



NATIONAL TRANSPORTATION SAFETY BOARD

Office of Aviation Safety
Washington, D.C. 20594

September 26, 2019

Attachment 1 – Company Interviews

OPERATIONAL FACTORS/HUMAN PERFORMANCE

CEN19FA072

This attachment contains transcripts of interviews of the following Survival Flight personnel:

Operations Control Center (OCC)

- Graham Hiremath Operations Control Specialist/Communication Specialist
- Alexis Justiano Operations Control Specialist/Communication Specialist
- Rachel Millard Operations Control Center Manager

Pilots

- Wally Archer Line Pilot, SF Base 14, Columbus, OH
- Kevin Johnson Lead Pilot, SF Base 14, Columbus, OH
- Heath Beecher Line Pilot, SF Base 13, Columbus, OH
- Joseph VanBrocklin Mireles Lead Pilot, SF Base 13, Columbus OH
- Robert Garzolini Line Pilot, SF Base 3, Hannibal, MO
- Thomas Demos Lead Pilot, SF Base 3, Hannibal, MO
- Jeff Stackpole Lead Pilot, SF Base 5, Jerseyville, IL
- Sammy Brake Lead Pilot, SF Base 8, Lawton, OK
- Robert Mariotti Former Line Pilot, SF Base 3, Hannibal, MO
- David Hollister Former Line Pilot, SF Base 5, Jerseyville, IL

Medical Crew Members

- Monica Arce Flight Nurse, SF Base 14, Columbus, OH
- Valery Burkholder Former SF Paramedic, SF Base 14, Columbus, OH
- Ashley Danusers Flight Nurse, SF Base 3, Hannibal, MO
- Kelly Kales Former SF Flight Nurse, SF Base 8, Lawton, OK

Company Management and Instructor Pilots

- Amanda Wolfe Base Clinical Manager, SF Base 14, Columbus, OH
- Robin Piatt Base Clinical Manager, SF Base 13, Columbus, OH
- Stephen Foster Instructor Pilot and Part 135 Check Airman
- Joseph Lawrence Director of Safety and Training
- Jack Windes Chief Pilot
- Gary Mercer Director of Operations

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of: *

SURVIVAL FLIGHT HELICOPTER CRASH *
NEAR ZALESKI, OHIO *
JANUARY 29, 2019 *

* Accident No.: CEN19FA072

* * * * *

Interview of: GRAHAM HIREMATH

Viking Aviation
Batesville, AR

Wednesday,
February 6, 2019

APPEARANCES:

SATHYA SILVA, Ph.D., Human Performance Investigator
National Transportation Safety Board

SHAUN WILLIAMS, Investigator in Charge
National Transportation Safety Board

JOHN BRANNEN, Air Accident Investigator
National Transportation Safety Board

PAUL SUFFERN, Senior Meteorologist
National Transportation Safety Board

DAVID GERLACH, Aircraft Accident Investigator
Federal Aviation Administration

TOM LUIPERSBECK, Team Lead
Helicopter Air Ambulance Focus Team
Federal Aviation Administration

TIM TAYLOR, Instructor Pilot
Survival Flight

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I N T E R V I E W

(11:15 a.m.)

1
2
3 DR. SILVA: On the record at 11:15. Okay. So I'll run
4 through kind of our background spiel, give you an idea of what you
5 can expect. Let's start with introductions.

6 So I'm Sathya Silva. I am a human performance investigator
7 out of the NTSB Headquarters in Washington, D.C.

8 MR. HIREMATH: Okay.

9 DR. SILVA: So we can go around the room this way --

10 MR. HIREMATH: Yeah.

11 DR. SILVA: -- so you get a feel for who everyone is.

12 MR. SUFFERN: I'm Paul Suffern. I'm a meteorologist
13 investigator with the NTSB.

14 DR. SILVA: Okay. Can you speak for the record?

15 MR. TAYLOR: I'm Tim Taylor. I'm a trainer here with
16 Survival Flight.

17 MR. HIREMATH: Hey, Tim.

18 DR. SILVA: Okay.

19 MR. BRANNEN: I'm John Brannen. I'm a regional investigator
20 for the NTSB out of the Chicago area. On this accident, I'll be
21 handling ops.

22 MR. WILLIAMS: Shaun Williams with the NTSB. I'm the
23 investigator in charge.

24 MR. GERLACH: And I'm with the Office of Accident
25 Investigation in the Federal Aviation Administration, and I am an

1 accident investigator as well.

2 MR. LUIPERSBECK: And my name is Tom Luipersbeck. I'm with
3 the FAA. I'm with the Part 135 Operations Policy Branch in
4 Washington, D.C., and I'm also the helicopter air ambulance focus
5 team leader.

6 MR. HIREMATH: Pleasure to meet you.

7 MR. LUIPERSBECK: Good to see you.

8 DR. SILVA: So as you see, we have quite a few people here,
9 but all from different aspects. So as the NTSB, we are experts at
10 investigations, or investigating, but in order to do a complete
11 investigation, we do really need help from everyone to get the
12 information that we need, and that's why we have such a
13 multifaceted group. So those are -- that's who we are and our
14 roles. We, as the NTSB, are here for safety, and we're not here
15 to assign any fault, blame, liability, any of that stuff. We just
16 really want to make sure that this doesn't happen again.

17 We can't offer any type of confidentiality or immunity for
18 anything that you say here. What will happen is, this recording
19 will get sent out for transcription, and a copy of that transcript
20 will become part of our public docket. Eventually -- this can
21 take anywhere between 6 months to a year, depending on how the
22 investigation goes.

23 You are entitled to have someone sit with you today. Would
24 you like anyone to have to sit with you?

25 MR. HIREMATH: I mean, I think I'm good with Tim here, so --

1 DR. SILVA: So Tim, just so you know, Tim is part of our
2 investigative team. He can't technically represent you.

3 MR. HIREMATH: Oh, I mean, I can represent myself.

4 DR. SILVA: Okay.

5 MR. HIREMATH: I'm okay in that regard.

6 DR. SILVA: Yep, that's fine. And if you change your mind,
7 just let us know.

8 MR. HIREMATH: Okay.

9 DR. SILVA: Okay. So what we will do, so you know what to
10 expect, is I'll start off with a handful of questions, and then
11 we'll run around the room, and go around the room so that everyone
12 has a chance to ask the questions that they have. Usually we do
13 that twice to make sure everyone has a chance, and then if you
14 have -- we'll ask you again at the end if there's anything that
15 you wanted to add, or anything that we missed.

16 MR. HIREMATH: Sure.

17 DR. SILVA: So keep that in mind. Do you have any questions
18 before we start?

19 MR. HIREMATH: No. No.

20 DR. SILVA: Okay.

21 MR. HIREMATH: I'm okay.

22 DR. SILVA: So be sure, let us know if you need a break or
23 anything, if you don't understand a question. Remember, you're
24 the expert here. We want to know your truth.

25 MR. HIREMATH: Okay.

1 INTERVIEW OF GRAHAM HIREMATH

2 BY DR. SILVA:

3 Q. So, okay. Wonderful. Can you spell your full name for us?

4 A. It's -- first name is Graham. That's G-R-A-H-A-M. Last name
5 is Hiremath, H-I-R-E-M-A-T-H.6 Q. And can you run through a CliffsNotes version of your
7 background and what led you here to this job?8 A. You know, I had tried to get this job for quite some time
9 back when we were stationed in Arizona. No necessary background
10 in aviation or anything like that. Just kind of kept knocking on
11 the door. About 6 months into that process, they gave me an
12 interview, and slowly after that, they hired me on as a
13 communication specialist, and that was back in 2011.

14 Q. And what's your official title?

15 A. Communication Supervisor.

16 Q. Okay. Do you do the operational control aspect as well?

17 A. Yes, ma'am.

18 Q. Okay. Can you go through what your roles of -- and
19 responsibilities are in your position?20 A. Yes. Anything an OCS or a CS would do. I also do weekly
21 reporting, annual reporting, and general day-to-day supervision,
22 CAD implementation, and sometimes scripting code for some of the
23 programs we have. Kind of that nature, but mostly supervisor
24 role, on top of all of the other duties and functions we perform.

25 Q. Can you run through what those would be for the CS and OCS?

1 A. Yeah. Call taking, flight launching, flight following. As
2 far as OCS goes, weather reporting, OCS pass-downs, weather
3 briefing, OCM briefing, just any flight monitoring procedures and
4 things along that line. Flight releases, risk assessments with
5 the pilots, and then, you know, anything else that the job
6 entails.

7 Q. So what is your background? Do you have an academic
8 background?

9 A. Some college, but I haven't finished. Currently, I'm
10 pursuing a rotor wing pilot certification.

11 Q. Rotor wing? Oh, okay. How many hours do you have?

12 A. 1.5.

13 Q. Okay.

14 A. I just --

15 Q. You just started?

16 A. I just started, yep.

17 Q. Do you have any other flight experience?

18 A. No.

19 Q. Okay. Okay. So you got hired on as a communication
20 specialist in 2011. Did you do OCS at that same time, or --

21 A. No.

22 Q. -- did you wait?

23 A. No.

24 Q. Okay. So when did you start --

25 A. We didn't have an OCS at that point.

1 Q. Oh, okay. When did that come in?

2 A. That came in, in -- I can't remember exactly. I think it was
3 2017 we went live with it.

4 Q. Okay.

5 A. I believe so.

6 Q. Do you know why --

7 A. We had reached the threshold of aircrafts that would --

8 Q. Okay.

9 A. -- require an OCC.

10 Q. Okay, I got it. All right. Okay. So now, regarding the
11 accident flight, can you talk about, really from when you started
12 your shift until when you left, and what were you doing, what did
13 -- what did the job look like, traffic level, things like that,
14 and also give us details on the call and your conversations?

15 A. Sure. That night started out like any other night. Came in,
16 got my briefing, had a few hours to kind of assess what was going
17 on. There wasn't too much traffic. Early evening, we had a
18 couple of flights -- a couple of flight requests come through, so
19 it was a relatively busier beginning of the evening, and then
20 after that, it kind of tapered off for the rest of the evening and
21 overnight. There wasn't too much traffic. We had a couple of
22 Oklahoma requests, and then leading up into the morning, we had
23 that Ohio request. So it wasn't an abnormally busy night --

24 Q. Okay.

25 A. -- by any means.

1 Q. What time did you go on shift?

2 A. I started at 1900 the night before.

3 Q. Did you have a handoff period at all, or how does the handoff
4 or shift change work?

5 A. Well, I didn't take over his OCS until 2 a.m., so --

6 Q. Okay.

7 A. -- technically, I had from 1900 to 2 a.m. the next day to
8 prepare for the OCS duties.

9 Q. Okay.

10 A. But I typically come in 15 minutes early, get a rundown of
11 what's going on and what to expect, and then I hop on the desk.

12 Q. Okay. So when it comes to shift changes or handover --
13 handoffs, you typically only do that for the OCS side, not
14 necessarily the communication specialist side?

15 A. Well, we will do it. That's what the 15 minutes come in, for
16 some situational awareness. You know, regardless if I'm OCS or
17 CS, I still want a bearing on what's going on. So there's just no
18 paperwork involved on the CS swap.

19 Q. Okay, I see. And what kind of paperwork is involved with the
20 OCS swap?

21 A. The shift change checklist.

22 Q. Okay. You have a checklist? So --

23 A. Yeah, we'll grab a shift change checklist, and then we have
24 the flight release form, the 130.

25 Q. Okay. What's on the shift change checklist?

1 A. It'll have the current OCM, if they've been briefed, all of
2 your pilots and their risk assessments for the day, including any
3 maintenance required on the aircraft that that pilot is on. We
4 also have check boxes for their medical and their APC, and then
5 we've got a weather briefing, a section for NOTAMs and TFRs, and
6 any flight monitoring procedures, current flights out at the time,
7 and extra remarks for the -- for the day.

8 Q. How long does that usually take?

9 A. The pass-down?

10 Q. Yeah.

11 A. Anywhere from 15 to 30. It just depends on what's going on,
12 and if the person that's taking over has any questions.

13 Q. Okay. Is that recorded on a line, audio recorded --

14 A. No, it's not.

15 Q. -- at all? Is it just -- okay. Who were you working with
16 that night?

17 A. Howard Young.

18 Q. Okay. So at the time you took the flight, were you on OCS?

19 A. I was OCC. Yeah, I was the OCS. Yep.

20 Q. Okay. Got it. And how -- where were you when your -- in
21 your schedule, in terms of how many days had you worked before
22 that?

23 A. I believe that was my third day.

24 Q. Third day? Okay.

25 A. I'd have to go back and look at the schedule --

1 Q. Okay.

2 A. -- but it was the last day I was -- or the second to last day
3 I was scheduled to work.

4 Q. Okay. So do you work 4 days?

5 A. Generally a 4 on, 3 off, and then a 3 on, 4 off.

6 Q. Okay. I see. And you had worked nights this whole -- that
7 whole stretch?

8 A. Yeah, I've been on nights for about a year now.

9 Q. Okay, so consistently?

10 A. Um-hum.

11 Q. How was your rest prior to coming on shift?

12 A. Good. Good.

13 Q. Do you feel like you've acclimatized to working nights and --

14 A. Yeah.

15 Q. -- days?

16 A. Yeah.

17 Q. All right. Okay. So can you walk through when you got the
18 call, you know, what they requested, what they told you? You
19 know, how did you go about your process up until you dispatched
20 the flight?

21 A. Sure.

22 Q. Or really, from when you lost track of the aircraft.

23 A. So a rundown of initial call up until no tracking?

24 Q. Yeah, everything.

25 A. Okay. So I got the call. I don't have the exact times.

1 Q. That's okay.

2 A. But I got the call. It was early morning hours, from Holzer
3 Meigs ER in Pomeroy, and she wanted me to check weather for a
4 flight going back up to Columbus.

5 Q. Okay.

6 A. At that point, I grabbed the sending and receiving
7 destinations, and initiated the flight in my computer-aided
8 dispatch console, and obtained the heading in the distance and the
9 stuff I would need to give the pilot in charge the info to check
10 the weather. At that point, I proceeded to call the pilot. It
11 was Wally Archer, and I gave him his sending, his drop-off, and
12 his heading distance to the sending, and asked him to do a weather
13 check. Meanwhile, I had my HEMS up, and I was checking the
14 weather myself as just an added measure, and he had responded that
15 he could accept the flight, and that -- he told me he could accept
16 the flight. I told him it was go, and he said that Jen was coming
17 in. She was 5 minutes, and they were going to -- she was going to
18 take the flight.

19 Q. Okay.

20 A. And then, I advised him that it is a go, and that, you know,
21 we need to go, regardless, if you guys are going to take it, we
22 need to launch for the flight, because it's a launch, it's not a
23 standby.

24 Q. Okay.

25 A. That was the last I had spoken with him, and Jen called over

1 the radio about 10 minutes later, I want to say. She was still on
2 the ground, because I was looking at her speed and she hadn't
3 moved, and she called to get -- I don't remember what she was
4 asking for. I think it was coordinates for the sending facility.
5 I gave that to her. I gave her the heading and distance, and then
6 I had asked her for her flight release before she proceeded so
7 that she could take the flight release for this flight, and she
8 had requested green across the board. I issued a green across the
9 board flight release for her, and then they lifted off and asked
10 for patient information. So I relayed the patient information.
11 This was all over the satellite radio.

12 And I'm going to ballpark it, but I want to say about 15 to
13 20 minutes into the flight, I saw her make a turn to the right. I
14 don't know the exact bearing at the time. And then, shortly after
15 that, make a sharp turn left, as if she was turning around, and
16 then immediately, the no tracking alarm came off, and that's when
17 I acted -- enacted the EAP with Sean Greenwood (ph.), who had
18 walked in the door at that point too.

19 Between the time she had lifted and where she had stopped
20 tracking, we had made no contact with each other, and there was no
21 distress call. I didn't see anything in the way that would
22 warrant me asking her what she was seeing outside. That's
23 something we typically do if we see something in the OCC. So it
24 just looked like a sharp turn. She stopped tracking, and we
25 activated the EAP right away.

1 Q. So what is this alarm that you mentioned?

2 A. In the CAD, there's a configurable setting after no position
3 data for, I think, 3 or 5 minutes. It'll ring and alert you. I
4 caught the no tracking before that alarm went off, but it -- that
5 alarm came off shortly after.

6 Q. Okay. So what's your role when it comes to checking the
7 weather or aiding the pilot in a weather decision making scenario?

8 A. It depends on the situation. You know, if there's something
9 that I see that I need to point out to the pilot, I will. If
10 they're seeing something or they want me to talk about weather
11 with them in regards to accepting a flight, we'll do that as well,
12 and if I see something that alarms me or that I want to talk to
13 the pilot about, I'll bring that up to them before they accept a
14 flight, or while they're en route somewhere, but I'm there to aid
15 and assist. If they need help, I'm there to help them, and then
16 I'll weigh in when I think that conditions are questionable or
17 unsafe.

18 Q. Okay. How often do you, outside of this accident flight, do
19 you typically reach out to the pilots if you see questionable
20 weather concerns?

21 A. Yeah. For example, in Ohio, maybe a month or so ago, we were
22 flying through Columbus metro, and I saw that ceilings were
23 deteriorating north of him, and I just called out to him, hey,
24 what are you showing? What do you see? This is what I'm seeing,
25 and they ended up turning around because the ceilings were

1 dropping down. So if I see something like that with the data that
2 I have, I'll relay it to the pilot and help them make a decision.

3 Q. If -- have you ever been in a situation where the pilot may
4 say that the weather's green, but you see something that's more
5 questionable? Has there ever been a case where you've brought up
6 concerns, but the flight has still launched?

7 A. I can't recall, but I'm sure that there's been times where
8 they have called for a green release, and something was on, or I
9 saw different data, and that I had talked to them about it, but I
10 can't recall off the top of my head when that's occurred.

11 Q. Okay. Do you always offer the weather when you talk to
12 pilots, or give them a flight, or ask them about a flight, or is
13 that something that you only offer, or you only give them
14 information on if they request?

15 A. It just depends on the circumstance of the request. If
16 there's something that I feel needs to be brought up, I'll bring
17 it up, but you know, generally, if they're accepting the flight
18 and I don't see anything, then it's, you know, just to request it,
19 and then they launch or they'll turn it down.

20 Q. Okay. So what's your process in terms of checking the
21 weather? Does that happen after you've gotten the call? Is that
22 something you keep track of throughout the night? How --

23 A. Well, generally, we'll look at the weather for our entire
24 service area throughout a shift. That includes the central AORs,
25 up north to Columbus, and then down in Alabama, more recently.

1 When we get a flight request, then I'll focus in on where that
2 request is, and then kind of give a more in-depth analysis, I
3 guess you could call it, at that point.

4 Q. So does that happen kind of between the call and notifying
5 the pilot, or --

6 A. Well, the pilot's checking weather. We're taking a look at
7 it too.

8 Q. Do you recall what the weather looked like that night?

9 A. Yeah. Everything was reporting marginal, 1500 foot or
10 higher, from what I can recall. There was some light snow
11 reporting on some of the METAR sites, but nothing that seemed
12 alarming. Radar returns to the west showed little -- a little
13 patch of snow, but the composite radar on the HEMS Tool doesn't
14 necessarily always show me what's on the ground. But nothing
15 seemed to be obstructing the path for this flight, and many of the
16 reporting sites from Columbus down to Pomeroy were reporting any
17 significant snow.

18 Q. They were or they were not?

19 A. They weren't. No. I saw some light snow reporting, but
20 nothing that would stand out to me. Ceilings were consistently
21 marginal, and visibility, for the most part, I think, was 5 or
22 above.

23 Q. So can you give us a little more detail on what tools you
24 were using to make those assessments?

25 A. Yeah. I was just using HEMS Tool, and then occasionally,

1 I'll use the microphysics to look for ground fog, but at that
2 point, it was too obscure. There was too much cloud cover.

3 Q. Okay. And what do you normally have your HEMS configuration
4 set at, when it comes to layers or overlays?

5 A. Typically, flight category, unless icing's a concern, and
6 then I'll have icing probability up as well, but generally, flight
7 category with radar, METAR, and TAFs. And then, if the situation
8 called for some other overlay, but generally, that's what I run it
9 on.

10 Q. Do you normally -- when would you pick up -- or when would
11 you look at SIGMETs or AIRMETs?

12 A. Oh, those are always typically there.

13 Q. You have them on all the time?

14 A. Yeah. Yeah, the CWAs, SIGMETs, and even PIREPs are on our
15 HEMS Tool, so those things pop up.

16 Q. Okay. AIRMETs too, or is it just the --

17 A. I don't know if I've got AIRMETs on mine. I can't recall.

18 Q. Okay. Do you recall any significant weather, or AIRMETs or
19 SIGMETs from that night?

20 A. Not for the region, no. Not in Ohio. I was looking at, I
21 think it was Prog Charts or -- I forget what I was looking at, but
22 I saw a short wave trough following the cold front that had just
23 moved through. But other than that, no. And then, forecast
24 models and aviation discussion on the HEMS Tool service.

25 Q. Okay. Was icing a concern for that night? Did you have the

1 icing overlay?

2 A. No. No, it was pretty dry.

3 Q. Okay. Okay. So you didn't have the icing overlay or the
4 icing layer up?

5 A. I didn't check it, but generally, conditions were pretty dry.
6 I didn't -- I didn't see anything that was calling for icing. It
7 was cold, but --

8 Q. Is there any type of written process that you have to go
9 through when it comes to checking weather for a flight? Or is
10 this kind of like trade knowledge kind of stuff?

11 A. Explain written process.

12 Q. So is there a procedure specifically, okay, you have to check
13 these METARs, you have to check the radar, and this rule? Is
14 there anything written down that gives you guidance on
15 specifically what to look for?

16 A. Well, it would probably go back to the course that we take
17 with Joe Lawrence, and that's about a 2-week -- the initial course
18 is about a 2-week process, and then recurrent was a week. But as
19 far as written guidelines on how to check the weather, no.

20 Q. What you're looking for -- okay. Can you talk more about
21 what that training looked like?

22 A. Yeah. It was a 2-week course. When I had the initial
23 course, it was in Arizona. We did about -- I think we did 8-hour
24 days with a little lunch break, and it was a combination of
25 weather -- a weather course and an aviation course kind of broken

1 up into pieces. We did HAZMAT and CRM, crew resource management.
2 But I can't -- I can't give you a play-by-play for how the course
3 went, but --

4 Q. That's okay.

5 A. -- it was a pretty in-depth course on weather, weather
6 training, specifically in our service region.

7 Q. And so after the ground school, what else was involved with
8 training?

9 A. On-the-job training. Applying what we had learned while on
10 the job, and that was also supervised with Joe.

11 Q. Okay. So how long was that part of the training?

12 A. I don't remember. It was a couple of days, and then I had to
13 do a verbal test while on the job.

14 Q. Were you working the controls at that point, or --

15 A. With somebody else, yeah. So we had two active desks at that
16 time, and the whole -- everybody in the class was in the room.

17 Q. Oh, everyone was in the room?

18 A. Yeah, the on-the-job training, everybody was together, and we
19 would kind of rotate who would be working the desk and --

20 Q. I see.

21 A. At the time, we only had two desks, and this was in Arizona.

22 Q. Okay. Do you know if the training's changed since then?

23 A. No. I did recurrent last year, and no, the training hasn't
24 changed.

25 Q. Is recurrent annual?

1 A. Yes.

2 Q. Okay. And you said that was one week?

3 A. Yes.

4 Q. What does that typically look like?

5 A. It's kind of a run through everything that we did go through.
6 I don't think that there had been any changes made last year, but
7 I think they were making some changes this year. I can't speak to
8 that because I don't set the course up, but it was about a week of
9 the same stuff. At the end, we had to take a written exam as
10 well. I don't remember if it was the same exam or not. It looked
11 different, but --

12 Q. Written exam?

13 A. Yeah.

14 Q. How do you like working for the company?

15 A. I love it.

16 Q. What's your favorite thing about it?

17 A. The people. The job and the people. It's like a big family
18 here, so that's what I really enjoy about it, and then the
19 aviation aspect.

20 Q. If there was anything you could change, what would it be?

21 A. Well, Rachel already got us new chairs, so I -- my biggest
22 complaint was the chairs, but she replaced them.

23 Q. All right.

24 A. I really don't think I'd change anything.

25 Q. Okay. When you're talking to customers, essentially, when

1 they call, and let's say you have to decline a flight, how do they
2 typically react on the phone?

3 A. Oh, they're understanding. Yeah.

4 Q. Have you ever had any cases where someone may mouth off or
5 give you pressure to take it again?

6 A. Not that I can recall. They're usually very understanding,
7 you know, no pressure. I'll offer to call another agency for
8 them, that we can't take it, but you know, it's never been
9 negative, that I can recall.

10 Q. Okay. Have you ever received any kind of pressure to push
11 flights, from management or anywhere else, externally?

12 A. No. No. No. If there's a decline, then that's -- it's a
13 decline.

14 DR. SILVA: Okay. I am going to pause for now, and I will
15 let someone else speak.

16 MR. HIREMATH: Okay.

17 DR. SILVA: Paul?

18 MR. SUFFERN: Yeah. Hey, Graham, thank you for you time
19 today.

20 MR. HIREMATH: Yeah.

21 BY MR. SUFFERN:

22 Q. I've just got a few questions here. Could you describe how
23 you stay updated on the weather conditions during your shift?

24 A. Can you say that one more time?

25 Q. Could you describe how you stay updated on the weather

1 conditions during your shift? What things do you look at?

2 Software?

3 A. Depending on where we're busy, if we've got a lot of traffic
4 in Oklahoma, that's where I'll kind of focus my efforts.
5 Occasionally, I'll look at the updates on the aviation discussion,
6 TAF updates, and then I'll pull the Prog Chart up every couple
7 hours and see if anything's changed there as well on the surface
8 chart. But generally, I just have my HEMS up, and I'll refresh it
9 every couple hours to make sure it's still running properly.

10 Q. What weather tools are most helpful during your shift? Is it
11 websites, software, HEMS Tool?

12 A. It -- for me, it's the HEMS Tool. I don't have meteorology
13 degree like some of the guys upstairs, but occasionally, I'll look
14 at College of DuPage page. We've got WeatherTAP access, and a lot
15 of the tools that are available on the National Weather Service
16 website -- I forget what it's called. The GFS?, or the
17 forecasting models. Just pretty much, I go to the HEMS Tool.
18 That's my go-to, and then I'll supplement with other stuff.

19 Q. Could you describe a situation where you couldn't dispatch or
20 release a flight because, you know, at first check, everything
21 looked green, but either you or the pilot changed at, you know,
22 that point in time, where it changed to amber, and looks like,
23 yeah, it's a no-go.

24 A. Yeah. Actually, just a couple days ago, we had a flight
25 request from National Park in Hot Springs, going up to Little

1 Rock. And at the time, ceilings and vis were good for the flight
2 aloft, sending and receiving destinations, but after they had been
3 at National Park, which is where they're based at, ceilings
4 started dropping at the Little Rock Air Force Base, and was seeing
5 a trend of ceilings starting to drop from north to south.

6 At that point, I placed a call to the pilot, and he had asked
7 me, oh, I thought you were going to call me soon, because he was
8 looking at the same stuff. So ultimately, we had to decline the
9 flight or cancel the flight after accepting because ceilings were
10 going down. And I believe Air Methods gave us a call to tell
11 us -- or no, it was Arkansas Children's called us as well to say
12 the ceilings had dropped in Little Rock. So --

13 Q. So is it more common for you or someone in the OCC to change
14 the flight category or the weather category from green to amber,
15 or is it up to the pilot's discretion? Is it --

16 A. Typically, the pilot's discretion, if they want to change the
17 release, but if we notice conditions deteriorate from a green to
18 an amber, I believe it is our job to call them and brief them on
19 what we see, and see if they'd like to upgrade their release to an
20 amber from, say, a green.

21 Q. Have you ever turned down a flight request or a pilot due to
22 icing conditions that you -- that either you or the pilot saw for
23 a flight?

24 A. Turned down a request? Yes. Yes, actually, we had one in
25 Oklahoma recently, from Altus, Oklahoma, going up to the city, and

1 we had dispatched the Comanche bird. There was icing concern and
2 icing called in the forecast. He accepted the flight, and about 2
3 minutes into it, said that he had some buildup on the windshield.
4 He was going to turn around, that there was actually icing, so
5 that we had declined the flight at that point.

6 Q. When it comes to the company-established weather minimums for
7 the go/no-go decisions, are METARs and TAFs typically what you use
8 for that? Do you use SIGMETs, AIRMETs, CWAs in that as well, or
9 is it --

10 A. Yeah.

11 Q. -- typically METARs and --

12 A. The METARs and the TAFs, and then whatever's in between those
13 stations. Sometimes we have dead zones. You know, if this
14 station's reporting below minimums, and then this station's
15 reporting below minimums, and en route, you can't see, generally,
16 we can agree that en route may be below minimums as well. So --
17 but yeah, I use METARs and TAFs.

18 Q. Are there weather gaps in your flight area where you wish you
19 had better or more observations?

20 A. Yes, I just couldn't tell you where. It depends. I'd have
21 to look at them, but yeah, I have -- yeah. For instance, I think
22 a lot of central -- or no, southern Arkansas, I think, could use
23 some more stuff. There's some dead zones in there, but I couldn't
24 tell you 100 percent where they need to be.

25 Q. Is there anything missing, weather-wise, like a tool or

1 anything like that that you wish you had to help do your job
2 better? Software? Website?

3 A. I can't say, because I don't know what else is available.
4 You know, I really do like the microphysics that College of DuPage
5 has for locating low stratus and ground fog, and I don't see any
6 implementation of something like that on a National Weather
7 Service, or maybe I've missed it. That would be cool. It's
8 become really helpful.

9 MR. SUFFERN: That's all the questions I had for now. Thank
10 you.

11 DR. SILVA: All right. John?

12 BY MR. BRANNEN:

13 Q. So in your role as -- I mean, I want to find out how you see
14 your role in -- as an OCS. When you get a call from a facility,
15 is the ultimate decision to either accept or refuse that flight --
16 is that -- do you see that as ultimately the responsibility of the
17 pilot, or concurrent with you, or how do you -- how do you see
18 your responsibility there?

19 A. The pilot makes the decision on flight acceptance, and I am
20 there to aid and assist. I'll intervene if I have to as well.
21 You know, if I see something that the pilot may have missed.

22 MR. BRANNEN: Okay. I don't think I have anything else right
23 now.

24 DR. SILVA: Shaun?

25 MR. WILLIAMS: So just a couple, and thanks for talking with

1 us. You doing all right, as far as, need a break or anything like
2 that?

3 MR. HIREMATH: No, I'm good. I'm good.

4 BY MR. WILLIAMS:

5 Q. Okay. All right. So you had mentioned before, you had
6 called a pilot when they were airborne, about the weather, and
7 they ended up turning around. Do you remember what base that was
8 at? Was it up north or here?

9 A. It was an Ohio base. I believe it was 14.

10 Q. Do you remember who the pilot was?

11 A. Kevin Johnson.

12 Q. Okay. How --

13 A. I couldn't --

14 Q. Sorry.

15 A. I couldn't give you an exact date. I would -- I would have
16 to look back, but --

17 Q. Okay. Do you remember how that conversation went? Was it,
18 he was good with the turnaround? Did you hear about it later?
19 Did you guys discuss it after the flight?

20 A. It was all while he was en route. He was -- he was flying
21 north, or attempting to fly north of Columbus. We had seen some
22 ceiling concerns and some visibility concerns with -- mostly with
23 fog. I had mentioned that to him, and he said, right now, things
24 look okay, and then a few minutes later, he turned around and
25 said, yeah, it's actually dropping. We're going to go back to

1 base. So -- and that was all while he was airborne.

2 Q. All while airborne. Okay. The accident flight, did you know
3 it had been previously turned down?

4 A. No. No. No, the sending facility didn't voice any turn
5 downs. There was no weather turn downs that showed up in the
6 website, and we actually have that linked into our CAD system, so
7 those are real time when they enter them and get them, and there
8 had been nothing for that area.

9 Q. What website?

10 A. Weatherturndown.com.

11 Q. Is this something, do you normally ask? Do they normally
12 offer that, the sending facilities?

13 A. Sometimes I'll ask, you know, if conditions are -- or if it's
14 a facility that's kind of out of our area, I'll ask them, has
15 anybody else declined it, because we don't get calls from them a
16 lot. But if they're forthcoming about that information, I do
17 provide it to the pilot.

18 MR. WILLIAMS: Okay. I think that's all I have.

19 DR. SILVA: Okay. Dave?

20 BY MR. GERLACH:

21 Q. Oh, goodness. Can you talk a little bit about how the pilots
22 work with you during a transition shift change? When a new
23 pilot's coming on and there's the relieving, for example, the
24 night pilot versus the day pilot, and couple that with, a call
25 comes in during that period of time. What happens with dispatch?

1 How do you interact with the pilots, that kind of thing?

2 A. Are we talking right when they're supposed to change, or --

3 Q. Yes. Just pick a time. What's the worst time? 7 a.m. or
4 something like that, or --

5 A. Yeah, usually right before shift change, if we get a flight
6 request that's -- expect some delays before we can -- we can
7 launch. But as far as what the pilots do, I'm not sure. You
8 know, I'm not -- I'm not there when they do that.

9 Q. Yeah.

10 A. But we'll voice the request. If a new pilot's coming in,
11 they'll usually get their release and talk about their request
12 before they go, and sometimes it causes a delay, but you know,
13 usually there's no issue. If the flight request is before shift
14 change and there's plenty of time for the night pilot or the day
15 pilot to take the flight, then usually we'll just go ahead and
16 proceed to launch the request and --

17 Q. Yeah.

18 A. -- if they have a timeout issue somewhere, then we'll arrange
19 ground and get somebody over there, and --

20 Q. How would you assess whether the pilot had enough time?

21 A. Talk to the pilot about it. Generally, they come in at -- I
22 want to say 7 or change at 7:30. So I know that they can go up to
23 14 duty hours, so it just depends. You know, if we get a flight
24 request and it's close, I'll talk to the night pilot, hey, what
25 time are you timing out?

1 Q. Yeah.

2 A. If it's a concern, you know, should we wait or proceed, and
3 then if you get stuck in Little Rock, we'll make other
4 arrangements.

5 Q. And in this particular case, how did that transpire?

6 A. It didn't, because at the time of the request and the
7 distance of the flight, I thought that the night pilot had plenty
8 of time to complete it.

9 Q. Yeah. Then why didn't he take the flight?

10 A. I couldn't tell you what his process was, what his discussion
11 with Jen was. I knew that he had plenty of time to take it. To
12 go down to Holzer and back up to Columbus is generally a quick
13 run.

14 Q. Yeah. What --

15 A. So --

16 Q. What kind of time frame?

17 A. I'd say maybe 30 minutes each way, plus load time.

18 Q. Got you.

19 A. And I think at the time of the request, he still had 2 hours.

20 Q. Yeah, okay. Got you. Now, did you talk to Jen before she
21 came on shift? At what point did you talk to her about the
22 flight?

23 A. The first communication was over the radio. I was, I want to
24 say at that point, counting on Wally and her to discuss it,
25 because Wally had accepted the flight and he was changing over

1 with her.

2 Q. Okay. So you didn't know that Jen was taking the flight
3 until you heard on the radio?

4 A. Yeah, because Wally said she was coming in, and that she
5 would be taking the flight on the phone. That's what --

6 Q. Oh, got you.

7 A. But I didn't talk to her until she was on the radio.

8 Q. Got you. Does that mean she's in the helicopter at that
9 point?

10 A. Helicopter, power on, able to talk on the satcom, yes.

11 Q. Okay. So it was a satcom communication with her then?

12 A. Um-hum, yeah. No telephone conversation though.

13 Q. And what discussions did you have with her at that point?

14 A. She had asked for the destination coordinates. I believe I
15 gave her helipad information, if it was ground or roof. I don't
16 recall, exactly. I'd have to listen to the tape. And then, I had
17 asked her for a flight release because she didn't have one at that
18 point.

19 Q. Right.

20 A. So she gave me her flight release, and then I saw air speed,
21 and then they asked for patient info.

22 Q. Yeah. And flight release means what, exactly?

23 A. Her flight release for the day, and then for that flight as
24 well.

25 Q. Okay. But what does that mean?

1 A. The risk assessment for that flight. We have four
2 categories, and she had called green for all four.

3 Q. And so the four categories, remind me again, are --

4 A. Weather, aircraft, personnel, or human factors, and then
5 number four would be flight type.

6 Q. Okay. And you're not the pilot, but how would you expect her
7 to assess the weather for the flight?

8 A. I thought she was going to go with the same release that
9 Wally had, which was amber for the weather, green in all other
10 categories.

11 Q. Okay, yeah. And he had selected amber because of what?

12 A. Overnight, there were snow showers in the area. They were
13 more significant than the morning showers, so he was amber, and
14 then there was visibility issues because of that. Low-lying
15 clouds, ceiling issues. Those lifted earlier that night and he
16 actually took a flight down south. I forget exactly where he
17 went. Maybe Licking County or something further south, and he
18 actually flew it back up into Riverside that night.

19 Q. Got you.

20 A. They had been dispatched from the hangar, because they were
21 in the hangar for weather, and then he had took -- completed the
22 flight and that was it.

23 Q. When you were looking at the HEMS Tool through the evening,
24 did you notice any icing conditions come and go through --

25 A. Not --

1 Q. -- the area?

2 A. Not to the best of my knowledge, no.

3 Q. Yeah. And how about visibility? Up and down? Did it stay
4 pretty solid?

5 A. I think --

6 Q. What was going on?

7 A. -- vis was generally okay. It was the ceiling that was more
8 of a concern, but the visibility, you know, when it was snowing,
9 was obviously worse in some areas. But generally, overnight,
10 things improved, and forecast was calling for even more
11 improvement in the mid-morning. So --

12 Q. Got you. What was the overarching meteorological driver for
13 the conditions in that area, for the past shift, for you?

14 A. Well, we had a significant cold front move through, and then
15 a short wave trough. I want to say it was directly over Ohio, but
16 it stretched as far down south, in some of the southern states,
17 from Ohio, which I believe the short wave had contributed to a lot
18 of the snowfall. But that night, and following that night, it was
19 just a big cold front that had moved through, and --

20 Q. The short wave trough, was that running parallel,
21 perpendicular to the cold front? Do you recall?

22 A. That almost looked like a north-south trough, and then the
23 cold front, I want to say, was kind of sweeping in at an angle,
24 but it had long passed, at that point.

25 Q. And what would be the conditions you would expect with a

1 short wave trough following a cold front?

2 A. Generally, precip or following precip.

3 Q. And was that along the path of the flight?

4 A. I can't recall. I'd have to look.

5 Q. Okay. Was there -- was it present during the flight, the
6 trough?

7 A. I'd have to look at the data. I don't know when that was --
8 that image that I looked at was released.

9 Q. Yeah, okay. And then, what were the visibilities? Do you
10 recall, for the METARs?

11 A. I believe that everything was 5 or better, maybe 4 or better.
12 I looked at four or five reporting sites. Visibility didn't seem
13 to be an issue at the time.

14 Q. On a clear blue sky night, what would be the weather
15 visibility for the --

16 A. Usually 10 or greater.

17 Q. Ten? So there was some obscuration that drove it to 5 miles?

18 A. Um-hum.

19 Q. What was that? Do you know?

20 A. I don't know.

21 Q. What would cause it to decline?

22 A. I don't know.

23 Q. Okay. And then, the ceilings?

24 A. 1500 or better.

25 Q. What was the -- do you recall what kind of ceilings they

1 were? Scattered, broken, overcast?

2 A. I saved the METARs. I would have to go back and look at
3 them.

4 Q. Okay. Got you. Temperature-wise, do you recall?

5 A. Oh, it was cold. I can't recall exactly, but I know it was
6 well below freezing.

7 Q. How about temperature dew point spreads? Do you recall what
8 those were?

9 A. I can't. I'd have to look at it.

10 MR. GERLACH: Okay. Okay, got you. That's probably the
11 extent of my questions, I think, at this point. Thank you very
12 much.

13 DR. SILVA: Tom?

14 BY MR. LUIPERSBECK:

15 Q. I just have 2 questions in 27 parts. Back to your OCS
16 training for just a few minutes, they also, I'm assuming -- did
17 they cover regulatory requirements and all that, to be an OCS,
18 and --

19 A. Yeah.

20 Q. -- risk analysis and -- okay. So you also mentioned a --
21 when Shaun was talking about the flight turndown, when a call
22 comes in to -- upstairs, do you have a written checklist, you
23 know, from/to, that you write all this stuff down on and query the
24 passenger of the requestor to make sure you have all of the
25 information you need, or --

1 A. It's generally done in the CAD.

2 Q. Okay. But so you have -- but you do have something?

3 A. I do have something, yeah.

4 Q. Okay. Is there any -- do you have a procedure for either
5 asking or something you have to check to ensure that you've
6 determined whether or not someone else had turned that flight
7 down?

8 A. Procedurally, no.

9 Q. Okay. And just to clarify, you know, you said you had called
10 the night pilot. He said Jen was about 5 minutes out, and then
11 about 10 minutes later, she called on the radio in the helicopter.
12 I'm assuming that's -- she was 10 minutes out, so it -- was it 15
13 minutes from the time you called the pilot, or just straight out
14 10?

15 A. Well, I called the pilot. He accepted the flight. I told
16 him it was a launch request, and he said, well, Jen's about 5
17 minutes out, and that she would be taking the flight. And I told
18 him, okay, well, if you're going to do a pilot change, that's
19 fine, but this is a launch request, so, you know, if it's going to
20 cause a delay, maybe he should take the flight. I don't think I
21 told him that, but that's kind of what I was insinuating, because
22 he had plenty of time. And then, at that point, I hung up with
23 him, and I was either expecting to hear from him or Jen, once she
24 had arrived, and then she came up over the radio, and then, 5
25 minutes later, off the ground.

1 Q. Okay. So the --

2 A. I couldn't give you the hard time I'm trying to piece it
3 together.

4 Q. Okay. We'll get that from the others, to say you were just
5 taking an example.

6 A. Yeah, it's a ballpark. I'd have to go pull the data.

7 Q. Okay. No, that's -- so his -- the night pilot status was
8 amber. She changed it to green. So are there any other
9 requirements -- from it going from a green status to an amber
10 status, does that require any additional actions on anybody's,
11 your part, pilot's part, or is just you've just changed colors?

12 A. Just changed colors, and then maybe if, you know, if we're
13 amber for weather, then it would require a more thorough analysis
14 of the weather. But not much that changes other than the color.

15 Q. Okay. So hypothetically, if you were to observe weather that
16 you thought was not -- would not allow a flight to take place, and
17 a pilot was accepting that flight, would you feel empowered to
18 say, hey, no, you're not?

19 A. I wouldn't tell them that they're not taking it, but I would
20 want to talk to them about it and tell them what I'm seeing, and
21 see if that would weigh in on their decision.

22 MR. LUIPERSBECK: Okay. I think that is all I've got.

23 DR. SILVA: Tim, did you have anything?

24 MR. TAYLOR: No.

25 BY DR. SILVA:

1 Q. So to follow up on Tom's question there, have you ever had a
2 case where you feel like a flight shouldn't have launched, but a
3 pilot has accepted it?

4 A. Not that I can recall. I mean, there's been flights where
5 they've launched, and then things change, and then I feel maybe we
6 should take a look at it. For instance, the Ohio flight I had
7 just brought up. But never, you know, complete IFR, and
8 somebody's accepting it. I mean, usually the pilots are good
9 about declining what they can't take.

10 Q. Okay. If you had any safety concerns that came up, maybe
11 you've noticed a trend about a pilot, or anything like that, would
12 you be able -- would you -- do you have a way to report that or
13 talk to somebody about that?

14 A. Um-hum.

15 Q. How would that go?

16 A. Report it to the OCM on duty at any time. So they're, you
17 know, if we need to call them about something, that we would call
18 them right away.

19 Q. Have you ever had to do that?

20 A. For a safety-related --

21 Q. Safety-related, yeah.

22 A. I can't -- I mean, I can't recall. But I think more commonly
23 like a time -- a duty time issue, I'll call the OCM or, you know,
24 a chip light or something comes up, and they've got to, you know,
25 make a precautionary landing. Yeah, we'll call the OCM. But as

1 far as, like, this pilot's behaving erratically or something seems
2 like a safety concern, I can't recall if --

3 Q. And when you --

4 A. But we -- I would.

5 Q. Okay. When you said duty time, what does that mean? When --

6 A. If, you know, the pilot's flying and, you know, say, taking a
7 flight from somewhere to Little Rock, and we're thinking there may
8 be a period in this flight where he's going to time out, then we'd
9 call the OCM and discuss the options, what he would like to do, or
10 she. They would call the next duty pilot and kind of work with us
11 on getting that figured out so that there are no time out issues.

12 Q. Okay. So who keeps track of the duty time for the pilots?

13 A. It would have to be on the aviation side.

14 Q. Okay. So you don't have any part in that?

15 A. Hum-um.

16 Q. Would you know, let's say, a pilot was supposed to come in at
17 7, but came and took -- came in at 6. Would that information come
18 back to you at OCC?

19 A. It just depends on the circumstance. You know, if they did
20 an early pilot swap, I mean, it's pretty obvious if they did,
21 because they would call in for a flight release, and it would be
22 an hour early. But yeah, I mean, we would know about it, but
23 it --

24 Q. So would that factor, I guess, into your awareness of duty
25 limits or anything like that?

1 A. Yeah, if there was a pilot that had checked in an hour early,
2 we would be aware of that, come the end of the shift.

3 Q. Okay, you would be aware of it.

4 A. And/or if somebody hit their 14 hours and the next pilot had
5 to drive up, or that their duty time's starting a little bit
6 later, so we're going to kind of have a shift in the overlap.

7 Q. I see. Okay. Do you ever pass along patient condition or
8 patient information to the pilots when you relay the information
9 about the flight to them?

10 A. Upon launch, no. No. It's heading distance, coordinates, if
11 they need it, and that's pretty much it. And then, the names of
12 the facilities, or the ground contact.

13 Q. Okay. So after they've accepted it, is that -- would you
14 pass along that information then?

15 A. Yes, but to a degree only, you know, age, weight, and then
16 diagnosis for the med crew, any drips and stuff like that, but --

17 Q. And would that go through the pilot to the med crew, or how
18 does that information --

19 A. It would be over the radio. They're both monitoring.

20 Q. I see, okay.

21 A. Yeah.

22 Q. Okay. Were you working any other calls during the time of
23 the accident, or in that span of that flight?

24 A. I -- we had something else going on in Oklahoma. I don't
25 remember what it was, but nobody else was flying at the time to my

1 -- to the best of my knowledge.

2 Q. So do you recall what the nature of that was --

3 A. I think it was an interfacility request, and that it was out
4 of the home base hospital, and the crew was in there.

5 Q. Oh, okay. Were you taking that call also?

6 A. I don't remember. I may have taken that call before the Ohio
7 flight came up, but I just know I had something in Oklahoma that
8 was active request.

9 Q. Okay. Okay, got it. Do you feel like that affected how you
10 worked the accident flight?

11 A. No, because the accident flight, I was focused on 14, and
12 they were the only ones that were flying at the time.

13 Q. So we've talked about this risk assessment quite a bit, but
14 just so I'm clear, you got the four greens from Jen. Does that,
15 is that essentially her, I'm starting my shift. This shift is
16 four greens, call?

17 A. Um-hum.

18 Q. Okay. So it's not like you would expect, before each flight,
19 that you would have a pilot report four greens?

20 A. No. Generally, it would be, here's their flight release for
21 the day, and if something changes throughout the day or night,
22 that they would change that overall flight release, and any flight
23 that's requested after that would fall under that release.

24 Q. Okay. So we talked about the shift change for the pilots.
25 How often would you say you encounter flights that are being

1 released kind of near the minimums? Is that something that
2 happens very often?

3 A. Not quite often, and we do have a special category for
4 something like that. It would be considered an amber critical
5 release, and those can't be issued by operations control
6 specialists. It has to be done by the OCM.

7 Q. Okay. So is that something that would come up, like, once a
8 month or --

9 A. Depending on the season, really, but maybe once a month,
10 every couple months. It just -- it just really depends. They
11 don't happen often. Usually flights that are that -- within --
12 close to the threshold are declined.

13 Q. Okay. So from what I understand, if you have a four green
14 assessment, you can essentially accept a flight without consulting
15 the pilot in between for weather. Is that correct?

16 A. Yeah.

17 Q. Okay. Is there any situation or conditions where you would
18 automatically decline a flight without talking to the pilot?

19 A. No. No. Everything is up to the final decision with the
20 pilot.

21 Q. Okay. Even if there's, let's say -- okay. Actually, never
22 mind. I'll take that -- take that back. Do you know of any
23 limitations in terms of the weather capabilities near the accident
24 site, in southeast Ohio?

25 A. Can you say it one more time?

1 Q. In terms of coverage, radar coverage, or reporting points,
2 anything like that?

3 A. I know it's not the best place for radar coverage. I'm not -
4 - I'm not an expert on that. I believe some of the guys upstairs
5 are, but I think there's an area where we can only get radar data
6 up to a certain altitude, and anything below it is usually cut
7 off. You know, talking to some of the pilots up there, they're
8 saying that it is a dead zone in between Columbus and south, so I
9 know that there is some issues with the reporting there.

10 Q. Do you know what altitude that -- what's the minimum?

11 A. I've heard anywhere from 6,000 to 4,000, where you can't get
12 anything below that, but I don't know.

13 Q. Okay, got it. Okay. So you talked to Jen. How did she
14 sound when you talked to her?

15 A. Fine. Yeah. You know, bright as the day, her normal self,
16 and yeah, everything seemed okay. She had asked for coordinates
17 for the hospital. I don't know if she had flown there before, so
18 that, you know, seemed a little different, but it was kind of, you
19 know, a newer facility that we had been to. But she sounded
20 normal.

21 Q. How would you describe her, just based on your interactions
22 with her?

23 A. General day-to-day, or that day?

24 Q. Yeah. No, general day-to-day.

25 A. She's great. She's a very happy person. You know, I liked

1 talking to her. She's always in good spirits, and generally a
2 very happy person.

3 Q. Have there -- have there ever been any cases where she --
4 you've noted that she's taken flights into lower weather, or
5 anything along those lines?

6 A. No. No, actually, there's been flights where she's come on
7 shift that she declined that the person before her was willing to
8 accept.

9 Q. Oh, okay.

10 A. And actually, I had worked with her on one of those. It was
11 a few months back, but she came in, we talked about the weather,
12 and she decided to decline it, and I supported that decision.

13 Q. Okay. All right. And then, regarding the night pilot that
14 day -- that night, do you recall if he came on shift, like, at his
15 normal time? Do you recall if there were any differences from his
16 normal schedule?

17 A. I don't believe there were any discrepancies there. He was
18 on duty by the time I got in, because they're an hour ahead, but I
19 don't believe there were any time discrepancies. Wally's usually
20 right on time all the time, 15 minutes early kind of guy.

21 DR. SILVA: Okay. Got it. All right. We'll go around the
22 table one more time. How are you feeling? Do you need a break?

23 MR. HIREMATH: I'm good.

24 DR. SILVA: Okay. Paul?

25 BY MR. SUFFERN:

1 Q. Yeah, I've just a couple of questions. As far as the
2 training, the OCC training, the recurrent training and things like
3 that that you do yearly, what is the weather portion of that like?

