, sir. Except mine--he explained to you the 4 D/E's on top and 4 D/E's on the bottom? And, mine is reversed, where I have the opposite screen that he has. It's a backup for him, sir. And, so it's just--Workload Share is a backup for Passive Broadband.

Q. Do you recall during the high-speed evolution holding any contacts?

A. Yes, sir. I remember holding--we held, I believe three contacts during that time.

Q. You held them throughout those evolutions?

A. I know we lost 1 during some time period, but I can't remember, sir.

Q. Do you remember what contact numbers were associated with the ones that you held? I know it's been over a month or so.

A. Sir, I believe it was S-13--I mean 10, sir. I believe it was Sierra 10.

Q. Ten?

A. I believe so, sir.

Q. Any others? I think you said there were three?

A. Yeah. There was three. We held, I believe it was 13 and 12, sir.

Q. Do you recall if the Executive Officer came into the Sonar spaces at any point?

A. Yes, sir. I remember him coming in during the time at periscope depth, sir.

Q. During the time at periscope depth?

A. He came in before we came up to periscope depth. Because, even on EASTPAC, I remember him--he likes to come in while we come up to periscope and check in on us.

Q. Okay, so he came in at some point while the ship was making preparations and ascending to periscope depth?

A. Yes, sir.

Q. And, what was the Executive Officer doing in Sonar?

A. He was standing, I believe behind me, and he was I believe he was talking to Reyes and the Supe, I would imagine, sir. I didn't hear anything they said.

Q. Okay. He was talking to the Sonar Supe and STS1----

A. Petty Officer Reyes.

Q. Who had been assisting you?

A. Yes, sir.

Q. You didn't hear their conversations?

A. No, sir.

Q. Did the Commanding Officer ever come through Sonar, at or around those times, or at any time while you were there?

A. Sir, I can't--I don't remember, sir. I can't remember him coming through.

Q. During the time you were there, do you know if Sonar reported to fire control any close contacts?

A. No, sir. I don't believe there was any close contacts reported.

Q. Do you ever remember a period, during the high-speed turns, or thereafter, as you were proceeding to periscope depth, where you had anything resembling a high bearing rate on any of the three contacts that you held?

A. No, sir.

Q. Do you--are you at a point in your qualifications where you know what SNR is?

A. Yes, sir.

Q. Do you remember any of those contacts with an increasing SNR at any of those time frames?

A. No, sir. It was pretty stable SNRs. Nothing major, sir.

Q. If you saw a contact on your screens that had a Right 6 bearing rate, would you--what would that mean to you?

A. That'd be a fast bearing rate, sir. Right 6, yes, sir.

Q. And, you're at the point in your qualifications and training where you know what that would look like?

A. Yes, sir.

Q. And, what would you do if you saw something like that?

A. I'd immediately call it out to the Supe, sir.

Q. To the Sonar Supe?

A. Yes, sir.

Q. Did you see anything like that on your watch?

A. No, sir.

Q. Now, what course were you on, if you remember, when the ship came out of those high-speed turns?

A. I don't remember, sir.

Q. Do you remember what course you were on when you came to periscope depth?

A. No, sir.

Q. During the period at periscope depth, did you--did you gain any new contacts?

A. No, sir. I don't believe so, sir.

Q. What about after the emergency deep?

A. As we went down, sir? No.

Q. Do you remember at any of those periods, any increasing SNR in any of the existing contacts?

A. I remember we had--they were coming in and out, sir. So, I would write it down in the logs, and I was having to--he was taking them out of ATF, or something, sir. I don't know, exactly.

Q. Okay. Let me ask you this. How long did the Executive Officer remain in Sonar, if you recall?

A. I know he was in there as we came up to periscope depth, and he was in there--I don't know how long he was in there, sir. I remember him----

Q. Do you know if he was in there at the time of the collision?

A. No. He wasn't in there at the time of the collision, sir.

CR: LCDR Harrison? A little louder, please.

ASST CC (LCDR HARRISON): Just a little louder, if you could. Sir, that's all I have.

PRES: Do you have any?

MBR (RADM STONE): Sir, I just have a couple of questions. Good afternoon, SN Rhodes.

WIT: Good afternoon, sir.

Questions by a court member (RADM Stone):

Q. This was only your second underway period onboard GREENVILLE, is that correct?

A. Yes, sir.

Q. Have you ever seen the watchbill for 9 February? Did anyone show that to you before you set sail?

A. Yes, sir. I remember seeing it.

Q. When do you remember seeing it first, the morning of?

A. Yes, the morning of. I walked in and checked the watchbill to see if I had maneuvering watch and what standing section I had, sir.

Q. Were you surprised to see yourself listed the way you were on the watchbill?

A. Yes, sir. I wasn't on maneuvering watch before. I was kind of happy to be there. That means they were trusting me more, maybe, I was hoping, sir.

Q. Were you surprised because you weren't qualified that you were listed without anyone over?

A. On the maneuvering watchbill, I knew I was going to be shutting down the hatch for that. I didn't know what else, they were going to have me, exactly, to do, sir.

Q. Okay. But as a Sonar Operator there, in the Sonar Control, you are not yet fully qualified, and you were aware that the-- nobody was designated to provide continuous monitoring of you?

A. Yes, sir.

Q. And, did that surprise you, or no?

A. No, sir. I knew the Supe would be looking over me and making sure I was doing things right, sir.

Q. Did anyone ever talk to you onboard GREENEVILLE about watchstation qualification requirements and why the Navy has them? Was there ever any discussions about that?

A. Yes, sir.

Q. Why does the Navy have watchstation qualification requirements where there's a requirement that you be fully qualified, and if you're under instruction, that you be continuously monitored? Why do we have that requirement in the Navy?

A. So we can have safety of the ship. They want to be able to trust you and understand that you're capable of doing what they have laid in front of you to be able to do. It's, basically, trust and knowing that you have the knowledge what they need you to do for the safety the ship, sir.

Q. Right. So we have this requirement for fully qualified watchstanders because of safety?

A. Yes, sir.

Q. Do you think we also have it because of backup? You want to be able to have a fully qualified person there to provide backup to other watchstanders, including the Sonar Supe?

A. Yes, sir.

Q. I think you hit on two really good areas there for why we have these requirements, safety and backup. Are you aware of the GREENEVILLE's theme since you've been onboard since August, about? Three themes that the boat is really proud of?

A. Yes, sir.

Q. What are those themes?

A. I believe it was safety, backup, and----

Q. Efficiency, right?

A. Yeah. Efficiency, sir.

Q. I think that the discussions that we had about safety and backup and watchstanding are helpful to me, but do you have anything that you'd like to add about the whole situation on standing the watch that day, that you think would be helpful? How'd you feel that day standing that watch? Any comments you'd like to make?

A. Sir, I was somewhat happy. I knew--at the beginning of the day, I knew it's going to be a very long day. So, I was glad to be able to go out to sea again and be able to stand my watch that I was trained to do, and so I would be able to learn some more things that day. And, that's how I felt that day, sir.

MBR (RADM STONE): Thank you, SN Rhodes.

MBR (RADM SULLIVAN): SN Rhodes, I just have a couple questions to ask you.

WIT: Yes, sir.

Questions by a court member (RADM Sullivan):

Q. You mentioned you knew you had the watch when you looked at the watchbill prior to the underway?

A. Yes, sir.

Q. What was your status before the underway, were you in the duty section prior to getting underway?

A. No, sir. I was not on duty the day before.

CR: Excuse me. Did he say "duty the day before"?

WIT: Yes. Sorry.

Q. You didn't have the duty the day before, right.

A. No, no.

Q. Okay. When Petty Officer Ramirez--Reyes, I'm sorry, showed up to help you out, did you ask for the help, or did he just jump in and help you out?

