



QUEENSLAND POLICE SERVICE
STATEMENT OF WITNESS



Statement No.: _____ Date: 22.10.2003

Statement of: Douglas Edward MILSAP

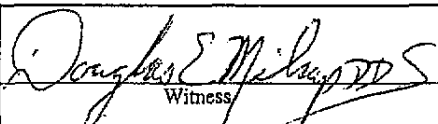
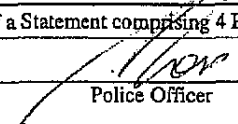
Name of witness:	Douglas Edward MILSAP	Date of birth:	12.4.1950	Age:	53
Occupation:	Dentist				

Police officer taking statement:

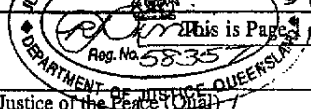
Name of police officer:	Sandra K CROSS	Rank:	Plain Clothes Senior Constable	Reg. No.:	9782
Region/Command/Division:	Northern/Townsville	Station:	Criminal Investigation Branch		

Douglas Edward MILSAP states:

1. I am a 53 year old male person, currently living in the United States. My current address is 7260 Briarcliff Road, Fort Myers, FLORIDA, 33912. My phone number is 239 9363030, email address coralkiller@comcast.net.
2. I arrived in Australia on holidays on Monday, the 20th October, 2003, with my wife and two friends. We then flew to Townsville arriving on Tuesday 21st October, 2003. I had booked a one week dive package with Mike Ball on the Spoilsport.
3. I boarded Spoilsport around 8.30pm on Tuesday 21st October, 2003 in Townsville. There were about 22 guests and 12 crew on board the boat. We travelled out to the Yongala wreck overnight.
4. This morning I woke up and had breakfast around 7-7.30am. After breakfast, a dive briefing was held. I have been diving actively for about 30 years. I got my first dive certification in 1972. I have a Master divers certificate and am a DiveMaster, which requires a rescue diver certification. The trip co-ordinator, whose name was Wade, gave a presentation concerning boat procedures, that is for entering and exiting the boat. He also gave a lengthy protocol concerning dive safety measures, including emergency recall procedures, how to indicate if there was a problem on the surface and also how to indicate that all is well, how to conduct yourself in the event of emergency, "okay signal", "not okay signal" "come and

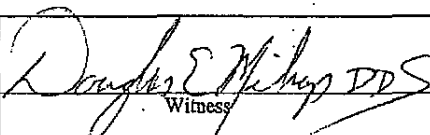
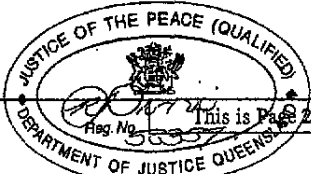
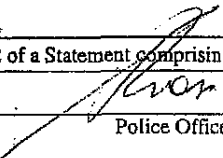
Witness Justice of the Peace (Qualifed) Police Officer
 Commissioner of Declarations


 This is Page 1 of a Statement comprising 4 Page(s).
 Reg. No. 5835

CONTINUED STATEMENT OF: Douglas Edward MILSAP

get me" signal. The crew, mainly Wade, made sure that we had appropriate signalling devices, an audible device being whistle or horn and a safety sausage, which is an inflatable tube. Wade indicated that there would be a specific member of the crew on each dive, whose responsibility was to act as an observer, and he would be scanning the water constantly for waters for divers in trouble. Wade also said that the crew had checked all our pockets and everyone had the right safety equipment. During the dive, Wade indicated that each diver was to do safety stops at both 30 feet for a minimum of 2 minutes, and a second stop at 15 feet for a minimum of 5 minutes. He also gave a detailed description of the dive site, especially the layout of the dive site, and an indication of the currents involved in the dive site, he had a drawing of the area. The details of the currents was confirmed by a member of the crew, I don't know his name, who had been in the water previously. They advised there was a moderate to strong current about the dive site, and made specific recommendations how to make the dive, so as not to get in trouble with the currents and how to conduct yourself should the current carry you away from the dive site. He advised the water temperature was about 77 degrees. The briefing in total took about 45 minutes. All of the guests on the boat were present for these presentations. I recall Gabe and Tina, other guests, were definitely there.

