

Email

From: Passenger Matthew Izzo

To: Cdr. L. Bowling-
Coast Guard Chief of Investigation/Inspection

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Five (5) pages total including this cover

Bowling, Larry LCDR

From: izzo [REDACTED]
Sent: Wednesday, January 08, 2003 1:27 PM
Subject: dlbowling@msomiami.uscg.mil
Account of Panther One sinking

Mr. Bowling,

My name is Matthew L. Izzo and I spoke to you earlier today on the phone. I was aboard the Panther One when it sank and this is the account I wrote of what happened that afternoon. Facing the front of the boat, I was seated in the rear, left corner of the vessel and I had an excellent vantage point. I wrote this as an overall account and not specifically for you, so you may find some parts a bit redundant. I would like to thank you for taking your time to read it.

While visiting the Everglades, I went on a boat tour that departed from the National Park in Everglades City, Florida. The tours were operated by Everglades National Park Boat Tours, which is owned by Everglades City Mayor Sammy Hamilton. It seems that the National Park Service contracts the tours to Everglades National Park Boat Tours, a private firm. The boat I was aboard that afternoon sank while we were out in the Everglades and this is my account of what happened. Monday, December 30, 2002 was a beautiful day. The temperature during the afternoon was in mid-seventies, winds were low and the sky was clear. Early into the voyage, our captain remarked that it was currently low tide. Weather did not play any factor into the boat sinking.

Upon arriving at the National Park Station, my uncle, Vincent Kiernan, purchased what were the last five tickets to the upcoming boat tour. We did not wait long, as we were among the last people onto the boat. It was around 1:30. I was with a group of five and the captain, James Mayes, told the other passengers to save the backbench for us. As we boarded the Panther One, he told us that people in the front of the boat would get a little wet during the tour and the back would be drier. This would turn out to be incorrect as water poured into the back of the boat throughout the journey.

I was sitting in the far left-rear corner of the vessel. Next to me was my uncle, Vincent, next to her was my great-aunt, Helen Kiernan, then my mother, Kathy Izzo, and finally my father, Matthew J. Izzo was sitting in the far right corner of the boat. I do not know offhand how many people were aboard but it seemed to me the boat was filled to capacity, if not over capacity. There was a two-person bench directly in front of me that three people were sitting on: a mother, father and their daughter, who was sitting on her mother's lap. If the capacity of the Panther One was thirty-seven people, as all media sources have indicated, there could not have been twenty-nine people aboard. There must have been at least thirty-four people aboard. The boat was very cramped and there was little, if any, room to move on the vessel. I do not think the boat could have safely carried any more passengers.

Mr. Mayes was the sole crewmember aboard the Panther One. He did not seem to be intoxicated at all. He greeted us with a "cocky, backwoods attitude." His uniform was a faux Park Ranger outfit, complete with the safari hat.

As our trip began, Mr. Mayes made a few jokes. He counted the number of people on the boat and quipped that he liked to return with as many people as he left with. Then he made a Gilligan's Island joke. He quickly discussed safety. Mr. Mayes told us that lifejackets were under the seat in front of us, he mentioned the radio he had and claimed to be in constant contact with the shore and mentioned a couple of other of other safety issues. These remarks were made in passing and he did not convey

the importance they would never have. It was not a thorough briefing, for example at no time did he take out a lifejacket and show the passengers how to correctly put it on.

We began our trip and Mr. Mayes began driving around the area and showing us wildlife. I could not help but notice how deep in the water the boat was. The back corner where I was sitting was never more than four or five inches out of the water. Water was constantly coming over the wall of the boat and into the passenger compartment. Five or six times during the trip water was ankle to knee deep where I was sitting. My feet were thoroughly soaked, well before the boat sank. My shirt and my shorts also kept getting wet, especially when Mr. Mayes was driving at full throttle. The wake generated by the boat was substantial and was wetting those of us in the back row.