A. He just came in, sir.

Q. Have you had any training on what a close contact looks like? A. Yes, sir. We--on the trainers, we have training on high-density contacts and close contacts.

Q. Okay. So, you felt pretty comfortable if you saw one, you'd know what it looked like?

A. Oh, yes, sir. Very.

Q. I want to take you onboard the ship that afternoon that the collision occurred. And, you talked about your experience so far at sea is about 30 watches, which is starting to get a little bit experience.

A. Yes, sir.

Q. Have you been in the Sonar when the ship's gone to periscope depth before?

A. Yes, sir.

Q. The reports that you heard getting ready to go to periscope depth, where they what you had heard on the past? The preparatory reports?

A. Yes, sir.

Q. When the ship was directed to go to periscope depth, what did you do with your equipment? Did you reconfigured it, or anything of that nature?

A. Sir, when we go to periscope depth, I was--it's not--it's known that, and I did it, that I would go into 2-time history and that will give us a better effect of watching our stack and a contact that comes on, you can see it better.

Q. Prior to proceeding to periscope depth, how did you feel about the contact picture? Did you have a pretty good situational awareness understanding?

A. Yes, sir.

Q. What--what--I know you're not qualified as a Passive Broadband Operator or Work Share, but what watches are you qualified for?

A. Sir, I'm qualified for Petty Officer of the Deck and just Topside Sentry, at this point, sir.

Q. And, you reported onboard when?

A. August 14th, I believe, sir.

Q. August 14th? Can I--I'd like to ask you, what's your qualification status? Are you ahead of the game?

A. Now, sir, I'm--on my ship's quals, I believe two points ahead, or three. I don't know, sir. And, then on Passive Broadband, I believe I'm caught up, sir.

Q. I can't under--

A. I believe I'm caught up, sir. And, I'm getting a lot of help now with the new Chief. He's really going a lot more heavy into an area of target motion analysis than our previous chief. So, he's teaching us a lot more.

Q. Okay. So, it's fair to say that you're somewhat behind, but certainly you've made great progress lately?

A. Yes, sir.

Q. How do you feel about being on the GREENEVILLE? Do you enjoy going to sea?

A. Yes, sir. I enjoy going to sea. Sea's a lot different than staying inport, sir.

MBR (RADM SULLIVAN): That's a true statement. That's all. I can't top that one.

PRES: Counsel for CDR Waddle?

CROSS-EXAMINATION

Questions by counsel for CDR Waddle, party (Mr. Gittins):

Q. SN Rhodes, you were maintaining the Sonar Log on 9 February, right?

A. Yes, sir.

Q. The information that's on the Sonar Log for the identified surface contacts, you didn't further identify or classify these contacts because he couldn't obtain any further information on those contacts, correct?

A. Yes, sir.

Q. And, you were making your best efforts to classify those contacts, correct?

A. Yes, sir.

Q. In making those efforts to classify the contacts, you also got some help from Petty Officer Reyes, correct?

A. Yes, sir. I was thinking about it, like I was told to, trying to remember the details of what was going on. And, at sometime, when I was taking logs, and we was coming up, I don't remember exactly if it was when we came up for periscope, or if we came up during emergency blow, but Petty Officer Reyes wanted to have a look at the contacts I had, and see if he could give me class information in those.

Q. Did he have any better luck than you did?

A. No, sir.

Counsel for CDR Waddle, party (Mr. Gittins): That's all I have, sir.

PRES: Counsel for LCDR Pfeiffer?

Counsel for LCDR Pfeiffer: No questions, sir.

PRES: Counsel for Mr. Coen?

Counsel for LTJG Coen, party (LCDR Filbert): No questions, sir.

ASST CC (LCDR HARRISON): Thank you for your testimony. Let me give you the following witness before you go. You are directed not to discuss your testimony in this case with anyone other than a member of the court, parties, or counsel. You will not allow any witness in this case to talk to you about the testimony that you've given or that you may give in the future. If anyone other than counsel or the parties attempts to talk to you about your testimony in this case you should those circumstances known to the counsel who originally called and in this case that would be the Court--myself. Thank you.

WIT: Thank you, sir.

[The witness withdrew from the courtroom.]

Roberto Reyes, Sonar Technician (Submarines) First Class, U.S. Navy was called as a witness for the court, was sworn, and examined as follows:

DIRECT EXAMINATION

Questions by the court (LCDR Harrison):

Q. Petty Officer Reyes, would you please state your full name, spelling your last name for the record?

A. My name is Roberto Reyes, Jr., R-E-Y-E-S.

Q. Thank you. Are you assigned to the USS GREENEVILLE?

A. Yes, I am.

Q. How long have you been on the GREENEVILLE?

A. Since August of 2000.

Q. August of 2000. And, you are in Sonar Division?

A. Yes, sir.

Q. And, what are your duties and responsibilities in the division?

A. As a Sonar Technician, my job is to up keep the equipment, inport, training junior personnel. At sea, to search, track and classify any contacts.

Q. Are you an LPO or anything like that?

A. No. I have two senior petty officers above me.

Q. What underway watchstations are you qualified to stand?

A. I was previously qualified Sonar Supervisor on my first ship, and I am in the re-qualification process now.

Q. So, when you get underway on the GREENEVILLE, what watch do you stand?

A. I am a Sonar Operator.

Q. First of all, were you qualified previously as Sonar Operator on other boats?

A. Yes, sir.

Q. I would imagine so. What's your qualification history on other boats?

A. I have been qualified Advanced Operator all the way up to Sonar Supervisor. I was qualified Sonar Supervisor.

Q. How long have you been qualified as an Advanced Operator and supervisor?

A. I served on--5 1/2 years on my first ship and in the 5 and half years, I qualified operator for 4 years and supervisor 1 year.

Q. That was the ship previous to the GREENEVILLE?

A. Yes, sir.

Q. In February--I want to talk to a little bit about February the 9th. You didn't stand watch in Sonar on that day, did you?

A. I stood the maneuvering watch on the way out and turned over and the afternoon watch section came onboard--came on.

Q. What was your job during the maneuvering watch? What watchstation?

A. During the maneuvering watch, I sat the Primary Broadband stack and we monitored the environment, making sure everything was clear, tracked any contacts that came by.

Q. And, what time did you secure from that watch?

A. I was relieved right around lunch.

Q. Now, after lunch, did you have an opportunity to go back to Sonar for any reason?

A. Yes. After--after I had lunch, about an hour after I had lunch or so, I was walking around the ship, taking to the people, my fellow crew mates. And, I don't do too well in air conditioned spaces so I always have a jacket underway. So I

went up to get my jacket. So I returned to the shack at that time to get my jacket, right after lunch, an hour after lunch.

Q. What time would that have been, approximately?

A. I went--I returned roughly around 1320ish, 1320 or so.

Q. What was--who was in Sonar when you arrived?

A. Petty Officer McGiboney, the Sonar Supervisor; SN Rhodes, the Workload Share Operator; Petty Officer Bowie, the primary operator; and there were about three civilians, three or four civilians in the.

Q. Three or four of the DVs that were onboard for the day?

A. Yes, sir.

Q. Was the XO in Sonar at that time?

A. I can't recall him being in there at that time.

Q. Who did you interact with when you went into Sonar? What did you do?

A. As soon as I walked in, I saw the civilians and they were pointing at the various stations in Sonar and asking questions. I jumped in right away. This is Sonar and this is what we do. I kind of led them on to what we do. I didn't want them directly talking to the operators. The Supe tried to keep them--Petty Officer McGiboney tried to keep them from doing that, but that was taking him away from him doing his job as well, so I jumped right in. This is Sonar. This is what we do. This is it, pointing at all the pretty lights and stuff.