5. I totally understood everything that was being said and explained and it was one of the most complete and thorough dive briefing I have ever had. I have somewhere around 350 logged dives. I specifically remember Wade asking if anyone wanted to be escorted by a dive master.
6. Once the briefing was finished, every one got suited up. Everyone was responsible for putting on their own equipment. The SpoilSport had a rubber inflatable boat which they conducted us to the point of entry of the dive, this fitted six to eight people. Once people were ready a crew member would take them out in the inflatable boat. My particular group consisted of 5 people. This was myself, my wife, Ginger, Ken and Paula SNYDER and another man named Stuart. By this time it would have been about quarter to ten, in the morning.

 Witness		This is Page 2 of a Statement comprising 4 Page(s). Reg. No. 555
	Justice of the Peace (Qual) / Commissioner of Declarations	 Police Officer

CONTINUED STATEMENT OF: Douglas Edward MILSAP

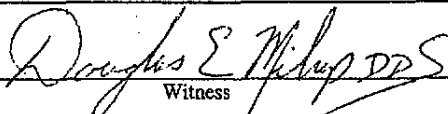
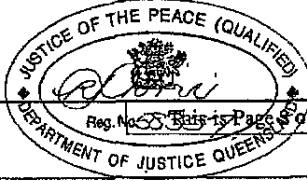
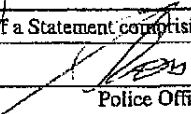
7. We were maybe the second crew in the water, to the best of my recollection Tina and Gabe were still on board the Spoilsport. Once I left the Spoilsport, I didn't see them during my dive. My dive was to a maximum depth of 82 feet for 42 minutes, and uneventful. The current was a little strong, and we briefly struggled with it at the beginning of the dive. But once the dive was in progress, the rest of the dive went normally.

8. I completed my dive and re-boarded the spoilsport as explained in the briefing. At that point there was no indication of any emergency situation. Immediately upon arriving on the dive deck, there was an indication of increased activity, of a nature that indicated an emergency was in progress. The crew were communicating on hand held radio devices, and attempting to retrieve a diver in trouble. As far as I'm aware there was no emergency recall of divers, because I was already out of the water.

~~9. The crew appeared to be active but calm. Several of the rubber inflatable boats were active. When it became apparent that there might be an injury involved, I indicated to a member of the crew, who I cannot name, that we had an emergency room physician on board, named John, as did my friend Ken. Upon this information, the crew immediately transported John to a second dive boat that was in the area, (where I believe they had taken Tina). The guests on the Spoilsport were unaware of the nature of the injury or the extent of the injury, which included myself. Shortly thereafter, upon climbing to the sun deck, I could see Cardio Pulmonary Resuscitation (CPR) being performed on someone on the deck of the other dive boat.~~

10. I remained on Spoilsport. Shortly, thereafter the guests became aware that Tina had expired. This was later confirmed by the dive director, Wade. Gabe was brought back to our boat and he was considerably upset, and in my opinion was in some state of shock. He was later comforted by my wife and Paula SNYDER. The crew in general attempted to continue on status quo, other than those people directly involved.

11. All the guests were gathered together as a group and informed that Tina had expired, and that we would be returning to Townsville.


 Witness	 Reg. No. 55 This is Page 5 of a Statement comprising 4 Page(s).	 Police Officer
	Justice of the Peace (Qual) / Commissioner of Declarations	

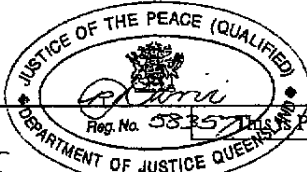
CONTINUED STATEMENT OF: Douglas Edward MILSAP

12. After arriving in Townsville I was transported to the Townsville Police Station and made this statement.

Douglas E Milsap D.E.S.
D E MILSAP

Oaths Act Declaration

OATHS ACT 1867 (DECLARATION)	
I Douglas Edward MILSAP do solemnly and sincerely declare that:	
(1)	This written statement by me dated 22 nd October 2003 and contained in pages numbered 1 to 4 is true to the best of my knowledge and belief; and
(2)	I make this statement knowing that if it were admitted as evidence, I may be liable to prosecution for stating in it anything I know to be false.
and I make this solemn declaration conscientiously believing the same to be true and virtue of the provisions of the Oaths Act 1867	
<i>Douglas E Milsap D.E.S.</i> Signature	
Taken and declared before me at Townsville	
This 22 nd day of October 2003	
Witness	
Commissioner of Declarations	
Other (Please State)	

