

Q. Are you personally aware of any failure of ship's equipment including particular relay actuated battle lanterns that did not operate as designed, post collision?

A. No, sir, I'm not. But of course I wasn't in a position to observe those things in the after part of the ship.

EXAMINATION BY COUNSEL FOR THE BOARD (Cont'd)

Questions by counsel for the board:

Q. Commander McLemore, back to the question of rescue destroyer station, at night and in the event of an aircraft in the water, while EVANS had plane guard duty, and you are not on the bridge. In your estimation could all of the OOD's make a shipboard recovery approach alongside the aircraft?

A. Yes, sir. And every OOD had, on as many occasions as we could put a float in the water, had made an alongside approach.

Q. Does that take into account the time involved in an aircraft accident? The rapid response required and so forth?

A. It means a direct approach to an object in the water to come alongside for recovery.

Q. What would be the Officer of the Deck's action as to calling you in such an event?

A. Immediately and by all means.

Q. And what means would you expect him to use?

A. IMC, messenger, or telephone.

Counsel for the board: Counsel has no further questions.

Senior Member: No further questions.

Counsel for the board: Commander McLemore, at this time you are given the opportunity to make such additional remarks which you consider appropriate concerning the subject matter of the investigation in an unclassified form, which have not been brought out by the previous questions. Do you have anything to add in open session?

CDR McLemore: I cannot recall because of the time interval between several sessions of testimony of whether or not I have put into the record, but I would like to put into the record my total admiration for the officers and men of MELBOURNE and the way they responded to our very real need. Without her immediate and professional effort, I'm sure that the toll would have been higher. And I have, and I think that I can speak for my officers and crew, a tremendous admiration for the effort, spirit, in the way this was done.

Counsel for the board: Thank you, sir. I believe at this time the board and counsel have additional questions they would like to ask you in closed session.

Senior Member: That's correct. The board will adjourn after a brief closed session in which Commander McLemore will be a witness. Further hearings of this board may be required and plans for these will be announced when firm, and advance notice will be given to the press. We will have a brief recess.

Counsel for the board: At this time we would ask the spectators to clear the board room.

The members of the press and spectators withdrew from the board room.

The board recessed at 1153 hours, 5 July 1969.

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The board reconvened in closed session at 1155 hours, 5 July 1969.

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All persons connected with the board who were present when the board recessed were again present.

CDR Albert S. McLemore, U. S. Navy, was recalled as a witness by counsel for the board, was reminded that he was still under oath, and testified as follows:

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by counsel for the board:

Q. Commander McLemore, this is a closed session. The testimony however, is limited to the classification of confidential. If you must go beyond that, we will find other spaces.

A. Yes, sir.

Q. Commander McLemore, in open session you indicated that the 5 qualified Officers of the Deck for fleet operations were Lieutenant Dunne, Lieutenant (jg) Covert, Lieutenant (jg) Hiltz, Lieutenant (jg) Ramsey, and Lieutenant (jg) Bowler. Would you consider Lieutenant Commander McMichael was also qualified for fleet operations OOD?

A. Certainly. That goes without saying.

Q. And of those 5, the board has had previous testimony to the effect that LT Dunne for the period of Sea Spirit was acting as a CIC Watch Officer. Is that correct?

A. Yes, sir.

Q. And he was coupled with LTJG Covert I believe, as OOD. The board is, as you can no doubt tell, very interested in the manner in which the officers on watch were balanced in order to assure a fully qualified watch team on at any time. Could you again repeat the manner in which that was done?

A. The Senior Watch Officer, LT Dunne, prepared the watch bill, officer watch bill, for review by the Executive Officer and for approval by me. There were, of course... a question might arise as to why you would change a watch bill, or why it wouldn't always stay the same. And there were many factors which contributed to this. I had a large number of ensigns and we attempted to rotate them on the watch bill so they got the watch keeping experience on the bridge and in CIC, but were also given watch keeping experience in engineering, communications, and navigation. The officers were rotated, junior officers were rotated between CIC and the bridge. And I think that some of the rationale on timing and exactly who was taken to go to a particular spot at a particular time, probably originates with LT Dunne as the Senior Watch Officer. He kept the books so to speak on who had been where for how long. During the workup phase of Sea Spirit I was concerned enough with communications, particularly with the nontactical communications, the fleet broadcasts and teletype and the fact that we had different channels of communications in use, that I kept the CWO on. And I found this was a very helpful thing to do. Now to be specific about this particular watch section, I think that the decision to qualify an officer as a fleet OOD is dependent on many factors which I am confident that all of us have been through. Ramsey's performance had improved tremendously during the six month period just preceding the collision, to the point of almost a different officer in his outlook and his actions, his desire and his performance. He had gone up for fleet OOD qualification before the ship's board shortly after we started operating and had not been qualified at that time, and was told where we felt his weaknesses were and he had been brought back up and had recently qualified.

Q. Maybe I can approach this from another angle. Of the 5 fleet qualified officers of the deck, who had held qualifications the longest time of those 5 on board FRANK E. EVANS?

A. LTJG Bowler.

Q. And do you recall the approximate time that he was qualified?

A. He was an OOD when I took command.

Q. And then following him, who was next longest in qualification?

A. LT Dunne.

Q. LT Dunne. Was he qualified immediately upon coming aboard?

A. He came to me qualified as a fleet OOD and I would watch for a few watches and it was very evident that it was a good qualification.

Q. And following LT Dunne, then who was the next?

A. LT Hiltz.

Q. And do you recall the approximate time that he, date of his qualification as fleet OOD?

A. No, I don't. I honestly don't.

Q. Was it before your yard period?

A. No.

Q. It was after the yard period?

A. Yes.

Q. Had he had any prior experience in other ships before coming to EVANS?

A. No, sir.

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Q. Do you recall approximately how long he had stood other watches before being qualified for fleet OOD?

A. He was in the ship when I took command and had been in the ship for about 8 months prior to that time, standing watches.

Q. So he had been aboard approximately the same time as LT Ramsey?

A. Yes, approximately.

Q. And following LTJG Hiltz, who was the next most experienced as fleet OOD?

A. LT Ramsey.

Q. LT Ramsey. And he had held his qualifications longer than LTJG Covert?

A. Well, would you rephrase your - would you repeat your question, please sir?

Q. Well, my question was meant to ask, who was the next oldest in qualifications as fleet OOD after LTJG Hiltz?

A. Covert.

Q. Covert.

A. I thought you said in experience and I misunderstood you.

Q. As a fleet OOD. Covert. And do you recall the approximate date he was qualified as a fleet OOD?

A. It had not been a long period of time. I think just prior to our gunline period. I think we qualified him on the way out.

Q. On the way out to WestPac?

A. Yes.

Q. And then the final one, the most recent would have been LTJG Ramsey?

A. Yes, sir.

Q. Now, the officers that were placed with these officers as JOOD. Do you recall who they were and the sections that were in effect during this operation?

A. No, I don't off hand. Can I see if I can refresh my memory.

Q. Could you refresh your recollection?

A. I had the watch list and I guess I returned those to LT Dunne because he is expected to be testifying on that and I don't have them with me.

Q. Well, of the officers who were standing JOOD, which did you consider most nearly qualified as a fleet OOD?

A. I didn't really have any JOD's at this point who were up close to a fleet OOD readiness.

Q. How would you rate LTJG Hopson, in relation to the other officers standing JOOD?

A. Well, in total experience on the bridge, time of experience and watch keeping experience, Hopson was without a doubt the most experienced of the JO's.

Q. Now, convert that to qualifications for carrying out the duty of the JOOD. How would you rate him in comparison with the others?