4 A. It's usually the bulk of it, but it's just, you know, a recap
5 on how fronts work, and you know, different types of fog, and it's
6 basically everything we had gone over in the initial course,
7 compressed, and you know, we go over it again and ask questions.
8 But mainly dealing with how fronts work, and how fog can pop up,
9 and the different types of fog, and stuff mainly pertaining to
10 aviation.

11 Q. During that course, is there ever a time where, like, new
12 technology or new techniques are given to you guys as you're going
13 through that? You know, maybe there's a new weather radar, a new
14 satellite, new website that everybody's using, and it's the latest
15 and greatest. Is that brought up in the training at all?

16 A. Well, the last training I did was April of last year, and
17 that was my first recurrent class. We've only done it twice. So
18 have I started using more products since? Yeah, but in the
19 training, I don't believe we've been offered any other products,
20 but we've only done one recurrent so far. So --

21 Q. Just a question to follow up on the Oklahoma case that you
22 talked about, where the pilot got a little bit of ice on the
23 windshield and had to turn around there, do you recall, you know,
24 what the icing in the forecast was showing, and how that
25 conversation went with the pilot?

1 A. I don't recall what the forecast was saying, but he had said
2 that there may be an icing concern, and if there is, he's going to
3 turn around, but right now it looked fine. He was maybe in the
4 air for a couple minutes, and said, we've got a little buildup on
5 the windshield. We're turning around. And at that point, I
6 called the hospital and said we had to abort.

7 I don't remember what the forecast was calling for. I think
8 it was further north, but I knew that it was in the area, and it
9 was a cause for concern. But we had another aircraft flying in
10 the Oklahoma City at the time that said there was no icing, so
11 that's kind of why we decided we'll give it a go. But at any sign
12 of it, we're going to turn around.

13 Q. Do you recall anything about the weather, like the ceiling,
14 what was on the weather radar?

15 A. I think it was generally clear. I -- but I couldn't tell you
16 exactly.

17 Q. Okay. As far as pilot reports of the weather, do you guys
18 get those from your pilots as they're flying around?

19 A. Yeah, we get PIREPs all the time, especially when it -- when
20 it needs to be given. You know, there's scud in the way, or the
21 ceilings are dropping, or you know, anything like that, we'll take
22 PIREPs and typically note them down in the call, and then bear in
23 mind for the next pilot that may be in the area.

24 Q. Do you enter those pilot reports into the National Airspace,
25 or you keep them here locally?

1 A. We keep them locally.

2 MR. SUFFERN: Okay. That's all the questions I have.

3 DR. SILVA: Okay. John?

4 MR. BRANNEN: Just a couple.

5 MR. HIREMATH: Sure.

6 BY MR. BRANNEN:

7 Q. So your shifts, typically we've heard that they're broken up
8 half and half. Half as OCS, half as CS. Do you typically start
9 out as OCS or CS?

10 A. I typically start out as a CS.

11 Q. Okay. So the second half of your shift or whatever would be
12 as an OCS?

13 A. Um-hum.

14 Q. And on, you know, on this flight, you've mentioned that the
15 night pilot, who was going off shift, he's the one that initially
16 accepted the flight. It sounds like he pretty much accepted it on
17 behalf of the pilot that was coming in. Is that a common
18 occurrence for them to accept a flight --

19 A. On behalf of somebody?

20 Q. Yeah.

21 A. I don't know what happens at the base level. I'd imagine
22 they talk about it, and they make their own assessment, so I don't
23 know if he was accepting for her. It sounded like that, but I
24 don't know what they had talked about.

25 MR. BRANNEN: Okay. That's all I have.

1 MR. WILLIAMS: I don't have anything.

2 DR. SILVA: Okay.

3 BY MR. GERLACH:

4 Q. I do. Let's see. What do you think the most challenging
5 thing is in your job?

6 A. Multitasking when there's high volume of aircraft in the air
7 or requests that are coming through. That would probably be the
8 most challenging.

9 Q. And what would be a high volume? What's the threshold where
10 you say, whew, that's a lot.

11 A. You know, anywhere from six plus active requests while the
12 phones are ringing, and then multiple aircraft that you're talking
13 to in the air. Not just me alone, but the OCC as a whole.

14 (Tone interruption)

15 BY MR. GERLACH:

16 Q. What do you think your -- the biggest responsibility is that
17 you have in your different positions, your two different
18 positions, and describe each one.

19 A. I would say the, probably just safety of anybody you've got
20 flying, for each role, you know, as an OCS and a CS, and --

21 Q. And what does that encompass when you say safety?

22 A. Situational awareness of what's -- what you can monitor, and
23 the people you've got flying, and helping them, aiding and
24 assisting if they need help, and making sure that everything
25 happens as smoothly as it can, whether there's another aircraft in

1 the area, or we're reporting to another agency that we're flying
2 in the area. So I would say that's the biggest.

3 Q. Absolutely. Do you find pilots lean on you all for different
4 things? Do they contact you frequently en route?

5 A. For advice, or what --

6 Q. Anything safety-wise.

7 A. Yeah. Yeah, I mean, we'll talk to them the whole way along,
8 if it's going to be a concern, if weather's a concern or
9 something. We just had Hot Springs flying to El Dorado this
10 morning, before I came down here, and ceilings were 1,500 or
11 better, but there was some scud in the way. He communicated that
12 and he turned around, so --

13 Q. Yeah. And when they talk to you, what kind of advice are
14 they looking for, typically?

15 A. You know, reporting, or if we see anything at the destination
16 that may be a problem, or -- yeah, they're noticing the ceilings
17 are dropping. What are we showing, based on the HEMS Tool, or the
18 data we have? You know, fog, ground fog, anything that might
19 obstruct their approach.

20 Q. Yeah. Are they looking for flight guidance, headings,
21 altitudes, help me out, do I need to go left, right, climb,
22 descend, for different stuff?

23 A. Depends on the situation. You know, if they're looking for a
24 scene flight, and they're having trouble finding it, then yeah,
25 we'll provide heading and distance and stuff.

1 Q. Got you.

2 A. Stuff that'll help them get to where they have to go.

3 Q. And you reminded me too, Jen asked for coordinates. When you
4 describe coordinates, what is that exactly that you're giving her?

5 A. I'm giving her a degrees minutes format coordinate based
6 on --

7 Q. Lat-long?

8 A. Lat-long.

9 Q. Okay. Not the four letter identifier for the facility or
10 anything like that?

11 A. No, grid cords.

12 Q. Okay, got you. Is that pretty normal? That's what they
13 typically use?

14 A. That's what we use, yeah.

15 MR. GERLACH: Okay, got you. Let's see. No, I think that's
16 all I have.

17 DR. SILVA: Okay. Tom?

18 MR. GERLACH: Thank you very much.

19 BY MR. LUIPERSBECK:

20 Q. I'm just curious, a couple minutes ago, you were relating
21 how, you know, that the -- Jen had declined a flight that the
22 night pilot had previously accepted. How did you know? I mean,
23 had that request formally gone to the night pilot?

24 A. Yes. Yeah.

25 Q. And what happened to how it go -- how did it --

1 A. Shift change took place, spoke to her on the phone about the
2 request, and the weather brief, what I was seeing, what she was
3 seeing, and she decided to decline that flight.

4 Q. Do you think she made a good decision declining that one? I
5 mean, would you have, you know, recommended declining? Where --
6 what was the difference between what the night pilot saw and what
7 she saw and --

8 A. I don't remember the circumstances exactly, but I believe it
9 was convective activity. Not necessarily en route, but in the
10 area. I can't recall exactly, but I agreed with her decision. I
11 supported it, and I didn't ask her any questions about it.

12 Q. That usually go over okay? I mean, when you -- have you ever
13 had a situation where there's a shift change, and one would've
14 taken it and the next pilot declines it? Does that cause a stir?

15 A. No. No questions asked.

16 Q. When -- next question, just purely out of curiosity. Have
17 you ever sat in on any of the pilot training, what, you know, what
18 the pilots go through when they're in their indoc courses, and
19 getting basic --

20 A. No, I haven't. I've never --

21 Q. Do they ever talk with -- in OCS training about the decision
22 to accept a flight that might have to be later aborted, you know,
23 and the time that sucks up, versus the patient could already be in
24 an ambulance heading where they need to go?

25 A. Can you rephrase it?

1 Q. Well, you know, for example, you know, and I was an EMS
2 rotating pilot, so I get all this. And we were told, hey, when
3 you're thinking about launching on a flight, you know, if you're
4 thinking, I'll go give it a try, but I'm -- pretty good chance I'm
5 going to have to abort, don't do that, because all you're costing
6 us is fuel, and in the meanwhile, during that 20 minutes, they
7 could've been 30 miles down the road in the ambulance, so don't do
8 that to the patient. You know, the patient's sitting there at
9 some clinic out in the middle of nowhere.

10 You know, so that's -- is that ever a factor or
11 consideration, or is it usually, if it looks like we can -- might
12 be able to make it, we'll give it a try, and if we have to, we'll
13 abort?

14 A. Yes. That's --

15 Q. Okay. That's what usually -- okay.

16 A. That's how, that's how it happens, yeah.

17 MR. LUIPERSBECK: Okay. That's all.

18 DR. SILVA: Tim, did you have anything?

19 MR. TAYLOR: No.

20 DR. SILVA: Shaun, you had one more?

21 MR. WILLIAMS: Who was the previous pilot?

22 MR. HIREMATH: Wally Archer.

23 MR. WILLIAMS: That's all.

24 MR. LUIPERSBECK: Are you talking about on the accident
25 night, or the night we were discussing?

1 MR. HIREMATH: Oh.

2 MR. WILLIAMS: The night that Jen turned it down.

3 MR. HIREMATH: Oh, that was Kevin Johnson.

4 MR. WILLIAMS: Okay. Thank you. That's all.

5 BY DR. SILVA:

6 Q. Have you ever gone out on, like, familiarization flights, or
7 gone out in the operation at all?

8 A. I've third -- I've been a third rider on a couple. Not a
9 ton, but --

10 Q. Is that something the company advocates for?

11 A. Yeah. I mean, I can third ride whenever I want, as long as
12 there's not another third rider; I don't exceed a certain weight
13 limitation for the payload.

14 Q. So have you gone out to different bases and everything, or
15 you tend to stay around this area when you do that?

16 A. Well, I've only third-riden with four, but I've been to a lot
17 of the bases out here in Arkansas.

18 Q. And the other thing is, the day of the accident, do you know
19 what happened with the patient that they were going to pick up?

20 A. The outcome of the patient?

21 Q. Or essentially, did you -- when did you talk to the hospital
22 about --

23 A. We called them almost, I want to say maybe 10 minutes after
24 no track, to see if we had arrived.

25 Q. Oh, okay.

1 A. We didn't really tell them too much about what was going on,
2 and then I think we called them another 10 minutes later and -- to
3 see if they had arrived yet, and at that point, I think the
4 hospital had called law enforcement.

5 Q. They had already --

6 A. So I didn't tell them that they were missing, and I don't
7 know the outcome of the patient. No.

8 Q. Okay. So you didn't have to cancel that flight for them or
9 say anything? You didn't have to report, necessarily?

10 A. It didn't go beyond, has our aircraft made it?

11 Q. Okay, got it.

12 A. And I think that they understood what was going on.

13 Q. I see. Got it. Is there anything that we didn't ask you
14 that we should have? Any --

15 A. I don't know. You guys are the pros at this. I'm just
16 answering the questions.

17 Q. Anything you think we should look into, from your
18 perspective?

19 A. You know, if somebody else had declined that flight, why it
20 wasn't ever posted in our weather turn downs. That's -- because,
21 I mean, I've gone through some lengths to get that data streamed
22 into our CAD, because it's useful and, you know, it wasn't ever
23 there.

24 Q. So when you turn down a flight, is that automatically input
25 into that website also?

1 A. Yeah, we put it in weather turn down, and then everything
2 that you select for -- to subscribe to it, comes straight to our
3 CAD.

4 Q. Okay, got it.

5 A. And the CAD's just what we use for day-to-day operations,
6 so --

7 Q. What does it stand for?

8 A. Computer-aided dispatch.

9 DR. SILVA: Okay. Okay. Well, I thank you for your time.
10 We do really appreciate it. I know it's your day off, so --

11 MR. HIREMATH: That's all right.

12 DR. SILVA: -- we'll let you go, but --

13 MR. HIREMATH: We've got to -- seeking truth here, and that's
14 the goal, so I'm willing to help.

15 DR. SILVA: Yes, and we really do appreciate it, and we're
16 sorry for your loss. I know the company's going through a lot
17 right now.

18 MR. HIREMATH: Yeah.

19 DR. SILVA: But if you have anything else you want to add, or
20 any questions, feel free to reach out.

21 MR. HIREMATH: Okay.

22 DR. SILVA: Other than that, you're good to go.

23 MR. HIREMATH: Thank you.

24 DR. SILVA: Thank you.

25 MR. LUIPERSBECK: Thank you very much.

1 MR. HIREMATH: Of course.

2 DR. SILVA: Off the record at 12:30.

3 (Whereupon, at 12:30 p.m., the interview was concluded.)
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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

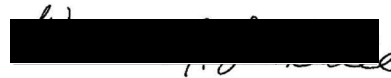
IN THE MATTER OF: SURVIVAL FLIGHT HELICOPTER CRASH
 NEAR ZALESKI, OHIO
 JANUARY 29, 2019
 Interview of Graham Hiremath

ACCIDENT NO.: CEN19FA072

PLACE: Viking Aviation, Batesville, AR

DATE: February 6, 2019

was held according to the record, and that this is the original,
complete, true and accurate transcript which has been transcribed
to the best of my skill and ability.



Wendi N. La Belle
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

* * * * *

Investigation of: *

SURVIVAL FLIGHT HELICOPTER CRASH *
NEAR ZALESKI, OHIO *
JANUARY 29, 2019 *

* Accident No.: CEN19FA072

* * * * *

Interview of: MS. JUSTIANO

Viking Aviation
Batesville, AR

Wednesday,
February 6, 2019

APPEARANCES:

SATHYA SILVA, Ph.D., Human Performance Investigator
National Transportation Safety Board

SHAUN WILLIAMS, Investigator in Charge
National Transportation Safety Board

JOHN BRANNEN, Air Accident Investigator
National Transportation Safety Board

PAUL SUFFERN, Senior Meteorologist
National Transportation Safety Board

DAVID GERLACH, Aircraft Accident Investigator
Federal Aviation Administration

TOM LUIPERSBECK, Team Lead
Helicopter Air Ambulance Focus Team
Federal Aviation Administration

TIM TAYLOR, Instructor Pilot
Survival Flight

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I N T E R V I E W

(9:18 a.m.)

1 DR. SILVA: We are on the record at 9:18. Wonderful.

2
3 Okay. So now you know who's in the room. We are here,
4 hopefully, you know, for safety. We're not here to assign blame,
5 liability, fault, anything like that.

6
7 We, on the other hand, can't offer any kind of
8 confidentiality or immunity, as we are a public agency. What will
9 happen is this recording will get sent for transcription, and then
10 a copy of that transcript will get put into our public docket at
11 some point in the future. Usually, that takes about 6 months to a
12 year, depending on the investigation. You're entitled to have
13 someone sit with you. Would you like someone to -- to have
14 someone sit with you during this?

15 MS. JUSTIANO: I'm fine.

16 MS. SILVA: Okay. Now as we go through the interview, you're
17 the expert here. We want to learn from you, so as much as you can
18 tell us about the thought processes, you know, what you're looking
19 at, things like that, that's really what we're trying to gather.

20 Do you have any questions about -- a question about
21 clarification for the question I asked, or you need a break,
22 anything like that, feel free to stop us. It should be pretty
23 informal. We want you to be as comfortable as possible.

24 So the format that we'll run is I'll start off with a handful
25 of questions, and then we'll go around the room usually twice to

1 make sure that everyone is able to ask the questions that they
2 need to. And then at the end, we'll give you the opportunity, see
3 if there's anything we missed or anything else you wanted to add.
4 Okay. Any questions before we start?

5 MS. JUSTIANO: No.

6 INTERVIEW OF MS. JUSTIANO

7 BY DR. SILVA:

8 Q. Let's start with some easy stuff. How -- can you give us a
9 kind of CliffsNotes version of background, kind of what got you
10 here in this job.

11 A. So I graduated from Valparaiso University in 2017 with my
12 Bachelor of Science in Geology. I was hired at the end of July
13 from Survival Flight. I saw a job posting on Indeed, and I went
14 ahead and applied, and I interviewed with Rachel in person down
15 here.

16 And I was interviewed as a meteorologist and an OCS
17 applicant, and I got the job and I started on the job. Training
18 started in September, where I was working with Graham Hiremath as
19 my trainer, and he taught me everything that I know about the
20 system up there that's working. And if I have any questions about
21 the system, I either refer to Graham or Rachel.

22 Q. Can you describe your roles and responsibilities in both of
23 your roles?

24 A. Both of my roles?

25 Q. Yeah.

1 A. As a CS, I come in. I get about -- I come in about 15
2 minutes before I'm actually supposed to be on shift to get a
3 briefing from who's on duty at the time.

4 Basically, how that looks like, what's going on, who we have
5 out, if anyone's checked in, like I said, if we have any flights
6 out, if we're expecting to have any flights out like if they're
7 about to launched on a scene flight or in interfacility or even a
8 PR flight, if they're going to be going on that.

9 And then as OCS just looking at just the meteorology aspect
10 of looking how the weather's going to trend throughout the day and
11 into the night if I'm working dayshift, or if I'm working
12 nightshift looking at it throughout the day so that I can pass
13 that on to whoever's going to be the next OCS and getting them
14 that briefing once I get that role.

15 Q. How long are your shifts?

16 A. Twelve hours. Usually, about six of that OCS, and then the
17 other six is the CS.

18 Q. Okay. So when it comes to the meteorology aspect, are you
19 relaying any information to pilots, or how does that work? Is it
20 something that you kind of keep an eye on just for dispatch?

21 A. If we see any potential icing conditions or severe weather
22 that could warrant that the aircraft should be moving to the
23 hangar ahead of time, legally, we do pass that information on to
24 the pilot saying hey, we're seeing this in here. Just wondering
25 if you have any plans or if you saw that. We don't tell them like

1 hey, you need to move to the hangar. We never say that. It's up
2 to their discretion and their choice. We just relay that this is
3 what we're looking at. Not sure if you're seeing that but just so
4 you're aware.

5 Q. Does that apply for flights also?

6 A. Yes. They do ask us what our opinion is sometimes.
7 Obviously, we give what we're seeing, but we never try to sway
8 them taking a flight or to not take a flight.

9 Q. Okay. So do you always offer the weather?

10 A. Yeah, if they ask, we offer the weather especially with METAR
11 right there since we have that right there. Sometimes they're
12 like oh, my computer system is slow, or like the METAR is for the
13 area that we're going to and any facilities that are in that area
14 that we would transport to because if it is a scene flight, it is
15 up to the discretion of the crew where they take the patient. So
16 they want to know all their options if they can, where they can
17 transport.

18 Q. Okay. How does the risk assessment process work?

19 A. Typically, when we call the pilot, we ask them what they're
20 thinking for their risk assessment, so for the first category for
21 weather if they're green or if they're amber, and then we go into
22 to the second if the aircraft, green or amber, then the crew
23 personnel, if they're green or amber, and then the flight type,
24 green or amber, releases.

25 Q. Okay. So given -- have you ever had any instances where they

1 might report all greens, but you in your assessment may see that
2 the weather would qualify as an amber, amber critical? Have you
3 encountered that at all?

4 A. I have, and then sometimes they'll be like oh, I took a
5 second look at it, and they're like yeah, I actually agree with
6 you. I never say oh, you need to do -- you need to go amber. I
7 do say hey, you know, ceilings or visibilities to your north or to
8 your east are looking like this, and it is trending because we can
9 look back at past METARs and things like that. We can say oh,
10 it's trending this way. Are you sure you want to go green? But
11 we never outright say you need to go amber, or you need to go
12 green. It is up to the pilot's discretion.

13 Q. Okay. So do you -- will you ask for them to -- or will you
14 wait for them to ask you for that input, or is this something
15 where you will call them and give them this information?

16 A. When we call for the flight releases, when they're talking
17 about the weather then and there, then I'll -- and usually they
18 ask for our input because we are the meteorologists, and we are
19 looking at the weather more than they are looking at the weather
20 typically.

21 So we'll go back and forth, and typically, because of what we
22 say they tend to have the same answer as us, but sometimes they do
23 ask. They're like oh, we see that overnight the TAF showing this,
24 and then can you just give us a brief look at what like the actual
25 weather is going to look like because of that TAF.

1 Q. Okay.

2 A. And then typically, just looking from the models and
3 everything, we give them more input, but like I said, it is up to
4 the pilot's discretion whether they want to go green or amber.

5 Q. So do you get any feedback before each flight regarding a
6 risk assessment, or is it kind of like the beginning of the shift
7 is the risk assessment unless they change it?

8 A. Typically, sometimes they'll call in like oh, they were green
9 but now they're seeing that ceilings of visibilities that weren't
10 forecast are dropping around them. And they'll go -- they'll
11 switch to amber. They'll ask hey, can you switch us to an amber
12 flight release because I want to go amber for weather.

13 And we say yeah, that's what I'm seeing, and yeah you can go
14 amber. And then we'll tell them our initials for this flight
15 release. And then if OCM has changed, which typically it doesn't
16 on a shift because typically we have a day OCM and a night OCM.
17 Then we'll tell them that, and we'll relay that in the room to
18 whoever's coming on at the time. And we'll make a note of it on
19 our sheets.

20 Q. Okay. So just so I'm clear, the risk assessments essentially
21 are always at the beginning of the shifts.

22 A. Um-hum.

23 Q. And then it's possible that if something changes, the pilots
24 will call in and change them?

25 A. Yes.

1 Q. Okay. So when you dispatch a flight, or when you call to ask
2 if the pilot wants to take a flight, you're not going to hear them
3 say oh, I'm four greens, before each flight? You'll only hear
4 that at the beginning?

5 A. Typically, yeah.

6 Q. Okay. Do you keep track of pilot shift changes at all? Like
7 does that factor into any of the work that you do in dispatch?
8 Like do you keep track of that at all in terms of the pilot shift
9 changes and everything?

10 A. Yeah, we do keep track of it on our Form 134, and we'll --
11 every single time we get a new flight release, we'll mark it on
12 there, including what shift change. So every person, and every
13 person who becomes OCS for that day, they fill out one of those
14 sheets, the Form 134.

15 And that covers the flight releases, NOTAMS, TFRs, even a
16 weather briefing, if we've had any technology anomalies, any human
17 factor considerations, any new or revised policies along with what
18 ongoing, active HAA operations are going on, any active amber
19 critical HAA operations are going on and any flight monitoring
20 procedures. That's all noted on our Form 134. And every OCS
21 fills one of those out during their shifts.

22 Q. Okay. And that's for the entire shift?

23 A. Yes. That is for the entire shift. If something happened --
24 if something changes during their shifts, typically we'll mark
25 that on the 134 in like our remark section. Oh, this pilot

1 changed from green to amber for weather, amber to green for
2 weather.

3 Q. So it's essentially like a log?

4 A. Yeah. It's --

5 Q. Okay.

6 A. -- essentially a log. We also note if they have any incoming
7 -- if any pilots, if they're amber for the aircraft, if they have
8 any upcoming inspections, when they expect to do that, things like
9 that. We'll also mark that on the 134.

10 Q. Okay. So you essentially -- what time do your shifts start?

11 A. It depends.

12 Q. Okay.

13 A. Typically, I'm on right now from 8 a.m. to 8 p.m.

14 Q. Okay. So when you come in, you have like pilots that have
15 been on shift, that you have kind of a pilot that -- it's
16 essentially one pilot per base. Is that correct?

17 A. Yes.

18 Q. Okay. So do you know what the shifts are for pilots, the
19 timelines?

20 A. Typically, they come in between 6:30 and 7:00 a.m. and
21 p.m. --

22 Q. Okay.

23 A. -- their local time, and then shift change for the crew
24 typically is 8 a.m., with the exception of our Ohio bases. They
25 typically do 9 a.m. our time crew change --

1 Q. Okay.

2 A. -- 10 a.m. their time.

3 Q. I see. Okay. So when a pilot comes in, do they have to
4 report to you immediately when they're on, or do they usually wait
5 until 7? How does that --

6 A. Typically, we'll call them, but sometimes we do -- they do
7 call us. We usually wait until after they get their briefing from
8 whatever pilot's coming off before we call them. That's typically
9 how it goes.

10 Q. So what time would that be?

11 A. In the morning, like we said before, typically, we wait until
12 about 8 a.m. to call them --

13 Q. Okay.

14 A. -- because that's when our crew typically changes. Nighttime
15 it's been 7:00, 7:30, yeah, typically.

16 Q. Okay. I understand. Can you talk about how you in dispatch
17 do shift changes?

18 A. I typically, when someone comes in, they typically come in
19 about 10 to 15 minutes early just so they can get their briefing
20 and see what's going on, see just how the night's looking in terms
21 of weather and things like that. We'll -- as I said, we'll see.

22 We'll tell them who's out flying, who's in the hangar, who's
23 on any delays, who's on weather treks, things like that, just so
24 they can get a sense of what's going on so that when they do get
25 on the computer and get their CAD running and get their trackers

1 up, that they have an idea of what's going on and so that they're
2 not sitting at a desk and not knowing what's going on beforehand.

3 Q. Is part of that review looking at the logs that you had? You
4 said it was a 134 form?

5 A. Yeah. Typically, yeah.

6 Q. Okay. I forgot to ask you this at the beginning, but what's
7 your official title?

8 A. OCS.

9 Q. Okay, which is Operational Control Specialist?

10 A. Yes.

11 MR. LUIPERSBECK: It's actually Operations Control
12 Specialist.

13 BY DR. SILVA:

14 Q. Okay. Do you have any aviation experience before?

15 A. Before this job, I did not. I did take an aviation
16 meteorology course at Valparaiso, spring of 2017, so right before
17 I graduated. So I am familiar with the METARs and TAFs and how to
18 read them, but before this job I've never worked in an aviation
19 company before.

20 Q. Do you have any flight experience at all?

21 A. No, I have not.

22 Q. Does the company have a program at all to get familiar,
23 familiarization flights or anything like that?

24 A. Typically, if we want to -- we call it if you want to be a
25 third rider for the day, it can be authorized. And we can go

1 to -- usually, it's typically the base that you're closest to. So
2 for me, I live in Searcy, so I would go to Survival Flight 6 base,
3 and I could see the process of how the pilot does their shift
4 change.

5 And I've seen flights and interfacility flights work just
6 from that standpoint, but from my knowledge, that is how it is
7 run. I don't know how that process would look like if somebody
8 from, like an ESMC agency wanted to see what -- with the plane.

9 Q. Okay. But you do have the opportunity?

10 A. Yes, we have the opportunity here.

11 Q. And you haven't taken advantage of it? Is that --

12 A. I have not. I just haven't had the time.

13 Q. Okay.

14 A. But I do plan on going to look at it because I do want to
15 know from that aspect, how it looks.

16 Q. Will the company support that in terms of giving you time
17 off, or --

18 A. Typically, I have 3 to 4 days off, so I would do it on one of
19 my days off if I was going to do it.

20 Q. Okay. I see.

21 A. Yeah.

22 Q. So on that topic, what does your schedule normally look like?

23 A. Usually, I work 3 to 4 days a week, and it's the 12-hour
24 shifts, and then I would have -- it would be 3 on/3 off, 4 on/4
25 off.

1 Q. Okay. Three, okay. Are there set days, or does that change?

2 A. Typically, yeah, so right now I work either Sunday to Tuesday
3 or Sunday to Wednesday. And right now, we're on a schedule where
4 we would switch every 4 months.

5 Q. Four months, okay. So when you have like the 3 on/3 off or
6 4 on/4 off, are you always in the dayshift versus a nightshift?
7 Does that change at all?

8 A. Typically, yes. If we do want to switch over to nights, then
9 it wouldn't happen right away. It would be planned out --

10 Q. Okay.

11 A. -- so that we'd have time to adjust to a night schedule.

12 Q. Okay. How long would they give you?

13 A. So I was told that I was -- I just moved to days recently
14 actually at the beginning of January. So I was told about a month
15 to two before that I would be going to days, just so I could
16 prepare myself and get myself --

17 Q. Okay.

18 A. -- acclimate myself to a day schedule.

19 Q. Did you get any time off immediately before that switch?

20 A. Yes. I had about 3 days off.

21 Q. Three days, okay. How do you like working for Survival
22 Flight?

23 A. I actually really enjoy it. I enjoy the culture that is
24 here. I enjoy working with my coworkers. I don't really have any
25 problems personally with any of the people that work here. I do

1 enjoy talking to the pilots on a weekly basis and just seeing how
2 they are and how they're feeling for the week because sometimes
3 you can't tell over the phone if they're feeling a bit, like sick
4 like the have a cold or something. But I do enjoy it here, and
5 I'm proud to work for this company.

6 Q. So what's your favorite thing about working here?

7 A. I think my favorite thing about working here is that the work
8 that we do, it just helps save lives, and we see that just from
9 patients sometimes. They'll contact the company saying hey, you
10 flew my sister or something, and because of that, we still have
11 them here with us today.

12 And usually, they'll contact somebody else in the company,
13 but Rachel will usually relay that information to us just because
14 the work that we do, we do work directly with the pilots and the
15 crew. We get them where they need to be safely, and they get the
16 patient where they need to be safely at the same time.

17 Q. If there's anything you could change about your job, what
18 would it be?

19 A. I don't think right now I would change anything. Just
20 personally, just thinking off the top of my head, like I said, I'm
21 very proud to work for Survival Flight, and I don't really have
22 any problems with our day to day process that we have right now.

23 Q. So when you receive a call from a hospital -- are they
24 usually from hospitals, or are there other customers, too?

25 A. It can be hospitals. It can be EMS. It can be police. It

1 can be fire. It just depends. Usually, scenes would be first
2 responder, so police, fire, EMS. And then we do get the hospital
3 calls.

4 Q. Okay. So when a call comes in, can you kind of walk me
5 through the information they're giving you, what you're calling --
6 what you're saying back and kind of what's your process when a
7 call comes in?

8 A. So when a call comes in, and it's from a hospital or an EMS
9 company, they'll say their name, who they're associated with and
10 say we're trying to get this patient from here to here, or from a
11 scene it's we have this report going on, and we're just wondering
12 if you guys are flying. And if can, could you launch a bird?

13 And so scene, we'll get the nearest city, and then we'll tell
14 them what asset is closet, about the ETA, if they're on a weather
15 check or not, and then we'll ask them can we put you on hold while
16 we check weather, if there is weather, if they are amber for
17 weather.

18 And then we'll go, we'll talk to the pilot, say Survival
19 Flight whatever base it is, have a weather check. There will be a
20 scene flight for it interfacility to this location, and then we
21 usually give them a heading and a distance just so that they can
22 acclimate. And then they'll usually look at the weather briefly
23 for METARs and the receiving facility, the METARs there, how the
24 weather's playing out.

25 If they're concerned about any weather, they usually bring it

1 up to us and see what we're seeing, if we're seeing what they're
2 seeing. And then if they accept, we'll say go ahead and launch.
3 We'll get you more information as it comes, and then typically,
4 we'll go back, and we'll tell the EMS or the hospital if they have
5 accepted or not. And if they have accepted for a scene flight, we
6 typically get better coordinates or a street address.

7 Q. Okay.

8 A. If it is a street address, we look for specific landmarks
9 like rivers, different highways just so that we know we're looking
10 at the same scene as they are. And then also from scene flights
11 we get a ground contact for our pilot and our crew so that they
12 are able to contact the ground when they are overhead the scene.
13 And then we also collect what type of incident they are responding
14 to just so they have an idea.

15 And then for interfacility, we get more specifics, like we
16 get patient's name, date of birth, their weight, if they're
17 intubated or not, if they're on any IVs, O2, cardiac monitor and
18 what's the diagnosis for them.

19 Q. Okay.

20 A. And also if they have any specific special equipment required
21 for transport. We also get that from the hospital.

22 Q. So then -- okay, let's say we've got a pilot that's accepted
23 the flight. You've relayed that back. What happens now from your
24 perspective?

25 A. Typically, we'll watch them on the tracker to see when they

1 turn on, and they'll also call that they are lifting with how many
2 people on board, how many pounds of fuel and what their ETA would
3 be to the scene or the interfacility that they're -- interfacility
4 transfer that they are going to, so the sending facility. And
5 then we do watch them on their way, each leg. And we wait for
6 them to say down safe at the scene or down safe at this facility.

7 Q. Is there any -- do you provide any kind of weather or
8 guidance in flight? Does that happen?

9 A. Typically, we do not unless we see something pop up, you
10 know, to their southwest. Typically, they'll see weather before
11 us because we're not there with them. So if they're seeing --
12 hey, I'm seeing that, you know, visibilities are starting to drop
13 to my east or this way, they'll relay that to us. And looking at
14 the tools that we have in the communications center, we will relay
15 oh, if you just keep going this way, you will avoid that.

16 Q. Okay.

17 A. Or typically sometimes they'll be like oh, my visibility has
18 dropped, so we do have to abort. And they'll return back to base.
19 Typically, that is if it's unforecasted.

20 Q. Okay.

21 A. Because we go based off of what the METARs are showing and
22 satellite that is available to us, and we'll relay that back to
23 the pilot.

24 Q. Okay. So do you have any kind of procedures to like check in
25 with the pilots after every like set number of minutes, or do they

1 have to check in with you? If they're longer flights, how does
2 that work?

3 A. If they're longer flights, typically the pilots will check in
4 with us every so often.

5 Q. Okay.

6 A. Especially if we see that visibilities might be dropping like
7 behind them, say they're coming back or they're going to the
8 receiving facility, we'll say hey, just so you know, we notice
9 this. We typically try to check in, especially if they have
10 stopped tracking, every 5 minutes.

11 Q. Every 5 minutes?

12 A. Every 5 minutes is typically, and our system does alert us if
13 they haven't made a position report, if the system's not getting a
14 position report from the trackers that we have. Then we'll be
15 like Survival Flight whatever the base is, we have you not
16 tracking. Can we get updated coordinates?

17 And they'll say standby, and they'll get us updated
18 coordinates typically. And then we'll plug that in and make sure
19 they are on the right track. If we notice they are going to a
20 facility, and they're off, we'll reach out to them and say
21 Survival Flight whatever, we notice that you are too far north of
22 your facility. Are you okay, or are you on track?

23 Q. Okay.

24 A. And typically, sometimes like with Air Force bases and stuff,
25 they'll have to divert around and come a different way. Sometimes

1 that does happen, but we do check in on them.

2 Q. Okay. So do you ever relay patient information or condition
3 to pilots?

4 A. No. We ask the pilot whenever your crew is ready, we have
5 patient info. And typically, the crew will come over, operations
6 Survival Flight whatever, we're ready for patient info.

7 Q. Okay. So do you know of any instances where the pilot may --
8 you may have given the pilot direct info, or anyone has?

9 A. No.

10 Q. Okay. And also, when it comes -- I'm going back to a risk
11 assessment here. You mentioned that you've got sections for
12 weather and crew and aircraft, and the last one was flight. When
13 you're aiding with this process, is there -- are you only looking
14 at that weather aspect, or are you also keeping track of any
15 outstanding aircraft issues? Or let's say you got a call for
16 maybe a high-risk flight. Are those you would note from the OCC
17 side, or is that something that again would come from the pilot?

18 A. We sometimes do get calls in from police saying they have a
19 missing person, if we are able to send our aircraft to aid in
20 searching. Those require an amber critical release, and those
21 require us to call the OCM for approval.

22 I let -- at that time we try to get as much information about
23 the person from the police, if there's outstanding warrants on the
24 person, if it's a child or an adult, things like that so that we
25 can relay that onto the OCM. And then they will make the final

1 judge on if they approve the flight from that aspect. Obviously,
2 it's also up to the pilot in terms of weather to say they'll
3 accept the weather for this search flight.

4 Q. Okay. So would they update a risk assessment, given a
5 situation like that?

6 A. It's done on case to case basis for the amber criticals, so
7 like I said, interfacilities, those will be green flight releases
8 for that, for the fourth category. That's just the type, and then
9 when we write down the flight in our Form 130, we'll note on the
10 fourth category that that's amber critical, which requires an
11 amber critical release.

12 Q. Okay. So that would come from you more so than the pilot?

13 A. Yes. And we relay to the pilot it would be amber critical
14 release due to this --

15 Q. Okay.

16 A. -- and that the OCM has approved of it.

17 Q. Got it. How did you hear about the accident?

18 A. I actually walked in an hour after the aircraft was reported
19 missing, but I was in charge of other traffic in our other states.

20 Q. Okay.

21 A. So I did not -- I was not directly involved with the accident
22 at all, so like I said, I was running traffic. We had traffic at
23 that time in Oklahoma, so I was running Oklahoma traffic at that
24 time. So I was there when we got the confirmation that they found
25 the aircraft and that there was no survivors.

1 Q. So you came in and were working Oklahoma traffic, like an
2 hour-ish after they reported the aircraft missing. Is that -- do
3 I understand that correctly? Or were you working Oklahoma before?

4 A. No, I walked in. I was told that there is an aircraft that
5 stopped tracking about an hour ago, and that my job would be to
6 run traffic for all of our other bases, not in that state.

7 A. Okay. I had nothing to do with anything that was going on
8 related to the case.

9 Q. Okay. Have you had any cases where a pilot may have given
10 you a risk assessment that you've had to change, or you had
11 disagreed with?

12 A. I have not encountered that personally.

13 Q. Okay. But do you know of that occurring?

14 A. If we disagree with per se the weather, like I said, it is up
15 to the pilot's discretion. We typically say from a weather
16 perspective, I'm seeing this and it's trending to be this way.
17 Then we'll be like, are you sure you want to be green for a flight
18 release.

19 Q. Okay.

20 A. And we relay that on to the OCM in our briefings. Like just
21 so you know, you know, we have Survival Flight 4, beautiful
22 weather, but Survival Flight 6 is amber for weather. And then we
23 also tell them what the weather's looking like, but we can't tell
24 the pilot that they need to change their release. It is up to
25 them.

1 Q. Okay. Have you ever encountered a flight that the pilot
2 departed even with -- not even with, but you may have had
3 concerns, but a pilot still departed?

4 A. I have not encountered that.

5 Q. Okay.

6 A. Like I said, even for weather, if we -- if they may count --
7 they may encounter weather that might be close to our minimums.
8 Typically, we call -- we'll tell them we're going to call OCM.
9 Sometimes they are comfortable with taking it, but we're like due
10 to this METAR saying that it's 900 and 4, which is close to our --
11 during the day close to our minimums, 800 and 3, we're like we're
12 going to call the OCM. And we'll see if we can get an amber
13 critical release for this flight.

14 Q. Okay. So in order to go amber critical, you have to get
15 approval is what I'm hearing?

16 A. Yes.

17 Q. How often would you say that you have flights departing in
18 that 800 to 1,000-foot ceiling or near the weather minimums?

19 A. It depends on a pilot case-to-case basis and what they're
20 comfortable with. Different pilots are going to be comfortable
21 with what they're comfortable with. For me, I don't see it. It's
22 not a common occurrence is what I would say.

23 Q. How often would you say that happens?

24 A. It just depends on the weather for that region for that day
25 and what they're also seeing. Say the METAR is showing this, but

1 they're saying no, it's this. I'm standing right in it. METAR's
2 not that -- the reporting station's not that far away from me.

3 Q. So how many times would you say? You've been working here
4 for what 6 months now?

5 A. Um-hum.

6 Q. So in that 6 months, how many times would you say you've
7 encountered?

8 A. It's not commonly, but I'm not -- it -- I can't say it never
9 happens.

10 Q. Okay. Are you familiar with the area that the aircraft went
11 down weather-wise?

12 A. I've never visited that area.

13 Q. So have you looked at the weather patterns or anything along
14 that route of flight? Is that something that you would have
15 experience with?

16 A. Yeah, I looked at the patterns of the weather, especially
17 like the METARs that were being reported and satellite and radar
18 that was for that day.

19 Q. Okay.

20 A. In looking at that, I did not see anything that would warrant
21 that they didn't take that flight.

22 Q. Okay.

23 A. All the METARs from where they took off to, where the sending
24 facility was at, was showing MVFR along with their own track down
25 there from what I saw that day.

1 UNIDENTIFIED SPEAKER: Did you say VFR or MVFR?

2 MS. JUSTIANO: MVFR.

3 BY DR. SILVA:

4 Q. Okay. So you checked the METARs. Is there anything else
5 weather-wise that you would go through?

6 A. Like I said, I did check satellite and radar to see if
7 satellite could pick up potentially maybe any fog that we wouldn't
8 be able to see from a METAR and radar to see if there was any
9 precipitation that could cause icing conditions, but I did not see
10 any of that on either.

11 Q. Okay. Were you looking at the visible satellite?

12 A. I was looking at infrared satellite.

13 Q. Would that give us fog information?

14 A. It would give us cloud cover information, and the cloud cover
15 was obscuring seeing directly to the ground. So there was cloud
16 cover, but I could not see any fog at that time.

17 Q. Okay. Do you recall if there were any AIRMETS or anything
18 around that time?

19 A. I cannot recall. I don't believe that there were, but like I
20 said, I can't recall specifically.

21 Q. All right. You've been hearing me talk for a little while,
22 so I'll pass it along. How are you feeling? Do you need a break?

23 A. No, I'm good.

24 DR. SILVA: Okay. I'll start with John.

25 MR. BRANNEN: Actually, let's go to Paul.

1 DR. SILVA: Okay. We'll start with Paul.

2 BY MR. SUFFERN:

3 Q. I appreciate your time today, and again, like Sathya, I want
4 you to be as comfortable as possible. Could you please describe
5 how you stay updated on weather conditions during your shift? I
6 know we were up there in the OCC, but if you could kind of
7 describe what you go through.

8 A. Typically, we try to -- I typically also look at sounding
9 analyses that come in. I look through that at SPC for the nearest
10 sites, and then I also like I said look at radar, satellite. I do
11 look at what the TAFs are forecasting.

12 I do look at WPC to see how the low system -- if there is any
13 low-pressure systems or any high-pressure systems just to see like
14 the placements of that. I also look at models with the HER (ph.),
15 NAM, GFS to see later in the day how the week's trending to look
16 about for weather-wise in our regions just so I can keep myself
17 updated.

18 Just to say if I leave work at 8 p.m. the night before, I
19 walk in 8 a.m., it's different than what it was forecasted, we
20 look at that and we evaluate that. Excuse me. And if there is
21 weather, like rain or something, look at that via satellite or --
22 and radar. See how that is looking and see where they're tracking
23 that and how it's tracking to go where -- tracking to see where it
24 goes over time.

25 Q. So basically, you're using like website information?

1 A. Yeah.

2 Q. Software, do you guys have any type of software that you use
3 to look at weather radar or weather satellite, or you're just all
4 websites kind of stuff?

5 A. Websites from National Weather Service or NOAA.

6 Q. What tools on your shift are most valuable for you as far as
7 checking the weather? What is like your go-to stuff?

8 A. Typically, go-to just in terms of now casting would be the
9 HER model because that updates every hour, and the RAP because
10 that's the next one that would update along with looking at METARs
11 because those update when the flight category changes and then
12 looking at satellite and radar just because satellite, it updates
13 every few minutes along with the radar to see where storms would
14 go.

15 Q. Kind of along the same veins of one of the questions Sathya
16 had, could you describe a situation where, I guess, you and the
17 pilot came to an agreement that, you know, the weather was not
18 green and was actually amber and how that played out?

19 A. So I can recall one case. We have a base in Hot Springs.
20 The METAR was reporting that the visibility was 10 statute miles.
21 Pilot walked outside of his base, and he said it is not 10 statute
22 miles. I cannot even see so and so far. I'm going to have to
23 decline due to visibility. I cannot lift out of here.

24 Q. So I mean I believe you're describing an -- is it more common
25 for a pilot to turn down a flight due to weather or OCC, but it

1 sounds like you guys leave it up to the pilot?

2 A. Yes, it is up to pilot's discretion.

3 Q. Has a pilot ever turned down a flight due to icing
4 conditions that you can recall?

5 A. Yes. Typically, our Ohio birds and our base up in Hannibal
6 have turned down flights due to icing conditions. They'll have
7 freezing precip that is falling right where they are and sticking
8 to surfaces and creating icing conditions there.

9 Q. Can you recall about how often this happens on a weekly
10 basis? I know it's dependent on time of year, so I guess the
11 winter season.

12 A. Yeah. I would say dependent on time of year, winter season
13 and just what type of systems are moving through, if they have any
14 systems moving through.

15 Q. So for the company established weather minimums, do AIRMETs,
16 SIGMETs, CWAs, or the Graphical Forecast for Aviation, do they
17 play a role in making go/no-go type of decisions and stuff, or is
18 it mainly METARs and TAFs? What's weighted more heavily?

19 A. Typically, if we see that a CWA has been issued or collected,
20 SIGMET has been issued, it'll show up on the HEMS Tool on AWC, and
21 we'll relay that information to the pilot. Hey, there is a --
22 this type of CWA or a convective SIGMET has just showed up in your
23 area, and it is due to this. That is about -- that is moving into
24 your area.

25 Q. So, and that's weighted heavily when you're deciding to

1 update something from green to amber, a move through and I can go
2 from amber to green. Is that something you would bring up to the
3 pilot typically, or is that something the pilot would bring to
4 you?

5 A. I would just pass that information along, and it's up to the
6 pilot's discretion how they use that information. Typically,
7 pilots also try to look at what is expected via TAFs from what
8 I've heard from them and just using basic weather knowledge on
9 what they're expecting from the day. And so -- and they try to --
10 I know that a lot of them try to keep as updated as possible on
11 the weather and always checking throughout the day or throughout
12 their shift.

13 Q. Are there gaps in the area that you guys work where you wish
14 you had more or better weather observations?

15 A. There are. From my opinion, just in more rural areas I do
16 wish that there's more METARs available because it could be
17 different in some areas where there's quite a bit of distance
18 between METAR sites.

19 Q. Is there anything technology or software-wise that you wish
20 you had in the OCC as far as looking at weather information?

21 A. Weather information, no. I believe that we have the
22 information that we are -- that is provided with us. I believe we
23 have the most information possible.

24 MR. SUFFERN: That's all I've got for right now.

25 DR. SILVA: All right. John, you ready?

1 MR. BRANNEN: Yeah.

2 BY MR. BRANNEN:

3 Q. So you had mentioned that when a crew comes on, a flight crew
4 comes on shift that they provide you with the risk assessment at
5 the start of their shift. Is that done via telephone? Do they
6 log it on a computer? Is there, you know, is there a computer
7 program that they use, or how is that done?

8 A. That's done via the telephone, the landline that we have up
9 in our communications center, and all those calls are recorded.

10 Q. Okay. And the -- so when the pilots call in, give their
11 start of shift to risk assessment, if you see something -- so
12 you've already kind of looked at the weather for that base.

13 A. Um-hum.

14 Q. And if the pilot calls in says, you know, I'm going to, you
15 know, I'm going to list it as green for weather and you see
16 something different, you would typically raise that concern with
17 the pilot?

18 A. Yes. I'll be like I know that you want to go green. I am
19 seeing this. What is your opinion of that? And see where they go
20 with the information. Like I said, it is up to the pilot's
21 discretion.

22 Q. Okay. And let's see. Let me look back at my notes. There
23 was something. And going back to position reporting, I was little
24 unclear. So you've got the automated position reports --

25 A. Um-hum.

1 Q. -- from the system. So typically, if there's a mission going
2 on at a certain time, you would not contact or have contact with
3 the pilot as long as those automated position reports are coming
4 in? Is that --

5 A. Typically, especially when they take off, they have a sterile
6 cockpit, so we want them to focus on lifting off and getting off
7 the ground safely. So we do contact them saying hey, we have this
8 information whenever you're ready, so if they need to focus on
9 getting off the ground, we want them to focus on that.

10 And like I said, if they aren't tracking through our
11 automated system, typically we'll see that after about a minute or
12 two. And then we usually -- if something does not come in after 5
13 minutes, I know that we are regulated to get every 15 minutes, but
14 we -- in our system, our system tells us they have not made a
15 position report every -- in the last 5 minutes.

16 Q. Okay.

17 A. So we'll call them. Hey, Survival Flight whatever, we noted
18 that you are not tracking. We do not see you tracking. Can you
19 give us updated coordinates?

20 Q. Okay.

21 A. And we'll plug those in. Our system will tell us, because
22 you guys saw the map. We track them also on that map along with
23 the three other trackers that we have. We'll plug that into our
24 system. The system puts it on that map, and the map will move
25 them forward so we can see that they are on track to where they

1 need to go.

2 Q. Okay. So then also with -- so OCC gets called let's say for
3 an interfacility transfer.

4 A. Um-hum.

5 Q. And of course you're given the patient information and things
6 like that, quite a lot of it, it sounds like. So then you would
7 call whatever base is in that area and get the pilot's decision as
8 to whether he's going to take the flight?

9 A. Um-hum.

10 Q. Okay. So at that -- and when is -- so then you said for the
11 medical crew you transfer the patient information. Does that
12 happen after the pilot has accepted the flight?

13 A. Yes, because we do not want to sway their decision in any
14 way. We just say we have this request from this. The scene is
15 here, or this facility is asking for air transport. Can you do it
16 for weather and aircraft?

17 Q. Okay. When you get a, you know, obviously, I think I know
18 the answer to this, but so when you get a call for any kind of
19 flight, whether it's a scene flight or an interfacility, I assume
20 you would check the weather for that route of flight.

21 A. Um-hum.

22 Q. And then when you contact the base and the pilot, do you
23 typically give weather information to the pilot, what you've seen
24 for that route of flight?

25 A. Typically, the pilot brings up what they have right then and

1 there just to double check that the weather is good, that they are
2 looking at conditions that would be able for them to fly. And
3 sometimes they do double check. Hey, I'm showing that it's, you
4 know, 603 here.

5 Is that what you're showing in yours, in your HEMS Tool
6 because they do know that we have the HEMS Tool. And they also
7 ask us, is that what you're showing overall. And then we confirm
8 with them yes, that is what we're showing. And then they go off
9 what we have said to them.

10 Q. Okay. And so refresh my memory. When is the shift change in
11 OCC? What type of day does it --

12 A. It is -- OCC, so it typically, we have 6-hour -- typically,
13 whoever's OCS-certified, we try to break it up every 6 hours
14 because typically we have two people, but at the same time, we
15 just go by FAR regulations. But we never go over the 10 hours
16 that is the max that we can do as OCS.

17 Q. Okay. And are the -- like the shift changes in the
18 communications center, are they -- it's -- I mean I was a little
19 unclear. It sounds like they might coincide with a lot of the
20 shift changes for pilots at the bases. Is that --

21 A. Sometimes there is some overlap. Like we have for my shift,
22 we do have somebody that comes in at 5, and we do brief them when
23 they do come in. We do give them a 15-minute brief, like I said.
24 We let them know what aircraft are out, if there's any aircraft
25 out of service due to whatever reasons, who's flying, who's not,

1 if anyone's on delays, anyone's on weather treks, if we have any
2 pending flights, like scheduled flights for interfacilities that
3 require or fixed wing, things like that, we let them know so that
4 they are as best equipped when they log on that -- like I said,
5 they're not looking at a screen and they don't know what's going
6 on. So we do give that briefing before they're logging on.