Q. You jumped in there to keep the operators on track and the Sonar Supe on track, paying attention to the contact picture. Okay. So you interacted with the DVs for awhile then. How----

A. 3 or 4 minutes.

Q. And, then what happened?

A. They all went out to Control. There were various announcements throughout the day of what's coming up during the day, so that everyone would be kept abreast of the daily--the ship's evolutions at that time. And, we were in the process of doing maneuvers from side to side, and they wanted--and right after we completed the maneuvers, we went into the emergency blow, so they all wanted to see that and they stepped into Control prior to us going to periscope depth.

Q. Now, at some point in the afternoon, if you take a look up here at the wall, at Exhibit 4, if you would, it appears that about the time that you arrived in Sonar that the ship commenced a period of what you call angles and dangles, followed by a period of high-speed large rudder angles. Were the DVs in Sonar during those two time frames, or did they leave prior to those events, the DVs that you interacted with?

A. They were gone for the rudder angles, yes.

Q. And, so did they go to Control?

A. Yes.

Q. And, did you remain in Sonar?

A. Yes.

Q. And, what did you do when you remained?

A. Petty Officer McGiboney asked me to stick around, because SN Rhodes needed some assistance going to periscope depth. He wanted to make sure he could make it to PD okay. So, I would stand by and give him direction ongoing to periscope depth.

Q. So the Sonar Supe asked you to stick around and assist SN Rhodes who was unqualified at this point. Is that what you did?

A. Yes, sir.

Q. You stayed to assist him?

A. Yes, sir.

Q. Would you please describe to the members what your assistance was? What were you doing with SN Rhodes?

A. Basically, what I did is he would do the normal backup search to the primary stack. He was working on Share. I told him how to do it. You want to be searching to the front of the ship. You want to keep looking ahead of you. You want to know what's coming. You never want to be looking behind you. You want to look straight ahead in case something comes up. And I tried to keep him in that area.

Q. What--at this time frame, after the DVs left and you started directing your attention to SN Rhodes, what contacts did the ship hold?

A. I remember holding three contacts.

Q. And, do you remember where they were?

A. Yes, sir. They were all on the left side, on the port side of the ship on the left drawing left.

Q. Were those contacts that the ship was holding before you had stepped back into Sonar, or did you gain those contacts while you were--

A. Oh, no. These were after my watch. They--I--we did not hold those contacts on my watch.

Q. And, had those contacts been reported to anyone, or were they of a nature to have been reported to Control?

A. Every time we pick up a contact, sir, we call that out to Control.

Q. Now, SN Rhodes was unqualified at that time?

A. Yes, sir.

Q. You were aware of that?

A. Yes.

Q. Is it normal practice on the boat to have an unqualified watchstander on the watchstation? Let's just talk about Sonar.

A. It's not uncommon for a Sonar Operator--or an unqualified person to sit on a stack. There's always a supervisor there and--and he's always being supervised.

Q. Always by the Sonar Supervisor?

A. There's always the supervisor and two qualified operators on watch.

Q. So, there's always the supervisor and two additional qualified operators, and then whatever UI there might be as well?

A. Yes, sir.

Questions by the President:

Q. That was--Petty Officer Reyes, did that fit that day? When you walked in, you had a Sonar Supe, you had Petty Officer Bowie and you had SN Rhodes.

A. Yes, sir.

Q. That doesn't seem to fit what you just described.

A. No, sir. The fathometer was also manned at that time, so that qualified operator was on the fathometer.

Q. I want to make sure I understand this--you said the practice is to have two qualified and the Supe in Sonar.

A. Yes.

Q. When you walked in, that wasn't the case?

A. No. No, sir.

Q. But you said the practice was to have to qualified and the supervisor?

A. Yes, sir.

Questions by a court member (RADM Sullivan):

Q. Would it be the fact that the towed arrays were in operation?

A. No, sir. The towed arrays were not-----

Q. I'm saying the fact that there's not two qualified. There's usually a third station, at least a third station.

A. Yes, sir.

Questions by the President:

Q. With the towed array in operation?

A. With the towed array in operation, yes.

Questions by the assistant counsel for the court (LCDR Harrison):

Q. I want to talk to you about the time period, just as the ship was coming out of these large angle high-speed rudder turns, right around here, at approximately course three-four-zero. During that time frame was the Executive Officer in Sonar, or did he come through Sonar?

A. Yes, sir, he was.

Q. And, what was he doing?

A. It's hard to say with the XO, sir. I mean, he pops in and out of Sonar so frequently. It's--I swear to God, he's got Ninja skills. He does. I mean he's there and then he's not. He comes and goes. One minute I'm in the stack, and there he is, asking me a question. And, I don't know how he did it--I don't know how he came in. Was he there, yes. He was right next to me.

Q. When did he come in, if you recall?

A. I don't know. It was before we did the baffle clear. It was before we did the baffle clear because he and I discussed a concern that I had on one contact. And, he stepped out back into Control, came back into Sonar and he asked me how fast we were going. And, I knew at that time.

Q. What contact did you discuss with him?

A. Sierra 10.

Q. Sierra 10?

A. Sierra 10, yes. I felt that we were closing the contact or the contact was closing us. And, discussed with the FT--FT of the Watch. And, he told me that the contact was actually open, going away from us.

Q. Who told you that?

A. The FT1.

Q. Okay.

A. And, he told me the contact was going away, it was on an opening course. And, I couldn't understand it because of the information that I had on my display, and the XO looked at my display, stepped into Control, looked at the display there, comes back smiling, and he just asked, how fast are we going? And, I knew, due to our speed, we were driving them. So, I knew it was our ship's movement causing the closing effect that I saw.

Q. When you say the XO stepped out and into Control and looked at the panel, what did he look at?

A. Fire.

Q. Fire control panel?

A. Yes, sir.

Q. Okay. And, then he stepped back in?

A. Yes, sir.

Q. And, what were your observations of the XO after that? What was he doing?

A. He was very calm. He stayed in Sonar with us until after the baffle clearing and we proceeded to periscope depth.

Q. Was he examining the consoles in Sonar?

A. Yes, sir. He was over my shoulder, yes.

Q. So, he was looking at the same contacts you had, you and SN Rhodes were examining?

A. Yes.

Q. On that three-four-zero course that we spoke about just a moment ago, right in here on Exhibit number 4, did you see anything on that course? Did it look like a Right 6 bearing rate on any of your existing contacts?

A. No, sir, definitely not.

Q. Have you seen someth--I won't ask you if you know what that looks like, because I'm quite certain you do, with your level of qualifications, but had you seen something like that, is that something you'd report?

A. Absolutely.

Q. And, who would you report that to?

A. Directly to the Sonar Supervisor.

Q. At any point did you see a contact with a bearing rate like that?

A. No, sir, I did not.

Q. When the ship did the baffle clear, change course to one-two-zero, did you gain any new contacts there? You held the same contacts?

A. Yes, sir. We had Sierra 12 and 13 on the left and we put Sierra 10 in the baffles.

Q. The one that you were discussing with the Executive Officer was in the baffles?

A. Yes, sir.

Q. And, you did that when you came to course one-two-zero?

A. Yes.

Q. If you held--if you previously held a contact, and then you put it in the baffles when you changed course to one-two-zero, is there any additional action required of the ship to examine that contact again? Did you have to do another leg?

A. You could.

Q. I'm sorry if I already asked you this, but did the Commanding Officer come through sonar at any point during this time, that you recall?