<i>Douglas E Milsap D.E.S.</i> Witness		Page 4 of a Statement comprising 4 Page(s).
	Justice of the Peace (Qual) / Commissioner of Declarations	<i>H. Coov</i> Police Officer

Statement

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August 3, 2006

Date of Statement: June 20, 2006

Name of Person Making Statement: Doug Milsap

Location of Statement: 7260 Briarcliff, Fort Myers, Florida 33912

Nature of Statement: Queensland, Australia Coroner's Inquest into the Death of Christina Thomas Watson

Law Enforcement Officers Present: Detective Sergeant Brad Flynn, Helena, Alabama Police Department on behalf of the Queensland, Australia Police Service.

Mr. MILSAP has an Open Water Dive Certification, Nitrox and Rescue Diver certification, in addition to Master Diver and Dive Master certifications. MILSAP has successfully completed over 400 dives all over the world.

MILSAP confirms he was a passenger on the Spoilport on October 22, 2003.

MILSAP stated that he did meet the deceased the night before the boat left Townsville at a restaurant. MILSAP had general conversation with both Gabe and Tina WATSON and did not talk about anything specific.

MILSAP stated Tina WATSON appeared happy and in a good mood. "Appropriate for newlyweds" MILSAP thought.

Gabe WATSON's demeanor was appropriate for beginning of a recreational dive cruise.

MILSAP did not observe Gabe or Tina WATSON put their equipment on.

MILSAP stated that the Spoilport was moored to the stern of the Yongala. MILSAP stated that the rubber boats took them to the Diver Access Point at the bow of the Yongala. MILSAP stated that the safety briefing presented by the dive boat staff informed them that there was a "relatively stiff current and moderate to low visibility". MILSAP stated that once in the water the current was "indeed stiff, stiffer than we had anticipated. Visibility was less than we expected." On a level of 1 to 10 with 10 being the worst, MILSAP stated that the current was a 4 or 5 with the visibility being a 4.

MILSAP stated that he was standing on the deck of the Spoilport after the dive and heard commotion from the back of the boat. MILSAP stated that Gabe WATSON was in the rubber boat headed back to the Spoilport. He stated WATSON was banging on the side of the boat saying "oh my God... I lost her... I don't know where she is... I lost her!"

MILSAP said his immediate response to the news was "this is not good". MILSAP stated that he then went to find Dr. John DOWNIE to see if he could help. When he returned to the dive deck, WATSON was standing there. MILSAP then asked WATSON what happened, and WATSON said that they were underwater for a short period of time. Tina then went into a "panic mode" and dislodged WATSON'S regulator and mask. MILSAP stated that Gabe said he then replaced his regulator and cleared his mask and then he realized that Tina was starting to sink. At that point, WATSON said he reached out and grabbed Tina, but made no statement on whether she was conscious at that time. WATSON stated that he "had ahold of her BC (buoyancy compensator) and she was sinking". WATSON told MILSAP "I was trying to hold her up and I couldn't hold on to her and she was too heavy and I lost my grip. I had to make a decision to go down after her or go to the surface and I chose to go to the surface."

MILSAP'S response to WATSON'S story was "that's ridiculous because when you are underwater, a heavy object doesn't feel heavy, it just carries you to the bottom with it with no perception of weight." He then replied to WATSON; "How could you lose your grip on her? Nothing is heavy underwater." WATSON replied "I was trying to hold her up and bring her back to the surface and I lost my grip and she went to the bottom and I went to the surface" MILSAP stated that he thought the story from WATSON was "not plausible"

MILSAP stated that the story changed again later. He never heard anything else on the incident from WATSON. MILSAP stated that he thought "How could a man of your (WATSON'S) size, holding on to a small woman, whom you just married and you are on your honeymoon with, let go of her for any circumstances? Worst case scenario is that you both sink to the bottom, which was at a 100 foot depth and according to the US Navy dive table, you would have 20 minutes of time to make a decision of how to get out of trouble and get back to the surface." MILSAP added "There is no reason he should he should have let go of her" His story "just sounded ridiculous. I didn't buy it for a minute."