A. He performed very well as a JOOD.

Q. How would you rate him in relative standing to the other 3 JOOD's who were standing JOOD watches during Sea Spirit?

A. I think he was without a doubt the best qualified of the 4 JOOD's who were standing this watch. And without any doubt, just from the standpoint of total experience - and this is what made it so difficult this morning for me - is that I personally don't think I would have qualified LT Hopson as a fleet OOD. Not necessarily because of his performance or any one thing. I just did not have a rapport with him, which would have done this. Whether or not you want this to go on the record I don't know. It really doesn't belong in the record, in a way. There were other officers who with far less experience, that I am sure would have qualified long before he would have.

Q. That's what I'm trying to pin down. Experience is not the single criterion which you apply, obviously, and I am trying to equate qualifications, or trying to determine performance and qualifications rather than mere experience and your basis for qualifying officers of the deck, and trying to pin down your criteria.

A. You can take junior officers as a group and not limit it to who is a JOOD and during this particular time frame as opposed to who was a CIC Watch Officer during this particular time frame, because they were shifted from one watch to the other. That I can definitively answer, I believe, as to who the comers were.

Q. You may do that if that's the way you have to.

A. I think that there were 3 who were coming along exceptionally well and would have been OOD's, I think without doubt, by the end of this cruise. Ensign Brandon was outstanding. Ensign Norton - - -

Q. Ensign who?

A. Norton was coming along very well. Ensign Murphy was very much a comer in this regard, a very good presence.

Q. Was there any significance to the fact that LT Dunne was standing CIC watches during this period?

A. No, as Operations Officer, of course he was probably the best qualified in CIC. During ASW he was one of the two officers who headed up CIC, he having one team and LTJG Bowler having the other team in CIC.

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Q. Was there any significance to the fact that he was coupled on the watch bill with LTJG Covert rather than LTJG Ramsey?

A. Yes, I think there was. Again we come down to individuals. Covert is a very, very fine performer. He was doing very well on the bridge, but I had talked to Jeff and he had a - I'm sorry, LT Covert, and he felt that he needed to refresh himself a little bit more in CIC, and so he had been standing CIC watches with LT Dunne standing the bridge watch, to refresh himself. And we had just recently shifted back to where he went to the bridge and LT Dunne went to Combat. They weren't tied together as a team all the time.

Q. Going back to the question of LTJG Hopson. I don't believe you have clarified yet, where he stood performance-wise with the other JOOD's standing watches. Not experience, his performance.

A. His performance was superior to the others, I think, based on his experience. If that - at this point in time, however, I don't doubt a bit that some of the other JOOD's who were coming along would probably not have surpassed him in time.

Q. Would or would not have?

A. Would have, they would have surpassed him in time.

Q. You indicated that the problem was partly one of rapport. Is that a key factor or performance which would have prevented his being qualified?

A. No, I don't think it was performance at all. LT Hopson had opportunity to comm. In fact he had done, been alongside replenishing very shortly before this occurred. I personally had difficulty communicating with him. It was - I'm confident it was a personal thing with me. I had difficulty.

Q. Going again to the officers of the deck. You indicated the order in which they had received their qualifications as fleet officers of the deck. Can you indicate anything as to their relative merit as far as performance of their officer of the deck duties were concerned?

A. No, I really can't. The bridge performance was generally quite good.

Q. Are we to understand that to mean that they were all equal in performance as officers of the deck?

A. Some of them had strong areas. To say that any of them had particularly weak areas, no, I don't believe they did. Dunne had the most experience. Dunne is an excellent performer all the way around in everything that he did.

Q. Can you speak to confidence?

A. I probably watched Covert and Hiltz closer than I watched any other two.

Q. You are referring to your confidence in them, I was referring specifically to confidence in their own ability to perform.

A. I think this is one of the areas I looked at the hardest in gauging an OOD's readiness for qualification was his confidence and his presence on the bridge. They didn't have difficulty in this area.

Q. Who did not?

A. The 5 OOD's did not, were confident.

Q. Referring specifically to LTJG Ramsey and your previous testimony that you do not recall being called for the 0310 or so maneuver. Did this come as a matter of surprise to you that you would not be called?

A. Very definitely, and I think it's very important that the exact context that I do not recall being called is kept. It's very probable that he did call me. I don't know. I'd be most surprised if he didn't.

Q. You would not expect that he would be so confident of his own ability, that he would perform without calling you?

A. If I ever found out that he had, he wouldn't be on the bridge.

Q. Let's switch to CIC for a moment. Would you consider the team of Brandon and Armstrong was your strongest team or where would you rate them in relation to the other CIC watch team that you had on watch at the time of the event?

A. I think that CIC performance is so intermingled with the experience level of the enlisted people that make up the CIC watch team at a particular point, that it's far too complex to rate it all on the experience level of the officer who has the watch in CIC at that time.

Q. Can you state an opinion as to the performance of the CIC total team in which Ensign Brandon and Ensign Armstrong were a part?

A. The leading PO of that team, an RD2 by the name of Hudson, was probably one of the strongest radar men from the standpoint of a watch supervisor.

Q. How about with respect to recommendations to the bridge?

A. He was -

Q. The total team I am referring to.

A. I would rate Armstrong very highly in this regard, as a CIC Watch Officer, in that when he was on the bridge he demanded this from CIC. So it's reasonable as CIC he should have demanded it from those people. As to the performance of this particular watch team on this particular night, I simply can't say.

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Q. How did they rate in comparison to the other 3 CIC teams which were on duty during Sea Spirit?
A. Without going back and reconstructing the watch bills, Captain, which I have not done, I simply can't answer that question definitively at this point. The CIC organization as a whole in FRANK E. EVANS was extremely good.

EXAMINATION BY THE BOARD

Questions by a member (CAPT Shands):

Q. Commander, the watch bill that you approved for this part of Sea Spirit, prepared by LT Dunne and brought to you by the Exec, contained how many JOOD's?
A. Four.

Q. Four. Now, I still haven't got a feel for where Mr. Hopson stood performance-wise with the other 3 officers in that watch bill, in your opinion, as a JOOD? I've got a feel for his experience, but his performance - -

A. No, his performance was probably the best of the 4 JOOD's. But I couched this, with the statement, but given more experience, the others may well have surpassed his performance in time.

Questions by a member (CAPT Rusk):

Q. Can you tell me in regard to the officers of the deck, the four who were standing watches during Sea Spirit, who was the best as far as your having confidence in him, in that you felt that you could go down to the in port cabin and write letters without anxiety? Who would you say fell into these categories - that you felt that you could leave the bridge without having to be so close to it all the time?

A. The one.

Q. Who would be the top of the officers of the deck?
A. Probably Bowler.

Q. Who did you have a feeling toward that you felt that you better to sleep with one eye open, as we all remember the cases?
A. Probably Hiltz.

Q. Would LTJG Ramsey fall in to the eye open category also?
A. No, I don't think so at all. He....

Q. Did you have confidence in him?
A. I had the confidence in him that if he did not know what to do he would call me before he moved. He demonstrated this.

Questions by the senior member:

Q. You mentioned earlier if my recollection is correct, that at some earlier time prior to Lieutenant (jg) Ramsey's qualification as an OOD Fleet he had been informed what his weaknesses were, is that correct?

A. Yes, sir.

Q. What were they?

A. Primarily things to do organizationally, Admiral, lack of familiarity with the engineering plant and its capabilities and limitations. I think that there was some areas of Rules of the Road that he had to go back and do some homework on.

Q. Did he do that?

A. Yes, sir, he did.

Q. How do you know?

A. I had very fine reports from Lieutenant Dunne concerning the effort that Ramsey was putting in, including asking questions, studying, keeping his nose in the books, the intangible attitude and desire and "now I am on my way" was evident.

Q. Have you ever observed Lieutenant (jg) Ramsey or Lieutenant (jg) Hopson in a situation of abnormally high tension on the bridge?

A. They had both made approaches alongside, Admiral. I think that is one of the more high tension points for junior officers.

Q. That's normal tension, I'm speaking of unusual situations, tight spots?
A. No. Ramsey was one of my two Condition Two ASW OOD's.

