

Off Cape Ann, a rescue gone wrong



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Gloucester Fisherman, Travis Lane.

By G. Jeffrey MacDonald | GLOBE CORRESPONDENT JANUARY 02, 2016

GLOUCESTER — As dusk settled Dec. 3 on stormy seas 18 miles off Cape Ann, the crew of the Orin C felt a wave of relief. The Coast Guard had just arrived to tow them home to Gloucester, where they could unload 10,000 pounds of slime eel and repair their overheated engine.

But three hours later, the relatively routine tow took a tragic turn. The 51-foot Orin C rapidly succumbed to 12-foot seas, leaving three men bobbing in the dark, 49-degree waters amid a blizzard of heavy debris. Crewmen Rick Palmer and Travis Lane swam to safety, but the Coast Guard later said Captain David “Heavy D” Sutherland could not be revived after a rescue swimmer reached him.

“Rick says, ‘How is he? How is he?’ ” Lane recalled in mid-December as he geared up for his next fishing trip. “His . . . head was already underwater. He made a few strokes and just stopped.”

For all the well-known risks of commercial fishing, riding home with the Coast Guard isn’t one that fishermen generally fear. To lose both a vessel and a life in a controlled tow situation is extremely rare.

The Coast Guard is now considering a series of policy changes that would be binding nationwide as a result of this case, said Lieutenant Karen Kutkiewicz, spokesperson for the First Coast Guard District, which covers the Northeast seaboard. Among the considerations: new requirements for Coast Guard vessels to be equipped with defibrillators; new protocols to make sure sinking vessels receive reliable pumps; and new methods to deliver lifesaving items from helicopters without endangering personnel.



GOOD MORNING GLOUCESTER

The Orin C.

“It doesn’t happen often that someone dies on the deck of one of our cutters or that we recover someone who’s unresponsive,” Kutkiewicz said. “We’re reviewing [policies] because of the death.”

With Coast Guard and regulatory investigations ongoing, the case is already highlighting more than the ocean's inherent perils. Accounts by the Coast Guard and crew members of the Orin C tell of essential Coast Guard equipment that didn't work or wasn't accessible in the crisis. What's more, decisions by the fishermen and their friends who helped initially might have sealed the Orin C's fate hours before the Coast Guard got involved.

The day began auspiciously some 35 miles offshore. The men had watched a movie and rested up the night before. Their eel haul would bring around \$6,500 at market, which could mean a hefty payout for the crew after three days at sea. With a westerly wind blowing upwards of 20 miles an hour at 10 a.m., they were prepared to go home ahead of a forecasted storm, Palmer recalled.

Engine trouble threw a wrench in the plan. A heat gauge read a dangerously hot 240 degrees, and gray oil meant water had contaminated it. For owner-operator Sutherland, stakes were high with his livelihood on the line. To avoid burning out his motor, he cut power and radioed a friend aboard the Foxy Lady, another Gloucester boat in the vicinity, to request a tow. The Foxy Lady alerted the Coast Guard and set off to help.

When the Foxy Lady arrived two hours later, the Orin C was ready. Lane and Palmer had knotted all their dock lines together to create the longest possible towline in an attempt to create slack for shock absorption in the rugged seas. But Foxy Lady Captain Phil Powell didn't want to add their 120-foot line to his, Palmer said. Powell insisted on using only the Foxy Lady's line.

"The line was awful short. Half a football field, 50 yards, maybe. We had no slack. So every time he went down on a sea, he was pulling us down into the next one," Palmer remembered two weeks later at a Gloucester Dunkin'

Donuts.

Powell did not respond to multiple attempts to reach him for comment.

For more than four hours, the Orin C endured a pounding ride into ever-higher seas and a strengthening wind. Making matters worse, the boats sped along at a 5-knot clip, according to the Orin C's GPS readings. Palmer wanted to slow down, but Sutherland said no: "He was glad we were being towed . . . He didn't want to shake any trees," Palmer said.

Normally, the rough sea state would have called for no more than 4 knots, said Captain Joseph Murphy II, a Massachusetts Maritime Academy professor who taught a class on survival for almost 30 years.

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"They should have told him to slow down," Murphy said. "The tow was being mismanaged . . . It definitely contributed to significant hull damage."

'His . . . head was already underwater. He made a few strokes and just stopped.'

Five times the line blew apart under the pounding force, Palmer said. Each time one crewman would brave the elements, climb to the bow, and try to catch the fragment while another stood ready with a life ring. The fifth time sounded like a hand grenade, Lane said, as the crew watched Powell disappear up ahead.

"He went up over a big sea and it curled on the other side," Palmer said. "Of course, we were being driven down into it. It was just a wall of water that hit, blew our windows out, and took the roof off the boat."

Soaking wet and freezing cold, Lane ducked into the hold in search of dry clothes and heard the unsettling sound of sloshing water. He knew then the wooden boat had a leak in the bow. Unable to find or plug the hole, the crew

had one option: Get the water out faster than it was coming in. But the vessel's three small pumps were struggling to keep up, Palmer said.

With conditions worsening, the Coast Guard dispatched a 47-foot rescue vessel that had been conducting training exercises less than two hours away. For the Coast Guard crew, drill time was over. The Coast Guard delivered a pump rated to remove 250 gallons per minute, took over the tow, and left the crew aboard the Orin C to monitor conditions and tend the pumps, Coast Guard officials said.