A. During high rudder angles?

Q. Yes.

A. I can't say that I recall.

Q. Okay, how about after the large rudder angles?

A. It's possible. Because I was in the stack with SN Rhodes and I was telling him what to do at the time and it's very--we have a curtain, right next to the console that we were operating. So, people peek their head in there all the time. It's hard to say who did what in there at what time. Yes, definitely possible. I remember seeing the curtain open several times, yes sir.

Q. And, when was that?

A. It was--we did the baffle clear. During the baffle clear it popped open a couple of times and on the way up to periscope depth, it opened up a couple of times.

Q. And, that could have been the CO popping into Sonar, as far as you know?

A. Absolutely.

Q. You were looking at the console and assisting SN Rhodes?

A. Yes, sir.

Q. Did you--did any of your contacts have a notable increase in SNR during this time frame?

A. Not more than--no. No, sir, not at all.

Q. During the high-speed turns or the preparations to periscope depth?

A. No, sir, not that I know of.

Q. Did you remain in Sonar with SN Rhodes once the ship got to periscope depth?

A. Yes, sir, I did. I stayed up there for the entire periscope depth evolution.

Q. Any new contacts?

A. No.

Q. Did it seem like a normal amount of time?

A. Nothing out of the ordinary.

Q. Now, at some point, emergency deep was ordered?

A. Yes, sir.

Q. Do you recall who made that order?

A. It's hard to say because I had the open speaker on--the Supe had the open speaker on and another unit that was that was energized, so I had a lot of hiss. But, I do remember hearing

"emergency deep" and we started going down. And, Petty Officer McGiboney asked me at that point to find Petty Officer Holmes, the other Sonar Supe, to come up and relieve him because he had to make a head call.

Q. Okay. So the Sonar Supe asked you to leave Sonar at that point and time and find a relief?

A. Yes, sir.

Q. Did you do that?

A. Yes, I did.

Q. Before you left Sonar did the GREENEVILLE gain any new contacts when you were going to emergency deep?

A. Not that I noticed, no, sir.

Q. When did you come back into Sonar?

A. I returned to Sonar after I went looking for Petty Officer Holmes, when I felt the initial blast hit the ballast tanks. I thought I was going to miss it. I ran up to Sonar and we were already at a pretty steep angle, heading back to the surface, so that's when I returned.

Q. Now, aft--so did you remain in Sonar during--during and after the collision?

A. Yes, sir.

Q. Did you hold any contacts after the collision?

A. When I heard the initial crash, I immediately looked at the display. We still held Sierra 12 and 13. And, I ran out into Control. I looked--looked to see who was on the scope. The Captain was on the scope, making his turns, he said "Iwo Jima". It's hard to believe that we actually hit something. There was nothing there. And, we still--we were still tracking Sierras 12 and 13. I looked at the PERIVIS, and there it was. My initial thought was that we hit something that wasn't moving. That it was dead in the water. There was nothing there. The Captain said we were going to render assistance. And I ran out of Control because I was on watch and I went to assist. I suited up and ran to the top.

Q. You suited up. Are you one of the ship's divers?

A. I'm not a diver, sir, but, there--we render assistance to the divers. We're rescue. We will rescue whoever is out in the water.

ASST CC (LCDR HARRISON): Thank you. That's all I have.

MBR (RADM STONE): Good afternoon Petty Officer Reyes.

Questions by a court member (RADM Stone):

Q. When I look through the watchbill on 9 February, it's often hard for me as I study this to figure out who's on watch at a certain time because there seems to be people coming in and out and as I start to track the watchbill, the names don't always match up, because people are doing other things. Is that unusual for the watchbill when you compare it, to see so many people that are doing other things, rather than standing the watch during the time frame that the watchbill says? They don't marry up very well. So I'm looking for your perspective on why that might be.

A. Well, from the Sonar side, the reason the watchbill doesn't--doesn't--doesn't correlate to what actually happened was Petty Officer Holmes had the morning watch. He had the Maneuvering Watch all the way out to the dive point, just prior to lunch, and he would have been the oncoming supervisor again for the afternoon, so Petty Officer McGiboney wasn't going to let him take the watch all day long, so they switched there. The fathometer was manned continuously. That was something that I don't think anyone accounted for.

Q. Why was that decision made to man the fathometer continuously? Did you have any idea why that change took place?

A. No, sir.

Q. Do you have anything theory on it, any perspective on it?

A. No. It was deep water. I don't know.

Q. Any other comments about the watchbill, why some of the people were in positions they were?

A. Some of the guys were relieving others for chow break, or head call, or whatever the case could have been.

Q. Was it preplanned when the boat came to periscope depth that you were going to be the person that needed to report, or was it done casually like you happened to be there with the DVs and the Supe said, hey, we're going to go to PD here. Come on over and take the watch? How was that actually done, was there some plan all along, or did you just happen to be there?

A. I just happened to be there.

Q. Were you over in the Control space, over by the Conn, or where were you when he indicated to you that he wanted you to stay to help Rhodes go to periscope depth?

A. I was in Sonar, sir.

Q. You were in Sonar?

A. Yes, sir.

Q. The testimony by--that we received earlier today by Petty Officer Bowie, he mentioned that during the high-speed maneuvers two contacts had increasing SNR. He indicated during his verbal testimony that they were moving quickly or not necessarily moving quickly. In other words, there was some ambiguity there. But he was concerned enough that he said--told the Supe, "Hey these contacts have increasing SNR." I noted that during high-speed maneuvering. And, then he said the Supe would often--reportedly that got passed on to the Control Room.

You were in the space during this time where the boat was going up to periscope depth. Is this news to you that there was some SNR related contacts during the high-speed maneuvers?

A. Yes, sir, it is. I didn't see anything out of the ordinary. I don't think that the SNR that we had was loud at all.

Q. Were you in there during the high-speed maneuvers, when Petty Officer Bowie's saying he noted that increasing SNR reaction in Sonar Control during those maneuvers?

A. I was in Sonar when we were going side to side, yes.

Q. So, you weren't aware that he reported that to the Supe?

A. No, sir.

Q. Okay. When you were asked by the Supe to come on in--and focus--and give Rhodes some help going up to periscope depth, one of the things I'd like your opinion on is when you're asked to do that and grabbed out of another space to go do that, there's often times--what we do when going to sea and we're put into a position like that, because you haven't been on the watch and you don't have the context or the perspective of the history of the tracks and what's going on, that can often be difficult, because you don't have the whole story. You're only there for a short window. But, you were the one that was there, so I'm interested in your opinion on that. How important is context and perspective of the previous tracks, when one moment you're doing DV escort and helping out in one area, and the next, you've been given this responsibility to oversee Rhodes. Could you give some thoughts on that?

A. Sure. I guess you do want to know what you have around the watch. Absolutely. But, there was such a small portion of the watch, that he asked me to oversee. It was a big event, obviously, going to periscope depth. And, from what I could see on the display, they had conducted a few turns. Whether or not those were motion analysis turns or not, I don't know. But it appeared on the display that they had taken appropriate turns in order to find out what range it was that they had to these contacts that they were tracking.

And, it wasn't like they were brand new contacts. They had been tracking these contacts for over 30 minutes, so whatever data they had, had to be sound. So, taking the boat up to PD at that point would have been no sweat.

Q. But, you didn't know that because you weren't there in terms of the soundness of it. You could glance at and see, but your assessment of the quality the TMA legs, all those things that have to go with situational awareness on watch, and having context and perspective by having the time to have been there and stood that watch, rather than being brought in, that also is a factor, wouldn't you agree?

A. Yes, sir.

MBR (RADM STONE): Thank you.

MBR (RADM SULLIVAN): Good afternoon.