Q. What I am trying to get at is whether you as the Captain of the ship had observed either of these two officers in a tense situation and then it would be my intention that if you had, to ask your impressions as whether they kept their head and were cool or whether they indicated a tendency to get flustered? If you don't have such recollection, please say so.

A. I can't recall such a situation. I do recall one occasion that Lieutenant Hopson made a mistake in that he plotted a screen diagram wrong and was taking us to the wrong station. As soon as I saw that things weren't coming right I said, "Jim, you're wrong, replot it" and he did and brought us back. He didn't shake. It was an unusual situation where a circular screen had an axis other than 000.

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Q. To your knowledge was there any lack of rapport between Lieutenant (jg) Ramsey and Lieutenant (jg) Hopson, any bad feeling or other friction between the two?

A. No.

Q. Would you take each of these two officers in turn, please, and visualize yourself preparing to write their fitness report and tell the board what you would regard as their two or three strongest characteristics to be entered in the report and which in each case were their two or three weakest characteristics?

A. Admiral, if I might, I would like to reaffirm it, is it really appropriate to do what you ask me to do in this forum?

Q. The board is interested in this matter. If you feel that you could illuminate your viewpoint of these officers' performance, the board would like to hear it.

A. All right, I'll take Hopson first. I think that the strong points: intelligent from the standpoint of scholastics dedicated to the Navy, extremely interested in doing a good job. Weak points - misassigned, he was trained and given schooling as a main propulsion assistant in the ship and he simply was not a good main propulsion assistant. His relief got orders; Jim would have been leaving before too long. It took me a long time to recognize this. He was basically unhappy as main propulsion assistant. He would have been a better communicator or a better operator. As a consequence of this it led to a second weakness in his....and there may have been factors in this one. I think that he tended to accept what his men told him too readily and this was one that we were working very hard on with him.

Q. Would you say that again?

A. He tended to accept what he was told by his men too readily. Another strong point that I'll put in for Hopson is that it certainly should have been one of the top ones is that he was an extremely industrious officer who gave freely and willingly of his time to get the job done. It was sometimes a little difficult to get him started. Now there is another factor that I have to consider and as long as we are in this line, his department head is an extremely strong, dynamic personality, Lieutenant Covert. Lieutenant Covert has very little patience and it may have been and we had discussed this, that he sometimes understood the overall problem so much better than Hopson did that it over shadowed him a bit. Is that....

Q. That's fine. Now go on to Mr. Ramsey.

A. He is a very fine qualified communicator, got a very fine feel for communications equipment, its capabilities, its limitations, made up extremely well-working communications plans. As a communications officer, extremely effective. Professionally, his performance had improved considerably. I really don't know what the catalyst for this was, I would like to hope that it was a discussion that we had at the conclusion of his last fitness reporting period, where I discussed with him some of the things in his report, which wasn't unsatisfactory by any means. Personality wise, he was an introvert or is an introvert to some extent, somewhat difficult to know. Even in a social atmosphere he is not particularly outgoing. He seemed to be well liked as a person, an individual, with a family, a home life, and interests. I never felt that I knew him as well as I knew my other officers. He didn't seem to confide and either did he keep secrets. I think that is about it.

Q. What about motivation in the case of Mr. Ramsey?

A. He was not a career motivated officer, Admiral. He seemed very dedicated to his wife and his family. He was not going to stay in the Navy.

Senior Member: The board has no further questions along this line.

Counsel for the board: Counsel has no further questions for closed session, sir, nor open. Counsel has no further questions for Commander McLemore at all.

Counsel for the board: Commander McLemore, you are privileged to make any further statement covering anything related to the subject matter of the inquiry that you think should be a matter of record that has not been fully brought out by the previous questions, classified or unclassified.

CDR McLemore: It honestly seems like it has been so long between sessions that it is very difficult to go back and review it and try and determine if there are any areas which might shed light to what the board has not inquired into. Off hand, I can't think of any.

The witness was duly warned concerning his testimony, excused, and withdrew from the board room.

Counsel for the board (CDR Glass): Before the board rises would it be convenient to tender certain documents as exhibits or should they be kept for the next open session?

Senior Member: I believe that we should receive at this time all documents at hand that you expect to tender.

Counsel for the board (CDR Glass): The board will recall that there are in evidence certain photos upon which there has been superimposed a grid-photo of MELBOURNE's bows-and in relation to them Commander Stevens located the position of the badge. In compliance with the board's requirements, he has sent a message which locates other items of debris in the same way and I ask that this signal be received in evidence as Exhibit 98. That is signal time date group 290228Z from MELBOURNE.

Senior Member: It is so received.

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Counsel for the board (CDR Glass): And for Exhibit 99, so marked for identification, I invite the board's attention to a statutory declaration by the man who carried out the time checks in MELBOURNE. To it is annexed the document and he extrapolates on what he did to produce that document. I should explain that a statutory declaration is a document made under oath like an affidavit.

Senior Member: Do counsel believe this form to be in legal format that will satisfy our requirements?

Counsel for the board (CDR Glass): Entirely so, sir.

Senior Member: Very well, Exhibit 99 is received.

Senior Member: We will adjourn.

The board adjourned at 1250 hours, 5 July 1969.

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- NINETEENTH DAY -

The board reconvened in open session at 0855 hours, 9 July 1969.

All persons connected with the board who were present when the board adjourned were again present.

Counsel for the board: Sir, since the last open meeting, the board received a modification to its terms of reference.

Counsel for the board read communications from Commander Seventh Fleet and Australian Commonwealth Naval Board, prefixed marked A-1 and B-1 respectively, modifying the board's appointing orders to permit it to receive as evidence any unsworn statements considered by it to be useful to a complete understanding of the circumstances of the collision.

Counsel for the board: Sir, with that change in the terms of reference in mind, counsel bring to the attention of the board that counsel have in their possession three unsworn statements, two of them handwritten, one a typed transcript of an interview, all three by Lieutenant (jg) Ronald C. Ramsey, U. S. Navy. These documents have been authenticated as to their genuineness by affidavit, one affidavit from LCDR George Lee McMichael, Executive Officer, USS FRANK E. EVANS, the other by Winston I. Claiborne, Yeoman First Class, U. S. Navy, who transcribed the interview to which I referred.

Yesterday morning counsel for the combined board sent to Lieutenant Ramsey, via his counsel, Lieutenant Tilton, a letter, the first paragraph thereof informing him and insuring that Lieutenant Ramsey had copies of the three documents, and the second and third paragraphs I will read.

"2. Counsel will tender the enclosures hereto into evidence at an open session of the Board at 0830, 9 July 1969. This action is being taken under an amendment to the board's USN and RAN terms of reference, which were amended on 5 and 7 July respectively to permit it to receive as evidence any unsworn statement considered by the Board to be useful to a complete understanding of the circumstances of the collision."

"3. As previously stated, the Board would be pleased to receive LTJG Ramsey's testimony at any time before it completes its present assignment. The recently received modification to the appointing order now makes it possible for the Board to receive any evidentiary material you may wish to submit in such form as you choose - written or oral, sworn or unsworn, testimonial or statement form. The board will accept such additional material at the time it receives enclosures (1), (2) and (3) into evidence, or within a reasonable time thereafter, provided it is prior to the time the board completes its present assignment."

The latter was signed by both counsel to the board, sir. No communication has been received from either Lieutenant Ramsey or his counsel in reply.

At this time the documents to which I have referred, which are already marked Exhibit 100 and 101 respectively for identification are tendered into evidence. Exhibit 101 is covered by one authenticating affidavit but actually contains two of the documents.

Senior Member: Counsel, before we receive these into evidence, on behalf of the board, I would like to ask whether the reception into evidence of these statements by Mr. Ramsey, in unsworn form, would adversely affect his rights or the rights of anyone else?

Counsel for the board: No, sir, they would not. As the opening statement of the board indicated, no adverse consequence to anyone can flow directly from this board's proceedings. The alteration of the board's appointing order as to evidentiary rules does not change this in any way.