7 Q. Okay.

8 DR. SILVA: Okay. Dave?

9 BY MR. GERLACH:

10 Q. Are you tired of us yet?

11 A. No.

12 Q. You're really calm, cool and collected over there. So first,
13 let me say I have yet to meet anybody that's graduated from Valpo
14 other than my father, so you're the second person I know. So
15 congratulations on your meteorology degree. I know that's a
16 really tough degree to get.

17 A. Thank you.

18 Q. So where I went to school, they had people that studied
19 meteorology, and they were really, you know, busting their hump.
20 So congratulations, great degree. So kind of following up on that
21 same line of discussion about shift changes, do you all -- when
22 the pilots come in at 7 a.m., do they take the aircraft down and
23 take them out of service during shift change or is it just
24 transparent to you all that there's no green, red, green again?

25 A. They never -- they'll call us when they want to go out of

1 service. They need OCM approval when they want to go out of
2 service. To my knowledge, during shift change they don't go out
3 of service.

4 Q. Okay.

5 A. But I'm not a pilot. I don't know their processes for shift
6 change.

7 Q. Got you. They come and go at 7 a.m. So nightshift ends at
8 7 a.m., right?

9 A. Typically, yes.

10 Q. And the day person comes in at 7 or might come in at a
11 different time?

12 A. Yeah. Like I said, we have somebody that right now for my
13 shift, we'll have somebody getting off at 7. Somebody's coming in
14 at 6. I come in at 8.

15 Q. Got you.

16 A. Yeah.

17 Q. Do you find there's any difficulty with accepting trips
18 around that period of time where everybody's shift changing?

19 A. No, I do not find any difficulty. I never feel overwhelmed
20 when I come on or during any part of my shift.

21 Q. Got you.

22 A. Like I said, I typically have a partner. And if we are busy
23 between -- if I'm busy, my partner will help me to the best of
24 their ability, and I'll help my partner to the best of my ability.

25 Q. Yeah. Got you. Is there -- are there any peak times that

1 you're starting to notice after 6 months of working here, that you
2 launch a lot of flights during these hours, and then it gets
3 quiet, and then it picks back up?

4 A. Typically, what I've noticed is that a lot of times it's
5 quiet when I come in, and then it gradually picks up. And then
6 there's a typical peak per se at maybe 4 or 5 p.m.

7 Q. Yeah.

8 A. But that's also weather-dependent because like on a day
9 today, weather's not that great in all of our regions, so it'll
10 possibly be slow.

11 Q. Got you. Okay. You know, do the pilots change shifts at the
12 same time for all your basis, or is it -- does it stagger or is it
13 different?

14 A. So it's all the same with the exception of our Ohio bases
15 because they are an hour ahead, so they'll change at 6 a.m. our
16 time --

17 Q. Yeah, got you.

18 A. -- because it's 7 a.m. their time. So it's 7 across the
19 board technically.

20 Q. Yeah.

21 A. But since they're an hour ahead, it's 7 a.m. their time.

22 Q. Is there any like corporate travel knowledge as to why 7 a.m.
23 was decided as the shift change time?

24 A. No. I do not know that.

25 Q. Okay. Oh, and I would be remiss if I didn't ask, so what do

1 you think of the FAA HEMS Tool for weather?

2 A. I think it's a very good product because you're able to
3 overlay certain things and if you don't want them. Like for me, I
4 put up counties because we'll get calls from a specific county
5 asking for a scene flight someplace in their county.

6 And for me, just looking up, if I find the county it'll be
7 easier for me to see like what kind of flight category that
8 they're in and get a better knowledge looking at radar and
9 satellite, what's going on and just the different tools for
10 weather.

11 Q. Is that your go-to tool initially when a flight comes in?

12 A. Typically, yeah, because we have it pulled up at all times.

13 Q. Yeah. Okay.

14 A. And it's just easier just to look up drag, see the nearest
15 METAR for the site, but then I also look at other weather at the
16 same time. That's just an initial just to get a feel of the
17 visibility and scenes there, and then I can go confirm or deny
18 that with the other tools that are -- that I'm equipped with.

19 Q. Got you. If you were to be asked, and I'm asking you, tell
20 me how best to determine whether or not a trip is going to
21 encounter icing? What would you go and look for? And what tools
22 would you use, initial, supporting, you know, that kind of stuff?

23 A. Typically, first thing we look at is if there's any ice in
24 SIGMETs. I'll look if there's possibly any AIRMETs out. And then
25 I'll look at the aviation weather, and I'll look at their icing

1 tool, see where it's freezing them. And I also look for moisture,
2 certain levels, to see if there is moisture in the air for that
3 potential icing. Typically, for the helicopters, we just try to
4 look between 1,000 and 3,000 feet because that's about where
5 they're going to be flying.

6 Q. Right. Got you.

7 A. It's going to be higher up for our fixed wing obviously.

8 Q. Yeah. So basically, you're describing the HEMS Tool, click
9 on 1,000 feet and look for icing and --

10 A. Yeah.

11 Q. -- you'll see probabilities?

12 A. Probabilities, severities, see how it's looking, and we also
13 look just -- Aviation Weather Center also has a specific icing
14 tool that we can look, see if there's any forecasted icing for
15 each areas. See if that verifies.

16 Q. And if you saw that there would be a potential, a probability
17 for icing encounter for that route of flight, what would you do?

18 A. If there's a possibility of icing, if I'm seeing that there
19 might be, I'll alert the pilot, see if that -- if they've come to
20 that conclusion --

21 Q. Yeah.

22 A. -- because typically, the pilots know if there's going to be
23 any hazards for icing. They'll usually talk about that with us
24 first shift change if they want to move the aircraft to the hangar
25 for icing. Typically, they're aware of that.

1 Q. Got you. Okay. And same thing for visibility. Talk me
2 through how you would assess the visibility for this particular
3 flight, from a departure to destination and en route assessment.

4 A. So first, I would look at the METAR for what the base is at
5 because that's where they're going to be lifting from. And then,
6 if they're going to a sending facility because sometimes they do
7 take patients out of the hospital that they're based at. So we
8 will look at the METAR there.

9 At the siting facility, I'll look throughout their path
10 there, METARs there and then also from sending to receiving METARs
11 and then receiving back. And then also confirm that with
12 satellite, just looking at cloud cover if there is any, if I can
13 see the ground, looking just at models to see how -- if there's
14 any incoming weather that could affect the visibility. Just
15 looking at how that's going to track and where that low-pressure
16 system is going to track.

17 Q. Got you. Okay. That makes sense. Do you find that the
18 bases and pilots, their weather minimums differ a little bit from
19 one to the other?

20 A. I just know that our company, what our company minimums for
21 the days and nights, so 800 and 3 during the day, 1,000 and 3 at
22 night aided and then unaided is 1,000 and 5, so that's ours.

23 Q. Got you. Do those -- are those rock-solid minimums, or do
24 some pilots have higher minimums than others? You just notice
25 that some of them are, if it's in that area, then they're not

1 taking it, but if it's a little bit higher they're taking a
2 flight?

3 A. From my knowledge, I just know our company minimums and what
4 the pilot is comfortable with.

5 Q. Yeah.

6 A. If the pilot's not comfortable because they're standing
7 outside where their helicopter's based at and they say I don't
8 feel comfortable taking this flight for weather, then I'll say
9 okay. So you're declining due to the ceilings of visibilities
10 that you're seeing outside and on your tools. And they'll say
11 yes.

12 Q. Got you. What do you think your most important
13 responsibility of your job is, if you said number one, this is my
14 most important thing that I do day in and day out?

15 A. Weather and making sure that the pilots are aware of the
16 weather that's going on around them and making sure that if they
17 are in flight, making sure that they get to whatever facility,
18 scene, wherever they need to go, safely.

19 Q. Yeah. Do you find that your communications with the pilot is
20 frequent with respect to weather calls?

21 A. Typically, yes. That's the most calls that we get from them
22 just because they know that we are meteorologists, and we could
23 give them a better opinion versus what knowledge that they have.
24 But they do call us if they need to go out of service because of
25 maintenance or they have crew fatigue because they did three

1 flights.

2 Q. Got you. Yeah. Have you ever experienced the pilot calling
3 and saying hey, my weather visibility is dropping, what's a good
4 direction for me to find, you know, clear air, pretty weather,
5 that kind of stuff?

6 A. Typically, they'll do -- if they do that, they do that in the
7 air.

8 Q. Right.

9 A. And we'll be like you need to turn your heading to this
10 degrees and go about this many miles based off our tools.

11 Q. Right. And when you're doing flight tracking, you see them
12 and go ah, there he goes. He's doing what I told him to.

13 A. Yeah.

14 Q. Is that typically for like heavy rain or something like that
15 most of the time? Do you see other needs for heading advice for
16 visibility associated with like snow showers or fog or stuff like
17 that? What's the most frequent need for en route weather advice
18 from you all?

19 A. Typically, it's if they might have hit visibility that's
20 lower than what was forecasted. Then they'll ask us. What are
21 you guys seeing in there and if we can turn? And so then we'll
22 give them the advice. Oh, this METAR is showing MVFR, VFR if you
23 want to turn the helicopter to this heading and go this many
24 miles.

25 Q. Yeah. Okay. And same thing with ceilings. You know, do you

1 find that they're asking, hey, my ceiling continues to go down or
2 what can I do to, you know, find a better ceiling? Do they ask
3 those kinds of things as well or not as much?

4 A. Not as much. It's typically more of the visibility from my
5 own experience.

6 Q. Got you.

7 A. If the ceilings -- I've never encountered one, a flight in my
8 time here where it's been ceilings. Mostly, it's just been
9 visibility.

10 Q. Visibility?

11 A. Yeah.

12 Q. Got you. So during a shift, when's the period of highest
13 demand? When are you tasked the most or task saturated?

14 A. Probably during -- I would say possibly afternoon is when we
15 would probably start picking up because especially if there's any
16 fog that develops overnight, we're waiting for that to mix out --

17 Q. Got you.

18 A. -- and dissipate and lift the visibilities --

19 Q. Got you.

20 A. -- to at least our company minimums.

21 Q. And what do you find is the most challenging part of your
22 job?

23 A. Challenging part? Just the weather sometimes because Mother
24 Nature is -- we have the tools to try and predict what Mother
25 Nature is going to do, but like I said, sometimes I'll leave at

1 8 p.m. and then I'll come in the next morning and that's what's --
2 that wasn't supposed to happen.

3 Q. Right.

4 A. So then we have to reevaluate and see maybe this is going to
5 happen.

6 Q. Right. Got you. And your job, I think I may have heard you
7 say certified. Do you all get that certification from a company
8 or --

9 A. Yeah, we go through -- when I was hired, I went through a 2-
10 week training with our -- he's the Director of Health and Safety.
11 Correct?

12 MR. TAYLOR: Joe.

13 Ms. JUSTIANO: Joe, yeah. Joe is the Director of Safety, and
14 we went through the OCS class with him that has been approved by
15 FAA.

16 BY MR. GERLACH:

17 Q. Got you. Do they give you a little certificate and say hey,
18 you're now certified?

19 A. No. I know that it's kept in the records here.

20 Q. Got you.

21 A. I know it's kept in the records for the duration of my
22 employment.

23 Q. Okay. And what all certificates have you received here?

24 A. I have not received any certificates, like personally --

25 Q. Or completed training for positions?

1 A. I've done the OCS training program.

2 Q. OCS?

3 A. Yeah.

4 Q. Okay. Is there anything else that you can do?

5 A. Not to my knowledge.

6 Q. Okay.

7 A. I've never been brought up about -- I've never had any
8 instances brought up like hey, can you -- would you be open to
9 doing this.

10 Q. Got you. Okay. I think that -- let's see. You told me
11 about training. I think that's everything I have. Thank you very
12 much.

13 DR. SILVA: Tom.

14 MR. LUIPERSBECK: I just have a few because apparently,
15 despite the fact that everybody asked about the shift change
16 thing, I'm still not quite sure.

17 BY MR. LUIPERSBECK:

18 Q. How many people? Are there always two people up in the comms
19 center day and night?

20 A. Typically, yes. We just go by FAR regulation.

21 Q. You said there's two up there at night, and two come in on
22 the dayshift. Does everybody change shifts at the same time?
23 Like 7, two people leave, and two people come?

24 A. No, it'll be staggered, so like our 5 p.m. person, typically,
25 they'll come in and typically my other partner that's up there

1 currently, he'll usually give him like a briefing of what's going
2 on. But if he's busy, I'll give him the briefing because I've
3 also been there as long or about as long. And I know what's going
4 on during the process.

5 And then another person will come on say 7 p.m., and we'll
6 give him a briefing. Then, too, the 5:00 person will give him
7 that briefing if I'm busy. And then I'll leave at 8 p.m. and then
8 it'll be those two, and they'll at least have been there about an
9 hour with the 5 p.m. person being there for 3 hours.

10 Q. So it's not two. It's three? Okay.

11 A. Yeah.

12 Q. So you also mentioned that, you know, one of you will work 6
13 hours as an OCS, and then you know, 6 hours as a communications
14 specialist. Is it -- how do you decide who's going to become --
15 do you always do like OCS stuff and then comms spec stuff, or do
16 you -- and the next day swoop it around? I mean, how does that
17 work?

18 A. Typically, so since my partner comes in at 6, and I come in
19 at 8, he'll do OCS first since he's been there longer and knows
20 what's been going on. And then after his 6 hours, then I'll do
21 OCS for 6 hours. And then I'll pass it on to the 5 p.m. person.
22 So the person --

23 Q. So you would spend like 4 hours as the comms spec and then do
24 6 hours as an OCS?

25 A. Six hours of my shift as OCS and 6 hours as a comms spec.

1 well, first it would be comms spec for me and then 6 hours OCS.

2 Q. Okay. So about, you know, shifting gears. When they call in
3 with the base status at the beginning of the base pilot change,
4 that -- there is no paper record of that? It's just recorded, and
5 you guys log whether green, amber, amber critical and red. I
6 don't know if there's after. True?

7 A. Yes. Typically, when they call in we'll mark it on our Form
8 134, and then we also have the recorded line to refer back to.

9 Q. Okay. Well, I got to back up just a minute, a few minutes.
10 So do you guys record your duty on a duty record showing, you
11 know, when you worked, how many hours this shift?

12 A. Yes, we do have a duty log.

13 Q. Do you differentiate which hours you spend as an OCS and how
14 many hours as a communications specialist during your 12-hour
15 shift?

16 A. Yes, we do.

17 Q. Just a second here. You also talked about a flight. We have
18 a risk analysis we've talked about, you've mentioned, or we've all
19 mentioned. And then we talked about the base status, the color
20 function of the risk analysis, either green, amber or amber
21 critical and the other statuses. And then you talked about the
22 flight releases. Are you using that term synonymously with the
23 risk analysis? I'm not sure where the flight release part comes
24 in?

25 A. Yes. Those are used synonymously unless like for instance we

1 got a search from the local police. Then that specific flight
2 would be amber critical because we have to call our OCM for that
3 approval. It would just -- that would be on a specific flight to
4 flight basis.

5 Q. Okay.

6 A. But when we're talking green and amber, that's synonymous.
7 Like they're amber for the whole day if they have amber weather.

8 Q. Is there any specific actions, different actions that are
9 required for a flight hat is green versus one that is amber or
10 amber critical? Is there any difference? Does the pilot or the
11 OCS or anybody have to do anything differently for those that they
12 wouldn't have to do for a green?

13 A. Amber, we have to do a weather check with them. Green, if
14 they're green for weather, then it'd just be an automatic flight
15 request if the EMS, police or the facility is requesting them.
16 Amber, we do have to do a weather check with them. Amber
17 critical, we have to do the weather check, and we also have to
18 call OCM for that approval.

19 Q. And then if a pilot, if a base is green and the pilot
20 declines the weather for flight, is there any -- do you guys --
21 has that every happened?

22 A. Where we decline --

23 Q. Where the pilot -- where the base was green and risk analysis
24 was all green, and the pilot declined the flight for weather-
25 related stuff?

1 A. Typically, no, that does not happen. I've never experienced
2 it. Yeah, I've never experienced it personally, so.

3 Q. So pretty much they get weather-wise good every time?

4 A. Yes.

5 Q. Okay. Let me just do a quick looksee. I think that pretty
6 much answers everything I have.

7 DR. SILVA: Tim, did you have any questions?

8 MR. TAYLOR: No, I don't have any questions.

9 DR. SILVA: All right. I have a handful, and then we'll go
10 around one more time, but it should be faster this time.

11 MS. JUSTIANO: OKAY.

12 DR. SILVA: How are you feeling?

13 MS. JUSTIANO: I'm doing good.

14 DR. SILVA: Okay. So --

15 MR. LUIPERSBECK: I'm going to excuse myself for one second.

16 DR. SILVA: Okay.

17 BY DR. SILVA:

18 Q. How many operation control specialist are there?

19 A. Sorry. I just have to think about it.

20 Q. It's okay.

21 A. There's eight operation control specialist and then we have
22 one communication specialist.

23 Q. That's only at communications?

24 A. Yes.

25 Q. Is everyone a meteorologist?

1 A. Everyone has gone through the operations control specialist
2 training.

3 Q. But they don't necessarily have the same background as you do
4 as a meteorologist?

5 A. Some do and some don't.

6 Q. Can you tell me more about what training look like for you?

7 A. First week was mostly classroom setting where we would go
8 through mostly weather, policies throughout. Just what they are
9 in the company and then the second week was on the training scene,
10 how they get flight releases, where we would mark them, how we
11 would mark them, and putting how we fill out the 134 and just
12 being there shadowing for that whole week.

13 Q. Okay.

14 A. And seeing how they're whole day to day processes work.

15 Q. So is the whole process 2 weeks?

16 A. Yes. The whole process is 2 business weeks.

17 Q. So is there any part of that where you're the one actually
18 doing all the work, and someone is watching you or is there any
19 kind of test or observation?

20 A. Yes. The first week all there is written exams. Second week
21 there is an oral just to make sure we know where to go to get this
22 and how we typically would give a briefing to an OCM, but we're
23 never giving flight releases to any pilots for any operations.

24 Q. Okay.

25 A. We don't have any part of that. We're just watching what the

1 OCS and CS would be doing during the day.

2 Q. Okay. Do you feel like you were well prepared to take the
3 job after those 2 weeks?

4 A. Yes.

5 Q. Is there anything you wish that they had gone over before
6 looking back?

7 A. No. I think we were well covered during the 2 weeks.

8 Q. So you said you were hired in July. Is that correct?

9 A. Um-hum.

10 Q. When did you do training again?

11 A. Actual on the job training was working with our CAD system
12 and everything that started the beginning of September because I
13 did move from Chicago down to here.

14 Q. Okay.

15 A. So I needed to go gather my stuff.

16 Q. Okay. This September. So, you were working on your own mid-
17 September is that?

18 A. Typically just the initial process I would say 2 to 3 months
19 just see -- just so we're familiarized with how everything looks
20 in our computer system but probably 3 weeks to a months started
21 talking to facilities and EMS crews finding scenes and things like
22 that.

23 Q. Okay. So, it took about a month from when you started OJT?

24 A. Yes, but and then I was technically still under supervision
25 who was training they were still there with me in case I have any

1 questions like, oh how do we add this to this after we launched
2 the aircraft. Things like that.

3 Q. Okay.

4 A. More computer system related.

5 Q. Okay. So, you have a week where you're off observing and
6 after that you're essentially certified? Or you're able to work
7 the --

8 A. Yes. You're able to start taking, going on shift with a
9 trainer to see how the system works, but you're still under
10 supervision.

11 Q. And then after that level, that period of supervision is when
12 you are certified or you're complete with training? Is that how
13 that works?

14 A. We become OCS certified after the 2 weeks.

15 Q. Okay.

16 A. So we could start going up there actually getting on the
17 computer system and seeing how that works more specifically.

18 Q. Okay. I understand. Okay. Let's say a pilot comes in --
19 like they the two pilots at the one base coordinate and do a shift
20 change earlier. Do you keep track of any that from OCC?

21 A. If they're coming like -- so they typically have 12-hour
22 shifts, but I know they can go up to 14 hours because if they're
23 on a flight or something. Typically we'll ask them when is the
24 hard time that you time out if we're getting a flight close to
25 they're shift change, and then we'll keep the night pilot.

1 We'll call them on their personal cell, hey this is
2 happening, and we might need you to drive down to this place
3 wherever they're at or drive up just to do a pilot swap there, but
4 I do know they have equipment to look at what weather and things
5 like that on the go. They do have equipment.

6 Q. Okay. So you won't necessarily keep track of the shifts per
7 se, but you'll reach out to pilots if they're nearing the end of
8 their shift to see if they're good on duty time?

9 A. Yes. Especially they we're getting a flight say 5:36 and
10 they typical switch out between 6:30 and 7:00.

11 Q. Um-hum.

12 A. We'll then say hey we have this flight coming in. Especially
13 if it's like a close run because some will be closer. We'll be
14 like hey we have this flight coming in. What time do you time out
15 at?

16 Q. Is that part of your procedures? Is that written somewhere
17 to check in on duty time?

18 A. Not that I know of. I would have to look at GOM if it's in
19 there.

20 Q. Okay. But is this something you picked up during training?

21 A. Yes. It's something that we picked up during training
22 because we do know that the pilots have a hard time where they
23 have to stop in terms of duty time.

24 Q. I'm going to jump around here a little bit. Is there a time
25 you expect the pilots from the time that you call them to see if

1 they can accept a flight to skids up, skids off? Is there a time
2 that you expect them to be off the ground?

3 A. Typically within 10 minutes from the time that they're
4 requested on a flight.

5 Q. Um-hum.

6 A. It should allow -- it allows time for them to gather their
7 things including the crew and get up to the aircraft and turning
8 on and skids up.

9 Q. Okay. So that's from the initial time that you ask if they
10 can take the flight to the skids up?

11 A. That's the initial time that they are requested on a flight.

12 Q. Okay. Requested. So not from when they accept it?

13 A. Because sometimes they can accept but sometimes the facility
14 just wants them on a standby or --

15 Q. Okay.

16 A. Or just wants to see if we are flying. Sometimes we do get
17 calls from facilities: Hey, can you guys do a weather check from
18 our facility to this. And then we'll ask them, oh, do you want to
19 transfer this patient now, and they'll either say yes or no. And
20 we'll ask them, do you want us on ground standby or air standby?
21 Air standby would be we go to their facility and touch down there
22 and stand by there.

23 Q. Okay.

24 A. But if they are requested we do ask the facility do you want
25 us to go ahead and launch. Typically we ask that before we check

1 weather.

2 Q. Okay.

3 A. I typically as our survival flight whatever is this many
4 minutes away. If they can accept for weather do you want us to go
5 ahead and launch them.

6 Q. Okay. So, let's say you call a pilot to ask about the
7 weather and it takes them 5 minutes to look at it. Does that 10-
8 minute time start from when you ask about the flight or does it
9 start when they have accepted it?

10 A. It typically starts when they have accepted or when they are
11 requested. So, they have to accept it for it to be requested.

12 Q. Oh, I see. I understand. Okay. And you mentioned that
13 you're required to check in every 15 minutes with the flight. Did
14 I hear that correctly?

15 A. Yes.

16 Q. Okay. What does that mean?

17 A. If they're not tracking it's, per my knowledge and I believe
18 it is in the GOM, that we would have to if they are not tracking.
19 It's regulation that we have to check in every 15 minutes.

20 Q. Okay.

21 A. But like I said, our computer system will alert us if they
22 have not been tracking for 5, and that's when we typically ask,
23 hey, Survival Flight whatever, we have you not tracking anymore;
24 could you update us with coordinates?

25 Q. Okay. Great. So does that time change at all if there's

1 adverse weather, anything that you're concerned about or is it
2 just a straight 15?

3 A. Typically, it's a straight 15. If for some reason like we do
4 get an amber critical release for weather, we'll typically ask,
5 hey, can you just give us a PIREP, and then we'll typically note
6 that in the flight.

7 Q. And you mentioned earlier that you have a 10-hour maximum
8 limitation. Is that for work or for rest?

9 A. That's just for OCS. That's per guidelines.

10 Q. So you can only work 10 hours?

11 A. As an OCS.

12 Q. As an OCS?

13 A. Yes.

14 Q. So you can work as a COMS specialist? Is that what you refer
15 to yourself as?

16 A. Communications specialist.

17 Q. Specialist. Okay. So you can split up the times of up to 10
18 hours. Okay. I understand. And you mention that sometimes
19 pilots call and say that an aircraft or base is out of service.
20 What would they put the aircraft out of service for?

21 A. Say the mechanic wants to do any inspection that's within a
22 certain timeframe or if they have scheduled maintenance like they
23 knew if the weather was not going to be as optimal for flying.
24 Sometimes they'll take the aircraft to the hangar beforehand. So
25 when they're in there for scheduled maintenance and the mechanic

1 can do it then.

2 Sometimes I do know of one case like last night one of our
3 aircraft did go out of service for crew fatigue. Just because
4 this was our fix when they had a long flight and the crew was
5 feeling they needed some rest.

6 Q. They can do it for crew issues as well?

7 A. Yes. They can do for crew rest also.

8 Q. Are you able to work both the OCS side and the communication
9 specialist side at the same time?

10 A. If you're OCS you're doing the roles of communication
11 specialist at the same time. It's just OCS you're also doing
12 weather and giving flight releases.

13 Q. So you're always essentially OCS?

14 A. Yes.

15 Q. I understand. Okay. We talked about this upstairs but how
16 many flights are you usually taking or tracking at a time?

17 A. Typically if weather permits on a good day typically it's
18 about three to four possibly five.

19 Q. At a time?

20 A. At a time in total. Yes.

21 Q. So you mentioned where if the risk assessment is all greens
22 you can automatically accept a flight?

23 A. Um-hum.

24 Q. Are there any conditions or situations where you would
25 automatically deny a flight?

1 A. Typically, no. Like I said we do have specific flights like
2 a search where we would warrant amber critical.

3 Q. Right.

4 A. And if the OCM does not approve that then we would have to
5 deny that flight even if that pilot is green across the board
6 because search flights are amber critical flight we have to get
7 OCM approval. OCM does not approve then we cannot accept that
8 flight.

9 Q. Okay. Do you know why they wouldn't approve something like
10 that?

11 A. It depends on the search safety for our crews.

12 Q. Okay. I see. Okay. So when you get a risk assessment from
13 the pilot is that recorded anywhere like your general I'm on
14 shift, it's four greens. Is it recorded anyway between the pilots
15 bases and your records in OCS?

16 A. I do not know about the pilot side because I am not a pilot.
17 For our side we fill it out. I'm a 134 and then we all -- they
18 all come in through the landline, so it is recorded on the phone.

19 Q. Okay. So, going to that HEMS Tool is there a certain
20 configuration you keep up on the tool in terms of layers or
21 overlays?

22 A. I typically keep it or obviously the composite radar is
23 going.

24 Q. Okay.

25 A. With the flight categories, METARs and TAFs activated so that

1 I can glance over IFR, what are the specific ceilings and
2 visibility, and then like I said before I keep counties up so that
3 when I do look up oh we're going to say for instance Randolph
4 County, and I can find those specific city within the county.

5 Q. Okay. So that's your norm. When would you select an overlay
6 such as like a AIRMET or SIGMET?

7 A. Typically we keep the SIGMETs up so whenever they pop up they
8 show up automatically. AIRMETs I typically look at them
9 periodically throughout the day.

10 Q. Have you noticed any limitations for the radar in terms of
11 your coverage area? You notice anything that it's performance
12 isn't optimal over a certain area or anything like that?

13 A. I have not seen any gaps in coverage where our bases are at.

14 Q. Um-hum.

15 A. I feel like the radar covers a good amount of area.

16 Q. Do you as OCSs keep -- do you have any knowledge of where
17 those radar stations are compared to where you might be flying?

18 A. The radar stations they'll have their identifier and
19 typically we know which city that is in or which city it is by.

20 Q. Does that factor into your decision making at all or is that
21 something you typically just --

22 A. Typically if we notice that maybe this is a little farther
23 away from the radar we'll go to a different one that is closer and
24 see how they match up.

25 Q. Scenario wise let's say you have a call and you look at

1 METARs and it's below minimums. Is it possible for the pilot to
2 then say actually that's an old METAR and looking outside and it's
3 clear VFR. Do you decline the flight for weather based on purely
4 the METAR or is there a possibility of accepting a flight based on
5 an observation?

6 A. It's up to pilot discretion.

7 Q. Okay.

8 A. But if the METAR is showing that it is below minimums
9 typically they will not take off or if it's close to the minimums
10 like say doing the day METAR showing like a 1,000 feet they'll
11 ask, or we'll suggest if you don't want we can ask for OCM
12 approval for amber critical if it is close to those minimums.

13 Q. I see.

14 A. But at the same time over the minimums. Close to 800 but if
15 it's like a 1,000 we would ask for OCM approval.

16 Q. Okay. Have you ever had any cases where a pilot reports
17 weather conditions that are better than what's in the METARs?

18 A. Typically yes but it's usually or it's for MVFR conditions.

19 Q. Okay.

20 A. So the METARs reporting 1500 feet and they're saying no it's
21 actually 2,000 or 2100 feet.

22 Q. So nothing close to the actually minimums or IFR conditions
23 in general? Is that what you're saying?

24 A. Yes. Typically, no not in here.

25 Q. Okay. Did you know the accident pilot?

1 A. No. I did not know her personally, no.

2 Q. Okay. But you did talk to her before?

3 A. Yes. During flight releases, things like that.

4 Q. What was your impression her?

5 A. Impression, she was a good pilot. I believe the directors
6 and people going through hiring and doing their check rides and
7 everything, they do everything to the best of their ability, and
8 they would not hire somebody that was unqualified to fly. And
9 just interactions with her, she was a genuinely nice person.

10 Q. Do you recall any cases where she would have taken any lower
11 level flights that may have been a concern or anything along those
12 lines?

13 A. Not that I can recall to my knowledge.

14 Q. And have you ever felt any pressure to take flights or accept
15 flights as a dispatcher?

16 A. I have not.

17 Q. How do people on the phone react when you say you decline a
18 flight? Have you ever gotten any kind of pressure on their end or
19 them talking back to ask why?

20 A. Typically when we say our survival flight whatever is going
21 to have to decline due to weather and we'll explain the ceilings
22 and visibilities are just too lower for us to fly in this weather
23 currently and most of the time they are understanding. It's never
24 directed at me. On the phone they'll be getting off and they'll
25 be telling somebody else just maybe not in the nicest of tone as

1 they're getting off --

2 Q. Getting off of the phone?

3 A. Yes. They're not talking to me. They're talking to somebody
4 at their facility, but you can clearly hear that they're not the
5 happiest with it, but for me as a dispatcher there's nothing I can
6 do. Pilot declines because of weather I have to go with what the
7 pilot says.

8 Q. So, have there ever been instances where people have
9 confronted you directly on the phone?

10 A. No. There's not been any instances like that.

11 DR. SILVA: Okay.

12 MR. BRANNEN: Just got a couple of follow up questions there.

13 BY MR. BRANNEN:

14 Q. Who decides what altitude to fly the aircraft in? Is that
15 you or the pilot?

16 A. That's the pilot. I do know that we have our accompanying
17 minimums altitude that they have to fly at, but it is up to the
18 pilot's discretion what they fly at.

19 Q. You mentioned early you get on occasion you get I guess
20 PIREPs for your flights. How often do you get PIREPS on your
21 flight?

22 A. Typically, the pilot flew in to unforecasted weather.
23 They'll say oh METAR showing this visibility. It was actually
24 this visibility or if they're flying in MVFR they're saying oh the
25 METAR I know showed that it was this feet in visibility. It's

1 actually this feet. It's actually improving over time.

2 Q. Do you as a company enter those PIREPs into the NAS for other
3 people to use or you just keep a log of them here?

4 A. We put typically in the flight that they're on.

5 Q. That's the form 134 or on your tag?

6 A. On our computer system. Yes.

7 MR. BRANNEN: That's all I have.

8 DR. SILVA: Shaun?

9 MR. WILLIAMS: I don't have anything.

10 DR. SILVA: All right.

11 BY MR. GERLACH:

12 Q. Let's see. So, the pilot duty time. Is there a period close
13 to the shift change where the nighttime pilot is unable to accept
14 a flight? Like he duties off at 7 a.m., could you dispatch him at
15 6:30?

16 A. Technically yes because yes they're supposed to get off at 7
17 but they're allowed the extra 2 hours before they have to put the
18 helicopter down. Cannot fly anymore. There's a hard time.
19 Typically we'll if we get a flight in during shift change they'll
20 give it to whoever is coming on and we'll walk them through the
21 weather, what we're see because they're coming on. Kind of like
22 brief between the off-going pilot and us talking to the pilot
23 coming on.

24 Q. Got you. So as an example a call comes in at 6:30 a.m. and
25 it's for a 2½-hour flight walk me through how you would manage

1 that from a dispatch standpoint?

2 A. Typically if it's for a longer flight typically the pilot
3 outgoing knows if the oncoming pilot's going to becoming into. So
4 we'll ask them, when are you expecting them in? They'll give us a
5 time, and then we'll also relay that back to the facility. Hey,
6 our facilities are switching out. We just have to do more of an
7 extensive weather check with them, make sure that they're still
8 all good.

9 And then, we usually get a callback number and a contact
10 person. We'll tell them we'll call you back after we've done our
11 weather check and things like that. And then we can give them a
12 definitive yes or no answer from the pilot.

13 Q. Now would -- in that situation, would the nighttime pilot be
14 expecting the flight?

15 A. The nighttime pilot can accept for themselves from what I
16 know. We've had instances where, for example, we'll come in at
17 shift change and the off going pilot -- we'll look at the weather
18 before the oncoming pilot comes in just to, you know, give him a
19 quick brief and show them like hey, we have this pending flight
20 from here to here.

21 Here's what it's looking like, and if you have questions, you
22 know, give the communications center a call. I mean, they'll tell
23 us -- furthest between flight, for example, the pilot was just
24 like I don't see anything wrong from it from my perspective, but
25 we do have to wait for the oncoming pilot to accept it or not.

1 Q. Got you. If there's a change in the pilot's shift, do they
2 let you know? Like maybe they went 14 hours instead of just 12
3 hours, if there's any kind of adjustment made.

4 A. I believe that there's an adjustment made. I'm not a part of
5 that. I believe that's with the pilots, and it's on the pilots'
6 side. But typically, if they're out like say they get off at
7 7 p.m., but they've been out until 8 p.m. --

8 Q. Right.

9 A. -- typically, we're aware of that and we know that because
10 obviously we've been tracking them.

11 Q. Yeah.

12 A. So we know when they set down the bird and when they're down
13 safe, and if they have any debriefing from their flight. So we
14 know that. I don't know what they do on their end to --

15 Q. Got you.

16 A. -- offset those times.

17 Q. Okay. But it's your expectation that the pilots will figure
18 that out, figure adjust duties such that the helicopter, given any
19 environmental stuff, the crew is green, and it should be
20 transparent to dispatch. Is that your understanding?

21 A. Yes, that's my understanding.

22 Q. I don't want to lead you too much. I mean, they could
23 technically go red at some point for crew or something else.

24 A. They could go amber for crew.

25 Q. Yeah.

1 A. Say like their crew is fatigued, like they did --

2 Q. Yeah.

3 A. -- three flights during the day, and they're just feeling
4 like they need some more rest. They need a little bit of rest
5 before they can go and take another patient safely.

6 Q. Got you. Okay. I think maybe that's it. That's all I have.
7 Thank you very much.

8 DR. SILVA: Tom?

9 MR. LUIPERSBECK: No, ma'am.

10 DR. SILVA: Tim?

11 MR. TAYLOR: I'm good.

12 DR. SILVA: All right. We've kept you for a very long time
13 here. Is there anything that you want to add that we may not have
14 asked you and you think we should be looking for, looking at?

15 MS. JUSTIANO: Not to my knowledge.

16 DR. SILVA: All right. Well, if you do think of anything,
17 here's my card. Don't hesitate to reach out.

18 MS. JUSTIANO: All right. Thank you.

19 DR. SILVA: We really appreciate your time, and we are also
20 sorry for your loss. You're going through a lot now, but we
21 appreciate it.

22 MS. JUSTIANO: Thank you so much.

23 DR. SILVA: Thank you. We're off the record at 11:02.

24 (Whereupon, at 11:02 a.m., the interview was concluded.)

CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD



IN THE MATTER OF: SURVIVAL FLIGHT HELICOPTER CRASH
NEAR ZALESKI, OHIO
JANUARY 29, 2019
Interview of Ms. Justiano

ACCIDENT NO.: CEN19FA072

PLACE: Viking Aviation, Batesville, AR

DATE: February 6, 2019

was held according to the record, and that this is the original,
complete, true and accurate transcript which has been transcribed
to the best of my skill and ability.



William Jackson
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of: *

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SURVIVAL FLIGHT HELICOPTER CRASH *

NEAR ZALESKI, OHIO * Accident No.: CEN19FA072

JANUARY 29, 2019 *

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Interview of: RACHEL MILLARD

Viking Aviation
Batesville, AR

Wednesday,
February 6, 2019

APPEARANCES:

SATHYA SILVA, Ph.D., Human Performance Investigator
National Transportation Safety Board

SHAUN WILLIAMS, Investigator in Charge
National Transportation Safety Board

JOHN BRANNEN, Air Accident Investigator
National Transportation Safety Board

PAUL SUFFERN, Senior Meteorologist
National Transportation Safety Board

DAVID GERLACH, Aircraft Accident Investigator
Federal Aviation Administration

TOM LUIPERSBECK, Team Lead
Helicopter Air Ambulance Focus Team
Federal Aviation Administration

TIM TAYLOR, Instructor Pilot
Survival Flight

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By Dr. Silva		18
By Mr. Luipersbeck		20

I N T E R V I E W

(1:52 p.m.)

1 DR. SILVA: We are on the record at 1:52.

2 All right, Rachel, I'll run through our spiel and then if you
3 have any questions before we start, feel free --

4 MS. MILLARD: Okay.

5 DR. SILVA: -- to ask. So, my name is Sathya Silva. I am a
6 human performance investigator with the NTSB in Washington, D.C.

7 You do see we have a large number of people here, and the
8 reason for that is that while we, as the NTSB, have expertise in
9 investigating, in order to really do a good job on an
10 investigation we need the expertise of the company and the FAA and
11 sometimes we have aircraft manufacturers, things like that. So,
12 that's why you see such a big group. So, I'm going to let
13 everyone go around the room and introduce themselves so you get a
14 feel for who you're talking to.

15 MS. MILLARD: Sounds good.

16 DR. SILVA All right.

17 MR. SUFFERN: So, I'm Paul Suffern. I'm a meteorologist with
18 the NTSB.

19 DR. SILVA Okay. You can --

20 MR. TAYLOR: I'm Tim Taylor. I'm representing Survival
21 Flight.

22 MR. BRANNEN: I'm John Brannen. I'm a regional investigator
23 for the NTSB working ops on this accident.

1 MR. GERLACH: And my name is David Gerlach. I'm with the
2 Federal Aviation Administration. I am an accident investigator
3 for the Office of Accident Investigation.

4 MR. LUIPERSBECK: And I'm Tom Luipersbeck. I'm with the Air
5 Carrier 135 Operations Policy Branch in Washington, D.C., and I am
6 also the helicopter air ambulance focus team lead for the FAA.

7 DR. SILVA: Okay, great. So, we're here for safety. We're
8 not here to assign fault, blame, liability. The whole point is to
9 really make sure this never happens again.

10 We can't offer any kind of confidentiality or immunity of any
11 sort. Essentially, what will happen is this recording will get
12 sent for transcription and a copy of that transcript, not the
13 recording, will become part of our public docket once the -- once
14 our docket gets released, which is on the order of like 6 months
15 to a year from now.

16 MS. MILLARD: Okay.

17 DR. SILVA: You are entitled to have someone sit here with
18 you. Would you like someone to sit with you?

19 MS. MILLARD: I'm okay.

20 DR. SILVA: Okay. And if that changes, just feel free to
21 stop and let us know.

22 MS. MILLARD: Okay.

23 DR. SILVA: You are the expert here, so keep that in mind.
24 We want your truth, as much detail as you can give us because
25 we're really trying to put ourselves in your shoes --

1 MS. MILLARD: Okay.

2 DR. SILVA: -- when we're asking these questions. If you
3 don't understand a question or you want clarification, don't
4 hesitate to ask. Same thing, if you need a break or anything too.

5 MS. MILLARD: Okay.

6 DR. SILVA: Okay. So then format wise, what we'll do is I'll
7 start off with a handful of questions and then we'll go around the
8 room usually twice just to make sure that anyone who has questions
9 has the opportunity, and then at the end I'll ask you if you have
10 anything else to add or anything else along those lines.

11 MS. MILLARD: Okay.

12 DR. SILVA: Any questions before we start?

13 MS. MILLARD: No, ma'am.

14 DR. SILVA: Okay.

15 INTERVIEW OF RACHEL MILLARD

16 BY DR. SILVA:

17 Q. Can you spell your full name for us, please?

18 A. R-A-C-H-E-L, M-I-L-L-A-R-D.

19 Q. Perfect. And what's your title?

20 A. OCCM.

21 Q. Okay. And what does that stand for?

22 A. Occupational Control Manager.

23 Q. Okay.

24 A. I oversee all operations upstairs.

25 Q. Okay. And can you run through your background and kind of

1 what led you to where you are now?

2 A. Yeah, no problem. I went to Arizona State University, got my
3 business degree up there, and I think came to Survival Flight
4 approximately 5 years ago and from there I've kind of just worked
5 my way up and where I'm at now.

6 Q. Where did you start in Survival Flight?

7 A. I was working night shift just learning the ropes and all
8 aspects of it.

9 Q. In the dispatch or in operation control?

10 A. Yes, ma'am. I've done shifts up there, and my dad -- with my
11 dad. He just kind of walked me through every aspect of the
12 company, and coms is where I preferred and like to spend my time.

13 Q. Okay. So, what other experiences did you get outside of
14 coms?

15 A. I have spent some time in the billing department, oversaw the
16 insurance aspect of it, the membership department, marketing
17 department, all the realms, to be honest.

18 Q. Okay. All right. So you started here 5 years ago.

19 A. A little over.

20 Q. A little over 5 years, okay.

21 A. Yes, ma'am.

22 Q. How long have you been an OCC manager?

23 A. I would guesstimate 2 years.

24 Q. Okay. And what are your roles and responsibilities in that
25 position?

1 A. I have to oversee that we're following GOM protocols, we're
2 following our policies and procedures. I assure that we have all
3 the equipment we need and it's working appropriately, and assure
4 that all interactions and personalities are meshing upstairs, and
5 schedules and all interactions, to be honest.

6 Q. Are you also in charge of the other OCC or the OCMs; is that
7 correct? The ones -- do they have -- are they on shift the whole
8 24 hours?

9 A. The OCMs, meaning like Gary and Jack and --

10 Q. Mm-hmm.

11 A. I don't oversee them. No, ma'am.

12 Q. Okay. Are you in the same level as they are or do they have
13 the same position?

14 A. So director of operations, that's Gary, he's the top.

15 Q. Okay.

16 A. And then Jack Windes is also an OCM. He's chief pilot. He's
17 also above me.

18 Q. Okay.

19 A. And then we have Joe Lawrence. He's also an OCM.

20 Q. Okay.

21 A. And then there's myself and I'm the last OCM.

22 Q. Okay.

23 A. So no, I'm -- I am not above them by any means, but I share
24 the same title --

25 Q. Okay. I see.

1 A. -- when it comes to the occupational control manager.

2 Q. Okay. Yeah, we don't know the hierarchy or anything, so --

3 A. Okay. Okay, yeah.

4 Q. That's what we're trying to understand.

5 A. Yeah. No, I understand.

6 Q. Okay. So who do you report to?

7 A. Mr. Gary Mercer.

8 Q. Okay. Now, do you have oversight over anybody in particular?
9 Like do you have people who report to you?

10 A. Yes, ma'am. I consider everyone that works in the
11 communications department reports to me.

12 Q. What does your schedule normally look like?

13 A. It can be variable. I would say on a typical day or typical
14 work week would be a Monday through Friday. Now, that doesn't
15 mean if they need me upstairs and I'm not there if they call me.
16 But Monday through Friday I would say I'm on a typical work
17 schedule.

18 Q. And that's during the day?

19 A. Yes, ma'am.

20 Q. Okay. Do you have to work night shifts or anything?

21 A. I have in the past, but I would not consider that a
22 normality.

23 Q. Okay. So other OCCs take the other -- the night shifts? Do
24 you have an OCC -- oh, sorry, an OCM for the night shifts also?

25 A. Oh, yes, ma'am. So we cover -- I see what -- I'm sorry. So

1 the OCM schedule, we work 12-hour shifts --

2 Q. Okay.

3 A. -- essentially. There will be a day OCM and a night OCM.

4 I'm the night OCM.

5 Q. Okay.

6 A. Now, if I'm OCM I'm not OCS.

7 Q. Yeah, sorry.

8 A. So those don't overlap.

9 Q. Okay.

10 A. But OCM, we typically work -- like it'll be me and then, for
11 example, I'll pass it down to Joe --

12 Q. Okay.

13 A. -- or vice versa. We're all interchangeable. We have a set
14 schedule, though.

15 Q. Okay. And when does your shift normally go from, start and
16 end times?

17 A. You'll generally receive the brief from upstairs around 9:30.

18 Q. Okay.

19 A. So --

20 Q. Okay. So it's different from the OCC?

21 A. Yeah. So they will call -- the OCS upstairs will do the
22 pilot check-ins. And then after all the pilots have checked in,
23 then that OCS will call the on duty OCM and give them the rundown.

24 Q. Okay. What does that rundown actually look like that -- when
25 you change your shift?

1 A. So it'll include any abnormalities that they see, any
2 technology anomalies that may have occurred, any maintenance
3 that's due and/or actively occurring. It'll include PRs that are
4 on the schedule, scheduled flights that are -- that may take
5 place, that'll include TFRs and NOTAMs, and an overall weather
6 analysis. And then if the OCM has any questions, they can ask
7 those and --

8 Q. How long does that normally take?

9 A. That truly just depends. If we have a lot of weather
10 ongoing, like today, that might be a longer analysis. If there's
11 a lot of PRs that are scheduled, that might take longer. So --

12 Q. So is that like between 15 and 30? Just kind of order of
13 magnitude.

14 A. Yeah. It's variable. I --

15 Q. Like this morning, how long was your --

16 A. I'm not OCM this morning.

17 Q. Okay.

18 A. Mr. Gary is, but, yeah, I would say maybe 10 minutes if the
19 weather is good and no scheduled maintenance and things like that,
20 but that is very dependent on --

21 Q. Okay.

22 A. -- just a lot of variables.

23 Q. All right. How is it working for Gary?

24 A. Amazing.

25 Q. Yeah. Do you feel comfortable talking to him about any

1 issues that you would have?

2 A. Absolutely.

3 Q. Have you ever had to?

4 A. I've reached out to Gary just for questions on experience or
5 hey, what's your advice on how to handle this or truly anything.
6 I feel comfortable going to Gary about any issue or compliment or
7 anything.

8 Q. How -- so, how do you like working here?

9 A. I love it. I wouldn't change a thing.

10 Q. What's your favorite thing about working here?

11 A. That it's a family. Everyone wants the same common goal.

12 Q. And what's that?

13 A. Help people safely and do it. Move with purpose is like --
14 is our motto here.

15 Q. What was it again?

16 A. Move with purpose.

17 Q. Move with purpose, okay.

18 A. Do the right thing always and --

19 Q. Does the company have a safety program?

20 A. Yes, ma'am.

21 Q. Can you describe that from what you know of it?

22 A. The best way I can explain it is just everyone's main goal is
23 -- that Gary drives home is everyone comes home safely.

24 Q. Okay. Have you ever come across any safety issues that
25 you've had to report or is there a way to do that?

1 A. There's a way. I don't -- I've never had to do it. No,
2 ma'am.

3 Q. How would you if you had -- if you did have to?

4 A. If it -- safety violation, like what do you mean?

5 Q. Let's say maybe you notice something with, let's say, maybe a
6 pilot and weather in the OCC, is there a way to report that so
7 that it gets addressed somewhere?

8 A. Yeah. So if I was acting as an OCS that day, per se, then my
9 first, my first action would be to call the OCM.

10 Q. Okay.

11 A. And then if that's not Joe Lawrence that day, then he's the
12 director of safety so it would go, it would go to him.

13 Q. Okay. Do you usually -- would you expect to get feedback if
14 you brought something up regarding how it was taken care of or
15 whether it was getting taken care of?

16 A. In regards to a safety?

17 Q. Mm-hmm, a safety issue.

18 A. Yeah. I've never had to report anything, so I don't know.
19 But, yes, I would, I would say that anyone in upper management
20 would have no issue with closing the loop.

21 Q. Okay. Let's see, you mentioned that one of your
22 responsibilities is ensuring compliance with the GOM.

23 A. Yes, ma'am.

24 Q. How do you do that?

25 A. So the GOM is accessible on Vereco. It's an online database,

1 for lack of a better term. And you can pull it up and use it for
2 reference anywhere at any time.

3 Q. So are you usually in OCC? How do you make sure that people
4 are actually following the procedures that are set forth?

5 A. So I spend, I spend a lot of time in there and I pull shifts
6 at random just to check on things. We have our duty logs and risk
7 assessments that I oversee regularly, so I just oversee it that
8 way on paperwork and by sitting in there and spending time with
9 them.

10 Q. Have you ever come across anything that was going on that
11 wasn't compliant with the GOM?

12 A. No, ma'am.

13 DR. SILVA: Okay. I am going to pass the ball over to Paul
14 here.

15 MS. MILLARD: Okay.

16 MR. SUFFERN: Just got a couple questions.

17 BY MR. SUFFERN:

18 Q. So just to understand, do you cover shifts occasionally in
19 the -- as a OCS in the OCC?

20 A. Yeah. So I have sat through OCS class.

21 Q. Okay.

22 A. And so, I am an active OCS. So I can, yes. And I also pull
23 CS shifts as well.

24 Q. Okay. About how often do you -- would you say you do that,
25 once a week, once a month?

1 A. It's truly variable. With schedule laid out like this week,
2 obviously, it's been very different so to allow for Graham to be
3 here and I've done three shifts this week, I would say. But
4 outside of that, I would probably argue once a month that I'm
5 actually on duty up there, but that's not including when I just --
6 I walk in and just check on him, too. It doesn't mean I'm on
7 shift.

8 Q. Yeah. So when you are working those shifts, how do you stay
9 updated on the weather conditions --

10 A. So --

11 Q. -- when you're working there?

12 A. Yeah. We have multiple avenues that we can use.
13 Traditionally the NOAA site is the one that the meteorologists
14 drill into us and that -- they've taught us a lot up there, so
15 that would probably be my number one go-to.

16 Q. Okay. So I think we've learned a little bit about the color
17 coding, like green, amber, and then like amber critical I think is
18 the other one.

19 A. Yes, sir.

20 Q. So when you're working an OCM shift and someone has a request
21 to you as far as it's an amber critical for weather, how do you
22 decide to -- because it seems like what we learned, they come to
23 the OCM to make the no, go, or no-go, go decision. Is there a
24 checklist that you as the OCM go through to help work through
25 that?