The seas were too rough to get the men off, and they wanted to stay with their boat anyway. It seemed the Orin C might survive — until they tried to run the Coast Guard pump.

“From the get-go, I couldn't get it started,” Lane said. “It took 10 minutes to get it to work, and it would only pump for like 30 seconds. The next two or three hours we [tried] and only got it to pump for 10-second intervals. Then it stopped pumping immediately.”

Coast Guard officials remember this crucial period differently. The pump worked at first and dewatered the Orin C, but it either stopped working or was turned off and the crew was unable to restart it, said Brad Kelly, the Coast Guard's search and rescue coordinator for the Orin C mission.

Kutkiewicz said the CG-P6 pumps aren't simple to operate, especially if a crew member isn't familiar with them, adding that this pump had been tested and proven to work within the prior month. But Lane and other fishermen on Gloucester's State Fish Pier said Coast Guard pumps have been unreliable in the past.

Still, the Orin C crew kept the fishing boat afloat for several miles as the situation grew more desperate. Use buckets to get the water out, Palmer recalls the Coast Guard coxswain saying. But before they could get in three-man drill formation, time ran out.

“I was down below, and I just watched water come up very fast,” Palmer said. “And I says, we gotta go. I told Dave. He asked, ‘What should we do?’ And I said, ‘We gotta go.’ That’s when we put our suits on.”

When Sutherland gave orders to abandon ship, a rescue helicopter took off about 8 p.m. from Air Station Cape Cod in Sandwich. Destination: 12 miles off Cape Ann, where winds howled at more than 40 knots and Coast Guard trainees aboard the rescue vessel were vomiting from seasickness.

Palmer hit the water first, paddling in his survival suit on his back toward the voices on the rescue boat — “20 feet! 10 feet!” — until he was safely aboard. Protocol called for the other two to swim one at a time, Kelly said, but it was too late. Rising water lifted Lane and Sutherland simultaneously off the floorboards. The Orin C was gone, and they were swimming for their lives.

Lane made it, but Sutherland, a burly man who could barely squeeze into his suit, stopped paddling. Tracking the flashing beacon on his suit, a Coast Guard rescue swimmer dove in and hauled him aboard. Sutherland was in the water fewer than three minutes, Kelly said, and had apparently not inhaled water to drown. But he wasn’t breathing and lacked a pulse, Kelly said.

Sutherland’s official cause of death is still unknown, but he was treated as if he’d suffered a heart attack, Kelly said. Because he’d been swiftly recovered, Sutherland would have been a prime candidate for defibrillation, which uses

a device to restore a regular heart rhythm after a cardiac arrest, said John Higgins, a sports cardiologist at the University of Texas' McGovern Medical School in Houston.

But no Coast Guard boats carry defibrillators as part of their required standard equipment, Kelly said. Its helicopters do carry the equipment, but the helicopter was nearly an hour away.

The Coast Guard crew didn't give up. They performed CPR continuously as the boat churned toward Rockport, the nearest harbor, but to no avail. Sutherland remained unresponsive.

When the helicopter arrived overhead shortly before 9 p.m., Kelly approved one last-ditch operation. Strapped to a hook, a swimmer dropped from the chopper with hopes of landing on the moving deck and delivering the defibrillator.

"If there was some possibility that a defibrillator could bring Mr. Sutherland back to life, we wanted to give it a try as long as it was safe to do so," Kelly said. But the operation proved too dangerous. Lane said he saw the dangling swimmer smash into the speeding boat's hull before the effort was aborted and the swimmer hoisted to safety. With hopes dimmed, the rescue boat redirected to the Orin C's home port of Gloucester, where law enforcement, Sutherland's family members, and the medical examiner awaited.



DESI SMITH/GLOUCESTER DAILY TIMES VIA AP

In this photo taken in December 2011, David Sutherland (left) known as Heavy D, and Stephen Redefern repaired steel lobster traps for the fishing boat Trapper Johns at Capt Joe's and Sons in Gloucester, Mass.

Sutherland's wake and funeral brought out the tight-knit fishing community. Palmer remembered his captain and friend as "very open-minded — gentle, kind, decisive. If he didn't like you, you knew in a minute. He was a very decent guy."

But the legacy of the Orin C is by no means over. The Coast Guard, the National Transportation Safety Board, and possibly even the courts could potentially have a say in what changes, if any, result from the tow that went tragically awry.

On the regulatory front, the NTSB is conducting an investigation more thorough than any Palmer has witnessed in his 37 years of commercial fishing. After his two-hour NTSB interview, Lane said he expects regulators

might eventually require boats to carry a tow pack with 500 feet of suitable line.

Gloucester attorney Joseph Orlando Sr. said parties affected by the incident could have a case, and he is exploring the possibility of filing civil claims.

Murphy, the Massachusetts Maritime survival expert, said liability would apply only if there were criminal intent or gross negligence.

“They all underestimated the situation, every one of them,” Murphy said.

“The captain of the [Orin C] underestimated the risk. The captain on the vessel that was towing them obviously didn’t understand the significance of the speed . . . But there is no liability here. There’s none.”

The Coast Guard is reviewing its policies as part of an internal investigation. Trainees aboard the rescue vessel have received counseling as they try to cope with what they saw that day.

“My crew did an amazing job. We saved two lives,” said Coast Guard Commanding Officer Bobby Lepere, who coordinated the mission from Gloucester. “Two people are home to have Christmas with their families, but unfortunately one isn’t. That’s never OK with us. To be perfectly frank, my crew has taken this one really hard.”

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