Senior Member: Does the reception in evidence of these statements in any way alter the legal status of the documents themselves?

Counsel for the board (CDR Glass): No sir, it does not. If there are further proceedings arising out of the EVANS and MELBOURNE collision, then the admissibility of these statements and the transcript will have to be determined by the authority before whom those proceedings are taken. The decision by this board to receive them into evidence will in no way add to or subtract from their admissibility before any such authority.

Senior Member: Very well, counsel may proceed and they will be received into evidence.

Counsel for the board: At this time, sir, counsel would propose to read the documents.

Senior Member: Please do.

Counsel for the board read Exhibit 100.

Counsel for the board: The second document is a transcript of an interview conducted with Lieutenant (jg) Ronald C. Ramsey, USN, on 3 June 1969 by a preliminary informal board appointed jointly by the RAN and USN for the collection and preservation of evidence for the subsequent board. Members conducting the interview were Captain Anderson and Captain Moore.

Counsel for the board read Attachment A to Exhibit 101 with the exception of certain classified material contained therein.

Counsel for the board (CDR Glass) read Attachment B to Exhibit 101.

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Senior Member: Does that complete all the documents now in hand?

Counsel for the board: Yes, sir. It does.

Senior Member: Very well, we will have a brief recess.

The board recessed at 0958 hours, 9 July 1969.

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The board opened at 1015 hours, 9 July 1969.

Counsel for the board: This hearing is open session and it is noted that there are no prospective witnesses in the room. At this time counsel for the board recalls Lieutenant Dunne.

Lieutenant Gerald W. Dunne, U. S. Navy, was recalled as a witness by counsel for the board, was reminded of the previous oath, and was examined as follows:

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by counsel for the board:

Q. Lieutenant Dunne, at your previous appearance before the board the question of officer training and officer qualifications for Officer of the Deck were discussed with you. Some of my questions may be repetitive, but I would like to develop that line with you again this morning. Would you indicate the procedure in use in FRANK E. EVANS for the training of officers for the positions of watch standers?

A. Yes, sir. When the officers first came on board they were given a COMCRUDESAC General Information Course as the first thing. Weekly we had a Training Planning Board meeting during which the Executive Officer, myself and the other Department Heads would plan the next week's training, which included officer training. This was tactical schools. We had a ship's instruction which listed practical factors and required reading material before they were qualified as Officer of the Deck. The primary thing on qualification was to gain the Captain's confidence that you were capable of handling the ship.

Q. What was included in the term you used, "practical factors?"

A. Going through a boiler, taking the ship alongside for an underway replenishment, anchoring the ship, getting underway from an anchorage. There's quite a few others.

Q. Does it include emergency procedures and so forth?

A. Yes, sir.

Q. Who was in charge of this program for watch standing officers?

A. The Planning Board.

Q. What did that board consist of?

A. The Executive Officer, myself and the other Department Heads, Mr. Covert and Mr. Hiltz, and Mr. Suhr, the Supply Officer.

Q. Were records kept of the progress of individual officers?

A. The officers, each, I told them to get a copy of the ship's instruction on OOD qualifications and to keep track of their own things. There were spots on the instruction to initial off practical factors, etc. And they kept track of their own reading and advised me when they would be completed with it.

Q. Once an officer was considered to be ready to be qualified for a particular watch, what action was taken for the purpose of qualifying him formally for that watch?

A. A man could complete the instructions and the Captain might not qualify him. He could complete the instruction, but the main thing was when the Captain felt the man was ready to stand the watch from his observation of the man standing Junior Officer of the Watch.

Q. Going back to the question of practical factors, did this include station changes by the ship within formation?

A. I don't believe so, sir.

Q. Any other maneuvers in formation?

A. I can't remember any right off hand, sir. There may be, but I can't remember.

Q. We previously heard reference to a formal board which was convened for the purpose of advising the Captain as to the qualification of Officers of the Deck Underway. Would you describe the nature and function of that board?

A. The board consisted of the Executive Officer and the Department Heads that were qualified for formation steaming. We would meet and each officer would cover his particular area and see how familiar this officer was with the material. When we completed with the officer he would be excused - the Captain was in on this board - and then we would discuss, and everyone would give their opinion of whether or not they thought the man was qualified in his area.

Q. And since you have been on board has this qualification board met to consider the qualifications of any officers?

A. Yes, sir.

Q. Which officers?

A. Mr. Covert and Mr. Bowler.

Q. When did those examinations take place, if you recall?

A. It was about three months ago, sir. No, it wasn't that long ago. About a month and a half from the collision.

Q. Has Mr. Ramsey ever appeared before this qualification board?

A. No, sir.

Q. Has Mr. Hopson ever appeared before the board?

A. No, sir.

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Q. Under what circumstances was Mr. Ramsey placed on the watch bill as a Fleet OOD?
A. I don't understand the question, sir.

Q. I'll rephrase it. At the time of the collision, Mr. Ramsey was the Officer of the Deck of EVANS. How long had he been standing watches as Officer of the Deck in a Fleet environment prior to that time?

A. Two or three months, sir.

Q. When he was first placed on the watch bill, what procedure was gone through to obtain approval of the Captain for so doing?

A. I don't remember exactly. I'm sure I thought the Captain and the Executive Officer had agreed that he was - appeared to be - ready to stand the watch and we put him on.

Q. Was there any discussion at that time of convening the qualification board prior to placing him on the watch?

A. We had planned to put him before the board but had not gotten around to it yet.

Q. Was anybody else who was standing Fleet OOD watches in a similar situation?

A. Mr. Hiltz had been up before the board for OOD(I) previous to my getting on board and he was standing these watches.

Q. Did Mr. Hiltz ever appear before a board for OOD Fleet Operations to your knowledge?

A. Not to my knowledge.

Q. Had you made any reports to the Captain as to Mr. Ramsey's progress in his training toward qualification as an OOD?

A. Yes, sir. I had. I told him that he had done a lot, a large amount of work on these practical factors. He had his junior officer's notebook, and it was the most complete one that I had seen on the ship as far as getting the work done. He put a considerable effort into getting these things finished.

Q. Had you observed Mr. Ramsey performing any evolutions as conning officer involving the ship prior to the time of his being placed on the watch bill?

A. Yes, sir.

Q. Had your recommendation been based in part on those observations?

A. Yes, sir.

Q. What evolutions had you observed him perform?

A. I observed him taking alongside another ship for an underway replenishment. He was the JOOD on my watch once when I was the OOD, and he understood what was going on.

Q. How often had Mr. Ramsey served as JOOD when you were OOD?

A. At least once but it may have been more than that. I can't remember for sure.

Q. By once do you mean one watch or one period of underway steaming?

A. One underway period.

Q. And how long do you recall did that one period last?

A. Probably a week or a week and a half.

Q. What was your opinion as to his qualifications based on those observations?

A. I thought he had a good grasp of how to handle the ship.

Q. Did you ever discuss with Mr. Ramsey the duty of the Officer of the Deck to call the Captain under certain circumstances?

A. I can't remember specifically, but it was in the Night Orders to call the Captain whenever there was any question in your mind or a station change, etc.

Q. What was your understanding as to the duty of an Officer of the Deck at night to call the Captain when the signal Formation ONE was received?

A. I'd call the Captain and tell him that I had received the signal.

Q. You indicated that that is what you would do. What was your understanding of the duty of the Officer of the Deck to do that? Was he required to do it or was it at his discretion?

A. He was required to do it.

Q. Do you know of any instance in which any Officer of the Deck did not call the Captain under those circumstances?

A. No, sir. I, myself, have started a maneuver before I got hold of the Captain when I had an immediate exacute signal.

Q. What action did you take following that?

A. Well, I would call him as soon as I could or have the Junior Officer of the Deck or the Boatswain's Mate of the Watch call him.