1 A. Okay. So you're stating like if I'm, if I'm OCM and Pilot A
2 wants an amber critical flight release, then they call the OCS on
3 duty upstairs and then they've issued that release, and then they
4 will then call the OCM.

5 Q. Yeah.

6 A. If I'm the OCM that day and I ask for a weather brief from
7 them, traditionally upstairs and so I'll confer with the OCS on
8 duty and I'll also ask the pilot if they are comfortable and want
9 to take that flight. And that's how I determine it.

10 Q. Okay. Is there any -- so, you just check with the OCS person
11 and the pilot on duty is what you would do for amber critical,
12 okay. That's all I had. Are there any gaps in the weather
13 observations that anybody in the OCS has brought up to you, like I
14 wish we had more weather reporting here, I wish we had more things
15 in Arkansas or Ohio or Oklahoma and they brought that to your
16 attention or anything like that?

17 A. No, sir.

18 MR. SUFFERN: Okay. All right. That's all the questions I
19 have.

20 DR. SILVA: Okay. John?

21 MR. BRANNEN: I can't think of any.

22 DR. SILVA: David?

23 MR. GERLACH: I don't have any questions either.

24 BY MR. LUIPERSBECK:

25 Q. Other than the OCS training, have you sat in on any of the

1 like pilot basic indoc classes or what the med crews get or what
2 they're being told with regard to the processes? You guys
3 don't --

4 A. No, sir.

5 Q. And you mentioned a few minutes ago just that you oversee the
6 risk analysis that they -- I guess just in my mind so, you know,
7 if you have, you know, greens and ambers and amber criticals and
8 all that, when you say you oversee them, what method do you use or
9 do you have one that you look to verify that they're accurate?

10 A. Yeah. So there's two ways. So if I'm, if I'm an acting as
11 an OCS that day, so when I receive the risk analysis from my
12 partner who I'm taking shift over with, I will overlook that form
13 and assure that, hey, what is written on that form matches what
14 our CAD is telling me at that time.

15 Now, let's say I'm not -- that I'm not an OCS at the time and
16 I'm just doing my managerial duties, then I will oversee the
17 binders -- we keep them in a binder and, hey, are these all filled
18 out? Do these all have a check-off from myself and/or any other
19 OCS changing hands? Are they all signed and accounted for and OCM
20 has always been briefed? That's how I assure that they're
21 complete.

22 Q. So how many people are actually involved in making the go
23 decision for a flight to launch?

24 A. Ultimately, it's always the pilot call.

25 Q. Okay. Are the other people considered in that mix too or,

1 you know, do you have, do you have a policy or program a GOM
2 requirement for everybody to be involved in that process or is it
3 strictly just the PIC?

4 A. So at the base level they handle that. As far as it relates
5 to coms, pilot's decision and then they can always ask, if they
6 want to, a brief from the OCS or anyone else upstairs, but it's
7 always pilot decision to take a flight as it relates to the
8 communications department.

9 MR. LUIPERSBECK: Okay. That's all I have.

10 DR. SILVA: Tim, do you have any?

11 MR. TAYLOR: I don't have anything.

12 DR. SILVA: So just to follow up on a question that Paul had.

13 BY DR. SILVA:

14 Q. When you're making that amber critical, like if you have an
15 amber critical and you're making that decision, have you ever had
16 a situation where you would give them a no-go for the flight or
17 deny the approval?

18 A. Personally, I've never been asked it for an amber critical
19 flight release --

20 Q. Okay.

21 A. -- that I have not given. Now, if the pilot is saying, hey,
22 I don't feel comfortable or I don't want to do this flight or
23 anything, then I would say, no.

24 Q. Okay. But you haven't had to do that?

25 A. No, ma'am.

1 Q. Okay. Do you have any aviation experience at all?

2 A. No, ma'am.

3 Q. How did you find out about the accident?

4 A. I was called by Mr. Gary in the morning and notified that the
5 aircraft is missing, and then I got to coms.

6 Q. Were you scheduled to work that day?

7 A. Just normal regular duties, but not on shift. No, ma'am.

8 Q. Not on shift, okay. Have you had anyone report any safety
9 concerns to you as an OCM?

10 A. No, ma'am.

11 Q. Okay. And the last thing I wanted to ask about was a flyer
12 that we found in the wreckage, and I'm just going to show it to
13 you so you know which one we're talking about. Are you familiar
14 with this document?

15 A. No.

16 Q. You've never seen this before?

17 A. I saw it on Facebook --

18 Q. Okay.

19 A. -- post accident. I couldn't tell you the day, to be honest.

20 Q. Post accident.

21 A. Post accident.

22 Q. Okay. So --

23 A. I had never seen that before, ever.

24 DR. SILVA: Okay. I think that's it for my questions. We'll
25 go around one more time.

1 MS. MILLARD: Okay.

2 DR. SILVA: Do you have anything else?

3 UNIDENTIFIED SPEAKER: No questions.

4 MR. LUIPERSBECK: One more.

5 MS. MILLARD: Yes, sir.

6 BY MR. LUIPERSBECK:

7 Q. Does your GOM or any policies in the -- with the company --
8 well, let's put it this way. If an OCS disagreed with the pilot's
9 risk assessment or decision to go based on any of the factors that
10 you evaluate, does that OCS have the authority to override the
11 pilot's decision to go?

12 A. It's the pilot's decision always to take that flight.

13 Q. Okay. So if an OCS were saying, hey, I don't think you ought
14 to go, that -- and the pilot said, I'm going, that would --
15 there's nothing prohibits that?

16 A. And then at that time if the OCS is -- or CS is concerned,
17 they could always go out and call myself or Gary or any other OCM,
18 but that it's always pilot call and I can't speak to ever seeing
19 that --

20 Q. Okay.

21 A. -- have happened.

22 MR. LUIPERSBECK: That's all I have.

23 DR. SILVA: So you haven't seen anyone have an OCS more
24 concerned about it than the pilot, okay.

25 Tim, did you have any --

1 MR. TAYLOR: No, I'm fine. I don't have any questions.

2 DR. SILVA: Okay. Well, short and sweet, if you -- do you
3 have anything that you think may be helpful -- other things that
4 we didn't ask that may be helpful for us to look into?

5 MS. MILLARD: I think my biggest thing has been, just as I'm
6 sure everyone has seen, potentially not, but how another company
7 has come out and said aspects of perhaps this flight was declined.
8 My only request would be that you guys look into the database
9 where the turndowns, which is what we all have agreed to use, and
10 that flight was never posted on that site.

11 We have multiple safety measures to be able to alert our
12 pilots if another service has turned down a flight, and that was
13 never posted. It comes directly into our CAD system so that every
14 OCS or CS can see it immediately. Not only that, but if someone
15 were to decline that flight and then it were seen by anyone
16 upstairs, the second they notice it and dismiss it on the system I
17 am able to see who dismissed it and/or viewed that alert, but it
18 was never posted.

19 It was never available for anyone to view upstairs. That
20 leads me to believe that perhaps there's no truth to that claim.
21 So that's disheartening and upsetting because I don't feel in my
22 heart that there was any reason for that flight to be declined for
23 weather. And the fact that it was not posted on that site proves
24 to me that perhaps others saw that too and they just want to
25 attack people after the fact, which is absolutely disgusting.

1 That would be my only closing remarks on that.

2 DR. SILVA: Do you have any procedures to ask -- is it part
3 of your procedures to ask if a air -- a specific flight has been
4 declined by another --

5 MS. MILLARD: Yeah. The sending facilities will say, hey,
6 we've have called X company, they declined this for weather.

7 DR. SILVA: Okay.

8 MS. MILLARD: The other way is to view weather turndowns,
9 which is on a monitor and it comes through CAD. There's multiple
10 processes for -- to assure that if it is turned down it is
11 notified to people upstairs, but it wasn't. And that's the part
12 that's most disheartening --

13 DR. SILVA: Okay.

14 MS. MILLARD: -- because in my heart it just the weather
15 reporting that day it doesn't justify that. So that would be my
16 one thing.

17 DR. SILVA: Okay. I understand.

18 MS. MILLARD: Yeah.

19 DR. SILVA: We'll keep an eye on that.

20 MS. MILLARD: Yeah.

21 DR. SILVA: Awesome. Well, if you do think of anything else,
22 don't hesitate to reach out.

23 MS. MILLARD: Okay.

24 DR. SILVA: That's my information. We appreciate your time.
25 We know this is a tough, this is a tough time for you guys.

1 MS. MILLARD: Yeah.

2 DR. SILVA: But it was important for us to be here at this --
3 so early afterwards, so we apologize for that but we do really
4 appreciate the help.

5 MS. MILLARD: Yeah, no, I appreciate it. I understand you
6 guys all have a job and you want answers just as much as we do, so
7 I appreciate it all you guys time.

8 DR. SILVA: Thank you so much.

9 MS. MILLARD: Thank you, guys.

10 DR. SILVA: Off the record at 2:19.

11 (Whereupon, at 2:19 p.m., the interview was concluded.)
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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD


IN THE MATTER OF: SURVIVAL FLIGHT HELICOPTER CRASH
NEAR ZALESKI, OHIO
JANUARY 29, 2019

ACCIDENT NO.: CEN19FA072

PLACE: Viking Aviation, Batesville, AR

DATE: February 6, 2019

was held according to the record, and that this is the original,
complete, true and accurate transcript which has been transcribed
to the best of my skill and ability.


Charlene Brown
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

* * * * *

Investigation of: *

SURVIVAL FLIGHT HELICOPTER CRASH *
NEAR ZALESKI, OHIO *
JANUARY 29, 2019 *

* Accident No.: CEN19FA072

* * * * *

Interview of: WALTER R. ARCHER, IV

Via Telephone

Saturday,
February 2, 2019

APPEARANCES:

SATHYA SILVA, Ph.D., Human Performance Investigator
National Transportation Safety Board

SHAUN WILLIAMS, Investigator in Charge
National Transportation Safety Board

DAVID GERLACH, Aircraft Accident Investigator
Federal Aviation Administration

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I N T E R V I E W

(9:16 a.m.)

1 DR. SILVA: So, we are on the record at 9:16.

2 All right. So you are entitled to have someone with you
3 during this interview. Would you like to have someone with you?

4 MR. ARCHER: What do you -- in reference to?

5 DR. SILVA: Just in terms of you can have someone sit here
6 with you in the interview. It can be anyone, or you can waive
7 that.

8 MR. ARCHER: Yeah, I'm fine. We can do the interview now.

9 DR. SILVA: All right. If you feel uncomfortable or if you
10 want to stop just let us know.

11 MR. ARCHER: Okay.

12 DR. SILVA: Okay. So, from an interview perspective, you
13 know, you are the expert. We all come from different backgrounds
14 but we want to learn what the truth is from your perspective. So
15 keep that in mind. There are no right or wrong answers, and
16 provide as much detail as you can because that's really what's
17 going to help us with the investigation.

18 MR. ARCHER: Okay.

19 DR. SILVA: If you have any questions or don't understand a
20 question, feel free to stop and ask. If you need a break, as I
21 mentioned, don't hesitate to mention that.

22 MR. ARCHER: Okay.

23 DR. SILVA: So the way we will run through this is I'll start
24
25

1 out by asking a handful of questions and then we'll go around our
2 room, usually twice, to make sure that everyone has a chance to
3 ask their questions.

4 MR. ARCHER: Okay.

5 DR. SILVA: And that should be it, should be -- that should
6 be it. Do you have any questions?

7 MR. ARCHER: No.

8 DR. SILVA: Okay. All right. Well, again, feel free to stop
9 at any time if you do need to.

10 INTERVIEW OF WALTER R. ARCHER, IV

11 BY DR. SILVA:

12 Q. So first questions should be easy. Can you spell your full
13 name for us?

14 A. W-a-l-t-e-r, middle name is Raymond, R-a-y-m-o-n-d, Archer,
15 A-r-c-h-e-r, IV.

16 Q. And can you run through a CliffsNotes version of your
17 background and kind of what got you to where you are now?

18 A. Aviation wise?

19 Q. Aviation wise, yes.

20 A. I went to Bristol Academy in January of 2008 and I did all my
21 flight training there. It's a private, all rotor wing private,
22 instrument commercial, CFI, CFII. And I finished there in
23 November of 2008. That was around the time that, you know, the
24 economy was not doing well, so they closed their doors. And so a
25 bunch of flight instructors had already flooded the market pool

1 there, so I went back to work driving a truck for another year or
2 so. Flying about once a month out of Danbury, Connecticut, with
3 Mike Demarky.

4 And then from there I went out to Banks, Oregon, where I
5 worked with Mike Applebee. He did a turbine transition for me.
6 And then I got hired on with Applebee Aviation. I started work
7 with them in January of 2010. Worked with them for about a year
8 doing agricultural work, spraying, lifting. I did Christmas
9 trees, a variety of other kind of odd jobs like (indiscernible),
10 and that was the bulk of -- ferrying aircraft. I did a little bit
11 of training for some other folks doing turbine transitions.

12 And then I moved back East from New England. I moved to New
13 Hampshire end of January, beginning of February of 2011, and
14 started on with JVI Helicopter Services in March. It was March
15 1st, 2011. And did mostly, again, agriculture, and utility
16 flying. A little bit of charter. But power line construction and
17 patrols, as well as liquid and granular applications for
18 agriculture work, were the bulk of my flying duties. I worked
19 with them, let's see, till -- it was September of 2018.

20 From there, I left there -- I've got a family; I've got four
21 kids, and just needed a schedule. Working utility and ag, you're
22 at the mercy of the weather and growing seasons and there's never
23 any real chance to know when you're going to be home or away. So
24 that got old. And through a friend that I worked with at JVI he
25 went to go work for Survival Flight. He got me in touch with Gary

1 Mercer. And so I, when I finally had enough, I called up Gary and
2 they offered me a job. So a few weeks later I was down
3 Batesville, September 24th, I started training down there. There
4 for about a week.

5 Then -- spent some time at the Batesville base. Then I went
6 to Camp Missouri for a few days. Went home for a little bit, then
7 started in Ohio in October. I guess the beginning of October I
8 was working in Ohio. I've been working there 2 weeks on, 2 weeks
9 off since then.

10 Q. Okay. And you commute to New Hampshire when you're not on?

11 A. I do.

12 Q. Okay. So are you on continuously for 2 weeks?

13 A. That's correct. I'll work 7 days of day shift and then I
14 transition to 7 days of night shift.

15 Q. Okay. Is there any break in between?

16 A. When I go from days to nights there's a 24-hour break.

17 Q. Okay.

18 A. But it works out at -- when I get off at 6:30 on Tuesday
19 evening, my 24 hours allows me to start at 6:30 Wednesday evening.
20 So there's a 24-hour period off, but I'm still able to -- I don't
21 actually miss a day of work typically.

22 Q. I see. Okay. Got it.

23 A. I did do -- one time I went and I started on nights, it went
24 to days and I ended up -- you sit around for 24 hours and you do
25 lose a proper day. Since I'm not from there, I can't go home. I

1 can't do anything else. I'm really just stuck at the apartment.
2 So they set the schedule up now so that I always do days to
3 nights.

4 Q. Okay. That makes sense. How many hours do you have
5 approximately?

6 A. Oh, approximately a little over 5200 hours. I don't have my
7 logbook right in front of me.

8 Q. That's okay. 5200 --

9 A. Excess of that.

10 Q. Okay. And do you know how much time you have in the 407?

11 A. In the 407, I probably have, looking at it here, about 170
12 hours in the 407.

13 Q. Okay. And can you list off your ratings again? I think I
14 missed --

15 A. Commercial rotorcraft, and CFI, CFII. I have my instrument
16 ticket as well.

17 Q. Okay. Wonderful. So from here can you run through your
18 shift the day of the accident up until -- you know, when you got
19 on, what you were doing, what you were looking at --

20 A. Sure.

21 Q. -- up until you handed it off to Jen?

22 A. All right. Survival Flight is new to the Ohio area. And so,
23 we do PRs to go get our faces out there and to do trainings for
24 like local fire departments and that sort of thing. Go visit
25 hospitals. We had a PR scheduled for 6 o'clock on Monday evening.

1 It was supposed to be a 6 to 7, PR.

2 Q. Uh-huh.

3 A. Our shift change is normally -- our shift change is at
4 7 o'clock for pilots.

5 Q. Okay.

6 A. And we typically come in at 6:30, because after -- so we work
7 a 12-hour shift. We're allowed to fly up to 14 if circumstances
8 permit, but for 135 rest requirements we can't work over that 14-
9 hour period. So what we typically do is pilots will come in at
10 6:30 just in case there's a call and real close to shift change.

11 Q. I see. Okay.

12 A. With the PR being at 6, I came in at 5:30. So that way Jen
13 wouldn't be caught out on the PR because they usually go over, she
14 wouldn't be caught out there. So I came in at 5:30, and when we
15 swapped out, she said she would come in a little early the next
16 morning since I had come in early on, you know, Monday night.

17 Q. Uh-huh.

18 A. So we did a PR. I went back -- we did a shift change. She
19 briefed me on the condition of the aircraft. Really nothing had
20 changed. So she told me how much fuel, fuel and oxygen were on
21 board, and then I check weather and then I briefed the crew.
22 That's the typical shift change.

23 When I checked the weather, what I observed was that we were
24 going to have -- it was warm at that point and it was going to --
25 temperatures were going to fall off throughout the night. And

1 before they dropped below freezing we were going to have rain,
2 some possible light snow, and then the precip was supposed to stop
3 before midnight. We keep our aircraft outside on a pad at Grove
4 City -- Mount Carmel Grove City's Hospital.

5 Q. Uh-huh.

6 A. So my plan for the evening was to go do the PR and when that
7 was complete I was going to fly with the crew back to Bolton
8 Airfield.

9 Q. Uh-huh.

10 A. That's where we hangar at.

11 Q. Okay.

12 A. The crew at that time was John Flora and Rachel Cunningham.
13 So we did the PR. I'm trying to remember what -- I don't remember
14 exactly what time. I don't have my start and stop times in front
15 of me.

16 Q. Uh-huh. That's okay.

17 A. It was around 7, maybe a little after 7 when we left the PR.
18 It was in Stoutsville. It was the Clear Creek Fire Department --

19 Q. Okay.

20 A. -- we were doing hot load training for.

21 When we left the PR to go back to Bolton we did have some
22 precip but we were showing -- I'm trying to remember now. I think
23 we were about 1500 feet, 1600 feet, something like that, it was 48
24 degrees. That's pretty warm. I commented on it, it was so warm.
25 And so we went into Bolton and put the aircraft in the hangar.

1 Base 13 is the other Survival Flight Ohio base.

2 Q. Uh-huh.

3 A. Heath was the pilot that night. They were there as well
4 putting the aircraft in for the night due to the rain.

5 Q. Okay.

6 A. So we got everything tucked away and my crew -- let's see --
7 my crew is still there and we had gotten a call for a flight, a
8 flight request down to Circleville to Berger Hospital and taking a
9 patient to Riverside.

10 The cart was underneath 13's aircraft and they were getting a
11 call as well. So I started to move the aircraft out -- and their
12 call was to go north of the city. I don't know exactly where, but
13 they had to turn it down due to weather. I think it was a lack of
14 visibility.

15 Q. Okay.

16 A. But to the south it was still clear or we had -- our night
17 minimums are 1,000 foot ceiling with NVGs and 3 miles visibility
18 with NVGs.

19 Q. Okay.

20 A. And we had all of that. I don't remember the exact ceiling
21 height but there was plenty of margin there. So we accepted the
22 flight and we got our aircraft out and we took off. Then we later
23 heard on the radio 13 did take a flight from Mount Carmel West
24 over to Mount Carmel East while we were out doing our run.

25 Q. Okay.

1 A. Flew, we had some rain. It was warm still. It was about 42
2 degrees when we landed in Circleville. By the time we got up to
3 Riverside it was still, I think, 38 degrees, light precip. And we
4 got back to the hangar at a quarter after 11, 11:30 something like
5 that.

6 Q. Uh-huh.

7 A. 13 was already back, their aircraft was already in the
8 hangar. And let's see. After we got it pushed in, they wanted --
9 that crew wasn't at the hangar when we arrived. They had gone out
10 to get some dinner.

11 Q. Uh-huh.

12 A. They went out to Taco Bell. So my crew helped me put the
13 aircraft back in the hangar. And our base, Base 14 is a pretty
14 short drive away from the hangar. It's only a 4-mile straight
15 line distance. So technically our calls are all to the south. So
16 it's not uncommon that we'll -- I'll send the crew back to the
17 base and if we get a call, I'll call them and they'll just meet me
18 at the pad at Grove City and I'll pick them up on the way.

19 Q. Okay.

20 A. So I sent them back to the base so they can start charting
21 and do all their work. It takes them quite a while, upwards of 2
22 hours, to chart after a run.

23 Q. Okay.

24 A. So they went back, and shortly after they left, 13's crew
25 showed back up, Heath and -- I'm trying to remember who was on. I

1 think it was Judy and John. So we hung out at the -- in the crew
2 room at the hangar. Heath and I kept checking weather waiting for
3 the weather to break, or really the precip to stop so we can just
4 move them back over to the pad.

5 Q. Uh-huh.

6 A. Our main objective was to keep the aircraft from getting
7 soaked and then the temperatures were going to plummet; we didn't
8 want it to ice up.

9 Q. Okay.

10 A. So once the rain stopped, it was about midnight. It was just
11 about midnight. I pushed them out. It was cold. It was
12 definitely below freezing at that point. The ramp was real slick,
13 but we got the aircraft out. I repositioned back over to Grove
14 City and he took his crew back over to Westerville.

15 I landed on the pad, walked back over to the house. I did my
16 debrief with the crew at that time because the book for that was
17 at the base. It wasn't with us in the aircraft. We don't take
18 that with us in the aircraft. So I did the flight debrief.
19 Nobody had any issues on the flight. John Flora had swapped out
20 with Brad Haynes before I had gotten there. They were supposed to
21 change out at 10 o'clock. The medical crew does their changes at
22 10. But we were on a run, so he wasn't able to change out right
23 at 10, but they went back and John went home and Brad came in.

24 So now it's Brad and Rachel for my night crew. Rachel was
25 still charting when I got there. So we did our debrief quickly,

1 and weather was forecast to stay marginal but flyable throughout
2 the rest of the evening into to morning.

3 So I went to bed around 12:30 or so. So I set my alarm for
4 6:20, that way I can just get up, make the bed and take the
5 goggles off my helmet and such before -- Jen was very punctual.
6 She's usually there right at 6:30 if, you know, not maybe a little
7 bit before that. But -- so, I set my alarm for 6:20.

8 At 6:15 the phone toned for a run. So they -- I was -- my
9 risk assessment for the shift was an amber risk assessment because
10 of rain earlier in the evening. And typically if it's going to be
11 a marginal -- even if it's flyable, marginal VFR night I'll still
12 stay at an amber risk assessment. That just gives me a little
13 extra time to double check the weather, make sure everything is
14 stowed, versus just -- because if you're a green risk assessment,
15 they call it in and you go. So it bides me a little extra time to
16 check my weather.

17 So they tone out, flight request, Meigs, Holzer Meigs back to
18 Riverside. So when I check my weather -- when I start my shift I
19 do a pretty thorough check of the weather, read the forecast and
20 really get a good picture of what's going to be going on for the
21 whole shift. That way when the call comes in I can just -- I
22 quickly check two specific sources: I have the HEMS tool, which
23 is going to display my ceiling and vis categories. You can
24 configure it in a lot of different ways, but I've got it set up so
25 it shows me where the marginal VFR, where the IFR and the low IFR

1 conditions are. And then I also have the SkyVector site up, and
2 that gives me just a secondary source for checking what the METARs
3 are, and I also run the radar on the SkyVector website. So that
4 shows me what we've got for precip.

5 So I check both the HEMS tool and SkyVector. I had, between
6 Athens and Portsmouth, I had 2400-foot ceiling and 7 miles vis.
7 So that was well within our minimums for what I would still
8 consider night. At 6:15 it was still very dark. And then on the
9 precip side I wasn't really -- I wasn't seeing anything between
10 Grove City to Meigs and back into Riverside. I really didn't
11 think twice about accepting the flight after checking both of
12 those tools.

13 So I accepted the flight, and while I still had ops on the
14 phone, I called Jen because I knew she was going to be coming in a
15 little early and she was 5 minutes out from the pad. So I told
16 ops that she was going to take it. So I told ops that she was
17 going to take it, hung up with them and then asked Jen what she
18 needed, what I could do to help her to get going. She already had
19 her helmet and her knee board. I asked if she wanted NVGs. She
20 said she did not want them. By the time she got there and would
21 get going she probably figured it was going to be getting light
22 out, which it would have been.

23 So I grabbed the flight log, the book for the aircraft, and I
24 woke the crew up. Actually, Brad was -- he heard the tone. It's
25 pretty loud. He heard the tone, so he was in the hallway when I

1 came out of the pilot's room. I told him we had a flight. Banged
2 on Rachel's door to wake her up. They both got up, moving.

3 I took my personal vehicle over to the pad ahead of them so I
4 can get the aircraft cleaned up, ready to go. They met us. The
5 two of them, Rachel and Brad, drove over in the company go
6 vehicle. I got to the aircraft. I unplugged the Tanis heater and
7 the Shore Power, unplugged the little heater we keep inside the
8 cabin. Stowed the heater away in the baggage compartment, made
9 sure all the cowlings were shut and fastened up.

10 When the crew got there -- I had plugged in the APU and
11 started the aircraft. When they got there, I fired it up, they
12 disconnected the APU, put that in the corner. They got inside the
13 aircraft. I ran up -- I fired up the radios, got the heat going,
14 and I was about to load up the waypoint for Meigs, but Jen arrived
15 as I was looking for the waypoint, and she jumped out, threw her
16 helmet on and came up to the ship. I handed her the pilot phone,
17 and, yeah, we really didn't say much to each other. We had
18 already discussed what the call was on the phone while she was
19 driving in. So she hopped right in and I left the pad.

20 I got back in my car. It was all -- usually when a call
21 comes in like that, at that time it's kind of, you know, everybody
22 is jumping up out of bed and running down. So I went back to the
23 apartment or to the house, the base, to finish my just end of
24 shift paperwork, sign out. Made the bed. Turned all the lights
25 off in the house, locked it up, and I headed back to my apartment.

1 Q. Okay.

2 A. Where I made breakfast and actually went back to bed because
3 we were up past midnight and still a little tired. So I went back
4 to bed. And then I got up around 11-, I think it was around -- I
5 don't know, maybe 20 after 11.

6 Randy Boggs, one of our other pilots at 14, he called me to
7 ask me if I knew what was going on. I said I don't know what's
8 going on, or happening. And then he told me that all he knew was
9 that our aircraft had gone down and there were no survivors. So
10 that honestly comes as a pretty big shock. I didn't know what to
11 think or do. So I did my workout routine, my normal thing, as I
12 was processing it, ate a quick early lunch and then drove down to
13 the base to find out what was going on. I had texted Amanda from
14 the apartment. She confirmed what Randy had said via text.

15 Q. Uh-huh.

16 A. And then, yeah, then I went to the house and just started
17 waiting with everybody else at the house until some people from
18 the hospital came over and told us that they had set up a
19 conference room over there, that we could all go to that and start
20 the whole debriefing process.

21 Q. Great. Thank you. So can you run through a little more
22 detail your conversation with Jen you had on the phone?

23 A. Yeah. It wasn't a very long conversation. I called her. I
24 said, hey, Jen, we've got a run going to Meigs back to Riverside;
25 how far are you from the pad? And she said she was 5 minutes out.

1 I said okay, do you want to take the flight? She said yes, I'll
2 take it. Break in conversation, I said -- spoke to ops. I had
3 both phones up to my ears. Said to ops, Topper's going to take
4 the run. So then I hung up with them.

5 Back to Jen. I said, Jen, what can I do to get you going?
6 Do you want the NVGs? She said she did not. I did not brief her
7 on the weather just because it was -- it was good weather. It was
8 well above our minimums, so I did not tell her what the exact
9 weather was. And then -- and really that's the extent of our
10 phone call. I just asked her if she wanted the NVG. She said no.
11 I said, all right, I'll grab the book and get the crew over to the
12 pad, and we hung up. That was it.

13 Q. How did she look that morning?

14 A. How did she look?

15 Q. Yeah. Was she --

16 A. She looked like her normal self. She's usually a ball of
17 fire. She got to the pad with, you know, a big smile on her face.
18 She was excited to fly. She was -- she looked very alert and just
19 her normal self. She looked ready to go.

20 DR. SILVA: Okay. I'm going to pass the baton over to Shaun
21 for a little while. Do you need a break or are you good?

22 MR. ARCHER: Okay. No, I'm good.

23 DR. SILVA: Okay.

24 BY MR. WILLIAMS:

25 Q. I have just a few here, and kind of go around. But just so I

1 understand, Jen, she didn't go to the base first, she drove
2 straight to the pad; is that correct?

3 A. That's correct.

4 Q. Okay. And not wanting the NVGs, when she got there was it
5 light out or was it still dark at the time?

6 A. It was still dark, and so that's something that really was
7 haunting me all that day and that night. I couldn't sleep. So my
8 normal shift -- my normal hitch would have ended Wednesday
9 morning. So this all happened Tuesday morning. I had one more
10 night shift to do before I was going to go home after being away
11 for 2 weeks. So on my drive home I was really paying attention to
12 light conditions, and at about 6:45 is -- from my car looking out
13 is when I could discern the difference between trees and hills and
14 the sky line driving out. Her not taking the NVGs was really
15 bothering me from what obviously happened. But she must have felt
16 that it was going to get light enough soon enough that she didn't
17 want them.

18 Q. And does that change the level of risk?

19 A. To some extent, I guess. I mean, the NVGs work like our eyes
20 do, they require light, but they do enhance your ability to see
21 when it's really dark out. When it starts to get light out,
22 though, as more light increases, you really can't see with the
23 NVGs. It starts to just bleach out and you can't see. Like when
24 we fly at night -- for example, that run I did down to Circleville
25 and back to Riverside, I used the NVGs to get down to Circleville,

1 and once I picked up at Circleville coming back -- I might use
2 them, you know, just for picking up and going, but once I get
3 close to the city I actually flip them up because there's just too
4 much light there to see. It's easier just to look without them
5 when there's a lot of light like that.

6 So if she's approaching sunrise, you know, that is a lot of
7 light for the NVGs. I don't think going without the NVGs
8 increased her risk, to answer your question.

9 Q. Is there any company policy as far as when the NVGs will be
10 used or is it solely up to the pilot's discretion?

11 A. Pilot's discretion.

12 Q. So how do you like working at Survival Flight?

13 A. Hold on just a moment.

14 (Pause.)

15 I like working at Survival Flight. I think their maintenance
16 program is good. The company as a whole is very family oriented.
17 When I got to Ohio it was like I was a family member they hadn't
18 seen in a long time. They didn't know me at all but they were
19 very welcoming and it didn't take long for them all to really feel
20 like family to me. You spend a lot of time with these people. I
21 mean, you're on shifts with them 12 hours at a pop and you get to
22 know people. So I like the crew that I work with. Our mechanic
23 Jay Barr, he's great. He's knowledgeable. He gives me a lot of
24 confidence about the airframe. Yeah, I've got no complaints about
25 the company.

1 Q. How about the operations side of it? Do you guys ever -- do
2 you ever feel pressured to go? Are they understanding with
3 weather turndowns? Can you tell me about that?

4 A. Yes, they are understanding. I have never been pressured to
5 take a flight. And I have never been questioned when I've turned
6 down flights. They isolate the pilot from patient information.
7 So when you get a flight request or weather check they simply ask
8 to give you a heading and a distance. They say where you are
9 going to pick them up and where you are going to bring them to.
10 They don't tell you anything about the patient. So it allows me
11 as a pilot to just focus on the weather and flying. Once we have
12 accepted the flight, they then give the crew medical information
13 in the air.

14 So as a pilot, I am really isolated from patient information,
15 which I think is a good thing. I try to separate myself from, you
16 know, any emotions connected to a patient so as not to affect my
17 decision-making flying. And they do a good job of keeping me
18 separated from that.

19 There have been times where I've turned down a flight or I've
20 turned around inflight trying to get somewhere, and they don't
21 question me. They just -- I tell them what I'm doing and why I'm
22 doing it and they say okay.

23 MR. WILLIAMS: Okay. Dave.

24 BY MR. GERLACH:

25 Q. So I just want to say I'm very sorry for your loss.

1 A. Thank you for saying that.

2 Q. And I know it's difficult to lose friends, flight crew
3 members, and the impact that it has on you, your team, your
4 company.

5 When you do the risk assessment for your shift, does that
6 carry over for the other shift?

7 A. No. That's for the pilot to make that decision.

8 Q. So then can another pilot come in and take a flight, like
9 this pilot did, without doing a risk assessment?

10 A. So what the risk assessment is, it is on paper. It's just
11 proof that, you know, the pilot has done the weight and balance --

12 Q. Right.

13 A. -- done a weather check, checked the NOTAMS, checked for
14 TFRs, and also checked the maintenance on the aircraft, make sure
15 nothing is coming due, and also whether there's any PRs for the
16 day or scheduled events that they need to go to.

17 Jen lived and breathed this stuff. I mean, she was checking
18 weather on flights when it wasn't even her shift. She'd come in,
19 oh, I saw you took a flight and I saw this and that. And she was
20 just always watching this stuff. She would set her phone up for
21 alerts anytime that there was a request for a run she would get
22 notifications for this stuff.

23 So I have no doubt in my mind -- I cannot prove that she
24 looked at weather, but I -- knowing who she is, I am certain that
25 once she got off the phone with me, if she wasn't looking at

1 weather already, she was certainly checking it down. She would
2 fly with an iPad on her knee. She had ForeFlight on it giving her
3 weather on it as well. That was her standard operations. That's
4 what she did. So I feel pretty confident that she would have seen
5 the weather herself, and she was our safety officer. She was very
6 conservative when it came to flying. She wouldn't push weather at
7 all. If she felt like it wasn't a safe flight to take, she
8 absolutely wouldn't have taken it.

9 Q. Now, would she have filled out some kind of document to
10 attest to the risk assessment?

11 A. Because this happened right at the shift change, she would
12 have filled that out when she got back.

13 Q. Oh, okay. And when you guys do a weather assessment for
14 risk, do you print out the weather or is it just all electronic,
15 you look at it? Is there --

16 A. We verify the weather. We look at it. We don't print it
17 out. We do print out our weight and balance, and I -- actually I
18 printed out her weight and balance for her before she got there.
19 I left it on the desk for her. She was within weight and balance.

20 Q. Now, so did Jen -- you said she just climbed in the
21 helicopter and they took off. Did Jen come in and do a walk-
22 around the helicopter?

23 A. She did not do a walk-around. I did a walk-around and my
24 crew did a walk-around. And that's standard. The pilot will take
25 a look before they get in, and then after the aircraft's been

1 started, the two crew members will unplug the APU, close the APU
2 door on the aircraft, and the nurse which sits on the pilot's
3 side, she will go -- she will inspect the left side of the
4 aircraft and the medic which sits on the left side will go and
5 inspect the right side of the aircraft. And then they walk back
6 around inspecting their sides as they get back in the aircraft.

7 So you've got three sets of eyes looking over the aircraft
8 before it goes.

9 Q. Now did the paramedic and the flight nurse do their
10 preflight?

11 A. Yes, they did.

12 Q. Okay. So Jen was just running a little later than the
13 medical crew?

14 A. That's correct. She was still driving in. We had a shorter
15 drive to get to the pad than she did by only a couple minutes. I
16 had enough time to unbutton things, which takes maybe a minute or
17 so to get all the cords disconnected and all cowlings closed back
18 up. Then I did the start, which typically takes about -- oh, it's
19 less than a minute to start it up, flip the switches, get all the
20 avionics turned on. And as I was booting up, she was already
21 there. She got out of the truck to put on her helmet is when I
22 started flipping through to find the Meigs waypoint, and at that
23 point she was standing at my door.

24 Q. And so you basically plugged in the data in the FMS for her?

25 A. I did not load the Meigs waypoint into -- she got that. As I

1 was flipping through, she -- like I said she showed up at my door.
2 So I just hopped out, so that way she can get buckled in and she
3 can load it the way she wanted it.

4 Q. Got you. And what time -- do you recall what time did the
5 tone go off for the flight?

6 A. About 6:15 is when the phone rang or toned.

7 Q. And then about what time did she arrive at the pad?

8 A. I don't recall what time she -- exactly she arrived at the
9 pad. I will say that after she got in the ship, I drove back to
10 the house, cleaned up there and I left the base about -- it was --
11 I'd say it was 6:30 I was driving. So from the base to get to the
12 apartment, I go right past the pad, and I drove by the pad at 6:30
13 and she was lifting off. So she sat in the aircraft for a few
14 minutes just getting herself put together and situated before she
15 left. So she didn't just jump in that helicopter and pull pitch
16 and run. She got in, I drove back to the base, made the bed,
17 turned the lights off, locked the door and started up the road,
18 and then she pull pitched.

19 Q. What's typically from your tone out to takeoff?

20 A. Skids off?

21 Q. Yeah.

22 A. Yeah, they would like to have us around 7 minutes because of
23 our little drive or whatever. It's more -- it's probably closer
24 to 8 or 9 minutes in the wintertime. It was -- I would say it was
25 a little bit longer of a -- yes, it was probably 15 minutes,

1 honestly, with her coming in and, you know, and swapping in.

2 Q. Got you. And do you all typically just put in your
3 destination waypoint and just take off and go VFR direct?

4 A. That's correct. We are a VFR program. So that is the norm.

5 Q. Yes. And your weather minimums for night VFR, do they change
6 with NVGs?

7 A. Without NVGs it would be a 5 mile vis, with NVGs 3 mile vis,
8 which what I saw was -- I forget which one it was. I think
9 Portsmouth had 7 miles vis and Athens had 10 miles. The lower of
10 the two was 7, which again is still above 5.

11 Q. Do you all train for inadvertent IMC encounters?

12 A. We do.

13 Q. And what's that training like? What do you do?

14 A. We do that with foggles in the aircraft. So flying at night
15 we have a safety pilot beside us, dual controls. We put the
16 foggles on, and they really do a fantastic job to eliminate any
17 reference -- during training I've actually gotten very
18 disoriented, kind of sick almost just from losing any visual
19 reference outside of the instrument panel, and your body is
20 telling you one thing, your instrument is tell you another. And
21 it's pretty good training to get you to overcome listening to your
22 body and trusting your instruments. And we spend -- oh, when I
23 was down in Batesville I probably spent around maybe 4 hours or
24 so, more than that nighttime. But every flight we did, we did a
25 number of approaches, unusual attitude recovery with foggles on.

1 Q. And is that a recurrent training or is that you just do it
2 once when --

3 A. That is a recurrent training. That's annual retraining.

4 Q. Now, in your 407, if you were to have an inadvertent IMC
5 encounter would it be okay from a company policy or GOM or
6 whatever you use to go ahead and climb up into the clouds and talk
7 with air traffic?

8 A. Yes, it is. That is correct. That is -- if you go
9 inadvertent IMC, you commit to it, get on your instruments, climb,
10 then you start communicating.

11 Q. And is that a policy for the company?

12 A. Yes. That is the procedure that is taught.

13 Q. And the helicopter is equipped well enough for you guys to be
14 able to do that?

15 A. It is. The aircraft is a VFR aircraft.

16 Q. Right.

17 A. But it is equipped with instrumentation that, yes, you can do
18 an instrument approach. Granted, you don't have the redundancy of
19 an IFR aircraft, but it is instrumented sufficiently that you can
20 do many instrument -- you can do an ILS, you can do a GPS
21 approach, do back course, you can do all that stuff.

22 Q. Does that kind of thing happen occasionally?

23 A. What, going inadvertent?

24 Q. Yeah. Inadvertent IMC or going -- having to go IMC?

25 A. No, no. We are a VFR program. That is something that we

1 really try to prevent occurring. Kind of like engine failure, you
2 don't go out expecting to have an engine failure. Even though we
3 do practice autorotations, we don't go out anticipating that.
4 Same thing with IMC conditions, we don't leave thinking, oh, we
5 might get into it, but I know how to get out. We don't do that.

6 That was something that has -- was brought up and was a topic
7 of discussion for the preceding weeks leading up to this accident
8 actually. There were situations where other pilots have pushed
9 some weather, and so it was brought up as to running minimums, and
10 Jen was a firm advocate for obviously not pushing weather. And so
11 this was something that was in the forefront of people's minds.

12 Q. Got you. How about icing encounters, what's the company
13 policy for dealing with icing en route?

14 A. Well, obviously, prevention is better than trying to de-ice.
15 So you try to avoid icing conditions. Should you encounter icing,
16 turn around, do 180, go back to where you know there were known
17 non-icing conditions. There's no way to de-ice inflight.

18 Q. And how about with respect to flight planning, though, how do
19 you assess for icing along your route of flight?

20 A. Checking AIRMETs, AIRMET Zulu would tell you that.

21 Q. And when you were looking at the weather for that evening,
22 were there any AIRMETs for icing?

23 A. I don't recall seeing the AIRMET for icing. Later on I heard
24 that MedFlight had turned down the flight because the freezing
25 level was at 2,000 feet. That being said, when there are AIRMET

1 Zulus for the area, we still go and fly but you just -- in order
2 to prevent icing, you have to stay out of visible moisture.
3 You're not going to get iced up in clear air down at the surface
4 where we fly. So it's not unusual for us to accept flights even
5 though an AIRMET Zulu covers our area. We just stay out of
6 visible moisture.

7 Q. Is that -- and you may not know the answer to this, but I'll
8 just put it out there. Is that normal for all these operators in
9 this area or just your company?

10 A. I can't speak for anyone but Survival Flight.

11 MR. GERLACH: Yeah, gotcha. I've talked for a while. Shaun.
12 Sathya.

13 DR. SILVA: Okay. How are you doing, Wally?

14 MR. ARCHER: I'm doing -- rough process.

15 BY DR. SILVA:

16 Q. Okay. All right. So I have a few more here, mainly follow-
17 ups. But regarding the airplane, were there any squawks or
18 outstanding issues on the airplane that night?

19 A. Helicopter?

20 Q. I'm sorry. The helicopter.

21 A. Little things that weren't safety of flight issues. The
22 cyclic friction had been an issue they were working on fixing up.
23 They had regained some friction on it. And then I don't know if
24 it got over-tightened or what the deal was and we lost friction on
25 it again. But that had no bearing on inflight use of the cyclic.

1 The only other squawk would be the rotor brake, you had to
2 pump it a few times in order to get it to catch as opposed to just
3 pulling it once. Again, an issue that they had parts on the way.
4 Actually, Jay had the parts. He was just waiting for a weather
5 day to do the maintenance on it. Again, not a safety of flight
6 issue. Those are the only two issues.

7 Q. And regarding the cyclic friction, so was -- you were saying
8 that at the time of the -- or the night of the accident you said
9 that it was looser than normal; am I understanding that correctly?

10 A. The time that we use the cyclic friction is when you shut
11 down the aircraft, you would friction off the cyclic just so the
12 rotor disc isn't going to be at an off angle causing undue wear up
13 at the rotor head.

14 Q. Okay.

15 A. But when you're inflight, you don't use the cyclic friction.

16 Q. Have you reported safety of flight issues regarding the
17 airplane before?

18 A. I'm sorry. Can you repeat that?

19 Q. Have you had to report safety of flight issues with the
20 aircraft before?

21 A. No, I have not.

22 Q. Okay. Do you know how the company would handle something
23 like that?

24 A. If it was a safety of flight issue, it would be grounded --

25 Q. Okay.

1 A. -- until service was done.

2 Q. Okay. And is service usually done quickly? How does that
3 normally work?

4 A. Yes. Especially if it's a safety of flight issue.

5 Q. Okay. Does the airplane -- sorry. Does the aircraft have an
6 autopilot?

7 A. Negative.

8 Q. Okay. I'm jumping around a little bit here so bear with me.

9 MR. GERLACH: May I ask one real quick?

10 DR. SILVA: Yeah, go ahead.

11 BY MR GERLACH:

12 Q. Hey, you mentioned that the other operators had turned down
13 this flight. Are you required to review why they turned down the
14 flights?

15 A. Negative. Sometimes when operations calls they might say,
16 you know, Air Evac's already turned it down or even if the other
17 base, Base 13, has turned it down, they'll tell us. But it's not
18 -- it's something we consider but it's not something that would
19 prevent us from going. Sometimes what'll happen is where an
20 operator is they can't get out because of whatever the weather
21 conditions are right in there, but where we are we have different
22 weather and perhaps our weather is flyable from where we are to
23 where we need to go. Other times it's not uncommon that other
24 operators, if they have got issues with staffing or with
25 maintenance, to save face they'll just -- they'll turn down the

1 flight due to weather versus going out of service. Just, it looks
2 better on paper that they had, you know, more in-service days for
3 the year. So they'll just turn it down for weather as opposed to
4 saying the reality that, you know, it's a different issue.

5 So I don't put a lot of weight in it. I do consider it if
6 I'm told it, but that doesn't change my decision making or what
7 I'm going to look at to make my decision.

8 Q. How would you find out about it?

9 A. Operations would inform me of it.

10 BY DR. SILVA:

11 Q. Do you know if they do that every time, like is that
12 something that's consistent in their briefing to you?

13 A. I don't know how often other people are turning them down
14 that we get calls for, so I really can't speak to that.

15 Q. Okay. So would you trust that operations would give you that
16 information if they had it, I guess is a better question?

17 A. I would.

18 Q. Okay. So you would expect it from them?

19 A. Yes.

20 Q. Okay. And did you know that this flight had been turned down
21 that day?

22 A. No.

23 Q. Okay. How often have you turned down a flight? How does
24 that --

25 A. Fairly often, especially in wintertime. We get a lot of

1 weather and just can't do it. It's a lot of times where it's been
2 right at the minimums, but as I've gotten to learn the area, learn
3 the weather reporting, I found that just because it says it's
4 1,000 feet doesn't actually mean it's going to be 1,000 feet
5 everywhere. So especially at nighttime, my minimums go up, my
6 personal minimums will go up.

7 Q. Uh-huh.

8 A. But, yeah, I have turned down quite a few flights.

9 Q. Is that something that happens like weekly, a couple times a
10 week?

11 A. Depends on the weather.

12 Q. Okay. So what are your personal minimums at night?

13 A. Depends on where I'm going. To go to, say, southeast Ohio
14 where you get a lot more hills and there's a lot less ground
15 light, there's a lot less weather reporting, you know, to take a
16 night flight I'm going to want 1500 feet if I have -- you know,
17 clear below. And visibility I'd like to have at least 5 miles vis
18 at night, just because there's nowhere --

19 Q. And are you --

20 A. Go ahead.

21 Q. No, go ahead, finish your sentence.

22 A. There's nowhere to go out there, it's so dark that -- at
23 nighttime. I mean, we do have the NVGs, but the NVG doesn't
24 change the fact that it's steep wooded terrain just about
25 everywhere, so -- I like to be able to see.

1 Q. So are you using the reporting station to really get that
2 information?

3 A. Yes. Yeah, I rely on the reporting stations and the HEMS
4 tool, kind of interpolates terrain and what's going to be IFR,
5 what's going to be marginal based on different reporting points.

6 Q. Okay. While we are on that topic, can you -- I know you
7 mentioned this when you talked about the weather that you went
8 through that day. Can you go into a little more detail on the
9 weather that you saw when you did look at it before the flight?

10 A. Yes. Again, so, blue is the color for marginal VFR on the
11 HEMS tool. So we had blue down in the southeast Ohio area that
12 I'd be going to, down toward Pomeroy, Meigs. The weather was
13 reporting again 2400-foot ceilings with 7 miles visibility. When
14 I looked at my radar, I did not see any precip in that area.
15 Those are the two things --

16 Q. Okay. Do you recall any precip outside of the area, like in
17 a bigger range at all?

18 A. For the scope of what I was looking, no, I did not see other
19 precip. I did not zoom out across the whole state.

20 Q. Okay. So you were just -- your map was focused on southeast?

21 A. Correct.

22 Q. Okay. Have you ever received patient info from dispatch?
23 Have they ever told you or accidentally told you or mentioned that
24 at all?

25 A. No, I have not.

1 Q. Okay.

2 A. They'll give us information to a pilot phone, just a little
3 flip phone that they give us, and that's what they tone us or call
4 us -- they tone us, you know, it's really loud. Gets everyone's
5 attention.

6 After we've accepted the flight, usually it's while we are en
7 route, they will then send a text message that has my flight
8 number as well as the pickup point and the destination. And at a
9 bottom of that text it will have some patient information.
10 Oftentimes it's lacking patient information, but really the
11 pertinent information I need is where I'm going to get them and
12 where I'm going with them. That's the first part of the test.
13 That's something that we receive usually in flight. So I won't
14 see that until I get to either the hospital or the scene when I
15 can check it again.

16 Q. Okay. Do you hear anything over the comms regarding patient
17 status?

18 A. Sometimes they get pretty busy in the back so I will usually
19 isolate ICS. So I'm not always listening to what's going on in
20 the back. Sometimes I can hear some patient information. Most
21 often I don't.

22 Q. Okay. Did -- Okay. So from what I'm understanding, the NVGs
23 are kept at the base; is that correct?

24 A. That's correct.

25 Q. Okay. Do you know whether either of the clinical crew

1 brought an NVG?

2 A. They did.

3 Q. They did.

4 A. They have their NVGs.

5 Q. Okay. So they had two or is it one that they carry?

6 A. The med crew shares a set and they don't put them on their
7 helmet. They have a little battery pack that just clips onto
8 them. So they are handheld for them.

9 Q. I see.

10 A. It's the same set of goggles that the pilots use. It's just
11 not mounted to their helmets.

12 Q. Okay. And they did have it that night?

13 A. And they did have them, yes.

14 Q. Is any of your inadvertent IMC training done with NVGs? Do
15 you have physical training with NVGs?

16 A. So yes, a training will be done with them. It's done at
17 night and the procedure is to flip the NVGs up and no longer use
18 them. You keep your eyes -- bring your eyes inside the aircraft
19 and commit to the instruments and you don't need the NVGs to look
20 at the instruments.

21 Q. Okay. So is that before you do the maneuver or is it as a
22 procedure if you get into inadvertent IMC?

23 A. So if you are to get into inadvertent IMC, the procedure is
24 to bring your eyes inside, flip up the goggles if you have them
25 down and commit to your instruments.

1 Q. Okay. And you do train that procedure?

2 A. Yes.

3 Q. How does that work with foggles?

4 A. So the foggles are going to be -- it's a sight to see, to be
5 honest with you. You got to wedge them in inside your helmet, but
6 the NVGs can flip down outside of them.

7 Q. Okay.

8 A. Because they don't sit, they don't sit -- like a pair of
9 binoculars, they don't sit on your eyes, like flush against your
10 face.

11 Q. Okay.

12 A. They're a couple inches in front of your eyes.

13 Q. The goggles?

14 A. The NVGs, yeah.

15 Q. Okay. Got it. Just curious.

16 A. Whereas, the foggles are on your skin. Yeah, they are on
17 your face.

18 Q. Got it, okay. Okay. Yep, just trying to picture the --

19 A. Yeah, it's pretty funny looking.

20 Q. All right. So let me see. Again all over the place. But
21 you mentioned the time it takes from the call to skids off the --

22 A. Yes.

23 Q. And you mentioned that you had your risk set at amber that
24 night so you had a little more time. How much more time did that
25 buy you?