Questions by a court member (RADM Sullivan):

Q. You talked about you had been qualified Sonar Supervisor in the past?

A. Yes, sir.

Q. What ship was that on?

A. That was on the USS SAN JUAN, the first of the 688 I's, just like the GREENEVILLE.

Q. So, I know I'm asking you to evaluate yourself here, but what's your sense of your experience level?

A. I've got some experience tracking. I've done some operations.

Q. So, you certainly feel pretty comfortable, particularly in the local Hawaiian operating areas?

A. Yes, sir.

Q. When you were the Sonar Supervisor, operating, what were your thoughts about as a team, working together? How do you--how do you--how do you develop that team?

A. I try to train my guys to anticipate the other. If I have a bit of information that I know is going to be beneficial to him, pass it in to the guy right next to you. That's why the stacks are situated the way they are. That way you can get as much information from a contact as possible.

Q. So the situation that we found ourselves in on the 9th--or you found yourself in on the 9th, as RADM Stone was describing, people coming in and out, taking positions, do you--do you--what's your thought about the team building that was happening on the 9th of February?

A. It wasn't anything any different on the 9th of February than there was on any other day that we have people onboard. We conduct watch-to-watch turnover periodically. If a guy has to make a head call, guy would come in and give another guy a head call and it would be no problem. This is what I got, this is what you have now. Take the watch. I mean it--there really wasn't anything out of the ordinary.

Q. Okay. Now, you talked about the maneuvering watch, passive broadband which is on the surface.

A. Yes, sir.

Q. Is it fair to say that's not a--a very--it's a different role? The sensor is not as significant as it is when it's submerged?

A. Yes. That would be--yes.

Q. When you came back to help--or came back and were assigned to help by the Sonar Supervisor, you mentioned this normal turnover you get when you come in to take the watch, or even for a short break. Could you describe what you did to prepare yourself to step in and help? What--what steps did you take, looking back, to increase your situational awareness of what was going on?

A. I knew where we were geographically. I knew we were in the Hawaiian operating areas. I knew that any vessel that we had was going to be a small boat, fishing trawler, or perhaps even one of our own warships coming out or coming home. I looked at the screens, and based on the information that I saw on the screens, the data that I saw there, indicated that everything was distant.

Q. Were you familiar with the environmental conditions? Did you review those?

A. No, I did not.

Q. Is that considered something that's fairly important?

A. Yes.

Q. Were you familiar with your ship's Sonar Search Plan?

A. No, sir.

Q. How about the equipment status?

A. Yes. I was pretty familiar with the equipment status, yes, sir.

Q. Was there anything abnormal?

A. We had one of our analyzers tagged out for safety reasons. And, we had a remote display in Control that went defective on the Maneuvering Watch. And we opted, at the discretion of the NAV Supe, which was the navigator, to not fix that on the spot, which would have been a quick fix because of all the distinguished visitors onboard.

Q. That's one of the areas I want to talk to you about, considering your seniority. You said it was a quick fix.

A. Yes, sir.

Q. Did you do any troubleshooting?

A. In the past, yes. Due to experience, at a look at the display, we knew exactly what it could have been, a small deflection amplifier on the display. It just scrunched all the information to one side. So, we knew exactly what it was right away. But, it would have taken an hour to rack out the unit, get a safety area to keep the shipmates and distinguished visitors out and then put it back in place in operational use. It was safer, due to the fact the ship was rocking on the surface to leave it where it was and just handle it when we got back home.

Q. So, your estimate of an hour, and using math I used to use as a CO, really means 2 hours----

A. Or so.

Q. Or so. When did the equipment first break?

A. Right on the Maneuvering Watch.

Q. Being part of the Sonar team during the maneuvering watch, was there any discussion you had, or anybody had in there about how to compensate for the loss of the AVSDU?

A. No, sir.

Q. Did you think about that?

A. Actually, it never crossed my mind, no, sir.

Q. You mentioned there were visitors. You were beginning--or prior to the start of the high-speed operations. Were they unescorted while they were in Sonar?

A. No, sir, they weren't. They always had one of the guys with them at all times they walked through the ship. It was for their own safety as well, make sure they didn't slip on anything. They're not sailors. They don't know what they're getting into.

Q. Okay. Great. Now I want to bring you up--you're now helping out SN Rhodes and you mentioned that the Sonar Supe asked you to step in there.

A. Yes, sir.

Q. Did he give you any implication why he helped--he needed your help?

A. Not at all. Actually, he did. I'm sorry, he asked me to watch over him and see if I could explain things to him a different way. I guess you could say it's like driving a car. If you have one--one person that's trying to learn how to drive

this car, and you have a room full of teachers trying to teach this person, and even though you may be a licensed driver, it can be somebody completely abstract that just breaks this information down to this person just a little bit differently, that it'll click with this person.

Q. Again, relying on your experience as the Sonar Supervisor, if you had--if you were faced with a similar situation, with two operators because the towed array is not operating, one's qualified, one is getting there, do you think that was a sound judgment? Would you, in a similar thing say hey you're here, will you help me out?

A. Definitely.

Q. Because it's important function, right?

A. Absolutely.

Q. It gets busy in there during approach to periscope depth?

A. It gets pretty busy.

Q. You've been obviously in Sonar many, many, many times during this evolution, approach periscope depth?

A. Yes, sir.

Q. And, if you think back to how this was done, starting before the--after the high-speed course changes, coming up, clearing baffles at 150 feet, and I believe the ship was at periscope depth after approximately 6 minutes. What's your gut feel on how that was done, relative to your experience, in terms of the quickness, thoroughness of search, those kind of issues that you as a very experienced submariner would think of?

A. I believe it was a solid periscope depth, sir. There's was absolutely no nonsense in the shack at all, sir. Not that we're horsing around in there at all, but we dedicated a search. We made it to PD okay. I don't recall anything out of the ordinary. There was no--there was no what if. It was by the book. We went up to PD okay.

Q. Did you--and again, I'm not--the nature of the question wasn't the formality the watchstanding and so forth. I'm talking--and I'm talking from my experience, Sonarmen are not too shy about critiquing the ship driving. What did you think of the ship driving as far as ability for you to discern contacts?

A. It was good, sir. We cleared baffles 120 degrees, actually a little over 120 degrees, from 400 feet we came to one-five-zero,

we got a good trim. Once everything was all set and they were happy that, we went up.

Q. Were you doing any, you or any other person you observed in Sonar, doing any kind of back up ranging, Ekelund ranging, or you know, to back up what the fire control--

A. Unfortunately, sir, no. We didn't have any--we couldn't do any ranging maneuvers because the arrays were stowed and we just didn't have the environment to support that.

Q. Could you amplify on the environment?

A. We didn't have any bottom bounce ranging. We didn't have that. We just didn't have it. We held the guy in the upper D/E's. That is all we had.

Q. How about classic broadband towed array ranging using bearing rate slide rules and Ekelund ranging? Do you tend to do that in sonar?

A. Yes, sir, we do. Yes, sir, we do. But, again, the arrays were stowed and we had no--we just didn't have the means to do it.

Q. During the ascent to periscope depth, what were your first indications the ship was actually starting into the ascent?

A. All stations Conn, proceeding to periscope depth.

Q. During this time did the Sonar Supervisor make any remarks about his preparation? Did he make some remarks about he's ready to go to periscope depth or anything like that?

A. He acknowledged yes, sir.

Q. Was there any discussion that you overheard by the Executive Officer about what he thought about the ships present condition and his satisfaction with the ship had done what it needed to do to be safely taken to periscope depth?

A. Not that I remember, sir. It was quiet in Sonar.

Q. Let me make sure I understand this. When the ship did emergency deep?

A. Yes, sir.

Q. And right after that it was, I believe, announced as a drill on the 1MC or something like that or you didn't hear that part?