Q. What was the Commanding Officer's practice as to coming to the bridge when he received such a call?

A. That would depend on the situation, sir. If I could explain it to him and it sounded like a simple maneuver to him he would let me make it myself, but anything involving plane guard or so he would normally be on the bridge.

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Q. Did the Captain's practice differ as to whether it was night or day?
A. Not to my recollection.

Q. Mr. Dunne, as Senior Watch Officer is it your responsibility to prepare the Officer's Watch Bill for underway periods?
A. Yes, sir.

Q. Would you explain to the board your procedure for the determination of what the watch teams should be, both bridge and CIC, for a particular underway period?

A. I tried to put the stronger OOD's with the stronger Evaluators for the most part. That is Evaluators in CIC.

Q. Would you repeat that? I believe you got your words twisted perhaps.

A. I tried to put the stronger man, that's on the bridge, put him with your lesser experienced man in CIC, etc. And also attempt to rotate the officers around in order to give them maximum experience in both CIC and the bridge.

Q. And suppose you had a relatively inexperienced Officer of the Deck, how would that effect your assignment of CIC watch teams?

A. Normally I would try and put a more experienced man in CIC if I had a....or assign him on the watch bill.

Q. At the time of the collision the officer watch team consisted of Lieutenant (junior grade) Ramsey, Lieutenant (jg) Hopson, Ensign Armstrong and Ensign Brandon. Would you state the positions occupied by Ensigns Armstrong and Brandon on that watch team?

A. Sir, Armstrong was the Evaluator and Mr. Brandon was the Gun Liaison Officer. He was the Gun Liaison Officer when the guns were manned, and when the guns weren't manned he was an assistant to the Evaluator.

Q. And would you state your opinion as to the strength of that particular team?

A. Mr. Armstrong was a very forceful CIC watch officer and Evaluator.

Q. What is your opinion as to the accuracy and quality of his recommendations to the bridge regarding maneuvers and changing station?

A. From what I saw he got the recommendations out there fairly rapidly. It's a limited observation.

Q. Were they, in your opinion, accurate and well thought out?

A. Yes, sir.

Counsel for the board: Sir, counsel has additional questions as to specific qualifications of individual officers which under the board's prior rule would appear more appropriate for answering in closed session, since they are classified "For Official Use Only" in USN proceedings. We have no further questions for open session of this witness at this time.

Senior Member: I believe the board has some questions we can continue with in this open session.

EXAMINATION BY THE BOARD

Questions by the senior member:

Q. Mr. Dunne, in connection with qualifying an Officer of the Deck for Fleet Operations, exactly what paperwork steps are entailed?

A. I have a record of the COMCRUDESPEC General Information Courses that I kept where I checked off the lessons on that. The officers themselves would report their completion of required reading on the instruction. I didn't keep any paperwork on that.

Q. Is a document prepared which tells the officer or the Bureau or anybody else that the officer has so been qualified?

A. I thought it was, sir, but I am not sure. I didn't follow through on the letter. I thought it was the Captain and the Executive Officer who would take care of that.

Q. Was it the Captain's practice to indicate in writing his approval of watch lists submitted to him?

A. He didn't indicate it in writing but each watch bill was approved by him, sir.

Q. In connection with the qualification of an officer for OOD(F) did the practical factors include a demonstration of the officer's knowledge of relative motion and principles of plotting ships' relative motion on a maneuvering board?

A. No, sir. This area would be covered by the Captain's observation of the officer on the bridge.

Q. Do the practical factors of the reading material or any other facet of qualification include anything with respect to the ship's turning characteristics or its acceleration and deceleration characteristics?

A. I don't remember for sure. I don't remember.

Q. Are these matters covered in the General Information Course of COMCRUDESPEC?

A. I believe they are.

Q. Does the qualification procedure include any oral examination by the board or by anybody else?

A. Yes, sir.

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Q. Had Mr. Ramsey gone through this process of oral examination?
A. No, sir.

Q. Are you quite confident that you are in a position to say whether he had been given an oral examination by anybody other than by you or by the board when you were present?
A. I don't recall it happening, Admiral. That is all I know. It possibly could have happened without me being present.

Q. This board of investigation, Mr. Dunne, has received evidence to the effect that LTJG Bowler had been a qualified Fleet Officer of the Deck on board USS FRANK E. EVANS for a period of about eight months prior to collision. It does not seem to be in line with your testimony that he had appeared before the board, before the qualification's board about one and a half months before the collision. Can you assist us in clarifying this apparent diversity?

A. I believe the Captain felt before he gave a man a letter, which would go on to another ship with the man's record, that he demanded more; well he demanded more before he would write the letter for the man's service jacket. That's the opinion I got from the fact that Mr. Bowler and Mr. Covert were standing OOD and Mr. Hiltz the formation steaming watches before, well, they were standing these watches. I think the Captain wanted to give them more experience actually before he put the letter in their jackets.

Q. So as I understand it then, the qualification to stand Fleet Officer of the Deck watches was accomplished by a man's being assigned with the Captain's approval to stand such watches, and a formal designation by the letter as OOD-F qualified might follow by some period of time, is that correct?

A. That's the way it was, sir.

Q. In going through this qualification's procedure for OOD-F, if it had happened that any officer other than yourself on board the ship had checked out a candidate orally on any particular subject, would you expect to be informed of this fact and the results so you could make note of it in your training record?

A. Yes, sir.

Q. Was that an usual occurrence, a frequent occurrence?

A. There was only one officer that became qualified while I was aboard.

Q. Who was that?

A. Mr. Ramsey. The rest of the people were standing watches before I got aboard. And the rest of the officers were fairly junior and weren't ready yet.

Q. Would you refresh my memory as to the date you came aboard?

A. May 15th, 1968.

Q. 1968?

A. Yes, sir.

Q. In what way in this OOD-F qualification's procedure, if any, was it established that the candidate knew the Captain's requirements for calling him under certain conditions?

A. Every man who stood a CIC watch and bridge watch had signed the Night Orders, the Standing Night Orders which was this requirement - that included Junior Officers of the Deck, Evaluators - all officers on board had signed the Standing Night Orders.

Q. And the signature indicated what?

A. That they had read and understood the Night Orders.

Q. Do you still have at hand your training records for officer qualifications?

A. Yes, sir.

Senior Member: Counsel, the board would like to have you look into the matter of acquiring the officers' training records which Mr. Dunne would be able to make available to assist us in understanding the situation in this regard.

Q. Mr. Dunne, do you have any recollection of Mr. Ramsey's being required to do some particular form of additional study or homework on a particular topic to improve his knowledge thereon?

A. No, sir. I don't.

Senior Member: The board has no further questions from Mr. Dunne at this time in open session, counsel.

Counsel for the board: We have no further questions also, and suggest that the board go into a closed session for additional questions.

Senior Member: Make it so. We will recess now and resume in closed session.

Counsel for the board: Before doing so, sir, we have two documents that can be properly introduced in open session and would suggest that we go ahead and do this at this time.

Senior Member: Thank you very much, Mr. Dunne.

Counsel for the board: Before you are excused, you are advised that at this time you are privileged to make any further statement concerning the subject matter of the investigation which has not been brought out by previous questions. Do you have anything to add to what you have previously said?

LT Dunne: No, sir.

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Counsel for the board: Then you are excused, and will be recalled in closed session in a very few minutes.

The witness was excused subject to recall and withdrew from the board room.

Counsel for the board: The two documents in the hands of counsel, sir, first, what has been marked as Exhibit 102 consists of the affidavits of three Medical Corps officers of USS KEARSARGE who conducted an examination of the body of Seaman Glines. They are sworn to before Captain Nearman, Commanding Officer, USS KEARSARGE, and they indicate the circumstances of those examinations and the circumstances as to whether or not an autopsy was to be performed. That is marked Exhibit 102 for identification and it's tendered at this time with the request that it be admitted into evidence.