1 A. What that does is when operations calls, if you're a green
2 risk assessment --

3 Q. Uh-huh.

4 A. -- they know that you have checked the weather and that
5 you've verified that if they give you a flight request somewhere
6 you can take it. So when they call you they'll just say flight
7 request from Meigs to Riverside. When you are amber risk
8 assessment, that tells them that based on your weather you need a
9 second look. So when they call you, they'll say it's Survival 14,
10 weather check Holzer -- or Meigs Holzer back to Riverside. And
11 so that gives you -- yeah, that gives you a few minutes to just
12 kind of look at it.

13 Q. Okay. Are you usually, like, on the phone with them the
14 whole time?

15 A. Yes. That is correct.

16 Q. Okay.

17 A. Well, it depends. Sometimes, like especially over at Bolton
18 where the weather computer is over in the -- kind of the crew
19 room, if I'm at the aircraft, I'll tell them I'll -- you know,
20 stand by, and sometimes I'll keep them on the phone and walk over
21 there. Sometimes I'll say, I'll call you right back, I got to
22 check weather.

23 Q. Got it. How often would you say that you have flown this
24 route over the national park, that way? Is that something that's
25 common?

1 A. So to Meigs, specifically I have not gone to Meigs. Jen had
2 gone to Meigs a couple times.

3 Q. Okay.

4 A. But we have flown that area going down to, say, Jackson,
5 Gallipolis; we've flown that area actually quite a bit. A lot of
6 our runs are to Jackson. And earlier that hitch I actually did a
7 run, a night run down to Gallipolis, and then from Gallipolis all
8 the way to Cleveland Clinic. So I flew directly over all that
9 stuff.

10 Q. Got it. How would you describe Jen as a pilot?

11 A. Safety conscious, conservative. Pretty attuned to her crew.

12 Q. Have you heard of any complaints regarding --

13 A. Not a one. No. People loved her.

14 Q. Okay.

15 A. She'd walk through the door and everybody was, hey, Jen's
16 home! They'd be very excited. Everybody liked to work with Jen.

17 Q. Okay. How would you describe morale at the base?

18 A. Working with Jen?

19 Q. Overall.

20 A. Overall, positive.

21 Q. Okay. Were there any issues that crew members had had with
22 safety or management or anything like that that you are aware of?

23 A. With Jen, no.

24 Q. Not -- yeah, so specifically -- outside of Jen, in general
25 with the company, is there anything that people had issues?

1 A. There was a couple of -- I don't know how many times, but
2 there were instances where another pilot was pressing the weather
3 minimums and both ceiling and visibility at the same time, and
4 those were being addressed. But other than that particular pilot,
5 no, there are no other issues.

6 Q. So is that something like the clinical crew brought up out of
7 concern? How did that manifest?

8 A. Yes.

9 Q. Okay. Do you know how the company handled it?

10 A. They are still handling it now.

11 Q. Okay.

12 A. This is a pretty recent issue, I guess.

13 Q. Okay. Do you know time frame? When are we talking?

14 A. It happened the last time I was home, so within the month --

15 Q. Okay.

16 A. -- was the first times that I heard of it.

17 Q. Okay.

18 A. In fact, while I was home last, Jen had called me discussing
19 these issues because she was our safety officer and just trying to
20 get ideas on how to rectify the solution and bring about change.

21 Q. Okay. Do you know of any complaints formally to HR or
22 anything along those lines?

23 A. I personally don't, no.

24 DR. SILVA: Okay. All right. I am going to pass it off to
25 Shaun for our last round.

1 MR. ARCHER: Okay.

2 MR. WILLIAMS: I think you got pretty much the rest of mine,
3 so --

4 DR. SILVA: You're good?

5 MR. WILLIAMS: Yep.

6 DR. SILVA: Dave, do you have anymore?

7 MR. GERLACH: I don't think so. I think that covered it
8 really well.

9 DR. SILVA: Uh-huh. Great.

10 BY DR. SILVA:

11 Q. So Wally you -- actually let me just ask. Is there anything
12 that we didn't ask you that you feel that we should have?
13 Anything that we should look into?

14 A. No.

15 Q. Okay.

16 A. I have been replaying it over and over and over again in my
17 head and I just -- I don't know. It's all that I can think of is
18 that she got caught with a snow squall or something like that that
19 pops up. Those happen. I did a run from Adena down to
20 Chillicothe back up to Columbus one day with Rachel and Chris
21 McKenzie, and weather was -- it was marginal but it was flyable.
22 So we headed down there with -- it was daytime. We probably had 4
23 miles vis going down.

24 Q. Uh-huh.

25 A. Plenty of ceiling. It took them a long time, the patient was

1 kind of a wreck and they were trying to get a bed up at Riverside.
2 Took them almost 2 hours, which is atypical. Usually you try to
3 be in and out of there in a half hour. But anyhow, we got back in
4 the aircraft and the forecast was for it to improve. And when we
5 picked back up out of Adena it was more than 10 miles vis. Oh, it
6 was great. The weather is super. Life is fantastic. So we start
7 heading north, and then on the forecast it -- didn't see it on the
8 radar, but there was very small snow shower. A little band that
9 connected Bolton to Rickenbacker that was just a wall and we
10 couldn't get through it. As we approached it, it just -- it
11 stayed there.

12 Q. Uh-huh.

13 A. As we got closer and closer, realized we weren't going to get
14 through and I couldn't see either end of them, so we ended up
15 diverting. We landed at the Grove City pad because that was only
16 a mile from where we were at the time. And Rachel and Chris took
17 the patient by ground the rest of the way. But these things do
18 pop up.

19 Q. Uh-huh.

20 A. So that's the only thing I can think of is if somehow -- and
21 the rest of that day it was like that, there were these just
22 spotty little snow squalls.

23 MR. GERLACH:

24 Q. With respect to that, do you guys typically find yourself
25 flying in snow at all?

1 A. Light snow is okay as long as you can see through it. We are
2 a VFR program. So if you can see through the snow, it's all
3 right. Same thing with the rain; if you can see through it, it's
4 all right. But if you get heavy downpours or a blinding snow
5 squall you don't fly into that.

6 Q. When you fly the 407, is there any place on the helicopter
7 that you start to notice first when you start to get ice
8 accumulations?

9 A. I've never iced up an aircraft. But from training and what I
10 have been told is you'll start to see it on the edges of the
11 windscreen. A pilot repositioned the aircraft one night from our
12 pad over to Bolton, just that 4-mile little hop, and he had gotten
13 some ice buildup on the battery compartment door but nowhere else.
14 It wasn't building up on the windscreen.

15 Q. Yeah.

16 A. He told me about that. He said, when I landed at Bolton, I
17 had a little bit of ice on the nose.

18 Q. Does anybody teach or talk about what happens to the
19 performance of the helicopter, specifically the 407, when you
20 encounter icing?

21 A. Yes.

22 Q. What's the scoop on it? What does it do?

23 A. Again, the heavy icing -- I mean, losing visibility is
24 obviously a bad thing. But the worst part, performance wise, is
25 that as it builds ice on the rotor blades it changes the shape of

1 the airfoil and degrades performance, so you are no longer able to
2 generate your normal amount of lift.

3 Q. Do they talk about the handling qualities or anything? Does
4 it shake?

5 A. Yeah. They say you could, you know, start to feel vibrations
6 -- unusual vibrations, shuddering.

7 Q. Got you. Okay.

8 BY DR. SILVA:

9 Q. So when you encountered the squall, is there -- do you have
10 to report that to the company? How does that work?

11 A. I did, especially since we had diverted and we had to get
12 ground transportation. Typically, if I can't fly a straight line
13 from, you know, where we are taking the patient to, the company
14 will actually call us up and say, hey, just seeing, you know, we
15 notice you turned, you know, what's going on or how is the
16 weather? In this instance, I had started to slow down because I
17 saw this wall ahead of us and they called out to me before I could
18 tell them what I was doing. So when they called in to check on
19 me, I said, oh, we've got reduced visibility; we're going to land
20 at Grove City and the patient is going to have to go by ground.
21 So they immediately started to arrange ground transport.

22 Q. Okay. Was that dispatch that called you?

23 A. That's correct.

24 MR. GERLACH: Speaking of that, do you know if Jen was trying
25 to divert?

1 MR. ARCHER: I do not know.

2 DR. SILVA: Okay. Well --

3 MR. ARCHER: I didn't get to see the scene. So I don't know
4 what direction that, you know, they crashed into the woods. Meigs
5 was in a southeast heading. So I imagine if she wasn't going
6 southeast, she was turning.

7 DR. SILVA: All right. Well, thank you so much for your
8 time. I know that this is a hard phase and we do really
9 appreciate it and we are sorry for your loss.

10 MR. ARCHER: Yeah. No problem, thanks.

11 DR. SILVA: If you can think of anything else or you want to
12 reach out to us again, feel free. You can run through the company
13 to get back to us and Shaun is actually going to give you his --

14 MR. WILLIAMS: And you've got my cell phone number. It
15 should have popped up on your caller ID if you got it?

16 MR. ARCHER: Yes, it did.

17 MR. WILLIAMS: Hold on to that. If anything comes up, please
18 don't hesitate to reach out.

19 MR. ARCHER: All right. Thanks.

20 DR. SILVA: Thank you so much.

21 MR. ARCHER: You're welcome.

22 DR. SILVA: Take care.

23 MR. ARCHER: Yep, bye.

24 MR. WILLIAMS: Off the record at 10:32.

25 (Whereupon, at 10:32 a.m., the interview was concluded.)

CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD


IN THE MATTER OF: SURVIVAL FLIGHT HELICOPTER CRASH
NEAR ZALESKI, OHIO
JANUARY 29, 2019
Interview of Walter R. Archer, IV

ACCIDENT NO.: CEN19FA072

PLACE: Via Telephone

DATE: February 2, 2019

was held according to the record, and that this is the original,
complete, true and accurate transcript which has been transcribed
to the best of my skill and ability.



Letha J. Wheeler
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

* * * * *

Investigation of: *

SURVIVAL FLIGHT HELICOPTER CRASH *
NEAR ZALESKI, OHIO *
JANUARY 29, 2019 *

* Accident No.: CEN19FA072

* * * * *

Interview of: KEVIN JOHNSON

Via Telephone

Thursday,
February 7, 2019

APPEARANCES:

SHAUN WILLIAMS, Investigator in Charge
National Transportation Safety Board

SATHYA SILVA, Ph.D., Human Performance Investigator
National Transportation Safety Board

JOHN BRANNEN, Regional Investigator
National Transportation Safety Board

PAUL SUFFERN, Senior Meteorologist
National Transportation Safety Board

DAVID GERLACH, Aircraft Accident Investigator
Federal Aviation Administration

TOM LUIPERSBECK, Team Lead
Helicopter Air Ambulance Focus Team
Federal Aviation Administration

TIM TAYLOR, Instructor Pilot
Survival Flight

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I N T E R V I E W

(3:30 p.m.)

1
2
3 MR. WILLIAMS: So on the record at 3:30.

4 So, Kevin, again thanks for talking with us. My name is
5 Shaun Williams. I'm the NTSB investigator in charge for the
6 accident from January 29th down near Zaleski.

7 The NTSB, you know, we're a federal agency. We're charged
8 with determining the probable cause of the accidents. We're not a
9 part of the DOT or the FAA. We have no regulatory or enforcement
10 powers. Our sole purpose here is to determine what happened, why
11 it happened, and what we can do to prevent it from happening
12 again.

13 So, like I mentioned, we have several people in the room
14 here. The way we do our interviews is we do them as a group. We
15 can't be experts in everything, so we kind of bring in the folks
16 that are to help us out here. So I'm going to let everyone kind
17 of go around the room and introduce themselves.

18 John.

19 MR. BRANNEN: Hi, Kevin. My name is John Brannen. I'm a
20 regional investigator for the National Transportation Safety
21 Board. On this accident I'm -- my role is operations.

22 MR. JOHNSON: Okay.

23 MR. WILLIAMS: Tim.

24 MR. TAYLOR: Tim Taylor. Hi, Kevin. With Survival Flight.

25 MR. JOHNSON: Okay.

1 MR. SUFFERN: Paul Suffern with the NTSB, meteorologist.

2 DR. SILVA: Sathya Silva, human performance, NTSB.

3 MR. LUIPERSBECK: Tom Luipersbeck from the FAA headquarters,
4 the 135 operations policy branch, and the helicopter air ambulance
5 focus team lead.

6 MR. GERLACH: And hi, Kevin --

7 MR. JOHNSON: Okay.

8 MR. GERLACH: This is David Gerlach. I am with the FAA
9 Office of Accident Investigation and Prevention. I am an accident
10 investigator.

11 MR. WILLIAMS: So that kind of rounds up our group here,
12 Kevin. Are you okay talking with all of us here today?

13 MR. JOHNSON: Sure. Yeah, no problem.

14 MR. WILLIAMS: Okay. So, like I mentioned, today we'll be
15 using a tape recorder to record the interview. The audio will
16 then be sent off for transcription, with the transcript, not the
17 audio recording, becoming a part of the public docket when the
18 accident is released.

19 We're here to determine -- we're here for safety. You know,
20 we're not here to assign fault, blame or liability. We're -- this
21 interview is part of the fact-finding phase of the investigation.
22 We cannot, however, offer any guarantee of confidentiality or
23 immunity. Like I said, this will be part of the public docket.

24 Each of the group members will have a chance to ask
25 questions. We'll ask them one at a time, go around the room,

1 usually about two rounds. So if you need a break or anything like
2 that, please speak up, please let us know. We can definitely,
3 definitely make that happen.

4 Please answer all the questions to the best of your
5 recollection. If you don't understand a question, you can have it
6 repeated or explained, but in that same token, if you misspeak or
7 you want to go back and change an answer, please do. We want the
8 most accurate record possible.

9 During our interviews you're entitled to have a
10 representative of your choosing with you. Is there anybody you
11 want with you?

12 MR. JOHNSON: Not at this present time, I'm not aware of
13 anyone.

14 MR. WILLIAMS: Okay. If that changes, just let us know and
15 we can accommodate that as well.

16 Do you have any questions for us before we get going?

17 MR. JOHNSON: No, not really. We'll just get moving and
18 answer your questions for you.

19 MR. WILLIAMS: Okay. Perfect.

20 INTERVIEW OF KEVIN JOHNSON

21 BY MR. WILLIAMS:

22 Q. So can you start off, can you spell your first and last name
23 for us, please?

24 A. My first name is Pearl, P-e-a-r-l, and my last name is
25 Johnson, J-o-h-n-s-o-n. My middle name is Kevin, K-e-v-i-n, and

1 that is the name I typically go by.

2 Q. Okay. And what is your title?

3 A. Title as in what? Can you further explain --

4 Q. At Survival Flight.

5 A. Oh, at Survival Flight. I am lead pilot for Base No. 14,
6 Survival 14.

7 Q. Can you kind of give me an overview of your background and
8 how you got where you are, how you got to become a lead pilot?

9 A. An overview is I started flying as a -- I always wanted -- my
10 brothers are all helicopter pilots. I have two brothers that are
11 helicopter pilots, and I questioned them about it, always had the
12 desire to fly. My dad was a pilot, fixed wing though. One of my
13 brothers took me out for a birthday present to fly a helicopter.
14 Fell in love with it, bought a small Hughes 269A and flew it. And
15 got my private license, and then I built up my hours by doing
16 aerial photography and rides and just small little stuff flying
17 around the ranch all the time.

18 I got -- became a commercial pilot, and after I became a
19 commercial pilot to where I could start doing hire work, hiring
20 work, paid work, I started flying aerial and mapping, did
21 photography paying work, animal observation, pipeline observation,
22 aerial surveying, power line inspection, search and rescue here
23 and there, and did that for years.

24 And then I have a brother that flies EMS, and we were
25 discussing it one day and he asked me if I would have an interest

1 in it. And I asked him questions about it. And then I got to an
2 age where the construction industry isn't as much fun as it used
3 to be, and my dad died a year ago January and I decided that I
4 didn't want to work 300 hours a week -- a hypothetical number, not
5 accurate. I just didn't want to work day and night in the
6 construction industry. I wanted to take advantage of my pilot
7 skills and piloting. And my brother said flying EMS would be a
8 good fit for me.

9 So I started checking around and did some interviews in a
10 couple locations and became a member of Survival Flight, and
11 really appreciate the Survival family and I'm happy that I am
12 where I am.

13 Q. When did you start at Survival Flight?

14 A. I started training in April of 2018. I think it is somewhere
15 around the -- I don't have the records in front of me -- around
16 the 23rd of April 2018.

17 Q. And --

18 A. Plus or minus. I can't swear that's an exact accurate date
19 without looking through calendars.

20 Q. That's okay. When did you become lead pilot?

21 A. If my memory plays right, it was sometime around the
22 beginning of August of 2018.

23 Q. And what does it take to go from line pilot to lead pilot?

24 A. What does it take?

25 Q. Yeah, is it based on hours flown? Is it based on -- you

1 know, like where does that promotion or that new title -- how do
2 you get that title?

3 A. That I have no -- I do not have an answer for that, sir.
4 That is a decision made by management on up the chain of command.

5 Q. Okay. I didn't know if it was something you had applied for
6 or anything like that.

7 A. I had mentioned, and a training -- there was a training that
8 -- I am hard worker and, you know, asked questions about what it
9 would take to advance, how do you advance, you know, what does it
10 imply. You know, I've owned my own businesses and just have that.
11 I don't know proper terminology. Enthusiasm to be a leader. And
12 I was told at that point that you just -- it's -- they observe you
13 and they follow -- they just watch what you do and you just have
14 to earn your way there. So there was no exact details mentioned.

15 Q. Thank you. That's kind of what I was getting at. So you hit
16 all of that right there.

17 So what's the role of the lead pilot? What are your duties
18 and responsibilities?

19 A. My duties and responsibilities are to line the shifts, make
20 sure that the pilots are in place to cover the shifts as needed.
21 Make sure that everything is accountable for: fuel, expenses,
22 safety, paperwork, documentation, payroll, recording working hours
23 of the men, payroll -- or men and women I should say. I'm sorry.
24 Just general management. If that makes sense?

25 Q. Yeah. Let's talk about that for a minute. So are you the

1 supervisor for pilots or what kind of a management role do you
2 have?

3 A. I don't know if I want to say -- I would say supervisor in a
4 way, yeah. Supervise the pilots at the base. But pilots are Type
5 A personality, trained professionals at what they do. I just
6 align them -- align everything. Scheduling, schedule them, and
7 make sure they have what they need, make sure that they're doing
8 their paperwork properly, recording what they need. Make sure
9 that we have -- they're covering their responsibilities, I guess.

10 So --

11 Q. So if they're not covering their responsibilities, what
12 happens?

13 A. I report to a chief pilot, which would be my direct
14 supervisor. And if I'm having trouble with something, I report to
15 him and ask him for help or let him know what my situation is, and
16 then he advises or takes it from there.

17 Q. You mentioned safety. What do you mean by safety?

18 A. We have discussions, briefings/debriefings, with crews. Make
19 sure that briefings and debriefings are taking place, that the
20 paperwork is charted and filed properly. As things develop, we
21 have a -- what we call a refile. Make sure the information in
22 there is put into the refile and that it's being read and tracked.

23 We actually have a safety -- I'm trying to think of what the
24 proper title is -- safety pilot. We have an assigned pilot that
25 takes care of the safety. That's their job. They have -- in our

1 monthly meeting, bring up any safety topics of the month. If we
2 bring -- if we pull something out of FFAST, I will -- I do FFAST,
3 a FFAST member. So we'll pull up things that are discussed in
4 FFAST and share it. We always try to have a safety discussion and
5 discuss things that are -- you know, to keep things sharp in
6 people's minds and run a program, run a top program.

7 One other thing is, for instance, if -- training for like --
8 we'll discuss hot load training. We'll discuss hand signals,
9 different things, and make sure that we're all on the same page on
10 how we work with EMS teams out there.

11 Q. Do you guys do hot loads?

12 A. (Indiscernible). Pardon me?

13 Q. Do you do hot load out of 14?

14 A. We do hot loads, scene hot loading out of 14. We've had a
15 couple hospitals request hot load training for hot loading, the
16 ability to hot load. Most do not.

17 Q. Okay. So how do you like flying at Survival Flight?

18 A. I am very proud to be a Survival Flight member or personnel
19 and very proud of our company. I love my job.

20 Q. How is it working with the multifaceted crew? I mean, from
21 pilot to paramedic and nurse and -- how's that crew environment?

22 A. It's good. It's a learning experience. Going from being a
23 business owner to a supervisor is -- and changing fields is a
24 learning experience. It's good.

25 Q. Okay. You mentioned that if you're having -- you supervise

1 pilots and if there's problems you can go to the chief pilot. Is
2 that involve the med crew as well or is that strictly pilots?

3 A. No, there's a pilot -- med crews are taken care of by the
4 base clinical manager. The medical side is a different side than
5 the pilot side.

6 Q. So you don't have any oversight responsibilities or
7 supervisory duties over the med crew?

8 A. Not for the crew. No, sir. I just -- as a supervisor, no,
9 sir. I do not.

10 Q. Okay. Did you open the Base 14? Were you one of the first
11 pilots in there?

12 A. Yes. I was one of the first pilots at Survival 14. Yes,
13 sir.

14 Q. So when you started in August you became lead. Did you start
15 off as a lead at 14? Is that when 14 opened, or were they in
16 June?

17 A. No. I don't know if I received the title position exactly
18 when 14 opened. That would have to be a reference to paperwork.
19 I'm not 100 percent sure, sir.

20 Q. Okay.

21 A. Fairly close, but I couldn't tell you if it's exact day.

22 Q. So how did that process go, starting a new base? A smooth
23 transition? Was it new nurses and new paramedics? Were they --
24 did they bring in experienced ones to open it up? Kind of talk to
25 me about that a little bit.

1 A. We came off of the other Ohio base, No. 13, and they had some
2 new crew for 14, brought in some crew from -- that I had been
3 working with at 13. And then they had clinical people from other
4 bases that trained and assisted the new personnel or the
5 personnel. I fully do not know all the experience of the
6 personnel as far as their past. Some things were mentioned, but I
7 don't know all their past on the EMS side.

8 Q. Were there folks there that you hadn't flown with before?

9 A. Yes, sir. Yes, sir. There was both medics and nurses that I
10 have not flown -- I had not flown until we got to Base 14.

11 Q. So how does that go when you've got new crews that you
12 haven't flown with? Is there more of a pre-brief/debrief session?
13 Is it kind of -- do you assume that they know what they're doing
14 so you just -- it's a smooth transition? How do you work with new
15 crews?

16 A. Me personally, I take extra time to -- I make my brief a
17 little more detailed. I make sure I have a -- I don't have a
18 abbreviated brief. I usually cover a detailed brief, especially
19 with people that I've never flown with before, to make sure that
20 we all understand the importance of communication, situational
21 awareness, sterile cockpit, and performance in flight.

22 Q. What do you mean by performance in flight?

23 A. What's expected of you in flight as far as communication, the
24 -- how what -- I tell them what I say as far as like what clear
25 left, clear right, clear overhead means. What it means when I say

1 that I'm sterile cockpit. I tell them how -- what words I use,
2 how I communicate, what my hand signals are when they're outside
3 the aircraft, thumbs up for approaching the aircraft. I explain
4 don't ever approach the aircraft without seeing eye to eye. Don't
5 assume that I can see you. Stand outside the rotor blades away
6 from the aircraft until you actually have a thumbs up. And I talk
7 about things like that.

8 And then in flight I explain to them that radio -- how I talk
9 on the radio, our radio communication amongst each other. And
10 then radio -- when I'm communicating in a controlled airspace, how
11 I do that. Plus what I'm doing, so if they're hearing things so
12 they understand what I'm doing. And so that it helps them
13 understand when -- especially in a sterile cockpit time of
14 performing in the flight, eyes out, you know, help me -- need eyes
15 out both sides, everybody paying attention. Communication being
16 about what is taking place: takeoff, landing, hovering maneuvers.
17 I call that performance. That might not be a right choice of
18 words, but that's what I call performing in the aircraft.

19 Q. Does having a new crew versus an experienced crew, does that
20 affect your decision making on the flights at all?

21 A. No. It doesn't affect the decision making. It affects
22 communication, understanding, describing, you know what I mean. I
23 say description, making sure I answer their questions. I tell
24 them -- especially a new crew, I tell them don't be afraid to ask
25 questions; the only bad question is one that's not asked. And I

1 try to encourage new crew by being an encouraging example.

2 Q. Can any of the crew members call a flight?

3 A. Yes. We discuss our flights. When we're taking a flight,
4 we'll discuss the flight and a crew member can say yay or nay.
5 Also, they'll -- it's a three-part decision. Yes, sir.

6 Q. So have you ever had a crew member, you get ready to go and
7 they're like, you know what, I just don't like what I'm seeing,
8 I'm out?

9 A. Yes, sir. Sure have. Multiple occasions.

10 Q. So what is the role of the OCC?

11 A. The role of the OCC?

12 Q. Yes, sir.

13 A. The role of OCC, in my interpretation, is to track or set up
14 my day or a pilot's day, the status, the flights that are due.
15 There's a series of questions we go through, the risk assessment,
16 we go over. We let them know what crew we have on the shift,
17 current shift, and on the shift change if there's going to be a
18 change of crew. That starts the day out.

19 And then the OCC is who dispatches our flights. They alert
20 us and let us know of an incoming flight or, if we are amber on
21 the risk assessment, they call us to have us do a weather check
22 for a flight. The OCC also in our company are meteorologists and
23 we utilize their knowledge, their experience, discuss weather
24 situations with them, discuss taking a flight, decision making on
25 not taking a flight. I talk to my OCC a lot.

1 They also track our flights. They're our communication
2 during flights. They are our go-between if we need ground
3 contact. We'll ask OCC to contact someone at a scene, someone at
4 a hospital if we need clarification for something, if we can't
5 reach them on a radio. OCC thoroughly tracks my flights, makes
6 sure that I'm getting where I need to get, and tracks my time.

7 And they assign me a flight number at the end. We brief at
8 the end of a flight, discuss if there is anything during the
9 flight, we discuss it with OCC. If I have a weather question en
10 route, OCC can help me as a resource. They can help me on weather
11 questions or information, en route information as needed.

12 Q. So is the risk assessment a joint venture; is that something
13 that you both have to agree on? Is it more weighted towards the
14 pilots?

15 A. It's the pilot. The pilot does the risk assessment, gives
16 the risk assessment to OCC, and then OCC records that and has the
17 risk assessment for the shift. Or if you have a flight that needs
18 a -- not necessarily a flight, but if there's something that
19 changes during your shift, weather changes -- you might start
20 green, you may go to amber during a shift, or you may start out
21 amber and go green during a shift if the weather improves and
22 everything goes VFR. Then we'll call in and change our risk
23 assessment. But the risk assessment is determined by the pilot.

24 Q. So there is an amber -- you're amber. They call up for a
25 flight and you guys are talking about the weather. Is that go/no-

1 go decision, is that joint or is that the pilot's decision and you
2 inform the OCC of what's going to happen?

3 A. Ultimately, the pilot informs OCC if they're going to take
4 the flight or not take the flight. Me personally, I'll ask OCC
5 questions at times. I will ask them as a -- you know, are you
6 interpreting this? They have -- I'll have them look and verify
7 something that I'm interpreting to make sure I'm interpreting it
8 correctly. I will ask them questions. I'm still learning a
9 couple new programs that are out, one of them on -- an infrared
10 program. So I'll ask questions to OCC, some of the
11 meteorologists, to make sure I'm properly interpreting something.

12 So I'll ask them questions, but the PIC makes the
13 determination of if it's a go or no-go flight. If OCC has a
14 concern, they'll share their concern, but the ultimate
15 responsibility the PIC.

16 Q. Does the operational control, the OCC, do they have any --
17 do they have operational control of a flight? Do you understand
18 what that -- what I mean by that?

19 A. I do not. No, sir. I was going to ask you to explain it to
20 me.

21 Q. So operational control is the ability to initiate, terminate
22 or cancel a flight. So if you're sitting out on the pad or
23 something like that and they start seeing a band move through, can
24 they call you up and say it's scrubbed?

25 A. They have control of a flight as far as if it's cancelled or

1 not. Weather wise, I've never had them do that, but I have had
2 them call me and tell me -- on the radio, and tell me, hey, such
3 and such reporting station has changed to this, changed to IFR, or
4 the ceiling's dropped. They'll get right on -- they're very good
5 about getting right on the radio and telling me that. And then,
6 as the PIC, I'll say thank you and, yes, please notify the
7 hospital that we are standing down due to weather. We'll abandon
8 the -- or it's not called abandon. It's called abort. We'll
9 abort a flight en route.

10 They have -- they will also call you and tell you a customer
11 is standing you down, that the flight is terminated. So then at
12 that point you'll turn around and let them know if you need to go
13 back for fuel to -- or a fuel point or if you're going directly to
14 base. And what's your intended flight time and plan is.

15 Yeah, they'll get -- if there is a weather phenomena or
16 something changes en route, they are awesome about getting right
17 at us, right at me and informing me and reacting to -- you know,
18 me reacting and making a decision.

19 Q. When you accept a flight, do you specifically ask about any
20 prior turndowns for that assignment?

21 A. If there is knowledge of a turndown, OCC will share it with
22 me. Not all flights have -- not all flights will get information
23 on a turndown. What I've learned is that not everybody that turns
24 down a flight makes it knowledgeable that they turned down a
25 flight or why they did. It would be a nice improvement in the

1 overall system of things. But if there is that information
2 available, OCC will tell me why there was a discuss, why there was
3 a turndown. And we'll thoroughly observe that and make our
4 decision according to everything that we observed and what our
5 flight route and plan is.

6 Q. So do you add any additional weight or does it change it at
7 all if 13 turned it down versus another company?

8 A. No, sir. Every flight is treated individual and all the
9 decisions are made on the support, the -- you know, the
10 observation, I would say. So airport observations, weather
11 reporting stations, any kind of radars that we'll use, those are
12 the factors that make or change or -- make or take, or the crew
13 input. A crew member is not happy, you know, it could be a crew
14 member not feeling good for some reason all of a sudden or
15 something's changed with a crew member, that'll make a difference.
16 It's all input.

17 But, no, not necessarily whether -- who turned it down.
18 Because there are turndowns geological -- I want to say, make sure
19 I say this right. I'm south of Columbus, 13 would be north of
20 Columbus. 13 can get isolated in a lot -- they call it the 70
21 corridor. They can have visibilities down there up -- they can't
22 -- they're pinned to the ground and we're not. So, you know,
23 everybody has their own reasons for turning down flights, and just
24 be simply a pilot's comfort, as far as that goes. It could be a
25 new pilot's comfort, and crew. There's multiple reasons that

1 flights are turned down that don't necessarily direct the decision
2 making of the next person observing it.

3 Q. Do you recall ever taking a flight during a shift change?

4 A. As far as they could be coming in or be on it, be in the
5 process of a shift change and accepting a flight?

6 Q. Yeah. For example, the pilot coming off shift had accepted
7 it, you're going to take it because it's right at shift change.

8 A. Yeah. I've had a shift change flight before. Yes, sir.

9 Q. So walk me through that process. Do you go and check your
10 own weather? Do you accept the observations and decisions from
11 the previous pilot? What does that process look like?

12 A. I do the exact same process I do for every flight. I go
13 through all the steps and check my own weather, check my route. I
14 ask where the flight is, where the destination of the flight is.
15 Is it in a facility? Is it scene? Where is it going? So where
16 is the flight going to and then where is it returning to.

17 And then I'll look at that route and look at everything
18 involved in that route. All the reporting conditions, TAFs,
19 what's future reporting, estimated time of flight. You know, you
20 have to look at the TAF, so if you're going to have an out, you're
21 going to be out an hour, you have to look out beyond that, or if
22 it's a short run what the METAR and TAF is. I thoroughly do all
23 my flights the same way. I never make a judgment off of if
24 another pilot accepts or denies a flight.

25 Q. Do you have personal minimums outside those of the company's?

1 A. Do I have personal minimums? That's a good question. I
2 never thought of it that way. I'm fairly comfortable with the FAA
3 minimums. Nighttime I will set my minimum a little bit higher, so
4 -- and territorial area, I'll set my minimum higher on different
5 territories of Ohio. Certain areas of Ohio I'll set my minimums
6 different on where I'm going. Yes, sir.

7 Q. What do you set them to at night?

8 A. The minimums at night, due to we have HTAWS and night vision
9 goggles we're non-local allowed 1,000 and 3. I keep mine up to
10 1,000 and 5. And my minimums will be -- I don't know how to
11 properly say it. I make sure both minimums do not come together,
12 so to say. So I try to practice that. I only use one minimum and
13 not both at the same time.

14 Q. Okay.

15 A. And during the day, I -- oh, you asked night. Yeah, so at
16 night I'll run a higher minimum at night. To answer your
17 question. Sorry.

18 Q. So you mentioned NVGs. Describe -- what's your philosophy on
19 them? Are you on them all the time at night? Do you go on and
20 off? What's -- what is your usage of NVGs?

21 A. My philosophy of NVGs are, they are a -- I'm trying to think
22 of how to say this properly. They are a tool of assistance, but
23 they are not my primary vision for at night. So I use NVGs as an
24 assisting tool but I don't make decisions on NVGs. So I don't
25 rely, I don't put my -- rely, my reliance on NVGs. I use them as

1 assistance, but not as a primary.

2 Q. Do you keep them on for the whole flight?

3 A. I keep my NVGs on for the whole flight. Yes, sir.

4 Q. What about the med crew? How do their -- do they wear NVGs
5 at night?

6 A. They have -- the medic typically has the NVGs. The med crew
7 has -- uses handheld with their NVGs so that they can pass them
8 back and forth to each other. So if there is -- so your medic is
9 on the left side of our aircraft, which is the opposite side of
10 me. The NVGs are assigned to the medic but the nurse can also use
11 the NVGs if need be. So they can hand their NVGs back and forth
12 if needed.

13 Q. Describe the safety culture at Survival Flight.

14 A. The safety culture is very, I want to say -- I call it top
15 notch, very safety oriented. We believe safety is most important.
16 We have a saying that if we can safely do our job, we'll do it,
17 but we won't risk our own safety for the bad luck of someone else.
18 So what that means is just because there's a patient or someone
19 out there that needs us, they're having a bad day, we won't risk
20 our safety or push our safety on their behalf. We'll do our job
21 and do it the utmost safe manner that we can, and we don't let
22 what we're doing influence our safety of performing our job.

23 Q. Okay. Are there any pressures to complete a flight?

24 A. In my opinion, no, sir. There is no pressure to complete a
25 flight. No, sir.

1 Q. Have you ever turned back for weather?

2 A. Yes, sir. I've had aborts due to weather. I had en route --
3 I call them aborts, aborted flight due to weather. I've had en
4 route call off a flight, return back to base due to weather. Yes,
5 sir.

6 Q. Have you had the crew in the back call a flight for weather
7 en route?

8 A. Yes, sir. The crew in the back has just as much opinion and
9 they'll -- they always -- I'm proud of my crews. They pay a lot
10 of attention. They're always asking questions. I depend on my
11 crews to see -- on what they're seeing also. I explain to my
12 crews, especially night flying, the naked set of eyes is just as
13 important as the NVGs eyes because naked eyes can see things NVGs
14 can't. And my crews will give me feedback on what they're seeing
15 or what their comfort is.

16 I have had the crews say, you know, this just doesn't look
17 good, let's call it a flight. Switch the radio over, call OCC, we
18 are going to cancel this flight. Please notify the hospital or
19 the scene, whatever -- wherever we're going, please notify them
20 that we are standing down due to weather, and we head off. We
21 turn and head back.

22 Q. So can you give me a specific example when -- is there a
23 flight that you can think of that kind of sticks out where a crew,
24 the med crew in the back hasn't felt comfortable and essentially
25 called the flight?

1 A. Yeah. We've had a flight to -- down into southern Ohio where
2 there is -- I want to say the reporting stations are very widely
3 spread. We have what we call the Appalachian line, where we go
4 from flat farm country to hills. It's a perfect line. My
5 understanding is it's where the glacier stopped in -- prior to my
6 time. And you'll get into weather phenomena when you get to
7 there.

8 And we had a flight we were flying south to Holzer Jackson
9 and we started seeing the visibility was declining ahead of us and
10 -- so the visibility was to the west. We were on a south heading.
11 The west was clear. Made a right turn to the west and discussed
12 -- because the system was moving west to east, discussed going to
13 -- around to the west, flying west, and then possibly going around
14 the west part of the system to go behind it, so to say. And
15 confirmed with OCC that the system was moving as observed. And
16 the crew said, eh, I'd rather just not go around it; let's head
17 back to base.

18 So we discussed it and turned north, and made our way that
19 way from the visibility issue that -- we had perfectly clear
20 skies, unlimited vis to the north, and we turned that direction
21 and worked our way to the north and went back and got fuel, and
22 then returned back to base. And that was strictly a crew
23 decision, a primary crew decision that called that fight.

24 Q. Do you recall having any inadvertent IMC events?

25 A. Have I had an inadvertent IMC event?

1 Q. Yes, sir.

2 A. Yes. I've had one.

3 Q. Can you describe that for me, please?

4 A. Yes, sir. I was returning to base from Cleveland, Ohio,
5 Cleveland Clinic. And we were -- there was a reporting of 1200
6 and 7 en route, and then there was a isolated area that was
7 reporting minimums, below minimums. So I stayed to the east of
8 the standard tracking route, stayed close to the Wooster-Akron
9 area, with a better flight condition that was reporting this 1200
10 and 7 all the way down to Columbus.

11 As we were en route, the forward visibility started
12 dissipating, diminishing, and it got down to about 5 mile on
13 forward view. And I brought it to the attention of the crew that
14 the visibility was dropping. And as I was flying, I noticed it
15 was getting closer to -- the 5 mile was getting tighter. So I
16 elected to make a turn to the east, which would have been towards
17 the Wooster reporting station that was reporting the 1200 and 7,
18 and which would have been away from the reporting station that was
19 reporting the lower visibility.

20 I set -- I slowed my speed down to 90 knots, started a
21 standard rate turn, set myself up for a standard rate turn. Got
22 to approximately 90 degrees into that turn -- I'm sorry I missed
23 one step. I set my heading bug to 180 degrees to the bottom of
24 the -- my 180 degrees. And then I started my standard rate turn
25 back to the direction we were coming from, because we came from

1 partly cloudy skies and the visibility had improved in the north.
2 It's about 90 degrees. And as we were still turning, making our
3 turn, we hit IMC conditions.

4 I instantly -- I was already on flight following. I
5 instantly notified ATC that my visibility had diminished, I was in
6 an IMC condition. I -- asked me what my intentions were. I said
7 I am 120 degrees into a turn back to the north, so the condition
8 -- or to the path that I came from. I leveled out -- or I began a
9 climb on my turn, established my climb. Then I leveled out in my
10 turn and maintained a climb. And talked to ATC. And he asked me
11 what my intentions were and if I was instrument qualified. I told
12 him, yes, I was. And I told him I was climbing. The four C's:
13 control, climb, confess, commit.

14 And about that time, both crew members said we have
15 visibility, we can see. I stayed in my aircraft, what I call
16 staying in the aircraft. I kept my eyesight in on my panel, on my
17 gauges, on my procedure. Maintained -- I maintained communication
18 with ATC, said that my crew was spotting VFR conditions.

19 I then proceeded on a northerly heading, and then we broke
20 out. We clearly broke out. I made ATC aware that we had broken
21 out. We were no longer IMC, that we were VFR. We had a strong 5-
22 mile visibility on a radius around us.

23 He asked me what my plan was. I told him I would like to
24 slow down to 70 knots, circle in my current location, and
25 establish a plan of route. So the crew and I, we circled the -- I

1 asked ATC what the distance was to Interstate 71. They told me I
2 was 5 miles from the interstate. I asked him what interstate I
3 was over top of currently. They said I was over Interstate 13, if
4 I remember correctly. I advised ATC that I had 5-mile visibility
5 of that interstate, traffic traveling on that interstate, and that
6 I would elect to proceed westerly to Interstate 71, and that --
7 then I discussed it with my crew, set up 1-mile intervals. And
8 what I mean by a 1-mile interval, as we were proceeding west, we
9 had solid visibility, at every mile we made a decision whether to
10 proceed or retain where we were at.

11 And we -- as we crossed those intervals, we would -- the
12 whole entire time of the flight, we were communicating. My nurse
13 was reporting visibility, strong visibility out at the 3 o'clock.
14 I was communicating with them that I had 3 to 5 at my 12 o'clock.
15 My medic was reporting low visibility at the 9 o'clock. We
16 proceeded 1 mile, each time we would call out the ground target at
17 the mile. ATC was talking to us, telling us the countdown. They
18 were giving us a mileage countdown to 71.

19 As we were going along and we got to where ATC said it's a
20 mile and a half in front of us, they had asked me what the
21 intention was at that point. I said upon arriving at the major
22 highway, I would use it to judge what the visibility to the south
23 is. We got to Interstate 71. We made a -- I told ATC that I was
24 making a heading correction to the south, deviating to the south.
25 And I made a turn to the south and you could see the freeway for

1 miles. I reported to ATC that we had 7 to 10 mile visibility of
2 the freeway and that we were going to elect to utilize the freeway
3 path to fly south.

4 Asked ATC what the conditions to the south were. He reported
5 that the conditions were improving as we were traveling and the
6 ceilings were rising. And he communicated that we were getting to
7 the edge of his airspace, asked me if I could climb -- I had
8 climbed a little bit -- so that he could keep a better eye, extend
9 his airspace out a little further.

10 He handed me off to Columbus Approach, said that there would
11 probably be about a 2-mile distance to 3-mile distance between his
12 handoff and clearly receiving Columbus Approach. At which point I
13 advised him that I had a strong 10-mile visibility directly ahead.
14 The ceiling had risen at least 5- to 700 feet. We now had a 5 to
15 7 mile visibility at 9 o'clock, and we had unlimited visibility at
16 3 o'clock.

17 He handed me off to Columbus. We flew the path of the
18 highway till we achieved communication with ATC, with CMH. CMH
19 asked me what my intentions were. I informed them that I would
20 prefer flying further south along -- utilizing the freeway and
21 that I did not want to turn direct at this point because there was
22 open territory of non-reported conditions and low light
23 visibility. And they okayed me to proceed VFR south following the
24 current tracking. We flew probably another 7 miles, at which
25 point we got into the more populated area. We could clearly see

1 the downtown buildings of Columbus. We could see CMH, the
2 direction of CMH.

3 I then communicated with ATC that I was ready to take a
4 direct heading to CMH. They approved me for the direct heading.
5 And then shortly after that, they asked me to turn -- if I could
6 turn a 90-degree turn to the due east. There was an instrument
7 approach to OSU, they wanted to keep me north of the approach
8 path. I told them absolutely no problem. I had great visibility,
9 had unlimited visibility of 10 miles or greater. The ceiling was
10 considerably higher than we were. We flew east for approximately
11 5 to 7 minutes. And then ATC approved the turn direct to CMH and
12 advised us to direct to the ramp at Lane Aviation across the
13 active runways, maintain direct at own risk. And we came in and
14 landed and refueled.

15 Q. Okay. Thank you for that.

16 So moving on, I just have a couple more and then I'm going to
17 pass it off because I've been talking for almost an hour here.
18 You doing okay, Kevin?

19 A. Yeah, I am. I am --

20 Q. Okay.

21 A. I am doing okay. I'm trying to sort it all -- sort things
22 out so that we -- I talk to my crews and my pilots and we need to
23 take away from this what's to be learned and utilize what has
24 happened, because my strong feelings and personal feelings are if
25 we don't take anything away from this or improve something, or

1 utilize what's there, then what has happened has happened in vain,
2 and is -- and it would be foolish on our part. So I'm trying to
3 be instrumental in helping in any way I can, and help the crews
4 and the pilots.

5 Q. No, we appreciate that. And so you're in the same base, I'm
6 guessing you knew Jen?

7 A. I knew Jen very well. I praise the Lord that I was allowed
8 to work with Jen. She was amazing pilot and a privilege to work
9 with.

10 Q. So when was the last time you saw her?

11 A. I seen Jen on my -- I will have to look back at the schedule.
12 It was just -- I'm going to say 12 days prior -- well, prior to
13 the accident, I would say, at the base or in person. That's not
14 actually the last time I physically seen her, but that's the last
15 time I seen her in person.

16 Q. Okay. All right. And how did you find out about the
17 accident?

18 A. State highway patrol called me and asked me for help. And
19 they wanted to clarify the name of the company that I flew for.
20 And they were reporting Survival Health. I said there is no such
21 thing as Survival Health in Ohio; it is Survival Flight. They
22 said there was an aircraft that was reported as missing, asked me
23 if I could assist them and help them. And I said absolutely, I'll
24 do everything I can. And we took it from there.

25 MR. WILLIAMS: Okay. So I'm going to pass it off. John.

1 BY MR. BRANNEN:

2 Q. Going back to your background, about how many flight hours do
3 you have?

4 A. I am over 3,000. I think I'm over 3200, to be honest with
5 you. I'd have to go back and -- I'd have to go pull books out of
6 a safe.

7 Q. That's okay. An estimate's fine. And do you know about how
8 many hours of that is instrument time or --

9 A. The --

10 Q. Just a guess would be --

11 A. I'm going to say -- well, I don't want to over say it. I
12 want to say somewhere -- I'm guesstimating 100, 100 or less. I
13 don't want to overstate it. I know I don't have over 100 hours.
14 That's not --

15 MR. BRANNEN: Okay. All right. So -- no, I think he
16 answered that.

17 I can't think of anything else right now.

18 MR. WILLIAMS: Okay. Paul.

19 BY MR. SUFFERN:

20 Q. Hi, Kevin. Could you describe how you stay updated on
21 weather conditions during your shifts?

22 A. Yeah. I use four or five programs. I'm doing this by
23 memory. Let me, let me make sure. Without having the computer
24 right in front of me, I use HEMS, the HEMS Tool. I utilize the --
25 this time of year I utilize two of the icing observations

1 available through the FAA aviation, through the HEMS. I utilize
2 SkyVector. I utilize ForeFlight. I utilize WingXPro7. I utilize
3 MyRadar. And I have them all up on the top of the menu bar, and
4 -- oh, and then I also utilize -- one of the things I was taught
5 from Survival is the Aviation (indiscernible).

6 Q. And which one of those tools do you feel is most helpful for
7 you during your shift?

8 A. All of them, sir. I utilize all of them. I balance. I look
9 at all of them to make sure that there's consistency. I look for
10 consistency between them. I utilize all of them. Each one tells
11 a little bit different input. So I -- standard practice, every
12 one of them.

13 Q. For making no-go and go decisions, what's your -- what do you
14 use for weather forecast or observation to make those go and no-go
15 decisions?

16 A. First one I'll look at is the SkyVector to see what the
17 reported weather, what the reporting agencies are reporting,
18 whether they're green, blue, red or pink. I use that as a quick
19 reference. And I'll go over the HEMS Tool, and I'll look and see
20 what the HEMS Tool is averaging out the estimated areas. Then
21 I'll go back to -- I'll look at the METAR chart. I'll usually
22 have the METAR up also. I mentioned that earlier, but I usually
23 have the METAR up.

24 Then I'll go back to SkyVector and, if there's precipitation
25 in the area, then I'll click on MyRadar to see what the mosaicking

1 of the precipitation is. I feel MyRadar gives a better blend.
2 It's not such a digital look, so it gives you more accurate blend
3 on moving precipitation. Also it gives you a wider broadcast of
4 movement. So it'll give an hour and a half, an hour, versus 15
5 minutes of movement. So I can observe that and see what it's
6 tracking, how fast it's tracking; is it building, is it
7 dissipating.

8 Then I'll go back to my SkyVector, run my cursor over the
9 reporting stations en route, and if they have the TAFs, I'll read
10 the TAFs en route and get my closest TAFs. And then if I got
11 weather moving west to east, I'll go to a western -- over to the
12 west side to see what their TAF's reporting to see what's building
13 in that area that's going to encroach onto my area.

14 And then I'll discuss with OCC what I've observed. If I have
15 concerns, I discuss the concerns. And then I let them know that,
16 at that point, that I will accept a flight or deny the flight.

17 Q. Have you ever turned down a flight request due to icing?

18 A. Yes, sir.

19 Q. And could you --

20 A. Yes, sir. Because the -- we've had -- it's that time of
21 year. Ohio is not cut and dry. Ohio is a very difficult state,
22 in my personal opinion. And I have turned down a couple flights
23 for icing on -- I keep up the 1,000 foot, the 2,000, and a 3,000
24 foot icing report. And I've turned down a few flights for
25 possible icing conditions.

1 Q. Are there any gaps where you fly where you wish you had
2 better weather forecast or weather observations?

3 A. Yes, sir. Absolutely.

4 Q. Could you describe some of those areas?

5 A. Yes. Southern Ohio. Southern Ohio would be -- it would be
6 fantastic if we had more weather reporting stations in southern
7 Ohio. And some of the northeast central Ohio, it would be nice to
8 have one or two more there. But southern Ohio is the weakest part
9 of Ohio, is southern Ohio.

10 Q. Is there anything missing weather wise from your tool book
11 that you wish you had access to?

12 A. Not that I'm aware of, honestly. No, not that I'm aware. I
13 wish this time of year there was a better -- that somebody would
14 perfect a better way to see intermittent snow squalls. They don't
15 periodically show up on the tools we have. Other than that,
16 that's just on the wish list. But, no, I don't -- I am not aware
17 of anything that's available that we do not utilize or have.

18 MR. SUFFERN: Thanks for answering my questions, Kevin.

19 MR. JOHNSON: You're very welcome.

20 MR. WILLIAMS: Okay. Dave.

21 BY MR. GERLACH:

22 Q. Hi, Kevin. Just a few questions for you. In your role as a
23 lead, do you see yourself as a role model for the pilots at your
24 base?

25 A. That -- wow, that's a tough one to answer. How I perceive it

1 is -- I don't know if it's necessarily a role model. That's a --
2 as far as a pilot goes or as far as a person goes? How do you
3 want to break this down?

4 Q. Well, let's start with pilot. Do you see yourself as a pilot
5 role model to the rest of the pilots at your base?

6 A. No. I feel I am an equal or, to be humble, maybe a little
7 under, under my pilots -- a little that -- you know, I keep an
8 open mind and learn from my pilots. I feel that I'm an equal or
9 less. I don't feel that I am excedent of any of my pilots to
10 where I would necessarily be interpreted as a role model. If that
11 makes sense. I think maybe I'm just not understanding it
12 correctly, but --

13 Q. I think I understand. Are you suggesting that maybe there
14 are pilots that are more experienced than you are at the base?

15 A. I think everybody has their unique experiences. I don't
16 think there's a cut and dry answer, yes or no answer, to your
17 questions because everybody has their own personal experiences and
18 their uniqueness to bring to the table, which your good pilot's
19 going to be the one that listens to all and puts that all in
20 together and makes the knowledge out of everybody. So I don't --
21 that's not a yes or no answer.