We sighted some dolphins and Mr. Mayes was trying hard to put on a good show. He started driving at full throttle, trying to create a large wake for the dolphins to surf in. He told everyone on the boat to move towards the rear in order to have a better view of the dolphins. At his request, those people in the front of the boat got up and walked towards the rear, where they stood and watched the show. Another boat from the same service, a larger vessel with two decks, was watching Mr. Mayes attract the dolphins. He was circling around in order to stay in the area where we first encountered the dolphins. He made a number of hard turns that caused the rear corner where I was sitting to dip into the water. A few times I had to kneel on the bench and hold myself up with the railings because so much water was coming in. At one point, he asked me if the water was draining and I answered it was. The water was leaving the passenger compartment, although it's clear now that it was not draining entirely out of the vessel, it was just out of sight.

We kept circling around, trying to attract the dolphins. We were turning so much that I became disoriented to my surroundings and I was no longer sure which direction we came from. I noticed some gray smoke coming out of the rear of the boat. I am fairly certain that Mr. Mayes saw it was well, he was only four or five feet in front of us. I even made a sarcastic comment to my uncle about it, because I did not think it was a concern. Often times, when I had gone on trips like this in the past, I let things worry me but nothing ever came of them. I was trusting of Mr. Mayes because I am not a boating expert. At no time during the trip did Mr. Mayes seem particularly concerned about anything besides seeing dolphins.

At one point, quite a bit of water poured into the vessel. At this time, Mr. Mayes seemed a bit more concerned and told the passengers to move towards the front of the boat. Those passengers who were standing returned to their seats and those seated in the back moved up towards the front. Looking back, it is clear he recognized there was a problem and felt the need to balance the weight inside the boat. Everyone moved towards the front, except for my family. We remained seated on the backbench and Mr. Mayes did not tell us to move forward. There was no much room aboard the boat and it would have been difficult for my family to move from our seats.

We had stopped moving at this point. I am not sure if this was because of a mechanical issue or if Mr. Mayes intentionally slowed us down in order to try and fix the problems we were having. It does seem as if the latter was most likely. The intercom stopped working and only a clicking noise was coming out of the speaker. Mr. Mayes opened up a cabinet beneath the controls of the boat and it appeared as if the water caused it to short out. I do not know if it was only the intercom or if the radio communicating with land had also shorted out. However, I cannot recall Mr. Mayes talking much into a radio. If he did, he did not seem to express any urgency and he could not have said more than a few words.

We were stopped and intercom was not working. At this point the water in the passenger cabin had drained, although I now assume it was never

pumped out of the vessel. There was a problem with the boat and Mr. Mayes recognized this. He motioned for a passing boat to come over towards us. This boat was the crab boat that would eventually save us. I was confused why he was doing this and so was the crew on the boat he called over. They turned around and began to pull up along side of us. All of a sudden, water was pouring into the boat and soon we were up to our waists in seawater. The next thing I knew, the boat was gone and we were all in the water. I could not believe the boat had sank, in fact I still cannot.

I then understood why Mr. Mayes called the other boat over. That boat was very close to me so I swam the short distance to it and pulled myself aboard. I then looked around and saw my father was still in the water, holding up my elderly great-aunt with another couple. I noticed Mr. Mayes was some distance away, clinging to the small part of the Panther One that remained above the surface along with a few passengers. Most of the passengers were swimming over to the crab boat and being pulled aboard. I saw my mother and my uncle were aboard and were all right. After a few minutes, the boat went over to where my father and great-aunt were and they were pulled aboard. After a couple more minutes, everyone appeared to either be aboard the crab boat or another smaller vessel.

We floated aboard the crab boat for a short time until some other boats from Everglades National Park Boat Tours came to take us back to the National Park station. We were then taken back to land, where ranger Candace Tinkler greeted us and asked if anyone needed medical attention. Everyone seemed to be fine, save for a few scrapes and bruises. We had EMS come to check my elderly great-aunt and make sure she was in good health. She was and after an hour or so, we left the park to return home. While we were there, they offered us towels and gave my great-aunt a sweatshirt from the gift shop. They also provided her with military style blankets.