A. No, sir. I didn't hear it.

Q. Did the Sonar Supervisor know it was going to be a drill?

A. I don't know. I really don't know that, sir.

Q. The reason I am asking that--what you said, I believe, was right after that was announced or shortly thereafter you left the Sonar space?

A. Yes, sir. I did.

Q. So I assume--or you tell me what you were thinking. I mean usually when you hear "emergency deep" in Sonar, you think it is kind of a--there's something going on that I need to be really paying attention.

A. No, sir, not at all. There was a 1MC announcement and I mean the Captain was pretty good about keeping the crew and the DVs abreast of what was going to happen, when it was going to happen, and how it was going to happen. During the 1MCs everything was detailed how we were going to do it, we were going to PD, we were going deep, and then we are going to blow.

Q. Okay, two more questions and then I'll be done. When--after the collision I believe you said you thought you had hit an unknown contact, somebody that was stationery, somebody that you didn't detect. Is that correct?

A. Yes, sir. I said that.

Q. So you didn't think it was one that you had?

A. No, not at all.

Q. In your opinion, at least from what I understand, you thought all the contacts were safely distant?

A. Yes, sir.

Q. On a Fathometer Watch, my understanding is Fathometer Watch is stationed obviously whenever the Officer of the Watch feels it is necessary?

A. Yes, sir.

Q. But typically during the piloting party and modified piloting party was stationed. Is that correct?

A. I honestly don't know.

Q. Okay. Did you mention in local areas in this type of water you don't expect to have the fathometer watchstation?

A. No. It is my understanding if there is deep enough water you don't need the fathometer station. Again it is at the OOD and Navigator's discretion or the CO.

Q. And there was shoal water somewhere fairly close to where the ship was operating, correct?

A. Yes, sir.

Q. But the part I am trying to zero in here is what I've heard over the last couple of days it seemed like a surprise to the Weapons Officer or whoever wrote the Sonar portion of the watchbill that this watch would be manned. My experience it doesn't surprise me that it would be manned. It seems to me--I mean, just like your comment, that having that watch manned is pretty standard in the operation the GREENEVILLE is doing.

A. Yes, sir.

Q. So it seemed like the watchbill didn't project that fact that the watch will probably be manned.

A. I can't answer. I don't--

MBR (RADM Sullivan): Okay. Thank you.

Questions by the President:

Q. Petty Officer Reyes just for my own interest, have you listened to a lot of aircraft carriers?

A. Have I listened to?

Q. Yes.

A. Yes, sir, I have.

Q. What do they sound like when they go by?

A. They sound like rain, sir.

Q. Rain?

A. Yes, sir.

MBR (RADM Sullivan): You were just wondering?

PRES: I was just wondering. I've always wanted to know.

WIT: They sound like rain, sir.

Q. You mentioned when you first walked into Sonar you went back for your jacket and what you noticed was some of the DVs that were escorted leaning over the consoles specifically it sounded like Petty Officer Bowie's console and were pointing things out on the console?

A. Yes, sir. Well the consoles are right next to each other and they were DVs in there and they were pointing at the consoles, yes.

Q. Because of that you immediately kind of--you kind of extracted them from that to keep them from interfering with the watch or maybe even distracting the watch. So you felt like that was one of the things you wanted to do right away was get them off. I think because of that Petty Officer McGiboney, the Supe, asked you to just go ahead and help out because you had a lot of skills, obviously a lot of skills. They way you talk it seems to me you are very knowledgeable and you have a lot of skills and your previous qualifications as a Supe on another boat shows that you are--and I assume you are qualifying for that now on GREENEVILLE?

A. Yes, sir.

Q. So you saw you just kind of fit in naturally and you said, "This is a good place for me to be and I'll stay here", right?

A. Yes, sir.

Q. Good for you. One of the things you talked about were baffle turns and I am--this is a new art for me, I'm learning some of that out right now. But you said Sierra 10, you turned to put Sierra 10 in the baffles because in your view, when Sierra 10 went into the baffles you knew enough about Sierra 10 it didn't make a difference?

A. Yes, sir.

Q. Is that the right conclusion?

A. Yes, sir.

Q. I understand that Sierra 13 almost went in or went into the baffles by 10 or 15 degrees?

A. I don't recall that, sir.

Q. You don't recall if it went in or out?

A. No, not at all.

Q. I thought I recalled earlier testimony--this is from my knowledge--I thought S-13 went into the baffles by a couple of degrees.

A. No, sir.

Q. You just don't know or----

A. No, no, not at all. As far--from what I remember seeing we held contact on Sierra 13 the whole time.

Q. Alright so you felt like you had Sierra 13 the whole time?

A. Yes, sir.

Q. Alright, good. One of the things you talked about was you said the XO came in and really helped you with Sierra 10?

A. Yes, sir, he did. He cleared it up for me.

Q. And you called him a Ninja?

A. [Laughing.] The man is unbelievable, sir. He just pops in and out. They got to teach him that at XO school. I swear. They're in and out. I don't know how they do it.

Q. It might be his style too, huh. By Ninja I assume you meant that he is a tactically astute officer as a submariner?

A. Yes, sir, definitely.

Q. So when he came in and he helped you reconcile S-10, which I thought, then I think you felt like the XO had a good situational awareness on what was happening in Sonar as well as the tactical awareness of the boat?

A. Yes, sir.

Q. Do you know if he was conversing with the Fire Control Technician of the Watch?

A. Yes, sir, he may have, yes.

Q. He may have, but you don't know.

A. No, I can't say that for sure, no.

Q. But you did mention at one time that the Fire Control Technician of the Watch and the Sonar Supe had some conversations?

A. No, sir. I and the Fire Control Technician of the Watch had a conversation.

Q. Okay and tell me what did you guys talk about. Did he come in and talk to you or did you----

A. I went out to him, sir.

Q. You went and talked to him. What did you tell him?

A. I asked him about Sierra 10 because of the closing pattern I had on him. I went hey, I think this guy is closing. He looked at his display and he told me, "No, this guy is on an opening course, he is drawing away from us". I came back into Sonar like what I'm seeing can't be wrong and the XO asked me, "What is it?" I said, "Well sir I have a closing pattern on this guy." He looked at it and he went out to Control and he came back and asked me how fast are we going? I went oh, okay, and I realized why I had what I had and I knew that the ship was driving what I saw. Because once we slowed it went away.

Q. But you, in a short period of time--see to me you've already--you are kind of reconciling--you are giving me insight into the situational awareness inside the sonar, but you also went--this is like 1320, 1325, I have to guess now. You may not know what time it is or if you can tell me what time it would be great, but when you saw the Fire Control Technician of the Watch at his console, did you feel that you had both reconciled the situational awareness, the tactical situational awareness for the boat?

A. As far as Sierra 10 yes, sir.

Q. Okay, but I know you are talking with the Fire Control Technician on watch, so if there was something else that needed to be reconciled would you have done it at the same time?

A. Absolutely.

Q. So I'm trying to understand in that conversation did you feel like that the awareness then had been baselined? Okay, those are my words so if I'm wrong, if I use the wrong nouns or adjectives you tell me okay?

A. Yes, sir.

Q. Because it is important. Last question. In your experience in submarines, which sounds fairly extensive now, how many years do you have in the naval service?

A. I just now went over 12, sir.

Q. 12 and you've been qualified in submarines for what 10?

A. Roughly yes, yes, sir.

Q. Super. When the ship goes--my understanding now is when the ships says prepare, the boat says prepare to go to periscope depth, the tone changes for watchstanders. Would you agree?

A. Yes, sir, definitely.

Q. Did you sense that on--in Sonar you said it was very quiet in Sonar you felt like the right atmosphere was in Sonar?

A. Yes, sir.

Q. Now, when you go to periscope depth what are you listening for when you--what's one of the key calls that you are listening for after you have reached periscope depth?

