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# Steamship fights Times request for video

By **Rich Saltzberg** - October 26, 2022

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A set of transfer bridge counterweights that a crane fished from Vineyard Haven Harbor in August. — Rich Saltzberg

The Steamship Authority continues to resist the Martha's Vineyard Times in its pursuit of transfer bridge video. The Times sent a public records request for footage that shows a cable breaking at the Vineyard Haven terminal in August. The cable break resulted in a multi-ton set of counterweights falling into Vineyard Haven Harbor. The SSA denied the request based on the belief the footage constitutes sensitive security information as defined under the Maritime Transportation Security Act of 2002, and also security and vulnerability information protected under state law.

The Times appealed the SSA's denial to the state's supervisor of records. In a September determination, the supervisor of records ordered the SSA to provide a copy of the footage for examination so that office can determine, among other things, if some portion of the footage can be released to The Times. The SSA hasn't complied with the order.

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SSA general counsel Terence Kenneally first told The Times on Sept. 30 and Oct. 3 that the ferry line had asked the U.S. Coast Guard if it was OK to share the video with the supervisor, and planned to inform the supervisor once an answer was provided. Kenneally amended his response on Oct. 13 by saying the Coast Guard turned out to be the wrong agency to consult, and that the SSA hoped to receive guidance from the Transportation Security Administration (TSA). Kenneally somewhat changed course on Oct. 21, and noted the Coast Guard was still relevant to the issue, because TSA had opted to consult the Coast Guard about the footage. Several cable accidents at SSA transfer bridges have occurred in recent years. In June, a cable broke at the lone transfer bridge at the Oak Bluffs terminal. Another broke at the Slip 2 transfer bridge in Vineyard Haven in January. In November 2021, a cable broke at that same bridge. In May 2020, at the same bridge again, a cable broke and a set of counterweights fell, trapping the ferry Martha's Vineyard.

The May incident was also subject to a Times footage request and appeal. A subsequent determination gave the SSA the opportunity to either provide The Times with a response or to provide the supervisor with a copy of the video. The SSA opted to provide a voluminous response to The Times in further support of its denial. The Times didn't further appeal at the time, but may appeal in the future. The denial of the records both in 2020 and this year based on laws meant to guard against terrorism raises questions about whether such laws serve to obfuscate industrial accidents at public nautical facilities. Monday evening the Coast Guard effectively declared itself not part of the process.

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"We advised the Steamship Authority today (Oct. 24, 2022) that there is no justification for the U.S. Coast Guard to intervene to prevent the release of footage to the Massachusetts Secretary of State," Lt. Brandon Newman, Coast Guard spokesman, emailed.

It remains unclear if TSA has such jurisdiction, and what, if anything, it plans to do. TSA didn't immediately reply to a request for comment.

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## 17 COMMENTS

**Jackie Mendez** October 26, 2022 At 1:52 pm  
This is why the MV Times deserves the community's support.

**Dan Larkosh** October 26, 2022 At 4:49 pm  
MV Times reporters certainly do the community a great service by constantly striving to get to the bottom of what occurs on MV.

**Albert Hess** October 26, 2022 At 5:39 pm  
Hmm... People can wander around SSA property all they want and take video. But the SSA can't release a video of an accident. A video we all have a right to take. There is a strong order to this cable. I hope that MVT finds the source.

**Brian Langhammer** October 27, 2022 At 11:07 am  
I believe restrictions on photos & video on SSA are posted. I'd let lawyers argue the enforceability and legality of those restrictions.

I hear what SSA is saying, but it still comes off as that tired old excuse of "National Security!", perhaps to deflect from deficiencies in their operation. I, too, would like to see that video.

(More than) Half-expecting TSA to weigh in. Just what Martha's Vineyard needs, MORE COPS. Yay.

**Albert Hess** October 30, 2022 At 10:21 am  
If the public has the right of access the public has right to photograph. Just look at all I the videos of TSA agents at airports.

**George Hartman** October 26, 2022 At 5:46 pm  
Maybe the SSA should have more people hired for maintenance and fewer to have them standing like traffic cones. No, most SSA workers are great.

**Mathew Tombers** October 26, 2022 At 6:24 pm  
Agreed.

**James Kozak** October 27, 2022 At 6:23 am  
What complete garbage from the SSA. No wonder they are so reviled and unworthy of any respect. If they are not throwing safety cones intended to injure federally protected birds, they make delusional claims that privilege applies to the loading ramp, the one that 100% of the passengers see with their own eyes on the way past. This claim by the SSA will fail and ultimately the public interest will prevail. Be sure to ask for a costs order from the court for all the expenses they have put you through.

**DICK IACOVELLO** October 27, 2022 At 5:44 pm  
When will the people of Martha's Vineyard do something to represent themselves and local laws, for themselves, Let Nantucket do what they want. Take back the ferry service and run it without SSA. There are capable citizens that live on Martha's Vineyard to make this adjustment. Talk to your State Reps, ask what we can do to solve the BS that WE that live here will be fully represented, NOT THE SSA COMMISSION!

**Albert Hess** October 28, 2022 At 1:32 pm  
If the Island chooses to leave the SSA where it's boats land on the mainland.

**Donald Edgar** October 28, 2022 At 12:14 pm  
What is expected to be learned from the video?

**Jackie Mendez** October 28, 2022 At 1:51 pm  
Whatever they're trying to hide. People who have nothing to hide, hide nothing.

**Bert Davis** October 28, 2022 At 9:13 pm  
The MV Times seems to file a lot of public records requests. I do understand that a press outlet would need to do so from time to time, but some matters are weightier than others, and these requests come at a cost in terms of time and money. You seem to fire these off reflexively, without regard for the public cost of doing so. After all, it costs you next to nothing to file one, and the public bears the cost of providing a response. You then use that info to drive traffic, and generate revenue. I would like to request that the Times provide us, the island community, with a record of these requests. How many have you filed thus far in 2022? What is the sum total of the volume of the responses that you have received from public entities? How many staff hours would have had to be expended to produce these responses, and at what cost to the community? How many of your requests have been denied, and at what cost? None of this is free, and we should be able to perform a cost benefit analysis of the value of your reporting vs. the tax dollars expended.

**George Brennan** October 29, 2022 At 9:13 am  
You can actually file a public records request to get all of the public records we've requested.

**Jackie Mendez** October 29, 2022 At 9:18 am  
Seriously, dude? That's like worrying that our teachers are being paid too much.

Great response, George.

**Jim Donovan** October 29, 2022 At 12:47 pm  
So what you're saying is freedom of the press shouldn't be free?

**Albert Hess** October 30, 2022 At 10:34 am  
Bert it's public information. It's public funds. The SSA has all the information. How much should it cost to publish it? As a taxpayer I am willing to pay for it.

Comments are closed.

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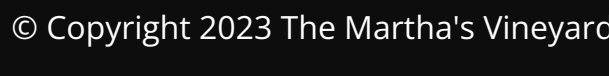
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The Martha's Vineyard Times is an independently owned, weekly community newspaper, published by The MV Times Corp. on the island of Martha's Vineyard

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