22 Q. What would you say your strengths are that you bring to the
23 pilot base there?

24 A. I feel that I'm a very good decision maker, very open minded.
25 I feel that I like -- I try to bestow weigh all options, weigh

1 everything, utilize everything you have available. Don't be a
2 hasty by the -- I want to say by the seat, by the moment kind of
3 pilot. Slow down. Think. I try to bestow into pilots about
4 complacency. I am a firm believer that complacency is one of the
5 biggest faults in the pilot industry, that you professionals that
6 investigate these accidents, it seems like, my reading and
7 dissecting of accidents, complacency is a downfall of a lot of
8 pilots. Complacency cost me an experience in my life, so I try to
9 share that. I try to be -- I guess, influence that, help. So --

10 Q. Do you find it difficult to be a lead pilot and also be, you
11 know, one of the pilots at the base?

12 A. At Survival 14, absolutely no. I am -- I got to be the
13 luckiest lead pilot out there. I say that with 100 percent
14 sincereness. I have been blessed to have an amazing staff of
15 pilots. So I -- no, they make my job very, very easy.

16 Q. What makes it so easy?

17 A. They are very personable, not strong headed, very
18 enthusiastic, very work oriented, very safety conscious, very
19 helpful. Very helpful. If I ask anything, I do not have a pilot
20 that won't jump at a request and execute it. I do not have any
21 issues with having to, as a management, have to double check
22 someone's work. They're just a joy to work with.

23 Q. That's great. You talked about owning your own Hughes. Do
24 you still have that helicopter?

25 A. No. No. I sold my aircraft when the shift went from coal

1 burning to gas burning. The work, contract work shifted. So I
2 sold the aircraft at that point, then leased an aircraft as
3 needed. And then when I went to work for Survival Flight, I
4 dedicated my time to Survival Flight and no longer wanted the
5 headaches of being self-employed. It is a privilege to work and
6 receive a paycheck without calling to find out where money is,
7 receivables. It is a privilege not work with workers' comp and
8 hiring and -- that is a bonus to me personally.

9 Q. Gotcha. Your training background, what helicopter did you
10 first start flying in?

11 A. I first started in a Hughes 269A. I have a lot of hours in
12 an A, in a Schweizer C model. I have a lot of hours in a Hughes
13 500 -- Hughes 500s, C's, B's, E's; NOTARs, N's, AStar 350. Very
14 -- before I came to Survival Flight, I did not have enough hours
15 to speak of in a Bell. I'm trying to think if there's any
16 aircraft that I'm missing. Oh, I have -- I do not brag about
17 this. I'm not proud of it. But I have Robinson time.

18 Q. Gotcha. Hey, so --

19 A. Yeah. So --

20 Q. So they -- did they train you then in the 206 here?

21 A. They trained me in a 206 and a 407.

22 Q. Talk a little bit about that training. What do you do ground
23 and flight?

24 A. Ground, we do ground school, we covered everything. I mean,
25 we -- wow, we covered everything, from -- it was almost like going

1 back to flight school. We covered everything from FAA laws,
2 requirements. We were taught Part 135. My experience, my history
3 was Part 91. So we were extensively taught Part 135, and Part
4 91.61, if I remember right. I got to look at (indiscernible) to
5 get all my numbers correctly.

6 We thoroughly went over everything. I actually learned new
7 weather, ways of interpreting weather. I became a better weather
8 interpreter from Survival Flight than I have ever been in my
9 history. We went through EMS. We were trained and taught how EMS
10 works, how the EMS -- how to become an EMS pilot, what is
11 required, what -- how you handle yourself, what you do, you know,
12 the EMS world.

13 And then flight training was amazing. I had two awesome
14 flight trainers. I had one particularly super awesome flight
15 trainer. And we thoroughly went through the Bell, flying
16 everything from -- you know, kind of like going back to flight
17 school: unusual attitude, emergency procedures, autorotations,
18 hovering autos, performance, NVG training, weather, how to handle
19 IMC, just everything. They actually told me that I --

20 Q. How many hours do you think you flew learning the 206 with an
21 instructor?

22 A. That I can't answer you correctly without going back to the
23 book, going to the duty log. That I can't tell you.

24 Q. That's okay. Do you think maybe you spent a week?

25 A. Yes, yes. We spent a week going -- doing everything. Yes,

1 between flying and ground school, in that same week. We would fly
2 during --

3 Q. And did you do it all together?

4 A. -- fly during the day. I'm sorry?

5 Q. Did you do it all together: ground school for a little
6 while, flying for a little while, ground school, that kind of
7 thing? Or were they separate?

8 A. No, there was -- it was mixed together, and it was awesome.
9 It was a fly -- no, it's the best training I've ever done.

10 Q. Gotcha. And your inadvertent IMC training, what did you do
11 for that?

12 A. Did the foggles, the -- and the procedures. Did the unusual
13 attitude and then inadvertent IMC training, how do you do -- what
14 to do for your C's, and how you -- what you do, how do you do it.
15 Did the foggles, did it, and went through --

16 Q. Was that all --

17 A. -- everything.

18 Q. Were those all day flights for you?

19 A. No, no. We did as much night flying as we did day flying.

20 Q. Gotcha. And did you do the inadvertent IMC at night as well?

21 A. That -- I'd have to really sit down and think out what we did
22 each day. Honestly, I -- that would take me a minute. I --

23 Q. That's okay.

24 A. I don't recall, to answer.

25 Q. Yeah, if you don't remember off the top of your head, don't

1 worry about it. How about transitioning to the 407? What was the
2 process for that?

3 A. Basically the same thing, emergency procedures, hydraulics
4 off, and the same thing. Almost, is almost identical in my
5 training in the 407 as it was the 206.

6 Q. So that being said, it included ground school?

7 A. Yes. Yeah, we were -- yes. Ground school included, you
8 know, the performance limitations and different -- yeah, and the
9 knowledge of the 407 and -- yes, we were in ground school. Yes.

10 Q. And then flight training as well with an instructor?

11 A. Yes. Yeah, we did flight training as well.

12 Q. Did you have to take a test of any sort?

13 A. Yes, sir. Yeah, I had to do my check flight or I wouldn't be
14 employed with Survival Flight.

15 Q. What helicopter did you do your check ride in?

16 A. Did the -- was it the 206 or the 407? I had that one
17 (indiscernible) that is a good question. Did I do the 206 or the
18 407? For some reason I'm thinking I did my check ride in the 407.
19 I'm not sure. We had a -- well, I'd have to go back and look,
20 honestly. That's written down. I'd have to look.

21 Q. Okay.

22 A. I don't recall off the top of my head. I think -- for some
23 reason I'm leaning towards we did the check flight in the 407,
24 which has amazing (indiscernible).

25 Q. Gotcha. And totally changing gears, have you ever had an

1 experience where you've -- you're short on time, you're just
2 coming on duty, and you're driving straight to the pad. You
3 haven't been at your house, you're just coming on for your shift
4 and you're just picking up a flight?

5 A. Yes, sir. Yeah, I had a -- I've had a handoff on a flight.
6 Yes, sir.

7 Q. How often does that happen for you guys?

8 A. Not that -- very -- it's rare. It's not very often.

9 Q. Like maybe once a month or something?

10 A. No. No, it's not that, it's not that often. I don't recall
11 it being that often. No, sir.

12 Q. Gotcha.

13 A. I'd say --

14 Q. What would be the process for you for doing one of those
15 hurry up get to the pad as fast as you can to pick up a flight?

16 A. Well, my process was a call -- I was called and said, hey, we
17 just received a flight (indiscernible), and I don't recall which
18 hospital. I'd have to go back and look. So I said, okay, I am 7
19 minutes out. And so, I call OCC, tell them that I'm 7 minutes
20 out, it would have to be added to the time, the receiving -- or
21 the call-in person would have to make the decision if they wanted
22 to wait that long.

23 In the process, I'd pull up the system -- or all my weather
24 information. I'd pull up everything I told you. I'd pull up my
25 HEMS Tool, my Aviation Forecast, my METAR, my TAFs, pull up my

1 ForeFlight, my SkyVector, and look all of them when I'm en route.
2 And then I'd tell OCC that I will observe everything en route and
3 get with them upon arrival, and then call the shot upon arrival
4 after I've had a few minutes to thoroughly go over everything and
5 make sure that I was certain to accept that flight. And then --

6 Q. So let me see if I understand thus far. You pull all this
7 stuff up on your iPad while you're driving to the helicopter?

8 A. No, sir. You can't do that while you're driving; it's
9 unsafe. They -- well, you could be at a stoplight, a stop sign,
10 or -- when I did it, I had some stoplights and I actually was able
11 to just utilize that time at the stoplight. And then once I
12 arrive on the location of the helipad, I then get on the phone and
13 confirm with OCC that I am on site, I am at the aircraft. I
14 confirm with them what I observed. I go over what I observed.
15 You know, I'm seeing VFR at this location, VFR at this location,
16 and then I'll accept the flight. Reconfirm accepting the flight.
17 And then they tell me at that time if it's still a go or no-go.

18 Q. Gotcha. And would you typically do a walk-around on the
19 aircraft or just, since somebody else had it, you could skip the
20 walk-around preflight stuff?

21 A. No, I'll do a walk-around. I won't go right up -- if the
22 aircraft is -- I'll go back look at the tail. I'll start at the
23 tail, make my walk around. I don't -- but in that case, I
24 wouldn't flip the engine panels up to observe, but I do ask the
25 pilot on shift, whoever I'm coming in to, did you preflight? What

1 was your -- when was the last -- did you post-flight? Have you
2 flown today; did you post-flight it, your flight when I ask them
3 what they've done. If I feel they haven't done something thorough
4 enough, I'll take a minute and do that. Because, again, someone
5 at the other end's having a bad day, I'm not going to make a bad
6 day. So I'm not in -- I'm not pressed and not hurry to oversight
7 anything.

8 Q. Gotcha. Okay. Hey, I think we asked it but I can't remember
9 now. It's getting late for my old brain. Do you typically use
10 night vision goggles at night?

11 A. Always.

12 Q. And --

13 A. I always do.

14 Q. Is it -- do you always have them on takeoff, en route, and
15 landing? I think you said so, but I can't remember.

16 A. I do. Yes, sir, I do. I always have them on my helmet and
17 on. Yes, sir.

18 Q. Have you ever taken a class on night vision goggle use?

19 A. A class in night vision goggle use?

20 Q. Right.

21 A. I had the training that I took with Survival Flight for night
22 vision goggles, and I've had several sit-down and education with
23 both my brothers that are military on night vision goggle
24 instruction.

25 Q. Gotcha. Okay.

1 MR. GERLACH: I think that's all the questions I have. I
2 know we're running long, so I'll hand it over to --

3 MR. JOHNSON: Take your time.

4 MR. GERLACH: -- Tom.

5 BY MR. LUIPERSBECK:

6 Q. Yeah. Hey, my name's Tom. And I just have a few questions
7 because you pretty much answered every other one. But back to the
8 -- just for a moment, back to the risk assessment that you guys
9 complete. Do you do one of those at the -- is that good for the
10 shift or do you have to do one of those for each flight?

11 A. You do a risk assessment primarily at the beginning of the
12 shift. But you do a preflight preplanned assessment before you
13 take a flight. There is a box that you check off. You actually
14 look at your risk assessment, if your risk assessment hasn't
15 changed. So let's -- let me explain this.

16 If I am green starting the shift and I get a flight call,
17 I'll look -- I go look at the flight plan. I do my flight plan,
18 and what the route is, where I'm going and my assessment of
19 flight. If I see something that's weather concerning and I was
20 green and it calls for an amber, I will tell OCC I need an
21 adjustment on the risk assessment to amber.

22 Q. Yeah, I remember you saying that now. I'm sorry. I do
23 remember you saying that earlier.

24 So when you do that initial part of it, are the medical -- is
25 the med crew, the medical people involved in that, or is that just

1 a pilot activity?

2 A. That is a pilot assessment initially. But a couple months
3 ago in a briefing we started discussing crew -- including crew
4 assessment in the risk assessment. So a couple months back we'd
5 actually share with each other, like I'd ask, are you having a
6 good day or bad day; how do you feel you are? So the number three
7 letter in our assessment, (indiscernible), the personal, the
8 personal or personnel assessment, I'll ask my crew and I'll base
9 my risk assessment on my crew personnel, too.

10 MR. LUIPERSBECK: Okay. Thank you very much.

11 MR. JOHNSON: You're welcome.

12 MR. WILLIAMS: Tim?

13 MR. TAYLOR: Hey, Kevin.

14 MR. JOHNSON: Yes.

15 BY MR. TAYLOR:

16 Q. Hey, after your IMC encounter, how did the crew respond to
17 that?

18 A. The debriefing? Well, they thanked me and said that -- I
19 asked them if they had any worries, concerns, questions. After we
20 -- when we did our debriefing, said what do you -- anything you
21 need to know, any questions? And I was paid very high compliments
22 that it was -- both of them said it was executed perfectly and
23 that they felt comfortable the entire flight and they appreciated
24 me being so thorough with discussion with them and including them
25 in it. And I was pleasantly surprised.

1 Q. Hey, and so you debriefed. How did you do that? In the
2 aircraft or what?

3 A. No. We -- every flight we have a post-flight, well, it's a
4 debrief. So we go back to the base, we go in, we take and put our
5 gear down and go sit down. And we go over the flight and we write
6 down everything we did. We will discuss if there was something
7 patient related, if there's any concerns, flight concerns, for
8 instance, double IMC or en route concerns; was there any en route
9 weather concerns, was there anything that you want -- you know,
10 how we landed, takeoff, anything to do with the flight. We go
11 through it and we pick it apart. Is anybody -- how does everybody
12 feel?

13 And we go, thoroughly go over the questions and everybody
14 gets to put in their own take, and if I don't have a solid answer
15 for them in a brief, if it pertains to me, we'll mark it. If
16 there is an issue with the flight, we mark the issue, we flag
17 that, we write it at the top of the page, and we come back and
18 address it, and we make sure that it was thoroughly handled, it
19 was taken care of and that the issue is satisfied. We just don't
20 discuss it once and let it -- push it under the rug and forget
21 about it.

22 I have made -- I've taken this on myself and made that we
23 write it at the top of the page, we put a star beside it, and then
24 we put the date of when it was resolved, how it was resolved, and
25 it goes into a file that -- and then I keep them separated, the

1 flights that they have an issue, I try to keep them separated so
2 we can review them that month and bring them back up in
3 conversation or discuss it with the safety pilot if it's something
4 that needs to be discussed as safety. Or if it's a performance
5 issue, like doing your job, if there's something that doing their
6 job. You know, hey, stand in this position better or don't
7 approach the aircraft, you know, just whatever it may be.

8 Then we'll review those. And then once they're all
9 satisfied, they go in a -- they get filed for the month in that
10 file and we move on.

11 Q. And you said you did that for that flight?

12 A. Yes, sir. Absolutely I did.

13 Q. Okay.

14 A. Yes, sir.

15 Q. Thanks. That's --

16 A. Yeah, we took it a step further. We utilized -- talked about
17 it with my pilots. I described it. I described how the condition
18 -- what led up to the condition, how the reporting, you know,
19 actual -- reporting and actual. I used it as an example on how
20 the variables are. You know, hey, now just because it's reporting
21 this, you know, there's always variables. I've seen reportings
22 not being even close.

23 But, anyways, we discussed that thoroughly. We discussed it
24 -- we used it -- I incorporated in a debrief -- or in the briefing
25 after that. Discussed it with other crew members that weren't in

1 there, how the procedures -- what the procedures are, and we
2 utilized it and made sure that we -- everybody knew what was
3 expected and how to perform in the case, in an incident that has
4 that.

5 MR. TAYLOR: Thanks, Kevin. That's all I have.

6 MR. WILLIAMS: Okay.

7 MR. JOHNSON: You're welcome.

8 MR. WILLIAMS: You still doing good?

9 MR. JOHNSON: I'm doing great.

10 MR. WILLIAMS: Okay. Okay. So, Sathya, we're going to pass
11 it off to you.

12 BY DR. SILVA:

13 Q. All right, Kevin, I just had a few follow-ups. Who was your
14 crew on that case that you described with the double IMC?

15 A. Amanda Wolfe, our base clinical manager, and the medic was
16 Val Burkholder, Valery Burkholder.

17 Q. Do you know when this flight happened?

18 A. I can go -- I keep all my flight notes in a file. I can go
19 back and pull the flight note. I don't know off the top of my
20 head, no.

21 Q. Okay.

22 A. I would have to go back and pull the flight note.

23 Q. And was -- do you know if it was like in January, February?

24 A. Oh. It was -- wow -- was it the first -- it was in the
25 beginning of January or the end of December. It was sometime

1 right in the January -- the end of January, beginning of December.
2 I'd have to, again, I'd have to look, but it was right at the
3 beginning or end, end of the month/beginning of the next.

4 Q. Okay. Does the company have an expectation of when -- the
5 time between when you get a call and the team skids off?

6 A. We have a -- they use a number. They utilize a number for a
7 quote to the caller. So our ETA in our company is a total time.
8 So liftoff time -- lifting off time or getting to the aircraft,
9 lifting off, coming up to -- flight ETA, and then they have a
10 build-in time for circling the hospital or scene. So it's a total
11 time. So they use, utilize a number for that time, and if your
12 flight time -- if you are slow getting off the ground, although
13 they don't have an expectation, but if you're consistently busting
14 the lift time, then what they'll do is they'll ask you what's
15 going on so that they'll be sure to include it on your shift for
16 the lift time, so that they're doing a proper quote to the
17 customer. Does that make sense?

18 Q. Yeah. Can you --

19 A. That's when they'll (indiscernible), yes.

20 Q. Okay. Can you give me an idea of how long it does take from
21 the time that you get a call to the time that you lift off?

22 A. At our base, I think it -- what I've looked at -- you know, I
23 record the legs on my flights. And what I'm seeing an average of
24 in my liftoff time is about 8 minutes. Anywhere from 7 to 8
25 minutes is my average. I don't think that -- a couple times I've

1 been below 7, but my average is 7 to 8 minutes.

2 Q. Okay. Have you ever received information from dispatch on a
3 patient's condition?

4 A. No. They are avid about not giving that information. They
5 are -- there is a -- I've been told that we're not allowed to have
6 that because it's a -- it's protected to prevent an unknown
7 influence. So people can say they wouldn't be influenced by it,
8 but it's -- they're not giving that so that we don't, it doesn't
9 -- we don't have an influence of any sort on making our decision.

10 Q. Okay. And my last question right now is, has -- does the
11 company give any incentives to the bases for number of flights or
12 taking flights, anything along those lines?

13 A. Not that I'm aware of, no. No. There's no incentives there.
14 We have a little -- if your base happens to load a -- the 30
15 number, you get a chair. But there's no incentives. There is
16 absolutely no enticement to take flights.

17 As a matter of fact, our company does -- not taking a flight
18 is, they kind of -- they're very avid about no pressure. It's one
19 of the reasons I like working for Survival Flight and I agreed to
20 come to work for Survival Flight. Because my very first question
21 to them is: If I don't feel like taking a flight, am I going to
22 get questioned? Am I going to get checked on? Am I going to get
23 -- they said absolutely not. I have never, never ever heard of a
24 flight being questioned on why it was taken or not taken that I'm
25 aware.

1 Q. Okay. Do you know how many flights you guys had taken in
2 January before the accident?

3 A. I look at the board when I come in, and I didn't -- the board
4 when I was -- I was off. I was in my off time when the accident
5 took place. I knew we were up in the 20, 20-something, but I
6 don't have a hard number. And when I got back to base after the
7 accident, the board wasn't up. So I don't know what happened to
8 the board. So I don't have -- and typically I'll see a report. I
9 usually get a monthly report. Just after the month, they send out
10 a monthly report. It tells -- and I use it for marketing tracking
11 so I can see what hospitals are calling and what EMS units and
12 what customers. So I haven't received that report yet. I don't
13 expect it for a few more days. We're still in the beginning of
14 February. So I can't give you a number.

15 DR. SILVA: All right. Thanks, Kevin. I'll pass it back
16 over to Shaun.

17 MR. WILLIAMS: Okay. Thanks, Sathya.

18 MR. JOHNSON: Okay.

19 BY MR. WILLIAMS:

20 Q. So, Kevin, are you aware of any personnel personality
21 conflicts within the base?

22 A. There's always personality conflicts in any working society
23 in the country, sir.

24 Q. Okay. Are you -- within --

25 A. So, yes. Yes, there are -- you do have personality conflicts

1 in an environment. Yes, sir.

2 Q. Okay. Can you describe some of those within -- out of 14?

3 A. I keep myself kind of isolated from that. I don't have any
4 Facebook, Twitter, and all that on purpose because I don't like
5 drama. So I don't -- unless it directly involves me, I do not pay
6 attention to who's doing what.

7 Q. Are you aware of any between -- that involve you?

8 A. Yes, sir.

9 Q. Can you describe that?

10 A. Yes, sir. I had to take a -- yeah, I had to take a couple
11 management course classes for -- to learn the skills of management
12 for proper procedures for drug and alcohol assessment and how that
13 testing works and how you would adhere to that in the workplace.
14 But with me, I had one on -- I'm trying to think of how to
15 properly word it -- that I -- foul language. I cussed a couple of
16 times and hurt someone's feelings, so I had to take a course on
17 proper -- I forget what it's called, and I can go back in my
18 course studies where you get your certificates that we do on
19 online, in the proper management file that -- I call it millennial
20 training, so I hope I'm not offending anybody in this meeting.
21 But I call -- I had to do a millennial adjustment, so -- that's
22 what I call it.

23 Mr. Gerlach: Kevin, is the class called conflict resolution? Is
24 that what you are suggesting?

25 MR. JOHNSON: Yeah, that has -- I know that's part of one of

1 the classes. One of the 2-hour courses is conflict resolution,
2 how to manage it on a management -- the manager to a person and
3 how to pass it to HR, and how HR's -- yeah, that was part of one
4 of the courses. Yes. Absolutely. Yes.

5 BY MR. WILLIAMS:

6 Q. So besides the like interpersonal communications and, you
7 know, possibly offending people and that sort of thing, are you
8 aware of any complaints or uneasiness as far as any actions that
9 may or may not have been taken in the aircraft, the flying of the
10 aircraft or the conduct of a flight?

11 A. I'm not aware of any -- that's a pretty complex question.
12 I'm not aware of any conduct in the flight. Actions, I'm not
13 aware of any unsafe actions. There has been brought to my
14 attention weather flying, but nothing as far as conduct or
15 aircraft handling or anything like that.

16 Q. Okay. What do you mean by the weather flying? Can you
17 elaborate on that for me?

18 A. Yeah, the one flight you asked me to use as an example?

19 Q. Yes.

20 A. That there's, in the past 30 -- or I don't know how long it's
21 been. In the recent past, about whether to fly around -- when to
22 turn back or to fly around, utilize flying around weather. So
23 that was in question, how do we make that decision. There was
24 questions on how to make that decision, when to make that
25 decision, and what -- exercising that decision.

1 Q. Has any of the med crew brought up any concerns as far as
2 feeling unsafe or wishing you guys had set down or turned back or
3 anything like that?

4 A. Not that I am -- I have not heard anything questioning on a
5 turnback or being unsafe. No. No. It's -- not that I'm aware.

6 Q. Okay.

7 A. Bear with me one second. I have -- my phone just alerted me
8 on the percentage of battery.

9 Q. Okay.

10 A. Which is no big deal. I just have to walk about 10 feet and
11 grab a plug for it and plug it in real fast, so --

12 Q. Okay. That's fine.

13 A. But I can still answer your question, but I just wanted to
14 let you know why you hear doors opening and me moving.

15 Q. Okay. Are you aware of anyone, I guess, going over you to
16 the chief pilot or bringing up any concerns to management
17 regarding any flights that you guys have done together?

18 A. There was -- yeah, there was -- somebody went to management
19 because -- that's what brought on the training and going through
20 and doing stuff, you know, going through the proper communication
21 or conflict resolution. I don't know what -- one of those words
22 you used. Yeah, that's what brought HR to have me take those
23 courses and conversations.

24 MR. WILLIAMS: Okay. All right. I'm going to pass it back
25 to John.

1 MR. BRANNEN: I don't have anything.

2 MR. WILLIAMS: Paul.

3 MR. SUFFERN: No more questions. Thank you.

4 MR. WILLIAMS: Tim.

5 MR. TAYLOR: No. None for me. Thanks, Kevin.

6 MR. JOHNSON: Yes.

7 MR. WILLIAMS: Dave.

8 MR. GERLACH: Nope. None for me.

9 MR. WILLIAMS: Tom.

10 MR. LUIPERSBECK: Nothing for me.

11 MR. WILLIAMS: Sathya.

12 DR. SILVA: I just had a few to follow up.

13 BY DR. SILVA:

14 Q. You mentioned earlier in the conversation that learning to
15 work with medical crew was a learning experience. Can you expand
16 on what you meant by that?

17 A. Yeah. Yeah, it is really learning how to work as a -- side
18 by side, so to say. You know, owning your own business teaches
19 you -- instills into you that, you know, making everything work.
20 So, you know, I had to learn where the line in the sand was, you
21 know, that if I have a question, then I can ask certain questions
22 or I pass on a concern to like Amanda, that there's a concern
23 about how something is being done.

24 It's -- you know, there's -- (indiscernible) business that
25 all factors are involved in it. So, you know, it's different. I

1 had to learn that there's two sides in an EMS helicopter. You
2 have your medical side, which I know nothing of what they do. I
3 tell them, they're awesome, you know, great at what they do. But,
4 you know, I had to learn how do you, you know, work that. If
5 there's a question on something, how do you present that question
6 properly without making somebody mad or how do you make a
7 suggestion without making someone mad. So I had to learn that
8 stuff. That was a learning experience for me.

9 Q. Have you had any concerns with the medical crew?

10 A. Not really a concern, just some of learning things. You
11 know, like putting a litter in and not bumping the patient's foot
12 on the wall. Like giving me as a pilot just a minute to help
13 guide the foot in so it, you know, it wouldn't get bumped. Just
14 little quirky stuff. But, you know, just things I would observe.
15 Really not concerns at all, no, just things I would observe that I
16 could see improvements that could be made.

17 Q. Um-hum.

18 A. So just improvements, perfection on doing our job. So you
19 have to --

20 Q. How did you handle those concerns?

21 A. -- you have to present it properly. What's that?

22 Q. How did you handle those concerns when you had them?

23 A. Most generally just -- we discussed it in a briefing. We
24 incorporate it in the briefings and then in the trainings, when
25 we're doing ER trainings or hot load trainings, we'd discuss it.

1 And a couple of them, we discussed it at monthly meetings. I
2 just, you know, discuss it amongst -- make sure everybody
3 discusses amongst each other so we learn from there, you know. So
4 everybody's involved, not just that particular day, but we'll move
5 it forward, roll it forward, kind of, and share it.

6 Q. Um-hum.

7 A. Make sense?

8 Q. Yup. Was there a way -- let's say your concern wasn't
9 getting addressed. Is there a way to bring it up -- a personnel
10 concern up the chain?

11 A. Oh, yeah. Yeah, we -- I would discuss that in briefings at
12 times. Yes, definitely. I always tell everybody in briefing my
13 door is an open door; you can either put it in the briefing right
14 at that time, or if it's something that you want to -- because I
15 had to -- one of the things I had to learn in one of my classes
16 was I had to apologize that if I stepped on someone's toes or
17 offended them in a way by saying something. So whether it was,
18 you know, joking or something that might have been taken
19 personally, so I would encourage the crews that you're more than
20 welcome to come in and close the door and talk to me personally,
21 or nonetheless, please go to your base clinical manager and then
22 if that -- if you don't feel comfortable with that, that's what
23 HR's for or that's what management above me is for. That's what
24 the chief pilot -- yeah, I'd always give them pointers on, you
25 know, don't ever hold nothing back. I feel it's something that

1 boils, festers and causes a problem, take care of it immediately,
2 get it done.

3 Q. And does the company have a way to bring up safety concerns?

4 A. Yes. We would bring it up in our meetings. If it was
5 something that needed to be handled immediately, it would be
6 handled immediately. But generally it would be something that
7 would be discussed in the monthly base meeting. If it was pilot,
8 it would be discussed amongst the pilots. If it was crew-pilot
9 oriented or flight oriented, that the crew needed to know too,
10 then it was shared at the base meeting, or -- or put in the
11 briefing every, the briefing every day.

12 We would say, okay, this is a briefing topic. Ice on the
13 skids and on the step, at that time of year, if someone slipped
14 and skinned their shin, this is a safety issue. Situational
15 awareness and safety. Safety around the aircraft and situational
16 awareness of what's going on around you. Black ice, especially,
17 fuel, getting fuel. A big one, a big one I push, a safety concern
18 is snow at a scene, tripping, breaking your ankle or something.
19 So different things like that.

20 Or if there's an issue with a flight, bring up the safety of
21 the flight. And you can take it to Jen, the safety -- she was our
22 safety lead at the base, or take it directly to the top and get it
23 handled right now. There's no -- don't hesitate. And I always
24 push everybody handle it right now, don't sit on it. Take care of
25 it.

1 Q. Did you ever have any safety concerns that were severe enough
2 to go up to the chief pilot or the director of operations?

3 A. I have not, no. No, I haven't.

4 Q. And is there a way to anonymously report any issues?

5 A. Yes. Yeah, there's actually a way to email it in. And you
6 can email it in and it was checked to -- it was checked by
7 multiple factors. Jen had a way of checking it to see if it was
8 flight safety oriented. And then management checked that box to
9 say what it is and what needed to be addressed. Yeah, they told
10 -- we knew that.

11 Q. Okay. Did you ever do -- did you ever report anything in
12 that form?

13 A. No. I have no access to it whatsoever, and I have not --
14 I've had no safety concerns that required -- or that concerned me
15 enough to go to management about. No.

16 DR. SILVA: Okay. Great. Thank you for your time.

17 MR. JOHNSON: Uh-huh.

18 MR. WILLIAMS: So anybody else have anything? Open it up to
19 the room here. Okay.

20 Kevin, thanks for talking with us. Is there anything we're
21 missing? Is there anything you can add that maybe we didn't ask
22 you that would be -- you feel would be beneficial for us to know
23 or to have?

24 MR. JOHNSON: As far as generally or anything in particular
25 to any certain thing? I mean, you know, I can't think of anything

1 off the top of my head that -- right now. You know how this goes,
2 now if I rehearse a bunch of these questions in my head after we
3 get done and if something comes to mind I might think of
4 something, but not currently, not as -- we've been pretty thorough
5 on this. I can't think of anything.

6 MR. WILLIAMS: All right. Well, we appreciate the time, and
7 if anything does come up -- Tim's a party member to the
8 investigation. You can send it to him and he'll forward it to us.
9 He's got all our addresses, or email addresses. And this number
10 that you called on is my phone number, so feel free to reach out
11 to me as well.

12 So again, thank you for your time. We really do appreciate
13 it.

14 MR. JOHNSON: Oh, no, hey, thank you. I appreciate it. Yep,
15 appreciate what you guys do. Thank you very much.

16 MR. WILLIAMS: Thanks. Take care.

17 MR. JOHNSON: Yep. Bye.

18 MR. WILLIAMS: We are off the record at 5:26.

19 (Whereupon, at 5:26 p.m., the interview was concluded.)
20
21
22
23
24
25

CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD


IN THE MATTER OF: SURVIVAL FLIGHT HELICOPTER CRASH
NEAR ZALESKI, OHIO
JANUARY 29, 2019
Interview of Kevin Johnson

ACCIDENT NO.: CEN19FA072

PLACE: Via Telephone

DATE: February 7, 2019

was held according to the record, and that this is the original,
complete, true and accurate transcript which has been transcribed
to the best of my skill and ability.



Kay Maurer/
Transcriber

Interviewee: Heath Beecher

Date: April 17, 2019

Location: Teleconference

Time: 1400 EDT¹

Participants: Shaun Williams, Sathya Silva, NTSB; Tim Taylor, Survival Flight

During the interview, Mr. Beecher stated the following:

He was a line pilot for Survival Flight Base 13 in Westerville, OH. He was also the safety officer for Base 13. His duties as safety officer included making sure the safety board was up to date, which included updating it every 1-2 weeks, and holding safety meetings about once per month.

He and Jen worked the same 7 days on but worked opposite day/night shifts so when he was on nights, she was on days and vice versa. Given that they were both safety officers, they did collaborate on safety discussions.

She had not relayed any concerns she was having that were base specific. She mentioned general safety topics and certain things one of the pilots would do. They would discuss ways to approach the problem. She had never discussed any concerns she had with the area, in which the accident occurred, with him.

They had met while working at Papillon in the Grand Canyon. He described her as a great pilot, safety conscious, methodical and independent. He clarified that by independent he meant that she could not be pressured or pushed around by anyone. She had some IFR training at Papillon. It was a Part 135 VFR only operation, however in training they did conduct some practice instrument approaches in VFR conditions. She had a fixed wing instrument rating but was unsure of her specific instrument time. She had told him that the Bell 407 was the best aircraft she had ever flown. She also had prior experience with FADEC while flying the EC130 in the Grand Canyon. He said she had over 500 hours in the EC130.

She started flying in California, which is where she got her private pilot certificate. She then moved to Bend, Oregon to finish the rest of her ratings up to CFI and CFII. She spent just over 1-year teaching in Oregon, and then joined Papillon in May of 2017. About 1 year later, she joined Survival flight in May of 2018 in Oklahoma and moved to the Ohio base in August of 2018.

He had started flying at Papillon in March and Jen had started in May. They entered into a relationship in June/July 2017. They first met as neighbors. As she gained her time requirements, they began looking for other jobs and to build a life together. They moved together to Oklahoma with Survival flight, where she worked at the Lawton base and he worked at the Altus base. In

¹ All times will be local time unless otherwise indicated.

Oklahoma, they had a 2 week on/off schedule and occasionally their shifts would overlap. They then moved together to Ohio.

Her schedule prior to the accident was routine. After the “hitch” was over, she came home, ate dinner and went to bed. She did not have any other jobs outside of her job at Survival Flight. The last time he talked to her was right before the accident flight where she called to tell him she got a flight to the south. It was normal for them to relay to each other before they took a flight.

When asked how Jen felt about the company, he stated that their plan was to “never leave.” They planned to stay in Ohio and raise a family there. She did not relay any safety concerns about the job, however, did state that she was having issues with the dynamic, or “vibe,” at the base coming from “the top.”

She used the proper weather tools which included the government issued tools such as NWS, aviationweather.gov, and the HEMS tool.

Her supervisor was Kevin Johnson.

The interview concluded at 1435.

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of: *

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SURVIVAL FLIGHT HELICOPTER CRASH *

NEAR ZALESKI, OHIO * Accident No.: CEN19FA072

JANUARY 29, 2019 *

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Interview of: JOSEPH VANBROCKLIN MIRELES

Via Telephone

APPEARANCES:

SATHYA SILVA, Ph.D., Human Performance Investigator
National Transportation Safety Board

SHAUN WILLIAMS, Investigator in Charge
National Transportation Safety Board

JOHN BRANNEN, Air Accident Investigator
National Transportation Safety Board

PAUL SUFFERN, Senior Meteorologist
National Transportation Safety Board

DAVID GERLACH, Aircraft Accident Investigator
Federal Aviation Administration

TOM LUIPERSBECK, Team Lead
Helicopter Air Ambulance Focus Team
Federal Aviation Administration

TIM TAYLOR, Instructor Pilot
Survival Flight

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I N T E R V I E W

(11:00 a.m.)

1 DR. SILVA: On the record at 11:00 a.m.

2 All right, well, thanks Joe, we really appreciate you talking
3 with us. As I mentioned on the phone, I'm Sathya Silva. I'm the
4 Human Performance Investigator at the NTSB. And we've got a few
5 people here on the phone so I'm going to have everyone go around
6 the table and introduce themselves to you.

7 MR. VANBROCKLIN MIRELES: Okay.

8 DR. SILVA: And essentially what you are hearing is our NTSB
9 party process. So, while we have expertise in investigation we
10 essentially need help from the community to really get all of the
11 information that we need. And, so, that's what you're seeing.

12 MR. VANBROCKLIN MIRELES: Okay.

13 DR. SILVA: So, I will let everyone go around the table here.
14 I'll start with Shaun.

15 MR. WILLIAMS: Hey, Joe, my name is Shaun Williams. I'm the
16 investigator in charge of the NTSB.

17 DR. SILVA: Paul.

18 MR. VANBROCKLIN MIRELES: Good morning Shaun, how are you?

19 MR. WILLIAMS: I'm good, how are you doing, Joe?

20 MR. VANBROCKLIN MIRELES: I'm here.

21 MR. WILLIAMS: Thank you for talking with us today.

22 MR. VANBROCKLIN MIRELES: Yeah, no problem.

23 DR. SILVA: Great Paul.

1 MR. SUFFERN: Hi, Joe, this is Paul Suffern. I'm a
2 meteorologist investigator with the NTSB.

3 MR. VANBROCKLIN MIRELES: Paul, okay. Good morning Paul.

4 MR. SUFFERN: Good morning.

5 DR. SILVA: And, John.

6 MR. BRANNEN: Hi, good morning. This is John Brannen; I mean
7 an NTSB regional investigator. I work for

8 MR. VANBROCKLIN MIRELES: And I'm sorry. I didn't catch your
9 name, what was it again, sir?

10 MR. BRANNEN: It's John Brannen.

11 MR. VANBROCKLIN MIRELES: Okay. How are you this morning,
12 sir?

13 MR. BRANNEN: I'm good.

14 DR. SILVA: And Dave.

15 MR. VANBROCKLIN MIRELES: Dave.

16 MR. GERLACH: So, good morning, Joe, this is David Gerlach.
17 I work for the FAA office of accident and prevention. I am an
18 accident investigator.

19 MR. VANBROCKLIN MIRELES: Good morning, Dave.

20 MR. GERLACH: Good morning.

21 MR. VANBROCKLIN MIRELES: Hope you guys are staying warm
22 where you all are at.

23 MR. GERLACH: Well, it's actually a whole lot warmer than the
24 last couple of weeks. It's rainy here though. Thanks for asking.

25 MR. VANBROCKLIN MIRELES: Okay.

1 DR. SILVA: Tom.

2 MR. LUIPERSBECK: My name is Tom Luipersbeck. I'm from the
3 FAA headquarters. I work in the 135 Operations Policy branch.
4 I'm also the Helicopter Air Ambulance Focus team lead for the FAA.

5 MR. VANBROCKLIN MIRELES: Good morning, sir.

6 DR. SILVA: And, Tim.

7 MR. TAYLOR: Hey, Joe, this is Tim Taylor. From Survival
8 Flight and I'm an instructor pilot with them.

9 MR. VANBROCKLIN MIRELES: Looking forward to seeing you in
10 April, sir.

11 MR. TAYLOR: Me too.

12 DR. SILVA: So, that's everyone we've got on the line. I'll
13 run through my normal spiel and see if you have any questions
14 before we start. Sound good?

15 MR. VANBROCKLIN MIRELES: Sounds great.

16 DR. SILVA: Wonderful. So, we are here, the NTSB for safety
17 we are not here to assign any fault, blame, liability or any of
18 that sort. As a government agency we can't offer any type of
19 confidentiality or immunity. Essentially what will happen is that
20 a copy -- so, this audio recording will get sent for transcription
21 and copy of that transcript will become part of our public docket
22 once the accident information gets released.

23 MR. VANBROCKLIN MIRELES: Okay.

24 DR. SILVA: And you are entitled to have someone sit with
25 you. Would you like to have someone sit with you during this

1 interview?

2 MR. VANBROCKLIN MIRELES: I wouldn't even know who to have
3 sit with me to be honest with you.

4 DR. SILVA: Okay. Well, if you change your mind at any point
5 just let us know.

6 MR. VANBROCKLIN MIRELES: Okay.

7 DR. SILVA: It should be pretty low key. Again, you are the
8 expert here. We really want to get as much as we can from your
9 perspective. So, there are no wrong answers. If you don't know
10 an answer feel free to say you don't know. If you need
11 clarification on a question, again, feel free to ask. The same
12 thing if you need a break.

13 MR. VANBROCKLIN MIRELES: Okay.

14 DR. SILVA: Great. And then so, what you can expect is that
15 we'll -- I'll start off with a handful of questions and then we
16 will go around our virtual table usually twice in order to make
17 sure everyone has got their questions answered. And then at the
18 end I'll turn it to you to see if there is anything we missed or
19 anything else you wanted to add.

20 MR. VANBROCKLIN MIRELES: Okay.

21 DR. SILVA: All right, great. Any questions before we start?

22 MR. VANBROCKLIN MIRELES: No, ma'am.

23 DR. SILVA: Okay. Wonderful.

24 INTERVIEW OF JOSEPH VANBROCKLIN MIRELES

25 BY DR. SILVA:

1 Q. So, we will start with the easy stuff. Can you spell your
2 full name for us please?

3 A. Yes. First full name is Joseph, J-o-s-e-p-h; last full name
4 is capital V-a-n capital B-r-o-c-k-l-i-n, space, capital M-i-r-e-
5 l-e-s.

6 Q. Got it. And can you run through a brief summary of your
7 background in aviation and how you got to where you are now?

8 A. Sure. My aviation career started in 1999 when I joined the
9 Marine Corps. I did 5 years as a CH46 crew chief mechanic with
10 one deployment overseas in 2003.

11 From there I parted ways with the Marine Corps, went to the
12 Army for the Warrant Officer program. In 2005 completed my
13 training and was an A64 Apache Long Bow pilot. I did 8 years in
14 the Army and then got out.

15 And then I started with Metro Aviation in 2014 and then I was
16 there for 4 years with Acadian Ambulance as the contract. Parted
17 ways with Metro and came to Survival Flight last year in March so
18 I could be closer to home.

19 So, I have been doing helicopter air ambulance since -- for 5
20 years now.

21 Q. And what base are you at?

22 A. I am currently at Survival Flight 13 in Westerville,
23 Columbus, Ohio.

24 Q. Okay. All right. Did you work at any other bases before you
25 ended up at 13?

1 A. Yes, ma'am. I did. I worked at Lawton in Oklahoma for
2 approximately a month-and-a-half.

3 Q. Okay.

4 A. April and May.

5 Q. Okay. And do you have any other roles within the company
6 aside from a line pilot?

7 A. Yes, ma'am. I'm the lead pilot at Survival Flight 13.

8 Q. Got it. Okay. How do you like working for Survival Flight?

9 A. I enjoy it. I've got great pilots, great crew. The company
10 has been good to me. I'm closer to home so that makes a huge
11 difference. So, I'm happy where I am at.

12 Q. Wonderful. Okay. Get my thoughts here together. So, you
13 started at 13 July, June?

14 A. I officially started at 13 in the middle of May. I brought
15 the aircraft up in June and we went into operation I believe the
16 date was June 14th.

17 Q. Can you talk about that transition? Starting that base; what
18 did that look like?

19 A. Sure. We brought the aircraft up. We had a little bit of
20 issues with the MARCS radio, which that's just normal because of
21 the programming and the MARCS system up here in Ohio, so that we
22 could communicate with ground units for King calls. And then also
23 all the hospitals have some form of radio communication either via
24 MARCS or a VHF frequency. That's also in the MARCS Radio.

25 It was an adjustment period, obviously, because we were

1 getting used to the personnel and the crews and pilots. So, I
2 imagine it's just like opening any other base. There's a little
3 bit of trials and tribulations that you have to go through just to
4 get everybody on the same page, but we worked through them and we
5 were operational and have been ever since. So, yeah, I don't know
6 how else to answer that question to be honest with you.

7 Q. Okay.

8 A. I imagine it's just like opening any other base.

9 Q. Can you expand on what you mean by an adjustment period?

10 What kind of challenges were you facing?

11 A. Well, you -- adjustment periods in getting used to the
12 different personalities that you're working with. You know,
13 obviously, everybody has a different background so you just learn
14 the individuals and their, I hate to say quirks, but you know just
15 their personalities and working with them and developing effective
16 communication with them. And then, you know, making sure that
17 everybody is -- then really just communicating effectively and
18 having a health line of communication and growing together.

19 I mean you have got new pilots to the area. So, you have got
20 to learn the local area, the different radios that you have to
21 talk on and then working with new crews. So, there's just, you
22 know, there's a little bit of adjustment to that. But I think
23 that's normal even if you were to be a pilot you would go to a new
24 base, you know, you're going to have to learn the different
25 personalities and just how to work with everybody so that you can

1 communicate what you need to communicate.

2 Q. Okay. Can you describe your roles and responsibility as a
3 lead pilot?

4 A. My roles and responsibilities include, but I guess not
5 limited to, making sure paperwork is in order, payroll gets done,
6 expense accounts, passing information along to the other pilots,
7 make sure the read file is updated. And if I receive anything
8 when I'm off duty to make sure I forward that to the on-duty
9 pilots so they can put that in the reading file and initial it.

10 What else? Working with the base clinical manager to keep
11 that, you know, that open line of communication and work through
12 any issues that we might come across.

13 What else? I would say that as the lead pilot it's kind of
14 my responsibility to ensure that we harvest a healthy working
15 environment for everybody and as well as a safe working
16 environment for everyone.

17 Q. Can you expand on what that means to you, healthy and safe
18 working environment?

19 A. Well, so, healthy and safe to me -- okay. So, let me start
20 out by saying that's subjective because you're asking me to give
21 my opinion.

22 Q. Uh-huh.

23 A. I can give you what my opinion is but as we all know opinions
24 vary. So, in my opinion what that means is having healthy
25 communication and being able to work through any issues that we

1 might have whether it be pilot or personnel issues. And by
2 personnel I mean mechanic or even as well as the med crews. You
3 know, it could be something as little as, let's see, making sure
4 that we have an inventory of everything before we leave the
5 hospital and not forgetting anything to any concerns that Robin or
6 other crew members bring to me as far as if they feel something is
7 unsafe or needs to be addressed.

8 What else? Yeah, that pretty much covers everything, you
9 know, and as far as safety is concerned just making sure that
10 everybody is on the same page. That as far as working in and
11 around the aircraft, you know, as well as being, for instance, on
12 scene and working with the firefighters and EMS on the ground and
13 making sure that we go around and train those individuals so that
14 nobody is caught off guard when we are on the scene. And we
15 continue to keep the aircraft running making sure they notice the
16 outside of the rotor disc until they are acknowledged or making
17 sure that they stay away from the tail rotor area, obviously.
18 Things of that nature. Anything that's, you know, we can do to
19 make sure that everyone's safety is taken into consideration and
20 we work through whatever issues that may come up.

21 Q. Okay. So, in your time --

22 A. So, --

23 Q. I'm sorry. Go ahead.

24 A. Go ahead. No, no, I'm sorry. I didn't mean to interrupt.

25 Q. No. So, in your time at 13 what safety issues have come

1 across your virtual desk here?

2 A. Safety issues that have come across my desk. We had one
3 incident with a nurse who -- she was familiar with working around
4 helicopters but I think she may have just at the time gotten a
5 little anxious -- not anxious. Maybe a little bit of a rush. She
6 was trying to get some patient information and I was in the
7 aircraft and starting through my check list and she kept asking me
8 a question and I politely told her, you know, hey, look. I need
9 you to go to the side if you need that information go ahead and
10 call OCC, but make sure you are outside the rotor disc. And I
11 think that maybe because she just kind of wasn't paying attention
12 at the time she started to walk back behind me and I made it known
13 to her that, hey, you are walking behind me. There's a tail rotor
14 back there. I need you to go to, you know, the 3 or the 9 o'clock
15 position.

16 It's just, you know, it was minor in that I think she just
17 needed to be reminded, hey, you know, we're starting the aircraft
18 and just, you know, make sure you're paying attention to what's
19 going on around you. Don't get so caught up into the call and
20 just maintain your situational awareness. So, we worked through
21 that. It was a learning lesson for everybody and so, what I did
22 in order to ensure that that didn't happen again, I took some
23 pictures of an aircraft and we've all seen them with the warning
24 fans on them as far as, you know, don't walk back here in this
25 area, you know, because of the tail rotor, you know, and things of

1 that nature. So, I picked those and printed them out and posted
2 them all over the base just as a reminder to everybody because,
3 you know, even if you're just going and walking to the restroom
4 and you see it, it's a gentle reminder of hey, you know, just
5 something to be aware of and even when you're walking out the door
6 to go down to the cafeteria or even in the aircraft it's there in
7 front of your face and it's just, you know, one of those things to
8 remind everybody. And that's how we kind of solved it. We talked
9 to the individual. We worked through the issue and then I put
10 those posters up.

11 Q. All right. How about concerns that your pilots may have been
12 brought to you; any examples of that?

13 A. Safety-wise, things that they have brought to my attention
14 are just concerns I guess about people talking over the radio when
15 they are in flight and having to remind the med crew, hey, you
16 know, this is a busy air space that we are in up here. I need you
17 guys to listen to the radios and if you hear something go ahead
18 and, you know, stop what you're doing and let us listen to the
19 radio so we can communicate with ATC or even other aircraft air to
20 air or OCC or even med-com up here because we also have to talk to
21 med flight med-com when we are coming in or going out of the 270
22 loop up here.

23 Q. Uh-huh.

24 A. And that's just more of a traffic advisory as well if they
25 have any incoming or outbound aircraft from any of the hospitals.

1 Q. Any other safety concerns that your pilots have brought to
2 you?

3 A. There have been some other instances of things that they've
4 brought to my attention. It's all second or third hand knowledge
5 and it didn't really have anything to do with our base to be
6 honest with you. So, it's kind of conjecture or rumor. As I tell
7 everyone at my base let's worry about what we are doing up here,
8 make sure we are doing it safely and effectively. And let's not
9 feed into the rumor mill.

10 Q. What was the nature of their concerns?

11 A. Well, I guess their concern would be other pilots from a
12 different base taking flights that, you know, they question us
13 about or as the med crew would question them about as far as
14 weather wise. I mean they are not -- they are by no means
15 meteorologists and they are not pilots but they are not dumb
16 individuals. They are very bright people that we work with. I
17 mean they are nurses and paramedics and firefighters. So, you
18 know, they have brought that up and, you know, it's all I can tell
19 them is I'm not there. I'm not seeing what the other may be
20 seeing. I can only go off of what I see on the METARS at the time
21 or the other pilot can only tell them the same thing. And so, you
22 know, it's each pilot is responsible for ensuring the safety of
23 the crew in the aircraft and following the letter of the law as
24 far as what the FAA has published and what the GOM says.

25 Q. Uh-huh. Have you ever brought a safety concern up your chain

1 of command?

2 A. I voiced my concern about an incident regarding a call and
3 the acceptance of a flight that was not at our base kind of
4 indirectly. I don't flip and say it was directly. It was a
5 conversation that came up and I was asked if I had any safety
6 concerns. I voiced my opinion. Again, it's my opinion. And so,
7 yes, I did voice one such incident so-to-speak.

8 Q. Can you elaborate on what that incident looked like?

9 A. The incident was concerning a weather judgment call by
10 another pilot and whether or not, in my opinion, it was safe to
11 take that flight based on what I was reading on the METARs and
12 that several of the other crew members had also voiced their
13 opinion to other people from that base particularly to other crew
14 members.

15 As you know this is a small business. We have two aircraft
16 in generally this same vicinity and the crews intermingle quite a
17 bit. So, there was a lot of I guess discussion amongst them.