Senior Member: So admitted.

Counsel for the board: The second document is an affidavit by Antonio Laurito, Supervisor, Identification Branch, Law Enforcement Division, which has annexed thereto a copy of the report that he made of the examination he made at the request of the Board of a Primary Tactical Log for the purpose of determining the order which certain signals were made - I'm sorry. The order which certain signals were recorded in that log. It is marked Exhibit 103 for identification and is tendered for admission into evidence.

Senior Member: Counsel, in connection with this item, it would seem to me preferable to enter it as an addendum to the log to which it refers in the exhibit sequence, if that's feasible.

Counsel for the board: I would therefore propose, sir, that it be marked Exhibit 12A for identification, and it will immediately follow Exhibit 12.

Senior Member: Make it so.

Counsel for the board: Those are the only additional matters for open session.

Senior Member: Very well. We will recess and resume in closed session.

The board recessed at 1050 hours, 9 July 1969.

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The board reconvened at 1140 hours, 9 July 1969.

All person connected with the board who were present when the board recessed were again present.

Senior Member: The hearing is open in closed session.

LT Gerald W. Dunne, U. S. Navy, was recalled as a witness by counsel for the board, was reminded that he was still under oath, and testified as follows:

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by counsel for the board:

Q. In the open session, Mr. Dunne, you referred to the ship's training program as being set forth in a ship's instruction. Do you have that instruction with you at this time?

A. Yes, sir.

Q. We would like to have that marked for identification as Exhibit 103. Is this the instruction which was in effect at the time of the collision on board EVANS?

A. Yes, sir.

Counsel for the board: Counsel tenders this and asks that it be admitted into evidence as Exhibit 103.

Senior Member: So admitted.

EXAMINATION BY COUNSEL FOR THE BOARD (Cont'd)

Questions by counsel for the board:

Q. LT Dunne on the basis of Exhibit 103, were training schedules prepared for the period from the completion of the yard period last August and the time of the collision?

A. Yes, sir.

Q. Do you have copies of them in the same document?

A. Yes, sir.

Q. Could you produce them at this time?

The witness did as directed.

Q. I have a document without a heading on it except for General Record OPNAV Form 1500-31, which I will mark Exhibit 104 for identification. Would you state what it is?

A. It is the long range training schedule for officers.

Q. It begins with the month of February. Do you have a copy of the schedule prior to February?

A. No, sir. I have weekly training schedules though, from August 68, to the present. But this is what I have on the officer's schedule.

Q. Do the weekly training schedules include enlisted training as well as officer or enlisted only?

A. Enlisted and officers.

Q. Are the officers' schedules shown on the one you refer to as weekly?

A. Yes, sir.

Q. Could you then include them with the document marked 104 for identification, the entire training schedule starting from 24 August 1968 through June, through 1 May 1969 as to the weekly training schedule, and the officer's training school through June 69 collectively as Exhibit 104. Before I tender these Mr. Dunne, could you tell me as to whether or not the training called for in these schedules was uniformly carried out?

A. I can't say all of it was, sir, but most of it.

Q. Is there any notation made in any other records as to how many of these were or were not carried out?

A. Yes, sir, for the Officer's Tactical School I have a record of those.

Q. You have a record of that separate from this?

A. Yes, sir.

Q. We will take care of that as a subsequent exhibit then, and at this time tender these documents collectively identified as Exhibit 104 and ask for their admission.

Senior Member: Exhibit 104 is accepted in evidence as presented.

EXAMINATION BY COUNSEL FOR THE BOARD (Cont'd)

Questions by counsel for the board:

Q. In Exhibit 104, LT Dunne, OOD (Fleet) tests were scheduled for 12 March, 18 March, 24 March, and 20 April. Would you describe the nature of these and state who participated, if you can recall? Would you like these documents to refresh your recollection?

A. Yes, sir.

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Q. The dates were 12 March, 18 March, 24 March, and 20 April?
A. This would be the long range schedule?

Q. No.
A. I think these are the schedules for Mr. Bowler and Mr. Covert, and Mr. Hiltz. Mr. Hiltz we didn't complete. Mr. Ramsey was also scheduled and we didn't complete him.

Q. By didn't complete, you mean didn't start?
A. Did not start.

Q. Did not do any examination at all of Mr. Hiltz or Mr. Ramsey?
A. No, sir.

Q. Now as an additional document here, now marked Exhibit 105, which is from your training record - would you identify what this document is?
A. After the completion of Tactical School, I made a note of what the subject was, the instructor and the dates the school was carried out. These are Officer Tactical Schools.

Q. And does Exhibit 105 indicate the period of instruction actually held rather than scheduled?
A. Yes, sir. These are actually held, and are put down upon completion of Tactical School.

Counsel for the board: This is tendered as Exhibit 105 and it is requested that it be admitted as Exhibit 105.

Senior Member: The board accepts it.

EXAMINATION BY COUNSEL FOR THE BOARD (Cont'd)

Questions by counsel for the board:

Q. Now, in addition to the documents that have already been admitted, are there any additional records maintained by you in the training record which reflect completion of practical factors by LTJG Ramsey and LTJG Hopson?

A. Yes, sir. I have a record of completion of bringing alongside for an underway replenishment of mooring to a pier, and anchoring.

Q. Would you produce those sheets from your record which list the completion of those practical factors by LTJG Hopson and LTJG Ramsey.

A. Yes, sir. I originally started to keep this with just a check mark when these were done, and I think it was February when I changed to putting the dates that it was accomplished down.

Q. And there appear to be initials on there which indicate "D" or "N". Is there any significance to that?

A. Day or Night.

Counsel for the board: These documents are identified collectively as Exhibit 106, and are tendered for admission into evidence.

Senior Member: So admitted.

EXAMINATION BY COUNSEL FOR THE BOARD (Cont'd)

Questions by counsel for the board:

Q. In addition to the documents we have already discussed, do you have any documents which indicate the formal qualifications of officers in watch keeping in your training record?

A. No formal qualifications.

Q. Let me rephrase the question. Do you have any document which indicates the current status of officers as to qualifications for watch keeping?

A. Yes, sir. I have one here which was strictly my own record.

Q. What does it indicate?

A. I just have check marks under OOD In Port, Independent Steaming, CIC Watch Officer, and OOD Formation Steaming.

Q. What does the record indicate as to the - I'm sorry. Let me start over. The document which you have referred to as your own personal record, would you describe it in more detail as to what it is and what its function is, its purpose is?

A. Well, my original idea was that I would post it outside my stateroom, so the officers could see their progress and qualifications.

Q. Would you produce that record at this time so that it may be marked for identification?

The witness did as directed.

Q. It has been marked Exhibit 107 for identification. Is this the official ship's record of the qualifications of those officers?

A. No, sir.

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Q. Is there any additional record kept by the ship as to qualifications of officers for watch standing?

A. The ODCR, it would be there.

Q. The Officer Distribution Control Report, you are referring to?

A. Yes, sir.

Q. The document which bears the designation as Exhibit 107 for identification, indicates as to LTJG Ramsey there is an "X" in the box under OOD-P and CIC WO, would you indicate the significance of those marks?

A. Officer of the Deck In Port and CIC Watch Officer.

Q. And what does the "X" mean insofar as the columns are concerned?

A. That he's qualified.

Q. Would the absence of an "X" mean that the officer was not qualified for those?

A. No, sir. As I emphasized, it's my own personal record and I had not kept it - the last mark I made in there was about two and a half months ago.

Q. It does not bear any official status as far as the ship was concerned?

A. No, sir.

Counsel for the board: Under those circumstances, sir, we would not tender that one into evidence.

Senior Member: Very well.

EXAMINATION BY COUNSEL FOR THE BOARD (Cont'd)

Questions by counsel for the board:

Q. Does the ODCR, the latest edition, to your knowledge give the qualifications of the officers as of its date, as officially reported to BUPERS?