The rangers also took our names, addresses and a list of what we lost and was damaged. My cellular phone was ruined and I lost my sunglasses. My father lost his brand-new digital camera and my mother lost one of her shoes. Numerous passengers cellular phones were ruined, many lost cameras and some even lost their purses, filled with their keys, credit cards, money and other personal belongings.

Quite a number of things disturbed me about this incident. Primarily, at no time did anyone have a life jacket on. I am certain that Mr. Mayes knew there was a problem at least two or three minutes before the boat sank and there is absolutely no excuse for him not tell us to put on our life jackets. Looking at the size of the boat and how low in the water it sat, every passenger probably should have worn a life jacket for the entire trip. At the very least, the children and elderly aboard should have been mandated to wear a life jacket. Such a practice is indefensible and in the future I would strongly recommended that both Florida and the National Parks Service examine the use of life jackets and make more strict rules regarding their use. I would say however that while Mr. Mayes knew something was wrong, I do not think he ever thought the boat would actually sink.

Second is the way Mr. Mayes was driving the boat. The Panther is not at all a speedboat; it is designed to slowly transport its passengers. Mr. Mayes was driving at full throttle for much of the trip and making hard turns that the boat was not at all designed for. At the very least, he should have stopped because so much water was pouring into the boat and all these customers were getting very wet. Afterward, Mr. Mayes seemed very defensive and blamed the incident on the wake from the crab boat. This may have been the straw that broke the camels back but Mr. Mayes did call the boat over to us and the boat probably would have sunk anyway. I would characterize him as very cocky and at times reckless. One of the passengers was quoted as saying "the captain did a great job." I would very strongly disagree with this assessment and I would place the majority of blame on Mr. Mayes.

Thirdly I was dismayed by the lack of preparedness when we reached land. Granted this had never happened in forty-seven years of tours, but there were only two or three rangers working and this was too much for them to handle. They did not seem to have any procedure to deal with this nor did they have the proper forms. There was no medical personnel waiting on shore when we returned, we had to tell them we wanted an ambulance and wait twenty minutes for it to arrive. While we were at the National Park Station there was not one police officer, state trooper or sheriff there. I did not see one coast guard official, boat, plane or helicopter the entire time either. I was actually very surprised when this was on that evening's news because I thought this incident was going to be successfully covered up and swept under the rug.

Finally, I am dismayed by the comments that Mr. Hamilton has made in the media. Publicly, he has shown no remorse and offered no apologies. In fact, I have still not been offered an apology by anyone involved. He only seems to be concerned about the damage done to his business, not the accident that could have become a horrible tragedy.

I would like to praise the crew of the crab boat that saved us; they were nothing short of excellent. Unfortunately I do not know the name of their boat, but I would like to offer my thanks. They were extremely helpful and did everything that was asked of them and more. It seems that they were being blamed for sinking the Panther One in the media and this is simply not true. They rescued us and again, it was Mr. Mayes himself who called them over towards us.

Also, despite their lack of preparedness, the rangers on land were very concerned and did the best job that they could. Our money was promptly refunded and we were told we would be reimbursed for what we lost and what was damaged. Mr. Hamilton himself said in the newspaper that we would be reimbursed. I hope that this process is speedy and accurate; I do not want to have to cut through a lot of red tape in order to regain what was mine to begin with. Prompt reimbursement is the very least that can be done.

Luckily, no one was badly injured or killed in this incident. My father has seriously injured his shoulder and I am sure everyone aboard has suffered serious psychological trauma from the incident, myself included. I would like to make sure something like this never happens again.

If you have any questions, comments or need to contact me at all, I can be reached on my cellular phone at [REDACTED] at home at [REDACTED]. My email address is [REDACTED] and my home address is Matthew L. Izzo; [REDACTED].

Matthew L. Izzo
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izzo [REDACTED]

Checked by AVG anti-virus system (<http://www.grisoft.com>).
Version: 6.0.410 / Virus Database: 231 - Release Date: 10/31/2002