18 Q. So, who was it that you talked to about this?

19 A. I spoke to Jack Windes about it at the time.

20 Q. Okay. And how did that conversation go?

21 A. The conversation -- well, let me state this. The
22 conversation started because there was a misinterpretation --
23 well, not even a misinterpretation. Med crew had said something
24 to, I don't even know who, about something that I had said about
25 -- I can't even remember this is so many months ago. But anyway

1 there was a misunderstanding of what I had said about taking
2 flights or turning down flights as far as Med Crew was concerned.
3 And so, Jack had called me about that. He asked me if I had any
4 safety concerns and I voiced my concern with him and basically the
5 conversation was that I wasn't in the cockpit and I don't know
6 what that pilot was seeing from their viewpoint, which is entirely
7 true. And that it's not my position to question another pilot's
8 judgment call because we are all trained to look at the weather.
9 We are all trained to look outside and make our determination on
10 whether or not the visibility and the ceilings meet the standards
11 set by the FAA and the GOM.

12 Q. Uh-huh. Do you recall about when that happened?

13 A. Well, oh, God, do I recall when that happened. Maybe
14 September, maybe.

15 Q. Okay.

16 A. I'm trying to remember. It's been a hot minute.

17 Q. Uh-huh. Sorry, I interrupted you, continue.

18 A. That's okay.

19 Q. So, this happened in September, given that response do you
20 feel comfortable voicing safety concerns up your chain of command?

21 A. Do I feel comfortable? I feel comfortable to speak to
22 individuals because I understand that, you know, I need to speak
23 up and say something. Sometimes that lead to disagreements but
24 it's still kind of my responsibility as the lead pilot at 13 to
25 ensure that, you know, I make those concerns heard.

1 Q. Uh-huh.

2 A. But after that I mean I guess that's kind of where I feel
3 like it stops as far as my responsibility. It's my responsibility
4 to say something and that's, you know, what I mean.

5 Q. So, you are referring to speaking up towards your management;
6 is that correct?

7 A. Yes.

8 Q. Okay. Have you ever confronted the individual in question
9 here?

10 A. No, because I'll be honest with you I don't feel that that
11 conversation would really go anywhere. I mean it would lead to
12 more -- what's the word I'm looking for? I guess it would just
13 lead to turmoil is probably a good word, between the two bases and
14 I try to minimize that. Like I said, I've told my crew and my
15 pilots, look, this is what we need to focus on because we can
16 always do better. I'm sure that we have our own shortcomings.
17 So, let's make sure we have all our ducks in a row before you
18 start pointing fingers I guess is one way to put it.

19 Q. Uh-huh. I understand. Let's see. Does the company have a
20 way for you to report safety concerns?

21 A. They do. They have a reporting system via e-mail where you
22 can voice your concerns and those go up to Joe Lawrence.

23 Q. Okay. Have you ever used the system?

24 A. I did one time actually. Actually I didn't do it. The crew
25 did it. I was at Lawton and we had maintenance concerns regarding

1 a pitch chain link and it needed to be measured. And I felt it
2 was necessary to take the aircraft out of service so that way the
3 mechanic wouldn't feel rushed to try and put everything back
4 together if we did get a call. And so, what happened was the
5 mechanic was called as to why the aircraft was out of service. He
6 explained the situation.

7 I called the OCM and explained the situation and they said
8 that it wasn't necessary to take the aircraft out of service. It
9 was necessary to put the aircraft on delay. So, we did do that.
10 And I told the mechanic at the time don't worry about it. Just
11 take your time. Do what you need to do because this is, you know,
12 this is a flight control. So, I don't want you to rush through
13 anything and miss something.

14 The med crew at the time felt it was necessary to do a report
15 and so they did file a safety report.

16 Q. Uh-huh. Safety report. So, what was the nature of the
17 safety report being --

18 A. The crew was just concerned as well as I was that maybe the
19 mechanic would feel he was under pressure for time --

20 Q. I see.

21 A. -- and that he could miss something and that was -- and so
22 they wrote it up and it was while I was in Lawton. So, that was
23 back almost a year ago.

24 Q. Okay. Do you know what the outcome was of that?

25 A. The outcome was we put the aircraft on a 20-minute delay I

1 believe and I spoke to the mechanic directly and said, listen. We
2 are on a 20-minute delay but I don't want you to feel rushed to
3 complete your maintenance and make sure everything is checked and
4 proper and you're following the maintenance manual. So, take your
5 time and if we do get a flight request and you don't think that
6 you're going to be done in time I'll just turn the flight down.

7 Q. Did the company ever get back to you or to the crew as far as
8 you know, regarding this --?

9 A. To be honest with you it was -- again, it was in May of last
10 year, April/May of last year. So, I left after that and I don't
11 know what ever came of it to be honest with you.

12 Q. Uh-huh. I understand. So, have you ever flown in that area
13 south of Columbus where the accident occurred personally?

14 A. I have. I've been to Jackson Holzer and I remember well
15 Washington Courthouse.

16 Q. Okay.

17 A. So, I have been down in that area, yes, ma'am.

18 Q. How does that kind of like compare to a normal flight for you
19 guys? Are there any other challenges or risks associated with
20 that?

21 A. Well, if you were to look at a map you would see that the
22 terrain rises down to the south and west of us as well as further
23 east. So, there are some other considerations there just based on
24 the rising terrain, obviously, ceilings and visibility, fog. Low
25 lying fog in the valleys would be a consideration. And then,

1 there are MARCS repeater towers all over the state as well as cell
2 phone towers and some areas have high tension power lines. So,
3 those would be some considerations, you know, fortunately, you
4 know, we are required to have HTAWS and we do. We also have the
5 goggles. We have our hazard map that we look at, you know, to
6 kind of keep us -- just to remind us and as well as to update, you
7 know, hey, there's a new tower. Or to remind you where the towers
8 are.

9 So, I don't know if you have actually been up here, but
10 there's plenty of cell towers, antenna towers and repeater
11 stations.

12 Q. Uh-huh. Got it. So, when you track -- actually do you
13 recall if you have ever made those flights south in marginal
14 weather?

15 A. I cannot recall to be honest with you.

16 Q. Okay. That's fine.

17 A. I've only made that -- yeah, I've only made that trip -- I
18 think I've been down to Jackson once or twice. I've been to
19 Washington Courthouse I think two or three times maybe.

20 Q. Uh-huh. So, can you walk through -- this is a hypothetical.
21 But let's say you got a flight to go from your home base to, you
22 said you'd been to Holzer Jackson. So, let's go there.

23 A. Yes.

24 Q. How would you check that weather?

25 A. Okay. Well, I use the HEMS tool primarily on weather.gov.

1 Q. Okay.

2 A. I'll kind of click through as far as ceilings as an overlay,
3 and then I'll take ceilings off and I'll check visibility as an
4 overlay because, you know, you can click like category and that'll
5 give you kind of sum of the two. But I just kind of like to look
6 at it a little bit better. I also put the radar on to see if
7 there is return as far as precipitation in that area. And check
8 the METARS for the airports in the vicinity and in route of Holzer
9 Jackson. So, I would check Columbus, obviously, Rickenbacker, I
10 think it's UYF, that's the identifier. I don't remember what
11 airport that is. And then, again, I'd have to look at a map to
12 tell you what airports are in the vicinity. I can check.

13 Q. Okay. That's fine. Okay. Wonderful.

14 DR. SILVA: I'm going to pass the buck. How are you feeling?
15 Do you need a break?

16 MR. VANBROCKLIN MIRELES: I'm fine.

17 DR. SILVA: Okay. All right, Shaun, do you want to take
18 over?

19 MR. WILLIAMS: Yeah. Thanks, Joe.

20 BY MR. WILLIAMS:

21 Q. So, a couple follow-ups here. I don't have a whole lot. But
22 regarding the weather if you -- talk to me about the risk
23 assessment. Do you do it once per flight or once per shift?

24 A. Well, it's actually done once per flight because if you look
25 at our flight release every time you complete a flight you have to

1 fill in the flight number and then, you know, sign off to debrief
2 or whatever. So, then you would have to do a new line and adjust
3 your risk assessment value accordingly based on the new
4 information or the present time once you've created that flight.

5 Q. So, what about when the tone comes in is there an estimated
6 or a target time for being skids up?

7 A. There is an estimated time. Yeah. I believe the -- it's 7
8 minutes is what they would like to see. Of course, you know, that
9 doesn't always happen and so you fill out I guess it's an
10 occurrence log just explaining, you know, what was the issue and I
11 guess that's more for trying to nail down any issues that you
12 might have just to get your response time to be a little bit
13 better.

14 Q. So, to kind of ballpark it about how often do you make the 7
15 minutes?

16 A. To be honest with you I don't know because usually what
17 happens is the med crew fills out the usual occurrence log. I've
18 never had to fill out one because I've never come across it to
19 where I've had anything out of the norm happen on my side of
20 things that would cause me to have to fill one out.

21 Q. Okay. How long does it take you to normally do your weather
22 check when the tone comes up?

23 A. Well, it goes two ways. If the weather is amber you'll get a
24 phone call first asking for a weather check and they allow us as
25 much time as we need for a weather check. Once we tell them yeah,

1 we can do it then there's a secondary alert with a flight request.
2 So, then you go and do your, you know, you go through your routine
3 of getting out into the aircraft. Do your walk around, making
4 sure everything is unplugged, doors are closed, things of that
5 nature.

6 So, it's subjective to be honest with you because if they
7 know weather is amber and even sometimes we'll notify them that
8 weather is green and over a period of time something moved in,
9 they will call first to ask for a weather check before they give
10 us a flight request. Does that make sense?

11 Q. So, they'll call you to ask you to check the weather before
12 telling you there's a flight?

13 A. Correct. Correct. They'll -- usually the way it goes is
14 Survival 13 weather check St. Ann's to whatever the facility is.
15 We'll just say Jackson Holzer. And I'll tell them, you know,
16 stand by and I'll look at the weather and I'll ask them some
17 questions if there's anything moving in or if I see something off
18 in the distance, you know: Hey, is this moving in our direction?
19 You know, do you have like a timeframe? Is it moving faster? Has
20 it slowed down? Things of that nature just to ensure that, you
21 know, I'm going to have the ability to get where I need to be
22 without running into any issues.

23 Once we have that discussion, then they'll say, hey, we have
24 a flight request for you to Jackson Holzer, for instance. We'll
25 just say Jackson Holzer because that's kind of what we are talking

1 about. So, and then we'll launch. A lot of times, you know, if
2 we have marginal weather. If it's reporting marginal VFR I'll
3 bring the crew in and we'll talk about it and I'll explain to
4 them, this is what I've seen. This is what's happening. This is
5 what's forecasted. And then, you know, we'll make that
6 determination as a crew.

7 Q. So, I'm not sure if this has been asked or not. I apologize
8 if it was.

9 A. That's okay.

10 Q. Flights during shift changes.

11 A. Okay.

12 Q. Have you taken some?

13 A. Well, it can work two ways depending on when the call comes
14 in the pilot on duty will take the flight and then we can work
15 around that. It's generally not an issue. The only time that
16 it's been an issue was -- well, I should -- it wasn't really an
17 issue. It's just something that we worked through.

18 I had a flight to Cleveland Clinics right at shift change and
19 there was no way that the off-duty pilot was going to make it all
20 the way to Cleveland Clinic from where we were at. So, we hot
21 seated and I took the aircraft and went to the destination where
22 the med crew was. I shut down. Did my preflight. And then
23 finished -- continued the flight. Finished the flight request.

24 You know, if I'm 2 minutes out and they receive a flight
25 request the -- well, usually the pilot will take it if it's like 2

1 minutes out. But for instance we had a flight I was probably
2 about 15 minutes out. The off duty pilot was there and it was
3 going to be -- we didn't know how long the flight was going to be
4 because we had no patient information. As you well know, you
5 know, you go to a hospital you could be there for anywhere from 30
6 minutes to an hour depending. So, I contacted the pilot and said,
7 hey, bring my helmet down, my goggles and I'll take the flight.
8 And we hot seated. I took the flight and again, I went to my
9 destination, first destination. The crew went inside. I did a
10 preflight and then -- and even before that once I found out they
11 took the flight I called the OCC, gave them a flight release. I
12 told them what I was for weather. Told them, you know, they knew
13 who the crew was. Told them I was on duty oncoming pilot. And
14 just all the information that comes with the flight release. And
15 then I took the flight.

16 Q. So, if that happens when you're driving in how do you check
17 weather?

18 A. Well, I have for flight on the phone so I'm, you know, I look
19 at fore flight. If it's marginal weather I won't -- I'll just let
20 the on duty pilot take it because if it's good weather though --
21 if it's clear blue and 22 and there's not forecast for any
22 marginal weather incoming because for instance what we are talking
23 -- the instance that we are talking about it was fall. It was a
24 beautiful day and I had already checked weather before I left the
25 house just to get an idea of what to expect when I got into the

1 office. And then it just so happened that we did get a flight
2 request. And so, weather, again, was, you know, beautiful
3 outside.

4 Q. Okay.

5 A. Again, that's how I do it. I can't speak to how other pilots
6 would do it.

7 Q. Okay. Are there any pressures for you guys to complete
8 flights?

9 A. You know I don't think there's any pressure to complete a
10 flight. You know, one of the things that really sticks in my mind
11 that Jack says all the time is you know there's safe weather,
12 there's legal weather but you need to have both in order to
13 complete the flight. And on top of that he will tell you all the
14 time that nobody has turned down more flights at the company than
15 he has. So, he's not going to pressure anybody to take a flight
16 and he's not going to question their decision to turn down a
17 flight.

18 Q. Does the company set any goals for the number of flights to
19 be completed probably in a month, or a week?

20 A. I wouldn't say that there's a goal. I know where you're
21 going with this and I'll give you my take on it. I don't think
22 that there's a goal to complete so many flights. And I don't
23 think that there's any incentive because I know where you're
24 going. So, I'll just answer your question if you don't mind, if
25 that's okay.

1 Q. Go for it.

2 A. Okay. So, you know, I imagine -- it's my understanding
3 you're going to bring up probably the massage chair. This is how
4 I take it. Okay. And incentive is something I can spend. It's
5 something I can use. It's me taking my family to, you know, a
6 trip or paying a bill or something of that nature. I don't think
7 that there are any incentives.

8 I think that the massage chair is more of a token of
9 appreciation for all the hard work because this is my perspective
10 on it. In any given month there's 30 days. In 30 days you could
11 have a flight a day but we all know that you're not going to get a
12 flight request every single day. So, let's multiply -- let's say
13 we'll get -- let's make that two in the days that you do fly, two
14 flights a day. Now, you factor in weather.

15 Now, you're looking at three or four flights a day. And most
16 of you are aware that four flights in a day that's two during the
17 day, two during the night, that's kind of taxing not just for the
18 pilots but for the med crew as well. And if you take those
19 flights at night that doubles your work load because it is at
20 night, you're under goggles, you know, there's just more of a risk
21 associated with flying at night and so it is a lot of hard work or
22 it can be a lot of hard work especially when you talk about med
23 crews and you're talking four flights in a day. That's four
24 charts that they have to fill out and patient information and
25 everything else like that.

1 So, my take on it is it's a token of appreciation for all the
2 hard work that you put in for that month as far as the 30 flights
3 because that can be a heavy work load when you start breaking
4 down.

5 Q. So, with that once those -- that first month with the 30 you
6 get the massage chair, is there any other tokens of appreciation,
7 anything else when you guys have a heavy month?

8 A. You know I honestly don't -- I haven't been at the company
9 long enough to really have an answer to that question. I know the
10 massage chair is one of them but, you know, I think other than
11 that I honestly could not tell you.

12 Q. Okay. Does 13 have one?

13 A. We do. We do.

14 Q. Was it there before you to there or after?

15 A. No, no, it wasn't there before I got there because I --
16 again, I started when the base opened. So, I've been there since
17 day one.

18 Q. I'm sorry about that.

19 A. That's okay.

20 Q. I remember that now. So, as you guys were getting close are
21 there count downs or anything (indiscernible) --

22 A. So --

23 Q. -- paying attention to it or (indiscernible).

24 A. I'll be honest with you. It was more the med crew that was
25 paying attention just because they keep track of that. Honestly

1 they keep track of that more than I do. I don't really
2 participate in keeping track of how many flights we've done in a
3 month. In fact, I've told all my pilots look, we get what we get
4 and that's, you know, whatever. It's -- I'm going to try and keep
5 this clean, but I basically told the med crew and the pilots I
6 don't give -- I'm trying to pick the words here and remain proper.
7 But I think you know where I'm going with this.

8 I don't give any -- I don't care about the massage chair. I
9 don't. Because I don't think that's what we are here for. I
10 don't think that's -- I think we should just focus on helping the
11 people that we get called out to help. And, you know, if we get
12 30 flights in a month so be it. But I'm not going to sit here and
13 count down or focus or, you know, anything else like that.

14 You know it is interesting sometimes -- I'm sorry? Hello?

15 Q. Are you there?

16 A. Yeah, I'm still here.

17 Q. Okay. I don't think anybody said anything. I think it's
18 probably background noises.

19 A. Oh, okay. So, yeah, that's kind of my take on it.

20 Now, having said that or we are a quality type personalities
21 is there a little bit of a competitive nature, sure, you know
22 especially because we were a new program in the area and, you
23 know, we are all pilots. We are all a little competitive, you
24 know, but I'm not going to sit there and push anybody to do
25 something that's unsafe or you know, just unsafe. I'm not going

1 to push anybody to get in the aircraft or I'm not going to push
2 myself to get in the aircraft. I enjoy going home every day. And
3 that's what I tell my crews and I'll tell -- I'll basically tell
4 you the same thing I tell my crews. You know it's my job to make
5 sure that everybody gets home safely at the end of the day.
6 That's my primary concern. That's my number one job when I walked
7 in the door is to walk back out the door at the end of the day.
8 And I take that very personally in that, you know, I'm responsible
9 for these people's lives and they are entrusting me to make the
10 right decisions and also very professionally because I am, you
11 know, as you well know a commercial helicopter pilot flying
12 helicopter EMS.

13 There's a certain expectation when you're in this job of how
14 to conduct yourself professionally and I try to adhere to that and
15 make sure that all of the pilots are under the same understanding
16 at 13. So, that's my take on it.

17 Q. I appreciate it. I like hearing that aspect of it and you
18 know, my jobs we had little friendly competitions and stuff, so I
19 was just, you know, trying to get an understanding of how it is
20 here with you guys.

21 Talk to me a little bit about the pay system. Are you guys
22 hourly, salary, how does that work?

23 A. We're salary. Our pay salary is based on 148 days out of the
24 year. Anything over that is overtime, which would be time-and-a-
25 half. Which in my experience is pretty much the standard across

1 the board.

2 Q. If that's the case, the 148 available days, like whether or
3 not you fly if you're at the base you're on duty for 148 and
4 that's your salary?

5 A. Yeah. That's correct. Salary is steady across the board no
6 matter whether you fly or not, you know, and that's based on your
7 duty days. As long as you show up for work on your assigned duty
8 day or unless you decide to use paid time off of whatever the case
9 may be. And then anything outside of that that you work extra is
10 overtime. But you still get paid for the overtime regardless of
11 whether or not you fly. So, I could pick up a 12-hour shift not
12 do anything, sleep for 8 hours and still get paid.

13 Q. Not too bad.

14 A. No. It's my understanding it's pretty much that way across
15 the board. So, you know, I mean that's how it was at Metro as
16 well. So, you know, that's my experience, you know, at both of
17 programs. I was at Metro Aviation.

18 Q. Okay. You mentioned the duty day.

19 A. Yes.

20 Q. What are the duty times?

21 A. The duty times at our base it's from 6:30 to 6:30 or 7:00 to
22 7:00 is generally the consensus. Mostly at our base we do 6:30 to
23 6:30.

24 Q. Do most of the pilots come in right at 6:30 or do they come
25 in prior?

1 A. We try to be there at 6:30 so that way we can do a briefing
2 with everyone, get a (indiscernible) and then, you know, start
3 your paperwork and everything else like that. So, 6:30, you know,
4 is kind of the I wouldn't say drop dead time but it's kind of the
5 target time for everybody to get there. So, you give enough time
6 to have a conversation with the off duty pilot about what's going
7 on, what happened that day. They can voice whatever concerns they
8 have. Just, you know, generally -- a general pass down.

9 Q. When does the off duty pilot then actually go off duty? Does
10 he go off at 6:30?

11 A. I mean let's see. 6:30, 6:45 right around that time. It
12 generally doesn't take more than 10, 15 minutes. I mean unless
13 something really major happened that day and he's stuck there till
14 say, 6:45, 7 o'clock we'll note that in the log, in the duty log
15 as far as, you know, his duty day or whatever. Then he's got his
16 10 hours of uninterrupted crew rest.

17 MR. WILLIAMS: All right. I think that's all I have.
18 Thanks.

19 MR. VANBROCKLIN MIRELES: Yeah, no problem.

20 DR. SILVA: All right, Paul.

21 BY MR. SUFFERN:

22 Q. Yeah, just a little questions follow-up more along the lines
23 of weather and such. You talked about it a little bit earlier,
24 but could you describe how you stay updated on weather conditions
25 during your shift?

1 A. Stay updated on weather conditions? Just through the HEMS
2 tool and making sure, you know, you refresh it before you look at
3 it. The weather radar on NOAA, the aviation forecast on NOAA for
4 that I think it's a 12-hour span. So, that can kind of give you
5 an idea of what the weather may or may not do. Of course, you
6 know, the METARs, the TAPS, the MOSS, the weather discussions, and
7 then OCC will chime in as well sometimes on what they think. And
8 I'll call them and say, hey, I see this, you know, can you -- what
9 are your thoughts and feelings on it. I mean they're trained
10 meteorologists most of them or some of them. So, they'll hand me
11 off to whoever the meteorologist on duty is and we'll talk about
12 it and just stay up to date that way really.

13 Q. Do you do most of that on like a company computer or a tablet
14 or --

15 A. Yeah, company computer that we have a desk top in the office.
16 You've got the iPads where you can, you know, check for a flight
17 for the METARs. But generally before I take a flight it's all
18 occurrences, not generally, before I take a flight it's always
19 looking at the HEMS tool and the radar and everything else off of
20 weather.gov.

21 Q. As far as those tools that you were just describing, which
22 one of those do you consider your most helpful tool?

23 A. The most helpful. You know, that's a good question. And I
24 forgot about the -- we have another website that we have that was
25 given to us by OCC as far as the cloud cover. It has the -- I

1 can't remember what it's called, something or other but anyway we
2 use that as well.

3 You know I don't know that I would subscribe to any just one
4 of them. The HEMS tool is extremely helpful in that it give you
5 different color variations for the different areas describing the
6 visibility or the ceilings and that's why I kind of like to focus
7 through them. Because in one area I might have low ceilings but
8 I've got 9 miles of visibility. I might have 2000 foot ceilings
9 but I've got 9 miles of visibility. So, that's, you know, that's
10 always nice to have to be able to culminate all that information
11 and then make a decision.

12 Q. Okay. As far as flight requests in icing conditions have you
13 ever turned down a flight due to icing conditions?

14 A. Yes, sir. I have multiple times.

15 Q. Can you describe one of those then?

16 A. You know within the last month we've got a lot of snow.
17 We've had a lot of precipitation and we've had a lot of freezing
18 temperatures. Sometimes the precipitation is you will have rain
19 but not snow, but we'll have freezing temperatures as we start to
20 get above 1,000 feet, so, yeah, I'll definitely turn down the
21 flight.

22 Q. As far as worrying about icing conditions do you look for
23 visible moisture or do you consider that icing happens in
24 invisible moisture what's your criteria then?

25 A. So, freezing temperature obviously, visible moisture that

1 could be anything from fog, to rain, to snow. You know those are
2 the big three. Or the big two is freezing temperatures and
3 visible moisture. So, that includes clouds. So, you know, if I
4 were to say get a flight down to Holzer Jackson with 800 foot
5 ceilings during the day and I knew I had 5 miles of visibility,
6 well, I mean 800 foot ceilings during the day that's still visible
7 moisture with freezing temperatures. So, I would decline that
8 flight.

9 Q. Okay. And as far as the company established weather minimums
10 that you all have there as far as making no go, or go decisions,
11 things are like marginal VFR, or TFR what you weigh the most
12 heavily, METARs task, is there other stuff you weigh when you're
13 making that decision?

14 A. How do I weigh that decision? So, I look at the METARs, the
15 task, what's being forecasted, not just to where I'm going but
16 Columbus as well if I'm coming back to Columbus. I', looking at
17 the radar to see if there's any rain coming in or snow coming in
18 from that direction or to that direction. You know, the ceilings
19 and visibility, you know, the more the better, obviously. So, I
20 take all that into consideration and I talk to the crew about it
21 as well and if the crew tells me they are not comfortable with
22 taking that flight, then, you know, then we don't go. And that's
23 all there is to it. You know I want them to feel comfortable with
24 doing what we are doing and I want them to be confident and, you
25 know, if we take a flight and it's Ohio so things change fairly

1 frequently sometimes we'll turn around. And I'll tell them, hey,
2 look, this is what I'm seeing. This is what's happening. We are
3 going to turn around and we're going to go back or you know, we'll
4 divert whatever the case may be, whatever we need to do to get
5 back down on the ground safely.

6 Again, it all goes back to everybody goes home at the end of
7 the day. That's my number one priority. I hope that answers your
8 question.

9 Q. Yeah. Thank you. As far as the Aspen flight area where you
10 flight do you wish you had better weather information or anything
11 in that area? What things would you like to see more of if you
12 could?

13 A. You know, as far as I'm concerned there could always be more
14 information. I have found that some of the METARs or excuse me
15 some of AWOS systems in this area they can be off a little bit.
16 And what I mean by that is you're looking outside and it, you
17 know, you easily have 5 miles of visibility but Delaware is
18 reporting three and that's not too far from us or OSU is down to
19 two and you're looking around and there might be one station
20 that's reporting marginal VFR or even IFR and everywhere around it
21 is reporting VFR. So, then you kind of have to look at was that
22 the station or is there some kind of anomaly going on in that
23 area.

24 And then, you know, of course, we can always fly around that
25 area in the VFR conditions and then if for whatever reason again

1 something changes or something pops up then it's, you know, hey,
2 we are going back to base or we are diverting to so and so. I
3 mean it's still the old adage of it's better to be on the ground
4 wishing you were in the air than in the air wishing you were on
5 the ground.

6 So, to answer your question, yeah, I think there could be
7 some more stations especially down south where there does seem to
8 be a gap between some of the areas. But I don't have an answer to
9 solve that problem to be honest with you other than start sticking
10 AWOS (indiscernible) over the place, which we know that's not
11 going to happen. Again, it's just a matter of looking at the
12 weather and interpreting it as best you can and talking to the
13 guys and OCC and getting their assessment of what's going on and
14 making the best decision based on the information you have.

15 MR. SUFFERN: Okay. Thanks, Joe, I appreciate it. That's
16 all the questions I have for now.

17 MR. VANBROCKLIN MIRELES: Sure, no problem, Paul.

18 DR. SILVA: John, do you have any questions?

19 MR. BRANNEN: I don't think I have any questions. I think
20 you guys pretty much covered it.

21 DR. SILVA: All right. Dave?

22 MR. GERLACH: Did you say Dave?

23 DR. SILVA: Yes.

24 MR. GERLACH: Thanks, Sathya.

25 BY MR. GERLACH:

1 Q. So, a couple of questions for you. What do you think your
2 biggest, toughest challenges are as a Survival Flight pilot?

3 A. As a Survival Flight pilot or as a pilot flying in Ohio
4 because those are two different -- I don't think -- as far as
5 Survival Flight I don't think there's a lot of challenges. I
6 think the challenges are more to deal with the different
7 personalities and the med crew and handling the situations as they
8 come up, you know, because as you know seeing calls are dynamic.
9 So, that's a challenge it doesn't matter where you go. What else?

10 I think one of the challenges up here is dealing with -- and
11 I'm going to have to be very honest and it's not going to -- I
12 don't know how this is going to come across. But one of the big
13 challenges here in Survival Flight, specifically at signature 13
14 is dealing with med flight. You know we've had some challenges
15 there with communication on the radio and just some of the overall
16 attitudes we receive from some of the people there. But you know,
17 it's one of those things where the new kid is in town and they are
18 going to kind of flex their muscle because they have been here for
19 a long time. So, you know, I would say that's one of -- probably
20 the biggest challenge that I'm facing right now and especially up
21 here at 13.

22 As a pilot in Ohio the biggest challenge is the weather and I
23 only say that because it does change pretty frequently and the
24 challenge of do I take this flight or do I not take this flight
25 because we -- there are certain things that we know about this

1 area. I'm sure you have heard about the I-70 corridor. Weather
2 from the south might be less than desirable for flying or it could
3 be better than what we are getting up north where we are at.
4 Unfortunately, at St. Anne's we are kind of in a little bit of a
5 bowl. So, we have to really go off of what we can see on the
6 METARs and make that determination and it's hard to -- I don't
7 want to say it's hard. It is sometimes hard to say no when you
8 know somebody needs help but, you know, you have to be mature
9 enough to say, you know what, that's probably not a good decision.
10 I'm looking outside and I know what's being forecasted up there or
11 what's being reported up there but right here where we are at, you
12 know, probably not a good idea. And so that's probably the
13 biggest, one of the bigger difficulties up here in Ohio being a
14 pilot just making those weather determinations sometimes.
15 Sometimes it's super easy and sometimes, you know, things pop up
16 and it's, you know, unexpected and you're just like, well, all
17 right I got to do what I got to do. You know, I have to be safe
18 and get the crew on the ground.

19 And, again, with those reporting stations no always being
20 accurate as to what they are reporting and what you're seeing or
21 vice versa what -- because it can go either way. Like I said, it
22 could be reporting IFR and it's clear blue 22 or it could be
23 reporting marginal VFR or IFR and you look outside and you're
24 like, what? What are you talking about?

25 It's funny because as we talk about this I remember one day I

1 was flying -- I forget where I was flying. But I was here,
2 obviously, and Charlie Cop, which is the police helicopter was in
3 the air as well and it was reporting like heavy precipitation and
4 to the west of us and I got in the air, even the police officer I
5 was on the air to air frequency, was like man I think somebody
6 dialed up the radar a little to high today. I mean we joked about
7 it a little bit but, you know, that's one of the challenges up
8 here is just, you know, looking at the weather. Fortunately, I
9 had some experience of flying up here previously when I worked for
10 Metro Aviation I was up at Metro Life Flight in Cleveland.

11 Q. Got you. So, from that stand point, what do you think the
12 biggest risks are to you, your crew and your helicopter?

13 A. The biggest risks?

14 Q. What's the big risk up there?

15 A. The towers, God, there's so many towers, the towers. I would
16 say that's a big one. And then the weather pattern would be the
17 other. Those are the two probably biggest ones. And with the
18 weather pattern comes the reporting stations. So, you know, you
19 can kind of lump those two together.

20 Q. What's the best way to mitigate those two threats that you
21 identified?

22 A. Well, you know, the big thing that I like to do and is
23 fortunate enough most of our crews are seasoned now is, you know,
24 when we started flying I'd point out the towers to them. You
25 know, hey, look, there's a tower. If we can see that we are good.

1 If we can't see that we should probably rethink, you know, taking
2 this flight because for instance there's one in Westerville that's
3 just about 2 miles north of the helo pad at St. Anne's. So, I
4 know that if I lift and I can't see that tower, guess what, we are
5 going to put it right back down on the ground.

6 The other ones are around Riverside and OSU closer to
7 downtown. So, if I'm, you know, if I'm sitting at Bolton and I
8 can see the radar antenna or excuse me the radio tower, the news
9 tower or whatever I know that, you know, hey, we've got good
10 visibility. We can either go back to St. Anne's or whatever the
11 case may be. But if I start to lose sight of that then it's
12 definitely, you know, an abort criteria turn around and go back.

13 The other thing we have -- so, training is big one. Training
14 the crews what to look for. HTAWS is obviously a great tool and
15 that's why we have it.

16 I know that the aircraft our sister ship 191 has synthetic
17 vision in it which is also a great tool as long as you're using it
18 correctly and not using it or abusing it I should say. So, as
19 long as you're using it and not abusing it it's a great tool. It
20 definitely gives you that visual representation of, hey, there's a
21 tower and you're looking down at the screen and you're looking up
22 to try to correlate. I know that -- I think everybody is kind of
23 the same way you hear a bell or a whistle go off your first thing
24 is to kind of look down and see what's going on in the cockpit and
25 then make sure you're looking outside as well because that HTAWS

1 warning can orient you as to where the threat essentially is. And
2 so you can, you know, turn to avoid or climb to avoid or whatever
3 you need to do to avoid that threat.

4 And, you know, again it has that range fan so you know you
5 kind of where in the vicinity is and as you get closer it tells
6 you you know, it gets a little more repetitive obstacle, obstacle,
7 you know, instead of warning obstacle. So, that's a great tool.

8 Of course at night the goggles are a great tool and we have
9 ANVIS-9s. So, you know, you can't as far as I know right now you
10 can't get any better than that right now. So, having those
11 available to you is awesome.

12 Q. That sounds good. So, with respect to your weather minimums
13 you talk about popping up and not seeing a tower. Do you have
14 your own personal weather minimums along with the FAA minimums?

15 A. I think yes. Yeah, we do. I do. I think every pilot at the
16 base does and I've encouraged that and I kind of stress that.
17 Hey, you do what you're comfortable with as long as it is safe and
18 legal that's what you need to do. You need to do what makes you
19 comfortable. If your comfort level is 1500 and 3 then 1500 and 3
20 it is. Everybody is going to get a little more comfortable as
21 they go along and get more exposure and experience, but I don't
22 put any outside pressure on anybody to take flights or push their
23 personal weather minimums.

24 Mine, you know, I'm comfortable with 1,000 and 3. I'm
25 comfortable with 800 and 3 just because of, you know, I have the

1 experience flying up here from before. But if I see that it's
2 starting to get real hazy even though it's reporting 3 miles, I'll
3 terminate. I'll turn around and go back because I'm just not -- I
4 don't feel comfortable pushing it that far. And then the other
5 thing that I would take into consideration is where am I going
6 because if I see the ceilings are starting to drop and the terrain
7 is rising that's enough work criteria for me as well.

8 Q. Do you have different weather minima for day night, times of
9 the season or anything like that?

10 A. Yeah. Absolutely. So, at nighttime I would even say that
11 scatter for me could be a layer at night because you never know
12 when that's going to go from scattered to broken. And you are on
13 goggles and with some of the areas that we fly in that are very
14 rural even with the goggles you could lose sight of the ground
15 reference. So, I wouldn't necessarily be comfortable pushing that.
16 And, of course, scattered in the wintertime that's visible
17 moisture, freezing temperatures that would be a no-go for me as
18 well.

19 Q. Got you. When you say the bases are 800 or 1500, do you guys
20 typically fly right at the base to you give yourself some kind of
21 margin above ground and towers?

22 A. No. No. Typically we won't fly at -- well, typically as a
23 pilot, you know, nighttime I'm not going to fly at 1,000 and 3
24 just because that -- again, a lot of the terrain around here does
25 rise and so where it might be 1,000 and 3 at that reporting

1 station -- for instance Bell Fountain to the east, northeast of
2 our location there's a very large ridge line that you have to be
3 aware of. And if it's reporting 1,003 for that you could run into
4 some trouble there. So, that would be also an abort criterion for
5 me just because that doesn't really give you whole lot of margin
6 for error so-to-speak.

7 Q. Got you. Do you guys kind of socialize?

8 A. Oh, yeah. Absolutely we socialize. I encourage all of the
9 pilots to have that (indiscernible) discussion and I don't
10 discourage anybody for their weather minimums or anything else
11 like that. Everybody has to feel comfortable because if you don't
12 feel comfortable doing what you're doing that can lead to
13 distractions or undue stress and that's going to cause problems.
14 So, I encourage that in discussion we talk about these things on
15 the regular. I joke around because sometimes I -- I told Jack the
16 other day I don't get enough of these phone calls. But no, I
17 encourage it. I think it's healthy to have that relationship to
18 be able to talk openly and work through those discussions so that
19 everybody is -- I wouldn't say that everybody is going to be on
20 the same page because, again, everybody is going to have their own
21 personal weather minimums. But I do encourage that they set what
22 they are comfortable with because the last thing I want them to do
23 is push it to where their comfort level is maxed out, we'll say
24 that. You know, so I don't want anybody to do that.

25 Q. When you find yourself venturing into low visibility and low

1 ceilings do you have a procedure that you use?

2 A. So, well, there's two. If I start seeing that low visibility
3 is happening -- so, I'll give you a for instance. I had to divert
4 to Wooster recently within the last month and my flight was from,
5 oh, man, I don't remember where we lifted from to be honest with
6 you. But it was to Cleveland clinic somewhere up north. It
7 wasn't even to the clinic. It was to another hospital just south
8 of the clinic in Cuyahoga County just south of Cuyahoga County
9 Airport. When I accepted the flight I talked to the flight crew
10 about it -- oh, I remember where it was now. It was just north of
11 Dayton. So, my flight plan was St. Anne's to Sidney, Sidney to
12 Cleveland.

13 I talked to the crew about it because there was some marginal
14 weather being reported but for the most part it was VFR. So, I
15 talked to the crew about it, said, hey, this is what the plan is.
16 This is what we are going to do. I talked to OCC about it and as
17 we got to Sidney and we were getting the patient the plan had to
18 change. So, you know, this has happened or very dynamic. So, you
19 just kind of adjust fire so-to-speak. And I made that adjustment.

20 I talked to the crew about it before we did that, explained
21 to them what was going on, what the situation was. I talked to
22 OCC let them know what I was doing. I was going to divert --
23 instead of going to Burke Lake Front I was going to go to
24 Cleveland Hopkins. In route to Cleveland Hopkins the visibility
25 started to drop on me. It was being reported as 5 miles at

1 Wooster. So, I was going to go Sidney to Wooster and then north
2 up to Cleveland. I got towards Wooster and the visibility started
3 to drop. I contacted the OCC told them look I'm going to land the
4 in Wooster visibility is dropping even though it's being reported
5 5 miles. I landed at Wooster and we arranged ground transport.

6 So, that's on way to do it. The other would be, you know, if
7 I encounter inadvertent IMC conditions I'm going to do what I've
8 always been trained to do. I'm going to immediately start a
9 climb. Get above my MSA. I'm going to turn only to avoid doing
10 the obstacles. I'm going to contact approach and squawk 7700,
11 contact approach and get vectors to VFR or get vectors to an
12 airport and do an emergency inadvertent IMC procedure, you know,
13 as far as RNAV or ILS or whatever the case may be on that to a
14 facility and then I'm going to get on the ground.

15 That's my procedure.

16 Q. Hey, with respect to icing you talked a little bit about
17 that, can you fly the 407 in icing conditions?

18 A. No. You cannot fly the 407. We have no de-icing
19 capabilities for the rotor blades.

20 Q. And I think you also mentioned snow too. Is that considered
21 icing conditions?

22 A. Excuse me what? Snow?

23 Q. Yeah, you mentioned snow.

24 A. I wouldn't fly in snow.

25 Q. Is that snow icing from your experience?

1 A. It depends on the temperature to be honest with you. Because
2 as you know snow can start at the top and as it works its way down
3 it can still be snowing but it's 34 degrees outside. So, what I
4 typically do is I will look to determine how heavy the snowfall
5 is. If I feel like I could start to accumulate precipitation on
6 the blades on a flight control services or the airplane as a whole
7 I'm going to turn down that flight. Or if I feel like the
8 visibility is going to drop significantly because of the heavy
9 precipitation then I'll turn down that flight. I have flown in
10 snow before up here in the Cleveland area. It's a matter of
11 looking at the weather and looking at the temperatures and taking
12 all that information into consideration and then making that
13 determination.

14 Q. You mention you have flown in those kinds of conditions. How
15 do you know, you know, when you're flying along whether or not
16 you're going to accumulate any kind of icing on the aircraft?

17 A. So, I look at the type of snow. If it's that heavy moist
18 snow that's accumulating then, you know, that's going to -- I'm
19 trying to answer your question here. You know, there's the
20 different types of snow. The heavy moist snow that you know is
21 going to; of course, start to accumulate on the aircraft. The
22 light powdery stuff it's light powdery it's kind of being pushed
23 away or around the aircraft as you're, you know, your forward air
24 speed and your downwash and everything else like that.

25 So, it's really a matter of looking at what's going on

1 outside, what the temperatures are and what type of snow you're
2 looking at and whether or not it's going to cause accumulation.
3 And, again, if it's heavy precipitation then that would be a no-go
4 criteria for me even if it was the light, you know, powdery kind
5 of fluffy stuff.

6 Q. Does your advice, opinion or experience change from day to
7 night when you are encountering snow?

8 A. Yeah, because I told the guys be, you know, a little bit more
9 careful at -- well, obviously, more careful at night because you
10 can be looking through the goggles and you might not see it till
11 you turn that search light on. And so you need to be aware of,
12 you know, where the systems are, what's being reported and you got
13 to be able to use all the tools available. You turn that search
14 light on, see what's going on.

15 If you start to see, you know, snow that you feel you would
16 encounter icing conditions then you need to turn around and go
17 back. I mean the goggles are a great tool but, you know, it's
18 kind of like the whole thing, you can have 4-wheel drive vehicle
19 but you can still get stuck in the mud.

20 Q. Yeah, that makes sense.

21 A. And the same thing with fog.

22 Q. Sir, you talked a little bit about your 12-hour shift. Are
23 you guys able to take a flight right at 12 hours?

24 A. You can take a flight right at 12 hours as long as you don't
25 exceed 14 hours. Obviously we are all aware that you can work up

1 to 14 hours in a duty day. As long as you're not going to exceed
2 that 14 hours you can take a flight and that still gives you your
3 10 hours of required rest before you got to come back in.

4 Obviously, if you go over your 14 hours you have to adjust that
5 but you're not going to fly past your 14 hours, 14 hours you go
6 pumpkin as far as flying. And that's the bottom line.

7 So, again, it varies. It depends. You can take the flight
8 certainly and go up to your 14th hour but if you're going -- if
9 you're thinking about taking a flight that's going to take you all
10 the way to Cleveland Clinic and you get that flight at 6 o'clock
11 you might want to rethink whether or not you're going to take that
12 flight or if you just want to let the oncoming pilot take that
13 flight because that is easily a round trip 4 hours. By the time
14 you go pick up the patient, fly up to Cleveland Clinic, drop the
15 patient off, go to Burke Lake Front refuel. Go back pick up your
16 patient -- pick up your crew and then fly back to base -- excuse
17 me, fly to Bolton get gas and then fly back to your base that's
18 roughly 4 hours easily.

19 Q. Got you. Hey, one last question for you. As a lead pilot do
20 you see yourself as being a role model for all the other pilots at
21 your base and at other bases?

22 A. I try to be. I do. I feel it's my responsibility to kind of
23 be a good role model and set the standard so-to-speak and
24 encourage them to do what's safe. And, you know, hear them out if
25 they have anything or even if they just need to vent, just let

1 them vent and be there for them.

2 Yeah. Yeah, absolutely I feel like I need to be a role model
3 for those guys because out of my base I probably have the most EMS
4 helicopter or helicopter air ambulance experience out of the four
5 of us. So, I do take that very seriously and, again, I try to be
6 as professional as possible about it and be a good role model that
7 they can look to and say -- and not just them but the crews as
8 well. Be a good role model for the crew as well.

9 MR. GERLACH: That's super. Thank you very much, Joe, I
10 appreciate your insight and help for us today. That's all the
11 questions I have.

12 DR. SILVA: Thanks, Dave.

13 Tim?

14 MR. TAYLOR: Hi, Joe, thanks for your candor. I just want to
15 let you know if you're holding anything back because I'm here
16 don't. I signed a nondisclosure. So, don't worry about what's
17 got to be said. If you feel that there's something that you need
18 to say, please don't hesitate to say it, you know. These guys are
19 (indiscernible) to blame us (indiscernible) so this doesn't happen
20 again. And if you're not comfortable get with Shaun and tell
21 Shaun, you know, that hey, I didn't want to say this around Tim.
22 I want to encourage you to do that.

23 MR. VANBROCKLIN MIRELES: Okay.

24 MR. TAYLOR: Don't worry about me being here. Like I said,
25 this (indiscernible) I signed a nondisclosure. I'm here just to

1 assist these guys and get them paperwork and things like that and
2 anything that I might have any questions for and which I don't at
3 this time. So, I'll turn it back to them.

4 MR. VANBROCKLIN MIRELES: Okay.

5 DR. SILVA: All right, thanks, Tim.

6 Tom, do you have any questions?

7 MR. LUIPERSBECK: I just have one.

8 BY MR. LUIPERSBECK:

9 Q. Since you spent several years down there at Metro with regard
10 to their risk analysis procedures at (indiscernible) can you see
11 any differences between the risk analysis processes at Survival
12 Flight versus the one at Metro?

13 A. Well, yes. And the reason for that is as you well know that
14 Metro is a dual engine aircraft for most of their programs. So,
15 their manifest is a little more in-depth, which means that with
16 complete flight their risk assessment is a little more in-depth as
17 far as checking the boxes and the numbers and everything else like
18 that. Make sure you sign it. So, it is different. I wouldn't say
19 that that's necessarily a bad thing. I think it's just it is
20 different because it's -- well, they (indiscernible) they've got
21 that whole program, digital program that they are required to use
22 for all their programs as far as we know. But especially for the
23 dual engine with the manifest and everything else like that.

24 So, I can't speak to their single engine programs because I
25 was never in one. I'm just familiar with the dual engine programs

1 and how did you do a manifest and, of course, you know the risk
2 assessment on complete -- with all of that.

3 Q. Was there any differences in the like FPM, did anybody else
4 have to approve that or look at it --

5 A. Well, no, and that's -- in that sense it's not really that
6 different because you have your OCCs who overlook or oversee your
7 risk assessment. And they can make adjustments as they see fit
8 based on the information they have in OCC regarding weather. I
9 don't know that any of the Metro Aviation OCCs are trained
10 meteorologists but they have their guidelines that they follow and
11 if they feel that there's something that you need to add to or
12 take away from they will put that input in. If a risk assessment
13 comes up that needs to be overseen by the OCM they will contact
14 the OCM. They'll give them the information as well. And, of
15 course, you know, you have to contact the OCM tell them what is
16 going on, what you're seeing or what your plan is and what your
17 alternate plan is in the event you do run into some of those
18 hazards or risks that you tried to mitigate as much as possible.

19 So, in that sense it's the pilot, it's the OCC and then it's
20 the OCM. So, it really follows kind of same guidelines as Metro
21 Aviation.

22 MR. LUIPERSBECK: Well, thanks very much.

23 MR. VANBROCKLIN MIRELES: You are welcome, sir.

24 DR. SILVA: All right. How are you doing, Joe, do you need a
25 break?

1 MR. VANBROCKLIN MIRELES: I'm doing okay. I think, you know,
2 it's kind of just let's just rip this band aid off and keep going.

3 DR. SILVA: Yeah, we are almost done here. I just had a few
4 follow-ups.

5 MR. VANBROCKLIN MIRELES: Okay.

6 BY DR. SILVA:

7 Q. So, regarding your duties as lead pilot do you get
8 compensated for that outside of --?

9 A. I do because I have to do all the paperwork.

10 Q. Okay.

11 A. I do. And so I get compensated for, you know, doing payroll,
12 working the schedule, filling in the gaps where if there are any
13 in finding coverage for the base if we have gaps. What else? You
14 know, just basically all the administrative stuff.

15 Q. Uh-huh. Right. So, when you're doing those tasks are those
16 counted as duty or -- how does that work?

17 A. Well, usually I'll try to get all my stuff done when I'm on
18 shift. The only one that I don't really have the opportunity to
19 get done when I'm on shift is payroll because of the way the
20 schedule falls and my work schedule they don't overlap. But I
21 imagine that's part of why I get the compensation I get is because
22 I'll take -- I have to take phone calls when I'm off duty, you
23 know, when I'm on off time if I'm not on my 7 and 7.

24 Q. Right. Got it. I think you might have mentioned this but I
25 think I missed it. When did your base get that massage chair?

1 A. Oh, gosh. Sometime in the fall.

2 Q. Okay.

3 A. It was before all the real winter weather hit. That's all I
4 can remember.

5 Q. Okay. And have you flown 191?

6 A. I did fly 191. I flew it I think twice.

7 Q. Okay. And you mentioned the synthetic vision can you
8 describe where that is and how you would use it?

9 A. So, the synthetic vision pops up on the Garman display, your
10 forward display with your HSI attitude and your speed and heading
11 indicator.

12 Q. Uh-huh.

13 A. If there's terrain it gives a general or it kind of -- it
14 gives you the outline of the terrain based on the GPS NAV data
15 that we update every I want to say I think it's 90 days. I know
16 ours is due February 28th. I don't know exactly when it's updated
17 but it does give you a visual representation. It also gives you
18 colored coordination as far as if the terrain is green you know
19 you are above it. If it's yellow then you're slightly above it
20 and, you know, there's an opportunity for you to correct that and
21 then red, of course, is, you know, you need to climb because
22 you're below it or you are right at the same level of it.

23 It also gives you visual representation of the towers that
24 are in your vicinity or whatever, you know, object with the tower
25 symbol with the, you know, hash marks at the top. And then it can

1 also give you your runway, a visual representation of your runway.

2 Q. Okay.

3 A. So, it is a great tool as long as you're using it and, again,
4 properly. I don't know how else to put that.

5 Q. Is that something you have to enable to use it or is that
6 something that kind of just comes up?

7 A. You know on 191 it was already on there. It came on there
8 when the aircraft got here from Batesville. So, I think it was
9 already input into the GPS. I think there's a card that goes --
10 that's associated with it.

11 Q. I understand. So, it's not something you can just turn off
12 and on as you wish?

13 A. As far as I know no, ma'am.

14 Q. Okay.

15 A. But, again, I don't have it on 407s here. So, I didn't play
16 with it all that much. I just when I flew 191 it was on there and
17 I saw that.

18 Q. I see.

19 DR. SILVA: Okay. Well, that's all I had. Let's go around
20 one more time and then you're off the hook.

21 Shaun?

22 MR. WILLIAMS: I have nothing. Thank you for your patience
23 and being here today. We really appreciate it, Joe.

24 MR. VANBROCKLIN MIRELES: Yeah. No problem, Shaun. You take
25 care and have a good week. Well, now, it's a good week.

1 MR. WILLIAMS: Thanks.

2 DR. SILVA: Paul, did you have anything else?

3 MR. SUFFERN: No more questions. Thanks, Joe.

4 MR. VANBROCKLIN MIRELES: Yeah, no problem.

5 DR. SILVA: John?

6 MR. BRANNEN: Nothing.

7 DR. SILVA: Dave?

8 MR. GERLACH: I'm good. Thank you.

9 DR. SILVA: Tim?

10 MR. TAYLOR: No, I have no questions, thank you. Thanks,
11 Joe.

12 MR. VANBROCKLIN MIRELES: Yeah, no problem, Tim.

13 DR. SILVA: And, Tom?

14 MR. LUIPERSBECK: No further questions. Thank you very much.

15 MR. VANBROCKLIN MIRELES: No problem.

16 DR. SILVA: Well, thanks again, Joe. Do you have anything
17 that you want to add that maybe we didn't touch on or anything for
18 the investigation?

19 MR. VANBROCKLIN MIRELES: No. I mean I can't think of
20 everything off the top of my head. It's been about an hour and 48
21 minutes now.

22 DR. SILVA: Yeah.

23 MR. VANBROCKLIN MIRELES: But if I think of anything I'll
24 certainly reach out or if you think of anything you want to
25 follow-up please feel free to reach out and I'll be more than

1 happy to answer those questions for you.

2 DR. SILVA: Great and we really appreciate that. You have my
3 contact information if anything does come up so don't hesitate.