A. I do not know what the XO did on it.

Q. It does not come within your cognizance on board ship?

A. No, sir.

Q. Turning to another subject, Mr. Dunne, in the open session we discussed the making up of watch bills by you and reserved for this session the question of the relative qualifications of the various watch teams. Would you state for the board the officer watch teams that were in effect for the period of Sea Spirit Exercise?

A. Mr. Ramsey, Mr. Hopson, Mr. Armstrong, Mr. Brandon, were one section. Mr. Bowler, Mr. Stever - -

Q. Could you state it by DOD, JOOD, CIC Evaluator, and GLO?

A. Mr. Ramsey was the Officer of the Deck, Mr. Hopson was the Junior Officer of the Deck, Mr. Armstrong was the evaluator, and Mr. Brandon was the GLO.

Q. That's one section. Now, the next section consisted of?

A. Mr. Bowler, the Officer of the Deck. I believe Mr. Stever was his Junior Officer of the Deck. Mr. Murphy, the evaluator. It was either Mr. Pattee or Mr. Norton, I'm not sure which section they were in. The other section was Mr. Hiltz, Mr. Lare, Mr. Hiltz was the Officer of the Deck, Mr. Lare was the Junior Officer of the Deck, Mr. Garrison was the Evaluator, and it was either Mr. Norton or Pattee, I'm not sure which section they were in. The other section, Mr. Covert was the Officer of the Deck, I was the Evaluator, and Laliberte, radarman first class, was the GLO in that section.

Q. Laliberte?

A. Yes, sir.

Q. The JOOD for Mr. Covert was who?

A. Mr. Stever.

Q. And who was the JOOD for Mr. Bowler?

A. Mr. Ogawa. And Mr. Lare was on with Mr. Hiltz, is that correct?

Q. Yes, you have that. Lare and Hiltz; Bowler and Ogawa; Ramsey and Hopson; Covert and Stever. Is that a correct line-up?

A. Yes, sir. OODs and JOODs.

Q. Now of the four officers of the deck, how would you arrange the JOODs in so far as combining the watches with the Officers of the Deck so that there could be a balance?

A. I put the most experienced JOOD with the less experienced Officer of the Deck.

Q. Did you base it solely on experience or your opinion as to their qualifications?

A. Also my opinion. Of course the Captain reviewed all the watch bills and frequently made changes to what I submitted.

Q. Of the four officers - let me go back. Did the Captain make any changes in the watch bill that was in effect for Sea Spirit?

A. I don't remember whether he changed that one or not.

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Q. Of the four Officers of the Deck who were standing that watch during Sea Spirit, would you rate them in order 1, 2, 3, 4 as to their experience and qualifications?

A. Junior Officer of the Deck?

Q. Officers of the Deck.

A. Mr. Bowler appeared to me to be the most experienced. Mr. Hiltz, Mr. Ramsey and Mr. Covert were pretty much right together. Of course, Mr. Ramsey had spent less time on the bridge than the other two.

Q. So far as performance is concerned, how would you rate the latter three? Performance as Officer of the Deck.

A. It's hard judgement for me to make. I never did stand watches with Mr. Covert or Mr. Hiltz, unless I was Evaluator with them. I was Evaluator with both of them at one time or another.

Q. Well, based on the factor of experience you have mentioned and performance, what was the basis of putting LTJG Hopson on with LTJG Ramsey?

A. Mr. Hopson, I think, was the most experienced Junior Officer of the Deck on the ship. I put him on with Mr. Ramsey.

Q. Could you discuss that same question with regard to qualification and performance as well as experience. Was he the most qualified of the Junior Officers of the Deck, in your opinion?

A. Of the ones that were on the bridge at that time, yes, sir.

Q. Could you then express your view as to why for example, you coupled yourself as evaluator with LTJG Covert, you being the most experienced of the CIC Watch Officers?

A. The reason I did that - Mr. Covert is the Chief Engineer and had been very busy with his plant and he was not as familiar with the operation order that was in effect as Mr. Ramsey or Mr. Hiltz was. And I was the Operations Officer, I had been through them all, so I put myself on with Mr. Covert.

Q. Then of the other three CIC Evaluators, how would you rate them in order as to their qualifications and performance for the purpose of coupling them with the bridge watch?

A. Mr. Murphy was in my opinion, the next one. And Mr. Garrison and Mr. Armstrong came very close.

Q. Were they close to each other or close to Mr. Murphy?

A. Close to each other and not far behind Mr. Murphy.

Q. Was there any particular reason you did not couple Mr. Murphy with Mr. Ramsey, since he was the most qualified CIC Watch Officer, whereas LT Ramsey was the least experienced of the bridge OODs?

A. I can't remember why I did it that way.

Q. Can you give any opinion as to the strong and weak points of Mr. Garrison and Mr. Armstrong in relation to each other?

A. Mr. Garrison was more experienced than Mr. Armstrong, and Mr. Armstrong was a much more forceful person. He was much better able to take charge of a watch, although he had less experience than Mr. Garrison did.

Q. And had you found him to be - to take the initiative insofar as recommendations to the bridge were concerned?

A. Yes, sir. A very good officer in my opinion.

Q. So far as qualifications for Officer of the Deck were concerned, which officer in your opinion who was not standing Officer of the Deck (Fleet Operations) would have been the next to be qualified?

A. I believe Mr. Murphy would have probably been the next one.

Q. Could you express an opinion as to LTJG Hopson?

A. He should have qualified before we got back from WestPac.

Q. Did you have any problems in communicating with either LTJG Ramsey or LTJG Hopson?

A. In what way, sir?

Q. In any lack of report or any lack in ability to get your point across or anything of that nature in discussions with them?

A. No, sir.

Q. Going back to Exhibit 107 for identification, which is the officer's qualifications. Confirming my understanding, it indicates that LTJG Ramsey is checked off as a CIC Watch Officer and OOD In Port. Does the absence of "Xs" by others indicate that as of two and a half months ago, at least to your knowledge, he had not been qualified for those, either Fleet Operations or Independent Steaming OOD watches, is that right?

A. Two and a half months?

Q. Two and a half months prior to the time of the collision.

A. I don't remember when he stood his first watch. It was prior to our departure for WestPac. That's when he was qualified.

Q. And is there any reason why that was not entered on Exhibit 107?

A. Like I say, that's just my own personal thing that I had in the back of my book and I was using it the way I had planned on using it. I didn't keep it current.

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Q. It has no significance then as far as ship's record is concerned?
A. No, sir. The Captain didn't know that existed.

Q. In CIC in addition to the officer teams, you have an enlisted team as well?
A. Yes, sir.

Q. Are they coupled with any particular officer team in CIC?
A. No, sir.

Q. How many sections do they stand?
A. Two, sir.

Q. And how long were their watches during SEA SPIRIT? What were the periods of their watches? Did they stand a full four on, four off, or was it some other schedule?
A. It was a different schedule. They went from morning meal to noon meal, from noon meal to evening meal, evening - I know they relieved at 3 o'clock in the morning. I can't remember the other times.

Q. So there would not have been any particular matching up of individual enlisted sections and individual officer sections, is that correct?
A. Yes, sir, that's correct.

Q. In your opinion was either of those two sections stronger than the other?
A. Yes, sir. I thought the one that had Rikal, RD2, and Carlson, RD2, was a little stronger than the other section.

Q. And was that section on watch at the time of the collision?
A. Yes, sir.

Q. When had it come on watch, do you recall?
A. No, sir.

Q. Would it have come on at about 3 o'clock?
A. I believe it was 3 o'clock. I am not absolutely positive of that hour.

Q. I believe that you indicated in your opinion the next OOD to qualify would have been Ensign Murphy.
A. He made Lieutenant (jg).

