

DANNY O'CONNELL
Expert Witness and Railroad Consultant
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Railroad Operations Expert Witness

With over 42 years of experience in freight and passenger service as a Brakeman, Switchman, Conductor, and Certified Engineer with the Atchison, Topeka, and Santa Fe Railway and Amtrak, Danny offers extensive knowledge in train operations and operating rules interpretation.

After years of working as a Certified Engineer Instructor, Danny has been promoting his way through the railroad management ranks as Rules Instructor, Transportation Manager, Road Foreman of Engines, System General Road Foreman of Engines for Amtrak. Also managing passenger and commuter operations for Metrolink in Southern California. From there, becoming Assistant Superintendent, Director of On-Board Services, and Superintendent of State Supported, Short Distance Intercity and Long-Distance Passenger Trains for Amtrak in the Southwest. Danny has proven distinguished railroad leadership experience and unique industry knowledge and perspective.

Managing teams of over 300 train, yard and engine employees, 800 On-Board-Service employees was a highlight of his accomplished railroad career. Building strong relationships with federal and state agencies has helped in accomplishing safety and operating performance goals in his career. Danny remains in constant communication with railroad industry employees, both union and management, for updates on new practices, and operating/safety rules.

Expert Witness testimony can include clients for plaintiff or defense firms who seek assistance for incidents involving railroad employees on freight, passenger, and commuter trains.

Areas of knowledge include:

- Railroad Safety Rules and Instructions
- Railroad employee personal injuries
- Incident Investigation including:
 - Railroad train derailments/Collisions
 - Railroad highway-grade crossing incidents.
 - Railroad train-pedestrian incidents
- Railroad liability
- Railroad Federal Employee Liability Act (FELA) cases
- Railway Labor Act
- Railroad Technology Advancements: Event Recorder and Positive Train Control (PTC)

Safety Management

Safety is the most integral part of railroad operations. With a thorough understanding of safety and rules compliance, there is necessity to maintain compliance in all fields including operational field testing. The FRA guidelines must be completed and thoroughly be updated on a regular

basis. There is no substitution for experience in teaching these principles. The railroads must maintain programs to test and verify rules compliance in the field. Field testing is one of the most effective uses in determining operation in accordance with rules and policies. A thorough investigation of the litigants past rules classroom testing, field testing, and compliance is completed. As a PMQ/PMK (Person Most Qualified - Person Most Knowledgeable), the facts are obtained from years of experience.

Accident/Incident Investigation

Danny has the experience and background working hand in hand with operating craft unions, the Federal Railroad Association (FRA) on Close Call Reporting. This has helped him in the accident/investigation for the root cause analysis that is necessary to determine the facts. Through this hands-on training, there have been many changes to operating rules and policies that have been implemented for a safer and more productive workplace in the industry.

Danny has also been on several different railroad crash investigations, including Metrolink (Chatsworth, Rialto, Glendale, and Oxnard), and Amtrak (Garden City, KS and Tacoma, WA). He served on several NTSB post-accident committees. Being a member of the Incident Response Team (IRT) for the Amtrak Emergency Management required by the FRA to handle and coordinate employees and passengers involved in serious train incidents.

Danny was the railroad liaison for a National Guard Incident Response Exercise in Santa Fe involving a mock exercise that involved a passenger, commuter, and freight train collision. The New Mexico National Guard conducted Vigilant Guard with participation from National Guard units from six states, 15 federal agencies, 21 state, country, tribal and local agencies and nine private and volunteer organizations.

Federal Rules Compliance and Certification

In 1992, when Federal Certification of Locomotive Engineers began, Danny was on the forefront of compliance and training for compliance. He was instrumental in completing the implementation for Simulator Training on the West Coast for Passenger and Commuter agencies. This was beneficial for training, certification, and rules compliance testing. He also implemented the use of the simulator for post-rule violation remedial training. Danny has completed “train the trainer” instruction classes for other Certified Engineer Instructors in both freight and passenger trains in Mountain Grade, Desert, and City Territories.

Certification Training for Engineers, Conductors, and Management Employees is a mandatory tool in the industry to stay in Federal Compliance. The necessary classroom and field training completion is a component for success.

Employment History

Superintendent-Director On-Board Services - Amtrak, Los Angeles July 2018 - July 2020

Managed over 580 employees for Onboard Services for Amtrak Long Distance and State Supported services:

- Increased Electronic Customer Service Index (eCSI) scores to 91.5% favorable, through better On-Time Performance and cleanliness, exceeding target metric by 3.0 points

- Reduced Operating Budget by eliminating overtime through oversight and scheduling changes resulting in cost savings of nearly \$5 million through fiscal year 2020 during Covid-19 protocol.
- Reduced FRA Reportable Incidents by 27% by continuing with face-to-face interaction between employees and management.

Assistant Superintendent / Road-Yard Operations - Amtrak, Los Angeles July 2009 - July 2018

Managed Road and Yard operations for Long-Distance and State Supported services out of Los Angeles.

- Worked with the Federal Railroad Administration (FRA) on Close-Call-Reporting (C3RS) for post rule violation self-reporting and root cause analysis reducing major rule violations by 22%.
- Completed derailment investigations with the National Transportation Safety Board (NTSB) on Amtrak and Metrolink Derailments.
- Completed depositions for Amtrak and Metrolink for impending legal proceedings concerning derailments, grade crossing incidents, and trespasser strikes.

Assistant General Manager - Connex Railroad, Los Angeles September 2004 - July 2009

Worked with the Southern California Region Rail Association by managing day to day operations of Metrolink Commuter Service.

- Developed Certified Engineer Training Program.
- Completed Accident, Derailment, and Fatality Investigations.
- Other positions held included *System General Road Foreman of Engines, Transportation Manager, Rules Instructor, and Locomotive Engineer.*

Engineer - Rules Instructor - Training Coordinator - Amtrak, Los Angeles October 1992 - September 2004

- Engineer -Passenger/Long Distance/State Supported and Commuter Trains
- Operating Rules Instructor
- On-the-Job Training Coordinator for New-Hire Engineers

Engineer, Conductor, Brakeman – Atchison, Topeka and Santa Fe Railway, Los Angeles

April 1978 - October 1992

- Freight Service - Urban, Desert, and Mountain Grade Territories
- Passenger Service - Long Distance and State Supported / Amtrak
- Switching - Local, Road Switcher, and Yard

Education and Training

Lean Six-Sigma/Business Acumen - Amtrak 2014-2020

Amtrak Business Management Training including:

- Safety and Security
- Critical Incident Command System
- Federal Railroad Safety Act
- Charging Officer Training
- Emergency Preparedness
- Sexual Harassment, and Diversity in the Workplace

Freight and Passenger Railroad Operating Certification and Training

- Designated Supervisor of Locomotive Engineers (DSLE) Amtrak 2004
- Certified Engineer Instructor ATSF 1991
- Engineer Certification ATSF 1990
- Conductor ATSF 1981
- Brakeman/Switchman ATSF 1978
- Amtrak/Santa Fe 1978 - 2009 Completed required federal training and certifications for Conductor (1981), Engineer (1990), and Designated Supervisor of Locomotive Engineers (2004).

Expert Witness Case History

March 2022 Theartis Oglesby v. CSX Transportation Inc.

March 2022 Jaimyn Rauchfuss v. Norfolk Southern, et. al.

June 2022 Jody Asay v. NJ Transit Corporation, et. al.