A. "No close contacts".

Q. Now did you hear that report?

A. Yes.

Q. You did?

A. Yes, sir, I did.

Q. What does that do to you? What do you think that does to the boat in terms of its sense of how things are when you hear "no close contacts"?

A. I heard "no close contacts" and I took a deep breath. Its-- it's a hairy evolution in Sonar, because it is not an exact science in there. And at any moment anything can happen. You could come up through a thermocline and, bam, there will be a contact and oh my god. You have [snap] that much time to react. So you got to be quick. You got to be quick and you got to make that call right away so once they said "no close contacts"--I mean I didn't even know what depth we were at I was so into the display. And that is how it has to be all the time. Once they say "no close contacts" it's a weight off your shoulders because you know that there is nothing there.

Q. It's a weight off your shoulders in Sonar?

A. Yes. Well I hope throughout the ship. I mean, I know for me yes. Yes, sir.

Q. I'm know I'm just trying, from your experience, it is a weight off everyone shoulders then, huh?

A. Yes, sir.

Q. It's a sense that you have gone through the interface successfully and safely and that is a big deal for U.S. Submarines. It is a big deal for any submarine, correct?

A. Yes, sir.

Q. Okay, so everyone kind of said, "We are about right." Those are my words. We can kind of reset the conditions for the situational awareness. Everyone--now we can go back and we have a better sense of how safe we are, right?

A. Yes, sir.

Q. You would agree with that?

A. Yes.

PRES: Alright. Thank you very much.

PRES: Counsel for CDR Waddle?

CROSS-EXAMINATION

Questions by CDR Waddle, party (Mr. Gittins):

Q. To follow-up on the point that VADM Nathman just made Petty Officer Reyes, the relief that you feel when you hear that no close contact call, you don't really get that full sense of relief until after you hear ESM call, "Conn, ESM no close contacts," right?

A. Absolutely. Yes, sir.

Q. So it is one of those backup issues?

A. Yes.

Q. Periscope operator says no close contact, it is followed up with an ESM call, it supports that evaluation and then you would make the call, no close contacts, right?

A. Yes, sir.

Q. The Sonar Supe?

A. The Sonar Supe would yes, sir.

Q. So it is the different aspects of the ship backing each other up?

A. Yes, sir.

Q. In the--in that no close contact call, different areas of the ship making that call, the Fire Control Technician doesn't make one of those calls, does he?

A. No, sir.

Q. That would be another area where backup might be available, but the procedures in place right now on submarines don't call for that, correct?

A. Yes, sir.

Q. When you saw the XO in Sonar you felt like he had a pretty good view of the tactical picture, correct?

A. Yes, sir.

Q. He seemed to have good situational awareness in what was going on around the ship?

A. Yes.

Q. How about yourself? Did you feel that you had a pretty good situational awareness on the contact picture?

A. Yes, from what I saw yes, sir.

Q. And I think you told us that in the time before you went to periscope depth you thought that Sierra 12 and Sierra 13 were left, drawing left, correct?

A. Yes. Yes, sir, absolutely.

Q. And that is based on your experience as a qualified Sonar Operator for at least 6 years, correct?

A. Yes, sir.

Q. And with respect to Sierra 12 and Sierra 13 in the time that you were in Sonar backing up SN Rhodes you didn't observe any notable increase in signal-to-noise ratio for any contact?

A. No, not at all.

Q. Things that effect signal-to-noise ratio, correct me if I'm wrong, would be things like range?

A. Yes, sir.

Q. Own ship's speed?

A. Yes.

Q. Contact changes in speed or aspect?

A. Yes, definitely.

Q. The depth of the water?

A. Absolutely.

Q. The propagation path of the sound?

A. Yes, sir.

Q. Environmental changes?

A. Yes.

Q. Changes in environmental noise?

A. Yes.

Q. And sonar display enhancements that you may have selected in the system, correct?

A. Absolutely, yes, sir.

Q. You were backing up SN Rhodes. From your observation was SN Rhodes doing a pretty good job?

A. Yeah, he was doing pretty good--he was doing pretty good. Yes, he was.

Q. Did it appear that he was making an honest to do his best?

A. I think so. Yes.

Q. And you were providing him backup in the critical time between a hundred and fifty and periscope depth, correct?

A. Yes, sir, I was.

Q. Okay. Did you also make efforts to try to classify S-13?

A. Yes, I did.

Q. What luck did you have?

A. I had no luck. Actually I couldn't get any data on any of the three contacts that we had at that time. The only information I had was that closing data that I had on Sierra 10, but that was it. Once the ship slowed it was gone. And then I had nothing other than his oral sound. That's all I had.

Q. So you made a pretty strong effort in trying to classify this contact as well?

A. Absolutely. Yes.

Q. And you were not successful?

A. No, sir, I wasn't.

Q. How do you know that the AVSDU broke on the maneuvering watch?

A. LT Sloan was the Nav Supe at the time, I think, and he called us out and he said, "Hey, what's wrong with the AVSDU?" What do you mean what's wrong? We just--I mean it was just working. And we looked at it and sure enough everything was over to one side. So we knew what it was right away.

Q. Okay. So you were on the Maneuvering Watch at the time?

A. Yes, sir.

Q. And you were called out of Sonar to have a look at it?

A. Yes, sir.

Q. Was the ship underway at the time?

A. Yes. Yes, sir, it was.

Q. Did you ever see it working while you were underway?

A. On that underway?

Q. On that underway.

A. On that underway, no.

Q. Okay. But to your knowledge it first became a casualty after you were underway?

A. Yes, sir.

Q. Okay.

A. Prior to getting underway we have to do what's called a series of pre-underway checks on all the equipment and all our lineups. And everything was operational prior to going underway.

Q. Did you perform those lineups?

A. Yes.

Q. On the sonar equipment?

A. Yes, sir.

Q. And that's part of your job as a Maneuvering Watch on sonar?

A. Not on the Maneuvering Watch, sir. But prior to getting the ship out to sea, yes. We all do.

Q. Okay. That would be as a Sonar Petty Officer then?

A. Yes. Absolutely.

Q. And did you do that yourself that day?

A. I did some, yes.

Q. Okay. And you're satisfied that the AVSDU was working before you got underway?

A. There's no question. It was working before.

Q. During the high-speed maneuvers, angles and dangles, ship coming to periscope depth, Emergency Deep, EMBT blow, the Captain was making announcements over the 1MC to the entire crew and distinguished visitors about what the ship was going to do and what it was in the process of doing, correct?

A. Yes, that's true. Yes.

Q. And you heard--you heard those coming over the 1MC?

A. Yes, sir.

Q. Tell me about the--oh, I know what I wanted to ask you. Who was your CO on USS SAN JUAN?

A. That was the Chief of Staff, CAPT Brandhuber.

Q. Okay.

A. How'd you know that?

Q. I got a lot of good people working with me, ya know. Tell me about the command climate on USS GREENEVILLE.

A. It's awesome. It's--it's--it's pretty unique actually.

It--there's always a rivalry between the forward guys and the engineering guys. They call us Coners, we call them Nukes, and there's always a we're better than you, and sometimes it's pretty nasty.

But here it's not that. Not at all. The camaraderie is unbelievable. I mean, these guys, they--from the day I came onboard they embraced me. They made me feel welcome. I mean it was--these were the Nukes, the enemy, ya know. And I was--I felt pretty good. It was--in light of everything that's happened I--it's that camaraderie that's kept us together. And if it wasn't for that I don't think a few of us would make it.