Q. I'm sorry, Lieutenant (jg) Murphy, is that correct?
A. Yes, sir.

Q. And in your opinion he would have qualified before LTJG Hopson?
A. Yes, sir.

Q. Is there any particular reason for your opinion in that respect?
A. Mr. Murphy was an outstanding officer.

Q. What were the factors which in your opinion might have delayed LTJG Hopson's qualifications as OOD, even though he had more experience than LTJG Murphy?
A. I repeat what I said about Mr. Murphy, sir. He was head and shoulders above his contemporaries.

Q. Was he the single outstanding officer, as far as you are concerned?
A. Yes, sir. No other junior officer could touch him.

Q. Well, repeating my question. Were there any factors which had held Mr. Hopson back from qualifying as Officer of the Deck, even though he had considerable experience in watch standing aboard EVANS?

A. Not that I know of, sir. He didn't display the drive and initiative that Mr. Murphy had. I don't know what else I could say about it. Mr. Murphy was just a real outstanding officer. I would say that Mr. Hopson would have probably been the next one or shortly the second one after Mr. Murphy.

EXAMINATION BY THE BOARD

Questions by a member (CAPT Davidson):

Q. As I understood it, since you have been on board EVANS since May of 1968, LT Ramsey was the only officer qualified as Fleet OOD. Was my understanding right that that was your answer?

A. He was the only one qualified as OOD. I didn't say "F", sir. Mr. Bowler was qualified as OOD(F), and Mr. Covert also.

Q. They were qualified. Well, what is your answer supposed to convey about Mr. Ramsey?

A. Mr. Ramsey is the only officer that came up to OOD-I-while I was the Senior Watch Officer, from not being Officer of the Deck.

Q. And from there to Fleet OOD?
A. Yes, sir.

Questions by the senior member:

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Q. Mr. Dunne, in previous testimony you have indicated that practical factors with respect to maneuvering board and to maneuvering in formation did not play any part in the process of qualification of an OOD-F. Would you take a look at the last two or three pages of the ship's instruction concerning the subject, which has been entered into evidence as Exhibit 103, and provide us with any additional information which the refreshment of your recollection may yield.

A. It has listed conning the ship to lifeguard station.

Q. Conning the ship to lifeguard station is a practical factor for OOD-F, according to that instruction?

A. Yes, sir.

Q. Is there any other indication of maneuvers in formation as required practical factors?

A. I think approach for underway replenishment.

Q. What about maneuvering board for CIC Watch Officer qualifications?

A. It does have listed, "The above named officer has demonstrated the ability to solve all types of maneuvering board problems."

Q. And that's for CIC Watch Officer?

A. Yes, sir.

Q. And what is the relationship between the qualification of CIC Watch Officer and that of OOD Fleet?

A. The man should be a qualified CIC Watch Officer before he is an OOD Fleet.

Q. And was Mr. Ramsey regarded as a qualified CIC Watch Officer?

A. Yes, sir.

Q. Therefore, would you now say, in your opinion, he had been through maneuvering board drills?

A. Yes, sir. I know he's been through maneuvering board drills.

Q. And would you say that he had completed the qualifications listed on that sheet that you have been referring to or not? The practical factors.

A. Yes, sir. I don't believe he was tested on his ability to read flag hoists. I don't recall. I didn't test him. And to read flashing light. The other ones here he had completed.

Q. So you think that Mr. Ramsey at the time of the collision had completed the qualifications shown in that instruction with the exception of reading flag hoist and flashing light?

A. Yes, sir. I know for a fact that he had done a considerable amount of work on these things. He was in my department, besides from my relationship to him as Senior Watch Officer, and I had seen a notebook he had where he had - the work he had put in on the required reading and diagrams of the engineering plant, etcetra.

Q. This is Mr. Ramsey you are talking about?

A. Yes, sir.

Questions by a member (CAPT Rusk):

Q. You said awhile ago that the record you had in your notebook, one of the Exhibits, were your own personal records. Is that correct?

A. I was referring to the one sheet. I had come out with an idea that I was going to post this on my door for an incentive for people to push to get their qualifications and I never did get it out there. And I really didn't keep it as a record. The rest of it was my training records for the officer training.

Questions by the senior member:

Q. Mr. Dunne, in the last, say eight months prior to collision, did you make a report to the Captain concerning Mr. Ramsey's progress and knowledge of the rules of the road or in knowledge of engineering plant capabilities and limitations, or both?

A. I talked to the Captain about the notebook that I told you about. I can't remember specifically what I told the Captain about it. I advised him that he had been putting a considerable amount of time on his practical factors and reading for OOD-F.

Q. And when did that take place, can you recall, approximately?

A. Three or four months ago.

Q. Three or four months prior to the collision?

A. Yes, sir.

Q. But you do not recall the subject matter of any particular study areas?

A. No, sir. I don't recall specifically what I told the Captain.

Senior Member: The board has no further questions.

Counsel for the board: Mr. Dunne, at this time you are privileged to make any additional statement that you may desire pertaining to the subject matter of the investigation which has not been previously brought out by questions you have been asked. Do you have anything to add?

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LT Dunne: Yes, sir. I'm not sure if it was clear but there was Mr. Hiltz, Mr. Bowler and Mr. Covert went up before a board before I got aboard the ship and I believe Captain McLemore was the CO at that time. And they got OOD-I qualifications out of that. I also have my records here, the records of completion of COMCRUDESPEC General Information Course and schools completed if the board has an interest in them.

Senior Member: I think we would be interested in those.

Counsel for the board: All right. Could you produce those and we will mark them as exhibits.

The witness did as directed.

Counsel for the board: The record of officer training schools is 108 and the Type Commander General Information Course is 109.

LT Dunne: This one was completed prior to my time on board and I believe the course changed and there were only nine assignments and it was reported to me that they had completed the COMCRUDESPEC General Information Course.

Counsel for the board: Exhibit 109 then represents the Type Commander's General Information Course. The boxes checked off indicate assignment completed, is that correct?

LT Dunne: Yes, sir. That one was completed prior to my taking over as Senior Watch Officer, that entire page of the record. I kept the other one.

Counsel for the board: And the second page of the document indicates an amended course of 13 assignments, is that correct? A new course of 13 assignments?

LT Dunne: Yes, sir.

Counsel for the board: And the people on the - I'm sorry, let me start over. Ensign Ramsey has completed the nine-assignment course, is that correct?

LT Dunne: Yes, sir. That was the report I got from the previous Senior Watch Officer. I was given those records.

Counsel for the board: These documents are tendered as Exhibits 108 and 109.

Senior Member: Admitted.

Counsel for the board: Do you have anything additional to add, Mr. Dunne?

LT Dunne: No, sir.

The witness was duly warned, excused, and withdrew from the board room.

Senior Member: The board is adjourned.

The board adjourned at 1233 hours, 9 July 1969.

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- TWENTIETH DAY -

The board reconvened in open session at 0830 hours, 14 July 1969.

All persons connected with the Board who were present when the Board adjourned were again present.

Counsel for the board: As the board is aware, counsel has been attempting to obtain evidence as to the damage suffered by HMAS MELBOURNE in the collision. We are now in receipt of a message from FOCAF indicating that a detailed report will not be available until after the ship docks in Sydney, now planned for 17 July. Since that report will not be available until after the board completes its work, counsel suggests that the message summary of MELBOURNE's damage, which is contained in FOCAF's 110520Z JUL 1969 be admitted into evidence.

I have marked that message as Exhibit 110 for identification. It is tendered with the request that it be admitted into evidence.

Senior Member: It is admitted.

Counsel for the board: Counsel also invites the attention of the board to the fact that Exhibits 7, 10, 15, 16, 21, 22, 40, 41, 76 and 77, although tendered into evidence, were never formally admitted. At this time counsel requests their admission into evidence.

Senior Member: So ordered.

Senior Member: Neither counsel for the board nor the board having any further evidence, the board is now adjourned to consider all the evidence and to submit to the convening authorities its findings of facts and opinions. The board will be closed.

The board closed at 0845 hours, 14 July 1969.

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