MILSAP stated that he had heard secondhand versions of the event after the fact that supposedly came from WATSON that vary from his initial account of what happened. In the January or Feb. of 2004 in Undercurrent magazine, WATSON allegedly gave an account of the events that was greatly different from the story that he gave MILSAP on the boat. MILSAP stated that they were taken to the bow of the Yongala and dropped off. The route of the dive was to drift along with the current to the stern of the Yongala and then ascend to the Spoilspot. In the article, MILSAP recalls WATSON giving the statement that after he and Tina were in the water a very short time, "they realized that the current was beyond their capacity to deal with and he decided to return to the point of entry, which was nonsense. You would never try to fight your way back to the bow against the current when your home base is at the stern. Secondly, if they did make it back to the bow, there would be no one there to pick them up, as the Spoilspot was anchored at the stern."

MILSAP stated that he did not see WATSON on the trip back to Townsville.

MILSAP stated that the only time he saw WATSON'S mother was when the Spoilspport docked back in Townsville at the end of the cruise and WATSON and his mother were there waiting for them. They shook everyone hands and thanked them for their caring and understanding.

MILSAP stated that he received a Christmas card from WATSON in December of 2003. The card had their wedding picture on it. MILSAP has had no other contact with WATSON since.

MILSAP stated that as a diver with over 400 dives, he believed that WATSON'S story to him on the deck of the Spoilspport as well as the account he gave in Undercurrent magazine" has a great deal of fallacy" and that he "can't buy it for a minute. Something is wrong with this story".

Douglas E. Millsap DDS 8-3-06

Signature of person making affidavit.

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 3rd day of August, 2006, by Douglas E. Millsap, who is personally known to me or who has produced _____ as identification.

Frenda F. Ward

Frenda F. Ward - Notary Public - State of Florida

Seal:



State v. Watson
008350



QUEENSLAND POLICE SERVICE
STATEMENT OF WITNESS



Statement No.:		Date: 21 April 2007
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Statement of: Douglas Edward MILSAP

Name of witness:	Douglas Edward MILSAP	Date of birth:	12.4.1950	Age:	53
Occupation:	Dentist				

Police officer taking statement:

Name of police officer:	Scott William Knowles	Rank:	Det Sen Sgt	Reg. No.:	6932
Region/Command/Division:	State Crime Operations Command	Station:	Homicide Investigation Unit		

ADDENDUM

Douglas Edward MILSAP states:

I have previously provided a statement to police regarding the death of Christina Watson in Australia. I am also able to provide the following information.

In relation to currents that were on the dive site that day I would describe them as being strong. The current at the end of the dive was very strong with poor visibility. The visibility was about twenty to thirty feet maximum. The current was flowing directly along the wreck from the bow to the stern. At no time did I feel that we would have been blown off the wreck. To swim across the current would not have been difficult but the strength of current would have swept them down the wreck anyway.

After we returned to the Spoilsport I remember that the crew were in action and talking on radios. They were looking over the starboard side of the boat. I remember that I went to the side and looked myself. I remember a crew member told me that there had been an accident and asked me to move away from the side. While I was at the side of the boat I remember seeing Gabe being brought back to the Spoilsport on a tender. I remember that he was on his knees in the tender and he was pounding the sides of the boat with his fist.

<i>Douglas E. Milsap</i>		This is Page 1 of a Statement comprising 4 Page(s).	
Witness	Justice of the Peace (Qual) / Commissioner of Declarations	Police Officer	

CONTINUED STATEMENT OF: Douglas Edward MILSAP

After he was returned to the Spoilsport I believe that Ken was speaking with Gabe on the dive deck. I remember that I approached them. I had not heard what they were discussing and I remember that I asked Gabe what had happened.

Gabe said to me "We were into the dive and all of a sudden Tina panicked, went for my regulator, dislodged by regulator and my mask. I got my regulator back in my mouth and cleared my mask., I grabbed hold of her BC and she was too heavy and I couldn't hold her up. I lost my grip and she started to sink."

I said "Gabe that's bullshit."

Gabe looked at me funny. I said "Gabe underwater there is no sensation of weight. She couldn't have felt heavy."

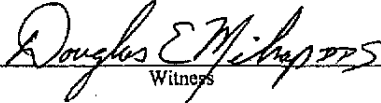
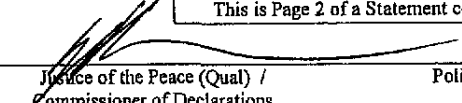
Gabe said "I was trying to hold her up. I was kicking and she was too heavy. I was trying to hold her up and I lost my grip on her."

I again said "Gabe that's bullshit. There is no sensation of weight underwater."