Q. Have you ever heard the terms "safety, efficiency, and backup"?

A. All the time.

Q. Tell me about that.

A. "Safety, efficiency, and backup", those are the 3 tenors that the GREENEVILLE just instills in us. I mean--you want to do everything right. You want to be safe at everything you do. You get the job done no matter what, but you have to do it safely to make sure that it's done right. Be efficient at what you do. You can't do--you gotta do everything all the way, and make sure it's done right. And backup your shipmate. Always. Your shipmate is going to pick him up. Ya know, don't let your shipmate fall. Always back him up.

Q. You seem like you've been around for awhile. Do you think CDR Waddle was open to suggestions or even criticism by the crew over things--the way things were being done?

A. Yes, sir, he was.

Q. Did you have a sense that people were afraid to come to the Captain if they saw something that needed to be changed or fixed?

A. Not at all. When I reported onboard he extended an open door policy to me. He--you see anything wrong, don't be afraid to come up and tell me. I mean, he was open to suggestion for everything and he even took suggestions. He did--what do you think we can do to make it better? How do you think we can do this? And he's the Captain, once the decision is made--I mean, he's the man. Ya know, you've gotta support the guy.

Q. Okay. Did you find that to be the case with the XO as well?

A. Sure. The XO is an approachable guy. I mean--he's really cool. And again, it's un--it's amazing because the XO is

supposed to be the bad guy. Ya know you got the good guy, you got the bad guy. The XO, he's a good guy too. He was always there for the crew.

Q. And your Department Head? Do you feel the same way about your Department Head?

A. Yeah. The WEPS is--he's pretty cool too.

Q. Okay. You felt like you could go to them if you had a problem or you saw something wrong?

A. Absolutely.

Q. Okay. When you were backing up SN Rhodes in the time before the accident if you had had an indication of a close contact you would have been aware of that, right?

A. Absolutely.

Q. Okay. What would you have been looking for, for a close contact on sonar?

A. A high bearing rate contact.

Q. Did you see that?

A. No, sir, not at all.

Q. Did you see--did you have a contact in all depression elevations?

A. No.

Q. Was that something you would be looking for?

A. Yes. We didn't have any of the classic identifiers that would tell us that somebody was out there. I mean, we didn't just have somebody just boom in out of nowhere either. I mean, we had the contacts that we had. We tracked them all the way up through periscope depth and I mean I--I still--it's hard to accept what happened. I mean, my training--everything that I've had it just--I can't say--I'm in denial I guess. I don't know. I mean--I saw what I saw and what I saw told me that these guys were distant. Everything that I saw told me that these guys were distant--they were far. They--we didn't have any close contacts. We didn't see them visually. There was nothing on ESM. I mean, I can't explain it.

Q. Is there anything you think you could've--you could've or should've done differently on that day or did you think you followed your procedures?

A. That's what scares me the most. Because on any given day I would have done it the same way. I've done it the same way.

And this happened. And I--I mean we've done it--we've done it hundreds of times. And I--I can't see it. I mean, I still can't see it. I know what happened. And I--I second guess myself thousands of times. Did I drop the ball? What if I could have done this? I don't know. I don't know. I thought we did it right. And I still think we did it right. It was an accident.

Counsel for CDR Waddle, party: Sir, I have no further questions here. Thank you.

PRES: Counsel for LCDR Pfeifer.

Counsel for LCDR Pfeifer, party (LCDR Stone): Yes, sir.

Questions by counsel for LCDR Pfeifer, party (LCDR Stone):

Q. Just following up a little bit on that. What else do you think--was there anything else you could have done in terms of helping SN Rhodes when you were in the room?

A. Sir, if I would have sat him on my lap--I mean--I don't know. I was right behind him the whole time. I can't--I can't imagine what else.

Q. At one point, you had told me that you didn't think anybody else on the waterfront would have acted any differently than you.

A. No, sir. Not at all.

Q. Do you remember saying that you didn't even think that one of the top sonar people in the Navy would be able to do things any differently?

A. Yes, sir. I remember--I said that. I mean--you go to the ACINT community, you go anywhere--anywhere. Any Sonar Tech on the waterfront--it a--they would have seen and they would have said the same thing.

Q. What is the ACINT community?

A. Those are the sonar specialists. These are the guys that we turn to for guidance. These are the guys who do most of the training. They give us information.

Q. Did you have an opportunity to speak with the Master Chief ACINT Division member since this?

A. Yes sir, I did.

Q. Was that a Master Chief Anderson?

A. Yes, sir, it is.

Q. Were you and all of the others completely honest with him to your knowledge?

A. Yes sir, I was.

Counsel for LCDR Pfeifer, party (LCDR Stone): At this point sir, I would like to have this marked as the next exhibit. I do not have copies yet [handing memo to court reporter.] That, sir, being marked as report done by a Master Chief Sonar Technician Anderson.

PRES: Counsel, can I ask you a question?

Counsel for LCDR Pfeifer, party (LCDR Stone): Yes, sir.

PRES: If you knew you were going to make this an exhibit, why didn't you make copies?

Counsel for LCDR Pfeifer, party (LCDR Stone): It's a decision I made right now, sir, based on what he had testified to.

PRES: Okay. You are going to have to fill us in.

Counsel for LCDR Pfeifer, party (LCDR Stone): Yes, sir.

CR: This will be marked as Exhibit 56.

Counsel for LCDR Pfeifer party (LCDR Stone): I'm not going to necessarily go over that with you, but I just needed to have that marked. Okay.

Q. I want to bring your attention back to Sierra--your discussion with the XO of Sierra 10.

A. Yes, sir.

Q. Is true that your discussions with the Sierra 10 with the XO were before the baffle clearing evolutions, right?

A. Yes, sir.

Q. Is it somewhere around these high-speed turns?

A. Yes, sir.

Q. Now at some point during this time, the XO did leave Sonar?

A. Yes sir, he did.

Q. And is it also at some other point that he actually may have even returned to Sonar a little later?

A. Yes. Absolutely, yes.

Counsel for LCDR Pfeifer, party (LCDR Stone): I don't have any other questions.

PRES: Counsel for Mr. Coen?

Counsel for LTJG Coen, party (LT Fulton): Thank you, sir. Good afternoon, Petty Officer, Reyes.

WIT: Hello, sir.

Questions by counsel for LTJG Coen, party (LT Fulton):

Q. I just want to ask you a very few questions about LTJG Coen. You had an opportunity to stand watch with Mr. Coen?

A. Yes sir, I have.

Q. Do you know about how many times?

A. It's been more than six definitely, yes.

Q. Could you describe to the court, in some detail, about what kind of a watchstander Mr. Coen is?

A. Yes. Most of the guys aren't too fond of Mr. Coen as an OOD and that is because of his thoroughness. He is meticulous at what he does. He is a pain in the neck. He wants the--he--you want anything to happen in the shop you have to get the Officer of the Deck's permission. He answers to the Captain and before you go to the Captain to get something, he is going to want to make sure that he has all the data in front of him. Otherwise the Captain is going to kick it right back. So he is thorough in getting all the information.

For example, tagging an equipment out of service or bringing water on--whatever it is he's pretty thorough at what he does. He stands his watch well. He asks questions. He is not a typical junior officer. He didn't come to Sonar to get a check out to just fulfill a qualification signature on his card. He truly wanted to understand it and he would come in and he would ask questions.

Q. When he is standing watch underway, when you talk about the kinds of interactions that he tends to have with Sonar to get a good a fixture--a good feel for contacts.

A. Yes, sir. He would ask about the--what contacts we had. What the classification is. What we feel the range is if we have any. What to look for. What could he expect? If we have any recommendations as far as courses or whatever to steer the ship. Things of that nature.

Counsel for LTJG Coen, party (LT Fulton): I have no further questions.

PRES: This court will be in recess until 0800 tomorrow morning.

The court recessed at 1637 hours, 14 March 2001.