Ken put his hand on my arm and said to be "Doug this is not the time."

At this point we separated from Gabe and I was with Ken when we moved to the sundeck. From there I could see that there was a flurry of activity on the water surface. At some point that day I remember seeing a body on another boat and there was resuscitation attempts being made on the body. I remember that I found that Gabe failure to be present with his wife on the other boat confusing. I remember saying to Ken at some point "Ken, someone lying." I didn't have any other dealings with Gabe.

The reason that I said to Gabe that what he was telling me was bullshit was because at the time I had three hundred plus dives and I have currently had over four hundred. I have carried many heavy objects underwater and there is no

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 Witness	 Justice of the Peace (Qual) / Commissioner of Declarations	Police Officer

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CONTINUED STATEMENT OF: Douglas Edward MILSAP


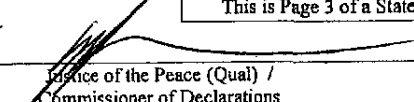
sensation of weight underwater unless your feet are braced against something immovable. An object will carry you to the bottom but you can equalise against that. I do not believe that Tina, who is smaller than my wife, would not have been able to be held by Gabe, who is bigger than me. I can quite easily hold my wife underwater.

After Gabe said that he had lost his grasp on Tina he said "I had to make a split second decision to go after Tina or go to the surface for help. My training was that I should go to the surface for help."

I am trained as a Dive Master which means I have also accomplished a Rescue Diver qualification. I would have understood if Gabe had said that Tina had knocked his mast off and he had gone to the surface in a panic and then looked down and could not see Tina, but I don't believe the story that I heard from Gabe on the dive deck that day.

During my training to receive the qualifications that I currently hold I was taught that for a diver who is panicking in front of you they only have one thought. That is to get to the surface in anyway possible. Normally if a person has gone for your regulator it would mean that the diver is in an out of air situation and they need your regulator. You would give them the regulator and use your secondary. Many courses recommend dropping the weight belt to take a person to the surface. I don't recommend this as it becomes an uncontrolled ascent. I recommend putting air into your BC or the other divers BC and control the ascent. If the diver is panicked you turn them around and control them from the back.

In relation to a diver that is nonresponsive or unconscious you physically attached yourself to the diver, you inflate your BC and you make a controlled ascent to the surface. You attempt to keep that persons regulator in their mouth. Again I would not recommend dropping the weight belt because of the uncontrolled ascent possibly resulting in the death of a diver from either an air embolism or the bends.

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 Witness	 Justice of the Peace (Qual) / Commissioner of Declarations	Police Officer

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CONTINUED STATEMENT OF: Douglas Edward MILSAP

The air embolism would normally only occur if the diver were to hold their breath on the ascent. The bends would have occurred normally if they exceeded the allocated maximum bottom time for their depth.

I have heard one other version and also read a second version in the Undercurrents dive magazine from January or February 2004. All the versions are pretty consistent up to the point where they are separated. The version I heard was told to Tommy, the father of Tina, was that he didn't have hold of Tina when she knocked the mask and regulator and when he cleared his mask he saw her floating away from him, looking at him with her arms out stretched towards him. Her eyes were open at that time and I think that he had said that she blinked.

From my experiences diving and my qualifications I do not believe the version of events that were told to me by Gabe. I do not know what occurred in the water between that that day but what I was told by Gabe is not correct as are the other versions that I have heard or read.

Douglas E. Millsap DDS
D E MILSAP

Oaths Act Declaration

OATHS ACT 1867 (DECLARATION)

I Douglas Edward MILSAP do solemnly and sincerely declare that:
(1) This written statement by me dated 21 April 2007 and contained in pages numbered 1 to 4 is true to the best of my knowledge and belief; and
(2) I make this statement knowing that if it were admitted as evidence, I may be liable to prosecution for stating in it anything I know to be false.
and I make this solemn declaration conscientiously believing the same to be true and virtue of the provisions of the Oaths Act 1867

Douglas E. Millsap DDS Signature
Taken and declared before me at Alabama
This 21 day of April 2007.....

Witness
[Signature]
Justice of the Peace / 66651
Commissioner of Declarations
~~Other (Please State)~~

This is Page 4 of a Statement comprising 4 Page(s).

Witness	Justice of the Peace (Qual) / Commissioner of Declarations	Police Officer
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003470