4 MR. VANBROCKLIN MIRELES: Yes, ma'am.

5 DR. SILVA: Great. Thank you so much. We will let you get
6 off the phone now but we really appreciate the time.

7 MR. VANBROCKLIN MIRELES: No problem. You guys take care,
8 have a great week and yeah.

9 DR. SILVA: You took, take care.

10 MR. VANBROCKLIN MIRELES: Take care bye, bye.

11 DR. SILVA: Off the record at 12:41 eastern.

12 (Whereupon, at 12:41 p.m., the interview was concluded.)
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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD


IN THE MATTER OF: SURVIVAL FLIGHT HELICOPTER CRASH
 NEAR ZALESKI, OHIO
 JANUARY 29, 2019
 Interview of Joseph VanBrocklin Mireles

ACCIDENT NO.: CEN19FA072

PLACE: Via Telephone

DATE:

was held according to the record, and that this is the original,
complete, true and accurate transcript which has been transcribed
to the best of my skill and ability.



Letha J. Wheeler
Transcriber

RECORD OF CONVERSATION

Joseph VanBrocklin Mireles¹

Via telephone

On 2/20/2019 at 1906 EST

During the conversation, Mr. Mireles stated the following:

He had been thinking about a question that was asked during his interview regarding what was the hardest or most challenging thing about being a pilot at Survival Flight. He wanted to expand on his answer in two parts.

First, because Survival Flight is a smaller company and there are other providers in their service areas, there are lots of opportunities to keep survival flight from doing a job. He described that he, and other pilots, do the job 1) because they are pilots and 2) because they want to help people and have a positive impact. He found it frustrating that other programs were putting pressure on the systems to keep flights away from Survival Flight – ultimately the families in need don't care "what color the helicopter is."

Second, he described a pressure *not* to take flights. He felt that because they are smaller, other companies will call the FAA to report survival flight under the guise of safety when they are flying perfectly legally. Then pilots get interviewed and there's pressure to constantly be looking over their shoulder, second guessing their decisions, and justifying every decision. He said it was not fair that others are making reports when they are not pilots and there's no repercussions for making a false report. It causes the pilots undue stress. He felt like nobody had ammunition and shouldn't be calling just because of weather minimum differences between operators. He's been doing this for 5 years and felt he could speak for himself that flying to lower minimums didn't equate to less safety.

When asked if he had been the subject of a complaint flight, he described a situation in September where he was flying legally and someone reported that they were flying in unsafe conditions. It was the only flight that day as they were watching the weather. When they saw the weather trending positively, they decided to do a local area orientation flight with a new pilot. They went to OSU, Grant, Mt Carmel West, Riverside, and back to St Ann's. (He described that Riverside had neighborhoods to the north and west that had requested flights don't fly over the area and there was a tower in the area.) They departed from Bolton and didn't have to request SVFR because the field was not IFR. They operated in both Bolton and Columbus airspace without needing a SVFR clearance that day. He stated he did understand the merits of having a hotline or being able to report anonymously. With that being said however, like anything else it can be miss-used or abused under the guise of safety.

Sathya Silva
Human Performance Investigator
National Transportation Safety Board

¹ Mr. Mireles was sent a draft of this summary on 02/20/2019 and concurred with its content via email.

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

* * * * *

Investigation of: *

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SURVIVAL FLIGHT HELICOPTER CRASH *

NEAR ZALESKI, OHIO * Accident No.: CEN19FA072

JANUARY 29, 2019 *

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* * * * *

Interview of: ROBERT GARZOLINI

Via Telephone

Thursday,
February 7, 2019

APPEARANCES:

SATHYA SILVA, Ph.D., Human Performance Investigator
National Transportation Safety Board

SHAUN WILLIAMS, Investigator in Charge
National Transportation Safety Board

JOHN BRANNEN, Air Accident Investigator
National Transportation Safety Board

PAUL SUFFERN, Senior Meteorologist
National Transportation Safety Board

DAVID GERLACH, Aircraft Accident Investigator
Federal Aviation Administration

TOM LUIPERSBECK, Team Lead
Helicopter Air Ambulance Focus Team
Federal Aviation Administration

TIM TAYLOR, Instructor Pilot
Survival Flight

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I N T E R V I E W

(8:09 a.m.)

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2
3 MR. WILLIAMS: On the record at 8:09 a.m.

4 So, Bobby, thank you again for talking with us. Like I said,
5 my name is Shaun Williams. I'm the investigator in charge with
6 the NTSB. As you know, the NTSB, we're an independent federal
7 agency charged with determining probable cause in transportation
8 accidents, promoting safety. We're not a part of the DOT or the
9 FAA, no regulatory or enforcement powers. Our whole purpose for
10 being here is to determine what happened, why it happened, and
11 what we can do to keep it from happening again.

12 We've introduced everybody that's here today. So, if there's
13 any -- you're okay talking with all of us in the room?

14 MR. GARZOLINI: Yes, I'm okay.

15 MR. WILLIAMS: Okay. So, like I said before, we'll be using
16 a tape recorder to record the interviews, which will then be sent
17 for transcription. The transcript, not the recording, will be
18 made part of the public docket when it's released towards the
19 conclusion of the investigation. We cannot, however, offer any
20 guarantee of confidentiality or immunity. We're not here to
21 assign fault, blame, or liabilities, all part of the fact-finding
22 phase. So, just keep your -- keep answers factual, there's
23 nothing there.

24 Each group member will have a chance to ask questions. We'll
25 ask them one at a time. Nobody's going to interrupt. We'll go

1 around the room. Usually it's about two rounds. Please answer
2 all questions to the best of your recollection. If you don't
3 understand something, just tell us. Feel free to correct an
4 answer, too. We want the most accurate record possible.

5 You're entitled to have a representative of your choosing
6 with you there during the interview. Is it just you or do you
7 have somebody with you?

8 MR. GARZOLINI: I'm by myself. I don't think I need anybody.

9 MR. WILLIAMS: Okay. So do you have any questions for us
10 before we get going?

11 MR. GARZOLINI: No, I just got to tell you, it makes me a
12 little nervous, but, hey, you got to do what you got to do.

13 MR. WILLIAMS: Well, we really do appreciate it.

14 INTERVIEW OF ROBERT GARZOLINI

15 BY MR. WILLIAMS:

16 Q. So, if you could, let's start off if you could spell your
17 first and last name for us.

18 A. Robert, R-o-b-e-r-t, last name Garzolini, G-a-r-z-o-l-i-n-i.

19 Q. And what -- can you provide us an overview of your
20 background, how you got to Survival Flight where you are, and what
21 led you up to this point in your career?

22 A. Oh, okay. Well, I did my original training in Mauna Loa
23 Helicopters in Hawaii. My first commercial job, I flew tour
24 helicopters in the Badlands of South Dakota. From there, I went
25 to crop dusting for several years. One winter, I flew off a tuna

1 boat. I also went to -- with Summit Helicopters out of Roanoke,
2 Virginia, I flew power line patrols. And we also did forestry
3 spraying, similar, of course, to crop dusting. And then, Survival
4 Flight was my first EMS helicopter job, which has been -- hired 3
5 years ago, February. And from there, I was originally stationed
6 in Jerseyville, Illinois as a line pilot. After a stint there,
7 they moved me to Hannibal, Missouri as a line pilot. Became a
8 lead pilot at Hannibal, Missouri, and then when they went to open
9 Base 13 in Columbus, Ohio, they moved me over to Columbus on
10 assignment as a lead pilot there. And then, after a short period,
11 I was sent back to Hannibal as a line pilot, which is where I'm at
12 today.

13 Q. So, about -- it seems like you've done a lot of flying and a
14 lot of different jobs and a good variety for experience and stuff.
15 About how much time do you have?

16 A. Right now, I'm just over 3,600 hours.

17 Q. Okay. All right. So, when -- do you remember about when you
18 were based in Ohio? I know you kind of ran through it, but do you
19 remember the rough dates?

20 A. I believe we opened the bases in June of 2018. Base 13 was
21 the first one to open.

22 Q. And then when did you leave there?

23 A. They only had -- I think it was the first week or two of
24 July. I wasn't there a very long time. I could probably find it
25 in notes, but off the top of my head, I think it's right around,

1 you know, that period of the first or second -- end of the first
2 week, end of the second week in July.

3 Q. You're kind of the group to go in and spool it up?

4 A. Pardon?

5 Q. You are one of the first ones to go in and kind of spool up
6 the base, is that right?

7 A. That's correct.

8 Q. So, tell us a little bit about that. How did that process go
9 trying to get out with the hospitals and get the name out there
10 and --

11 A. Well, originally, we got there in a kind of convoluted mess.
12 We didn't have permits to do our medical in Ohio, so we had to
13 stay in the hangar there for a week or even more. We didn't have
14 our office ready. We couldn't move into that. We didn't have the
15 occupation permits for that. And we also didn't have the 800
16 megahertz radio system which we needed to operate on the 135 in
17 that Columbus area. And from that day, we had a lot of new
18 people. And the kind of lead at that point was Rick Hosmer
19 mostly, and Andy Arthurs. And at the initial start, we didn't
20 have hardly any contact, we didn't have hardly any contact with
21 any hospital that I was involved with personally, other than St.
22 Ann's, because we weren't ready to fly.

23 After we did get those things rectified, other than the radio
24 system, that still wasn't functional, we did start going around to
25 different locations doing PR events and telling people that we'd

1 soon be operational and just kind of introducing ourselves to
2 different fire departments and different hospitals. And we flew
3 the helicopters for that.

4 Q. So did you know Jen?

5 A. I met her when she first came on, her and Heath both came by
6 the base, or at least came on to Base 13. And at that time, I
7 thought they were both going to start under me, so I could train
8 them. But I never spent any time with her, like -- I would have
9 spent maybe an hour with them, Jen and Heath, that evening. But
10 after that, I had no contact with her. She was sent down to 14.

11 Q. So let's talk a little bit about the company. Tell us a
12 little bit about the culture at Survival Flight.

13 A. I'm sorry, I couldn't understand -- the what?

14 Q. Tell us a little bit about the company culture, the safety
15 culture. What are your raw thoughts here?

16 A. Well, I never had really any problems until I got to
17 Columbus, and it was an awful push to get numbers. I mean, Andy
18 Arthurs was constantly on numbers, and it was like they created an
19 environment that felt like a competition, especially when 14
20 opened up. Now, when I got there, I was told I -- that our flight
21 volume was going to be 150 flights a month. And I originally had
22 pushback on that from day 1, said this is not going to happen.
23 You know, it just can't. This is not going to support it.

24 That didn't go well at all with Andy or Rick Hosmer, and I
25 started having conflict from that moment on. And then, I had

1 turned down flights and I was challenged by them guys on that, and
2 they were flights turned down by weather or even approaching
3 weather. Like yeah, you can get there, you know, get there and
4 make a PR -- these were PR events, and get back. And I said, you
5 know -- and I started fighting with them right then. And, you
6 know, what I thought was going to be a great experience and great
7 for my career turned out to be a pretty poor move.

8 Q. So you mentioned the target flights of 150 per month. Is
9 that --

10 A. Yes.

11 Q. Is that an excessive amount? I mean, I know you said it
12 would be hard to do that and you pushed back. Was it way
13 excessive? Can you elaborate on that?

14 A. I thought it was absolutely ridiculous. You know, I mean,
15 like there's a lot of helicopters there. You know, we're in the
16 Midwest. We have weather. And those numbers, I couldn't even
17 imagine where they were going to come up with those numbers, and
18 right off the reel. I mean, Andy, you know, point blank got in my
19 face and said we will be doing four and five flights a day. And
20 at one point, I got really upset and I said something to the
21 effect of -- because they said I wasn't getting the job done, I
22 said, you know, what do you want me to do? Run old ladies off the
23 road or force-feed diabetics candy canes? I mean, how in the hell
24 am I supposed to get this done? I said, I can only do -- you
25 know, I can't make people call us. It was real (indiscernible).

1 MR. WILLIAMS: So I'm going to let Sathya ask a few questions
2 here, okay?

3 BY DR. SILVA:

4 Q. Bobby, I just wanted to follow up on that 150 number. What's
5 a normal -- what's a reasonable expectation of flights to fly in a
6 month?

7 A. Most of our bases, I think, do 25 and 30, but I have to
8 clarify that or give an explanation there. We've basically been a
9 rural company and this was really the first venture into a big
10 metro market where, you know, maybe the volume would have been a
11 lot higher. But from what I was going around to the fire
12 departments and stuff, and finding out right away, that they said,
13 you know, you guys can't get off the ground and get to us, when we
14 can be at the hospital in 7 or 8 minutes, you can't even be here.
15 And a lot of these people are like, this is just, you know, not
16 going to happen. So I thought realistically, 30, 35 out of that
17 base would probably be an actual number in my mind that might be
18 achievable.

19 Q. I understand. So you mentioned timing. Did the company have
20 an expectation from the time that you got a request for a flight
21 to the time of liftoff?

22 A. Yeah. And I went through that with them. And there's a
23 paramedic, too, John Robertson -- Robinson -- excuse me -- and
24 because we were housed inside the hospital, we'd have to, you
25 know, take the call, get out the door, get down either the stairs

1 or the elevator, cross quite a long ways to the parking lot to the
2 helicopter, start it up, et cetera, et cetera. But we were
3 just -- you know, they wanted us to lift in 5 minutes. And I kept
4 arguing that that really wasn't feasible, wasn't possible.
5 Because if you just take the stairs or the elevator, it generally
6 takes a person, even at a brisk pace, walking 2½ minutes before
7 they even get to the helicopter. And getting off the ground that
8 quick was just not achievable for me.

9 Q. Did that time include like if you needed to do a weather
10 check? Did it include the weather check, or is this after you've
11 accepted the flight?

12 A. No, that's from the -- they were pushing from the time we got
13 the call to the time we lifted.

14 Q. Okay. So essentially that time that the tone went off?

15 A. Yes.

16 Q. How long would it typically take if you were able to do
17 everything?

18 A. I think more realistically you needed probably 8 minutes to 9
19 minutes because of the distance to the helicopter.

20 Q. Can you run through -- you mentioned that you were a lead
21 pilot at 13. Can you run through what your roles and
22 responsibilities were as a lead pilot?

23 A. Well, one was to try to instill and do some training on the
24 new ones that came in that had little or no experience in the
25 area. But beyond that, I had very little. I didn't really -- was

1 never given any type of guidelines or true authority on people.

2 And so, basically, try to make sure that the helicopter
3 stayed in maintenance parameters, those type of things. But when
4 I was on my way over there, originally I was told I was going to
5 have the Jack Windes and Dave St. Onge were going to help me set
6 up that base. But something happened within the company when I
7 was on the way. I never got any support or any type of documents
8 to follow a program or anything else. Basically, you're just
9 there.

10 Q. So is the lead pilot equivalent to a safety officer? Are
11 those synonymous?

12 A. No, they're not.

13 Q. Okay. So there's a different -- there are different people
14 for that?

15 A. That's correct. I don't know about all bases, but there
16 we -- I believe Joe Mireles was eventually assigned as the safety
17 pilot. I know that the other bases I've worked at, we've had a --
18 the lead pilot was not the safety pilot. So I don't know if
19 that's universal or not.

20 Q. So you said that Joe Mireles was the safety officer while you
21 were lead pilot, is that correct?

22 A. I believe so, but not initially. We didn't actually have a
23 safety officer initially. I think he was assigned some weeks into
24 the program.

25 Q. Was this while you were still there?

1 A. Yes.

2 Q. So outside of what you mentioned with conflict with Arthurs
3 and Hosmer regarding pushing flights or declining flights, were
4 there any other types of conflicts that you had with --

5 A. Not with any of the crew there. I did have conflicts with
6 other, like OCC and our dispatch.

7 Q. Can you describe those conflicts?

8 A. For example, we had weather coming in, rain coming in, so
9 we -- I got permission to put the helicopter in the hangar on one
10 day at Bolton Airfield. And we were down there. It was still
11 raining. The ceilings came up to 800 feet, and I got a call from
12 Rachel Millard. And she didn't ask; she demanded that I get that
13 helicopter flown back to St. Ann's. I refused. And she said,
14 well, the ceilings are 800, you can fly. And I said that I'd
15 rather not. I said, the field's under IFR, and besides that, I'm
16 not flying in this weather, you know, it's not safe. I'm not
17 doing it. And we had kind of a rough conversation.

18 And I finally said, look at it this way, Rachel, I said, you
19 ever drive down the road 120 mile an hour with no windshield
20 wipers? I said, that's the kind of vision I'm going to have. And
21 I just flat ain't doing it and this conversation's over. I am not
22 flying that helicopter out at this time. When the weather clears,
23 I'll fly it.

24 And that was one of them. And her reasoning -- I asked her,
25 I said, we don't even have a flight. Why are you doing this? And

1 she said she wanted that helicopter back on that helipad for the
2 visual effect, and that's a quote, "the visual effect."

3 Q. I see.

4 A. And she was my operations control manager at that shift.

5 Q. Do you have any other examples where you got pressure to fly
6 from OCC?

7 A. You just had the questioning of, you know, why you can't get
8 off faster than -- you're not making your -- Gary Mercer got on me
9 for not making my time to the scene. But I tried to say, I got
10 new people, you know, they're slow. I've had people walk out to
11 the helicopter that forgot their helmet, you know. I had people
12 who'd never flown at all. And it just takes a little bit to get
13 to it, plus going to the helicopter, the distance. It wasn't like
14 we were walking out the door. And plus, we also had -- we're
15 right there at Charlie airspace. You got to get clearances. And
16 it just took a little longer than it did at other bases I worked
17 at, and it always was going to take longer. And it seemed like
18 nobody wanted to accept that.

19 Q. Was there a way for you to voice these concerns that you've
20 been having to anyone that could make a difference?

21 A. No. I mean, Gary was the director of operations. And he
22 shut me down pretty quick. You know, Andy, and -- the vice
23 president, and he's trying to shut me down. Rick Hosmer claimed
24 he was the regional manager. You know, everybody that was above
25 me couldn't understand why I couldn't make it happen.

1 Q. Does the company have a safety program?

2 A. Do they have a safety program?

3 Q. Yes.

4 A. Is that what the question --

5 Q. Yes.

6 A. Not much of one.

7 Q. Was there a way for you to anonymously report issues at all?

8 A. Not that I was aware of without getting myself in trouble. I
9 didn't think anything was anonymous there.

10 Q. So did you feel like if you did report this stuff that you
11 would face punitive action?

12 A. Oh, absolutely. Joe Mireles tried to report -- or did report
13 K.J.'s dangerous flying. And when I came -- he was my night guy
14 that day. When I came in in the morning, he looked like he'd seen
15 a ghost. And I said, what's wrong? And he said, you're not going
16 to believe it. He said, when I tell that K.J.'s flying under the
17 weather and stuff, that Jack Windes said that you don't tell on
18 another pilot and if we have this conversation again, you'll be
19 looking for another job.

20 Q. So this is what Joe said to K.J.?

21 A. No, this is Joe Mireles reported K.J. Johnson's flying to
22 chief pilot Jack Windes. At that point, according to Joe, Jack
23 threatened him with his job if he spoke up again.

24 Q. I see. Got it. Sorry, I misunderstood that. So can you
25 describe -- you mentioned that there were issues with K.J. Can

1 you describe what those looked like?

2 A. Yeah. He certainly didn't want to take direction from me.
3 He's never flown EMS before to my knowledge. And he was very much
4 into trying to impress the company with the numbers that they
5 wanted. And he would brag about, you know, just skirting right
6 along the rain and, you know, seeing lightning in the distance
7 sort of thing, and I -- that's not what we do. You know, he told
8 me -- one day he told me, yeah, he had taken off, the ceiling's
9 only 500 feet, and I blew up, used some language I don't want to
10 use on the phone here. But I said, that's not what we do. We
11 don't do missions; we do flights. And I warned him, and that
12 definitely went on deaf ears.

13 Q. So you did confront him about that?

14 A. Yes, I did. And soon after that, I was replaced.

15 Q. I see. Do you know what the nature of that flight was in
16 terms of where he was going, dates, along those lines?

17 A. I did not write it down. I don't have the particulars. In
18 retrospect, I wish I would've before. He even told me that he was
19 on the one helipad, and I believe it was at Mount Carmel, and he
20 had yelled at the crew and said, hurry, hurry, because it was
21 actually started raining and he wasn't going to get caught on the
22 helipad. You know, but if the weather -- it doesn't matter where
23 you're at, if the weather -- if you get caught in weather, you got
24 to stop. He was not someone who do that.

25 Q. I see. How often would you say, when you were there, did

1 K.J. take these kinds of flights or risks? How often were you
2 talking to him about it?

3 A. I probably had, the short time I was there, probably four or
4 five times I confronted him.

5 Q. I see. Did you ever talk to anyone above you about K.J.?

6 A. No, I did not.

7 Q. You said that Joe had -- while we're on that topic, is there
8 anyone else at the base that we should talk to, in your opinion?

9 A. Yeah, all of the nurses and medics there, because I would
10 discuss with them constantly that, you know, safety, safety,
11 safety. And it's three to go, one to say no. And I was told
12 multiple times that that wasn't true, that they were supposed to
13 ride in the back, and whatever the pilot said goes. I
14 confronted -- I got in a heated argument with Graham, a young
15 medic there, because he was preaching that, you know, we're going
16 to fly at 800 feet, and we're going to do this and that. And
17 initially, basically trying to dictate terms to me of what we were
18 going to fly in. And I eventually got heated with him and said,
19 this is -- you know, this is not what we do. And with Robin
20 Underhood (ph.), she knew it. And Brad's gone. And John
21 Robinson, I had the same conversation with him. This is
22 dangerous, guys. You can't do this. Say no. Monica, I talked to
23 Monica Arce, I believe is the name, Valery Burkholder. I've had
24 that same conversation with everybody that I was there with. I'm
25 trying to think of some more names off the top of my head, but

1 guys, you got to be safe. And I preach constantly, this is a
2 dangerous business. And every time we start turning those rotors,
3 we're risking our life. And you cannot -- you got to mitigate
4 that risk. You just can't put yourself in these other
5 environments and take (indiscernible).

6 Q. Can you elaborate on why you left 13 or your understanding of
7 why you left?

8 A. I had -- was off, my off-hitch, and I was home, had my bags
9 packed, was already starting to load my car to go back on hitch,
10 and I got a call from Jeff Stackpole, who is the base lead at 5,
11 which is Jerseyville, Illinois. He started filling me in a little
12 bit on 5, and I said, what are you telling me this for, Jeff? I'm
13 going to Columbus. And he had a little pause there, and he said
14 that he was already on his way to Columbus and he was the new base
15 lead.

16 Q. I see.

17 A. And I said, what do you mean? And I said, you know, I'm
18 supposed to be there. He said, no, you're going back to
19 Jerseyville. So I never got any phone call. I never got a text.
20 I never got an email. I was just, I guess, supposed to know it by
21 osmosis that I'd been demoted.

22 Q. So who would you have expected that information to come from?

23 A. I would expect either Jack Windes, the chief pilot, or Gary
24 Mercer, director of operations at a minimum, one of those guys to
25 at least let me know that I was out.

1 Q. Did you have any follow-up conversation with them at all
2 about this?

3 A. Negative. And when I got to the base here and checked my
4 email, there was nothing on the base email either. So I never got
5 a personal email, never got a company email, never got a text,
6 never got a phone call.

7 Q. So even in the last 6 months, kind of been silent?

8 A. Never. That's correct.

9 Q. So who is it that you report to?

10 A. I report to Tom Demos here. He's the base leader at
11 Hannibal.

12 Q. And how is it working with him?

13 A. Fine. I don't have any problems working with Tom. I've
14 worked at him when I first came -- excuse me -- under him when I
15 first came here to Hannibal, and I have a good working
16 relationship with him.

17 Q. So the cultural issues that you described, do you feel like
18 they're isolated to the Ohio bases or do you think this is more of
19 a companywide concern?

20 A. The Ohio base definitely had more of the push. I've been
21 challenged by the operations up here a little bit on weather,
22 questioning why I wouldn't go. I didn't feel the heavy pressure
23 that I felt at Columbus. There was a noticeable difference.

24 Q. And when you say you were challenged by OCS, can you give us
25 an example of a case like that?

1 A. Yeah, maybe a month ago or so, there was a pretty significant
2 squall line, and it was from as far north as Hannibal all the way
3 down to St. Louis coming up from west to east. And I got a call.
4 Lance was the guy. I don't know his last name, I'm sorry. Lance
5 was their dispatch. They had a call wanting to go to Columbus --
6 or excuse me -- Columbia, Missouri. And I declined it. And he
7 said in what I thought was a pretty cocky manner, what, are you
8 afraid of a little rain? And I said, hell, yes, I'm afraid of the
9 rain, and I'm not going to fly through something I can't see
10 through. And this line was probably, at points, 20, 25 miles, you
11 know, thick, and 90 miles north and south.

12 You know, I had a few incidents like that. They just thought
13 -- or they would say something like, well, we're looking at the
14 weather; it looks pretty good here. And I don't care what it
15 looks like where you're sitting. I'm looking out the window. I'm
16 not taking it.

17 Q. What was the company's response after the accident?

18 A. I was upset that we didn't get -- they didn't shut us down,
19 at least a stand-down for 24 hours to try and figure out what
20 happened. I mean, I told my people, we got to -- there's two
21 helicopters that were fueling out of there. It could have been a
22 fuel issue. I don't understand why we didn't have some kind of a
23 shutdown. And it was -- soon as, you know, we had to get back to
24 business as usual and get back to work. I don't know, I just
25 thought it was a very poor way of handling the situation.

1 Q. Did they ever reach out to everyone to talk about it or to
2 say, okay, keep going; this is business as usual? What was the
3 communication like?

4 A. A few days after the accident, I'm not sure exactly what day,
5 they did send in a grief counselor. And a lady -- we had a little
6 group meeting there. We put the chairs in kind of a half moon,
7 and she spoke to us a while, said everything was confidential. It
8 was -- and offered a one on one, if anybody wanted it. I don't
9 know if that was taken advantage of by anybody. But I was coming
10 on hitch, and I said, are we out of service? And Sheila Wheeler
11 said that she talked to Chris Millard and that we would be allowed
12 1 hour to be out of service. And I made the statement something
13 like, well, that's mighty gracious of you. But we were supposed
14 to get all of our grieving done, over in 1 hour, and get back to
15 flying.

16 Q. Do you hear a lot from Chris Millard? What is that
17 communication like?

18 A. I've only met him briefly a couple times in my 3 years, so,
19 no, I do not hear a lot from him.

20 DR. SILVA: So I've been talking for a bit. I'm going to
21 pass the buck over. Thanks a lot. This is very insightful.

22 MR. GARZOLINI: Thank you.

23 MR. WILLIAMS: John.

24 MR. BRANNEN: I don't have anything.

25 MR. WILLIAMS: Dave.

1 BY MR. GERLACH:

2 Q. Hey, Bobby, can you talk a little bit about how you guys do
3 shift changing from your night flying pilot to the day flying
4 pilot? What kind of transpires between the two of you and how
5 long does it take? What do you do? Et cetera.

6 A. What we do here and previously is, as coming off, we always
7 write notes of everything we can so that the pilot coming on has
8 virtually almost an instant brief from the previous pilot what the
9 fuel situation is on the helicopter, what the status of the
10 helicopter, what the oxygen on the helicopter, what the weather
11 is, what the weather's looking at. So it's real brief, usually on
12 a Post-It note type of thing of what he can expect. And then, of
13 course, we have our finishing paperwork, and the pilot coming on
14 would sign that he's got his preflight to do, and then sign in for
15 that. He has a crew brief to do, which is basically the things I
16 kind of just ran over. Of course, you know, and then at that
17 point he should be -- prior to that should have got on the
18 computer, checked for weather on the sources that we have
19 available. That's pretty much it.

20 Q. About how long does it take to do all that?

21 A. You know, you probably need about 15 minutes to do all that.
22 But there has been cases where, you know, the oncoming pilot and
23 the off-going pilot switch, you know, while the helicopter was
24 running. You know, here's your brief and here's your book. You
25 call OCC and make a pilot change, a crew change, and away you go.

1 Q. Do you think that allows enough time to assess the weather,
2 the aircraft, the fuel, the risks of the flight, NOTAMs, all that
3 kind of stuff?

4 A. No. You're taking the previous flight, previous pilot's word
5 on all that. And there is even, Dave St. Onge, when he came
6 originally, he told me that's how it's done and that's how we do
7 it when you get in those situations.

8 Q. Gotcha. How often does that happen?

9 A. I think to me it's probably maybe happened just two or three
10 times in the 3 years I've been here.

11 Q. Gotcha. Can you talk a little bit about how you do your risk
12 assessment and when you do that?

13 A. When I come in, it's the first thing I do and I look on the
14 risk assessment. Of course, I've almost always already got my
15 fuel load checked out there. I go through -- the weather sources,
16 SkyVector, I go to Weathermeister, I go to the HEMS Tool, and
17 check all that. I check the forecast, check METARs. Go out, do
18 my preflight, and then make note of what crew I've got. And that
19 completes my assessment.

20 Q. And what do you do once you've completed your assessment?

21 A. We write it in our logbook there, and we date it, put our
22 name. We put either green or amber under the weather, green or
23 amber under the helicopter, under the crew. We also check off for
24 obstacles and preflight briefing. There's three different checks
25 there. The problem I've always had with it is that operations

1 control won't allow us to go red on weather, which even last
2 night, I made the statement, I made the statement, well, I'm red,
3 but you won't let me. I'll be amber, because, you know, half the
4 United States was down for weather. But we're not allowed to be
5 red. They won't accept it?

6 Q. Is red color stricken from your GOM? I'm kidding right now.

7 A. It's in the GOM.

8 Q. Yeah. So --

9 A. Yeah, we're not allowed to do that. And that's happened on
10 many occasions. I think you can probably check with pilots across
11 the board and I'm sure they're going to tell you the same thing.

12 Q. Yeah. Well, how do you differentiate between an amber and a
13 red anyway?

14 A. Well, your amber is, you know, I'm kind of briefing it. You
15 have potential weather coming in that may not allow you fly that
16 shift. You know, it could be green right now or -- or here's a
17 good example. I'm up in Hannibal, 90 miles north of St. Louis.
18 St. Louis has low ceiling, but Columbia, Missouri, or Springfield,
19 Illinois, the weather's green there. They're good to fly. So
20 that would be an amber flight where someone called and said, yeah,
21 we have to check to see where we're going to see if we can make
22 that flight safely. Red would be the situation where we can't
23 lift off the ground. I mean, we're here. We got nowhere to go
24 and we're locked in a ceiling where visibility is too poor for us
25 to lift.

1 Q. Gotcha. So what you're saying is --

2 A. There could be a lot of other variables, like, you know,
3 wind. You know, we got projected winds to come up later in the
4 shift, or we've got them now, but they're projected to go down.
5 That would be another that I would call amber.

6 Q. Gotcha. Now, can dispatch adjust your color coding at all?

7 A. Not that I'm aware of. I haven't had that issue.

8 Q. And do they do their own risk assessments as well, or is it
9 just your risk assessment?

10 A. I'm not sure I can honestly answer that. You know, I can't
11 think off the top of my head of a situation where they've ever
12 said -- you know, advised me on that, at least not until after the
13 accident.

14 Q. And when you complete your risk assessment, do you call the
15 Ops Center to let them know?

16 A. No. They call us. Originally, I would call them when I got
17 it done. And I guess, as the company got busier, it seemed to be,
18 you know, clogging the phone lines, so they would call us
19 themselves at pretty much a designated time, about 7:30 every day
20 to get our assessment.

21 Q. Gotcha. Let me switch gears a little bit. Did you spend
22 much time as a night pilot, or were you primarily a day pilot?

23 A. Both. We have hitches that switch back and forth. And one
24 of the things that convinced the company to do, or at least part
25 of convincing them to do is, we originally brought guys in, like

1 myself, and you came on a very short time in days and you went
2 right to nights immediately. And I went to the company and said,
3 we shouldn't do this. We should let at least, like 30 days on
4 days to get familiar with the different helipads and hospitals, et
5 cetera, et cetera, get the crews more familiar. And kind of by
6 doing that, I kind of stepped on my own toes, though, because as
7 someone with a little more experience, I ended up getting -- put
8 myself on -- inadvertently put myself on a lot more nights.
9 Normally, you know, we split it up 50/50.

10 Q. Was it company policy to carry night vision goggles whenever
11 you climbed in the helicopter?

12 A. No, originally, we didn't have night vision goggles, so it
13 wasn't. And it's not a policy to carry every time you climb into
14 the helicopter. It is for night flights. And my just -- my
15 personal policy is, and I tell the crew this, too, you know, we
16 start getting into the afternoon, 2 o'clock, whatever, best always
17 to carry them. That way, you know, if we get caught out, we still
18 have them. But it's not required every flight because of the
19 daytime conditions.

20 Q. So you found the NVGs to be beneficial during all your night
21 flights?

22 A. I wouldn't even say beneficial. I'd say absolutely
23 extraordinary.

24 Q. Yeah.

25 A. I don't know how you ever survived without them. I can't say

1 enough good for it.

2 Q. Were there any weather conditions where you might say, hey, I
3 don't need NVGs for this kind of flight?

4 A. For a night flight?

5 Q. Yes.

6 A. I don't care if it's the brightest moon and every star I can
7 see. I still wear them, and I still believe they're better
8 than -- they far exceed the capabilities of not having them.

9 Q. So given the option between taking and not taking, if it's
10 dark off, you're putting those on your helmet, then.

11 A. Oh, absolutely, and if I was to forget them walking to the
12 aircraft, I would stop and go back and get them and take the
13 delay. No, absolutely. I absolutely love them.

14 Q. Gotcha. What do you think the most challenging part of
15 flying in that Ohio area is as a pilot?

16 A. Originally for me, there was a tremendous amount of radio
17 traffic, from the common traffic to the air-to-air traffic, to the
18 towers, like at Columbus, and the -- I can think of the 800
19 megahertz system name right off the top of my head, but we had so
20 much radio traffic in such a short time. So that made it pretty
21 distracting as far as when you were flying, but -- you know,
22 there's a lot of weather patterns through there, which wasn't
23 terribly rough for me. I'm a Midwest guy and I understand a lot
24 of that. But those would be the issues.

25 Q. Gotcha. Hey, when you did your 135 PIC checks, what aircraft

1 did you do them in?

2 A. I've done them in -- originally, it was in the L3. And then,
3 my last checks were in the 407.

4 Q. Did you get any kind of specific --

5 A. You know, I believe it was in the 407. I know I flew that
6 and the L3 both. I might have to check, but I think I did my --
7 I'm pretty sure I did it in the 407.

8 Q. So at one time, you did them in the L3, and then in another
9 time in the 407?

10 A. Correct.

11 Q. When you did it in the 206, would that have still qualified
12 you to do the 407?

13 A. Yes. My understanding was through our operations that you
14 qualified on one, you qualified on the other airframe. That's
15 correct.

16 Q. Gotcha. Now, when you did it on the L3 and you were
17 qualified for the 407, did they do any ground school or anything
18 like that to help bridge the gap between the two different
19 helicopters?

20 A. Yes. I had -- I think they call it transition training,
21 which was a ground school on the differences between the two,
22 yeah.

23 Q. And did you guys do that yearly, every 6 months? How often
24 did you do the differences training? Or just once?

25 A. It's yearly, yeah, just once a year.

1 Q. And what all does that encompass, do you know?

2 A. It just went through a lot of the systems, the power ratings,
3 and the different torques, and along with the statistics or
4 specifications of it. There was a, from the instructors just
5 verbally talking about the differences you'd expect.

6 Q. Any big differences between the two helicopters that come to
7 mind?

8 A. Yeah. I think the biggest difference is in autorotation
9 characteristics. And especially, the 407 has a faster sink rate,
10 at least in my opinion, than the 206. And when you go to a
11 hydraulics-off situation, the 407 is much more difficult to handle
12 than a 206. Other than that and the power difference, they do fly
13 very, very similarly.

14 Q. Gotcha. Have you ever found yourself in inadvertent IMC
15 while you've been flying?

16 A. Yes.

17 Q. And what techniques did you use for dealing with the
18 inadvertent IMC?

19 A. First thing I did was use an expletive, which alerted my
20 crew. And I immediately slowed down to 60 knots, because I had
21 been going along probably 125 knots. I slowed it down to what I
22 thought was maneuvering speed, make sure everything was stable and
23 level, you know, I've got control of everything. I'm starting my
24 scan, just to make sure of where we're at. I told my crew that I
25 was going to make a 180-degree turn. I knew out here that I had

1 enough altitude. There was nothing I could run into. I just felt
2 like I didn't want to, you know, try to climb up and over
3 something crazy like that. And I started my turn and -- a
4 standard rate 15-degree turn, and at the same time, or somewhere
5 right in that first moments after I felt I was stabilized well
6 enough to do it, I did call Operations and told them that I was in
7 it, and I was turning around to get back out of it.

8 Q. Gotcha. And did they recognize that you were making a turn
9 off course during that period of time?

10 A. I'm sure I told them that's what I was doing.

11 Q. Yeah, okay, gotcha.

12 A. I don't know that -- when you mean recognize, like they
13 caught it -- I can't see them having enough time to catch it. It
14 was all happening, you know, pretty darn quick. They would see it
15 on radar. I sure they couldn't have recognized it that quickly.

16 Q. Have you ever contacted the OCC with respect to help for
17 weather en route?

18 A. Yes. I did that night I got into IIMC.

19 Q. Gotcha.

20 A. And can I explain that, sir?

21 Q. Yes, please, go ahead.

22 A. What we had -- I accepted a flight from Hannibal, Missouri,
23 to Louisiana, which is Pike County Hospital, which is along the
24 Mississippi River. It's like 25 miles or so south of it. And
25 from there, that flight was going to go into St. Louis. And we

1 took the flight. We went down there. And my recollection is, we
2 sat at the hospital waiting for them to find a receiving hospital
3 for the patient for somewhere around an hour and 20 minutes that
4 we waited just -- before we could even load the patient. So I
5 didn't have cell service worth a crap on my phone to look the
6 weather, so I called Operation Control and asked them what the
7 ceilings -- or what we were looking at. And whoever it was on
8 there looked and said it was good, because we have no reporting
9 station from Hannibal all the way down to St. Louis, which is,
10 like 85-90 miles. And the weather was reporting good. But along
11 these rivers, it's not uncommon. And it was night and took off.
12 We were fine, headed south. And I was adjusting my GPS for the
13 change in where we were going to the hospital, and just in a
14 moment's time, I flew into, you know, a wall. But I did contact
15 them and the weather was reporting good at both ends. It just
16 wasn't good in the middle.

17 Q. Gotcha. Hey, another weather issue. Have you ever found
18 yourself picking up ice in the helicopter?

19 A. Never.

20 Q. Gotcha. Has anybody ever just --

21 A. I'm --

22 Q. Go ahead.

23 A. Has anyone ever? Was the question has anyone else ever?

24 Q. No, no, no. I was going to -- since you said you hadn't ever
25 experienced it, I was going to ask if anybody had ever described

1 what happens to the helicopter and how it feels as it picks up
2 icing.

3 A. Yeah, it's been described to me and we had an incident up
4 here at Hannibal, I don't know, 6 weeks ago, where another pilot
5 had got into some icing conditions and had to turn around. But
6 I'm really cautious. I've never -- and thankfully, never got into
7 that.

8 MR. GERLACH: Okay. I've talked for a while. Let me hand it
9 back over. Sathya --

10 DR. SILVA: We'll go with Paul.

11 BY MR. SUFFERN:

12 Q. Hi, thank you for your time today, Robert. I appreciate it.

13 A. Yes, sir.

14 Q. I've just got a couple of questions from a weather point of
15 view and just your experiences there. Could you describe how you
16 stay updated on the weather conditions during your shift?

17 A. Yeah, I just periodically, I just go in and I scan our
18 sources, and even scan my phone. And it depends on what I'm
19 looking at, you know, too, of what I've seen and the whole pattern
20 for the day how often I do it, but even at night, and we typically
21 have really slow nights up at Hannibal here. We don't have a lot
22 of real late nights. But I set my alarm for even every 2 hours
23 and when I fall asleep and I get up and double-check it.

24 Q. What would you say are the most helpful weather tools, either
25 a website, software, equipment? What's the most helpful for you?

1 A. I really like what we have, the HEMS Tool, because it can
2 give projections of icing and such. I like Weathermeister, which
3 Tom, as I understand, put that on up here at his own expense. And
4 in Columbus, Ohio, I put Weathermeister on the computer at my own
5 expense, because at least at that time, it wasn't supported by the
6 company that I knew of. We do have SkyVector, and then I have
7 phone sources. I would like to see ForeFlight put into our
8 system, because I think it's a great system, but it's not
9 currently on our system.

10 Q. Okay. And you were describing your filling out the risk
11 assessment earlier, and, you know, and marking the weather
12 conditions and crew and then all the aircraft and everything
13 there. How often do you fill out that risk assessment for weather
14 conditions? Do you just do it once during your shift? Does it
15 depend?

16 A. We just do it generally once during the shift, but what I do
17 is, you know, it's not uncommon for me to start off amber, and
18 then, you know, halfway through the shift the weather's cleared up
19 in the places that I'm likely to go, things like -- I mean, I'll
20 call and change to green, and vice versa. So I check it
21 periodically throughout my shift.

22 Q. How common is it for a pilot to turn down a flight due to
23 weather and the OCC say, well, it looks better or things like
24 that? Kind of what you described earlier. Is that just kind of a
25 one-time thing or is that once every 6 months?

1 A. It's definitely occasional, and I think if you talk to the
2 other pilots here, you'll find that they've all had experienced
3 the same thing with feeling like they were challenged on their
4 decision.

5 Q. How often have you turned down a flight request due to icing
6 conditions?

7 A. This winter, several times. A few times last year.

8 Q. You kind of just -- okay. Can you describe kind of the
9 things you look at to determine the icing conditions and what you
10 base your decision on?

11 A. Yeah, the temperature, you know, what the dew point, you
12 know, what the moisture, humidity is in the air. You know, and
13 the one I depend on, the electronics I depend on the most is the
14 HEMS Tool that has probability at different altitudes. Also the
15 forecast of what's coming in, you know, it may not be icing now,
16 but it may be expect icing in the next hour or 2 hours.

17 Q. Or the company weather minimum or the night and daytime and
18 things like that, for making the no-go or go decisions, you weigh
19 the METARs and TAFs most heavily and then supplement with AIRMETS
20 and SIGMETs and CWAs, or do you use all of them when you're making
21 your decisions for no-go?

22 A. I try to make as many weather sources that I can. So I'm
23 pretty much across the board.

24 Q. Is that pretty typical of the pilots that you work with or
25 say most people use METARs and TAFs or they use a combination

1 or --

2 A. I'd say everybody uses a combination that I'm familiar with
3 of the guys I work with.

4 Q. Could you kind of describe what the pilot training for
5 weather at the company is like?

6 A. They put us through a ground school, and I think that is
7 pretty good with it. They're very open about it. And, you know,
8 talk to us about the overall weather patterns and try to be
9 specific to your base and that sort of thing. So I'm not sure --
10 I think, how many hours it is long, but I felt that the training
11 of it was pretty good.

12 Q. Are there weather gaps in your flight area or in -- when you
13 were at 13, where you wish you had more, better weather
14 observations?

15 A. Oh, yeah, we definitely got -- you're talking about in
16 reporting station gaps? Is that what you're referring to?

17 Q. Yeah, uh-huh.

18 A. Oh, yeah, absolutely. We have a, you know, large gaps north
19 to south when we go to -- yeah, we have large gaps in our weather
20 reporting stations.

21 Q. And what's best to supplement, you know, since you have those
22 gaps across the area? What do you feel like your best bet for
23 supplementing, kind of what's in between there?

24 A. I've got just -- of the top of my head, on my phone, I have
25 some separate where I just plug in local cities and stuff where I

1 can look at what these civilian weather stations are doing at
2 different towns and stuff. I like that, because, you know,
3 somebody may be looking straight over their head and see something
4 that's not showing up on one of the national deals.

5 Q. You mean, something like, I think it's, like WeatherBug or
6 MesoWest or something?

7 A. Yeah. Excuse me. Yeah, I got WeatherBug. I'm trying to
8 think of the other ones. But I've got like three different ones
9 on my phone, and I like to pull those up and see what they have on
10 their local at the moment.

11 Q. Okay. Is there anything missing weather-wise, as far as a
12 tool that you wish you had that could help you do your job better?

13 A. Yeah, ForeFlight. And I think Weathermeister ought to be on
14 all of the bases.

15 MR. SUFFERN: Thank you so much. That's all the questions I
16 have for now.

17 MR. GARZOLINI: Yes, sir.

18 DR. SILVA: Hey, Tim, do you have any questions?

19 MR. TAYLOR: Is that for Tim?

20 DR. SILVA: Tim, yes.

21 BY MR. TAYLOR:

22 Q. Hey, Bobby, how are you?

23 A. Good, sir.

24 Q. Hey, Bobby, I want to go back to your incident with Jack and
25 Joe. About what time frame was that, do you remember? I missed

1 that.

2 A. It would have been in June, maybe later June or maybe first
3 of July.

4 Q. And as far as Joe and K.J., is there any other pilots that we
5 can talk to that maybe might have had the same concerns --

6 A. Confrontations?

7 Q. The same concerns as Joe did and might have voiced those
8 concerns?

9 A. I don't think so. The other guy that was there was the John
10 Ersman. I never heard him say anything that I can remember about
11 anything like that.

12 Q. Okay. And anybody -- no other pilots up in that area, then,
13 had any other -- what's the word, conflict?

14 A. Conflict. When I was there, that was pretty much the entire
15 crew that the four of us got going, so, no.

16 Q. No one at the other bases, or do you know?

17 A. You're really putting me on the spot, Tim.

18 Q. Yeah, if you don't want to answer, that's cool, brother.
19 That's cool.

20 A. I'd just say, probably you need to talk to Jeff Stackpole,
21 you need to talk to Jason Lowencrat (ph.), who was terminated, and
22 reference whether they were physically threatened.

23 Q. Okay.

24 A. I mean, like "I'm going to kick your ass" threatened.

25 Q. And who did that come from?

1 A. From Jack. And that's, you know, that's secondhand, man. I
2 wasn't there.

3 Q. Okay.

4 MR. TAYLOR: All right, brother, thank you.

5 MR. GARZOLINI: Thank you, folks.

6 DR. SILVA: Did Tom -- Tom, do you have anything?

7 BY MR. LUIPERSBECK:

8 Q. I just have a couple things, if I may. Hey, Robert, first,
9 so you know, I'm impressed with your flying background. I didn't
10 think there were many people out there that had a more varied
11 career than I did, but you got me beat by a longshot.

12 A. I call it (indiscernible) forward, buddy.

13 Q. Oh, yeah. Well, we got to take the opportunities as they
14 arise. And my question is also, I do have an EMS pilot, line
15 pilot, lead pilot, G pilot, DO background. So in all of the --
16 I'm a pretty heavy 206 Bell guy, but I am a 407 guy as well. One
17 of the questions we were talking about, you know, being challenged
18 by the OCS people about weather declines, would you say that you
19 have -- or can you describe to me your confidence level that you
20 had in the OCS personnel when you consult them about weather
21 updates? Do you feel like you're getting accurate information
22 from them?

23 A. I have very little confidence in them. And I've even asked
24 before if flights were turned down by anyone else. And I was told
25 that they weren't, but I felt from their tone of voice that they

1 weren't telling me the truth. And I had one flight specifically
2 when I got to a hospital, and they said, oh, we're surprised that
3 you guys took this flight because nobody else would. So -- and I
4 specifically -- because it was a distance for me to go, and I
5 specifically asked them if it had been turned down by anybody.

6 No, we don't think so. No. No, it wasn't. That kind of answer.

7 Q. You answered my next question without being asked. So
8 earlier, you described your risk analysis. So you go in your base
9 and do risk analysis for the base with those four items covered.
10 Do you ever recall a time when the base might have been at an
11 amber or riskier level based on any other factor other than
12 weather, places -- like crew, for example, and you pilot at the
13 base and there's no time for the aircraft, you know, make and
14 model, anything like that ever?

15 A. No.

16 Q. Or have you ever heard --

17 A. (Indiscernible).

18 Q. Okay.

19 A. No. I mean, well, we've had a crew member get ill before, so
20 we -- and we had it out of service for that.

21 Q. So in your risk analysis, you just do that if, for example,
22 if everything is green when you show up for work, and you would
23 happen to really work yourself that day and have, say, three
24 flights or even just two, do you do another one of those risk
25 analyses for each flight, or is that one good for all of them?

1 A. Just the one for the day unless we call it in and change it.

2 Q. When you were -- how do you, as we -- since now we have
3 minimum cruising altitudes, do you have an established procedure
4 for determining what altitude you're going to be at? Just, you
5 know, we have to maintain above the highest obstacle along our
6 route or do you -- how do you guys do that?

7 A. Well, we pretty much we have our own, and the guys here know
8 the routes very well, even -- we generally do the same ones. But
9 my personal one is I generally like to be at 2,000 feet or more.

10 Q. So on a day when the -- or days, like where we say we have an
11 800-foot ceiling, of course, that's from along the weather
12 reporting points. There is no, oh, here's the highest hill or no
13 highest sector altitudes. You guys don't have that, like in any
14 space?

15 A. No. And that company minimum is not my minimum, sir. I will
16 not fly those.

17 Q. Okay. And then, during your initial training and recurrent
18 training, do they cover inadvertent IMC during recurrent training
19 as well as or just in the initial?

20 A. Yes, we do.

21 Q. Do you have -- I mean, classroom or do you do flight training
22 in that or can you describe your inadvertent IMC, basically what
23 they --

24 A. Yeah, we had the classroom training and actual practical in
25 the helicopter, yeah. And it's good. It's saved my life.

1 Q. Thank goodness. I'm proud you did the right thing doing the
2 mine detector with the foot. Do they give you different options
3 or do they just say, you know, do either climb or turn or just
4 kind of leave it up to you and do they give any indicators of when
5 you should turn around prior to getting to your entering
6 inadvertent IMC?

7 A. Yeah. You know, we go through the typical climb and confess
8 and everything all by the standard. And I've had people mention
9 to me sometimes, the best way to get out is to go back, you know,
10 with the back course, the way you came in is what I have always
11 been felt before. I don't remember if specifically I was told to
12 do -- that that was an option in my training or not, or if it's
13 something I've just carried with me for years.

14 Q. Well, that's why we're still alive. I guess, more so, do
15 they ever -- is there anything in your manual or your procedures
16 or are you told during training if you find yourself slowing below
17 X knots due to weather, then you should turn around and --

18 A. I don't think it's in there over a certain knot as much as it
19 is, you know, we're encouraged to turn around, land, whatever, if
20 we start getting down to our minimums, or even your personal
21 minimum.

22 Q. And backing way up to the early part of the conversation
23 about the 150 flights a month at the base and Andy Arthurs said
24 that that was the goal for the base, and that there was challenges
25 about weather declines up front. I think you mentioned Andy

1 Arthurs and one other person in there that was a non-flying person
2 that was challenging. Who was that?

3 A. Yes, Rick --

4 Q. Sorry, one more time?

5 A. Rick Cosmar, I believe it's C-o-s-m-e-r.

6 MR. LUIPERSBECK: All right, hey, that's all I have. Thanks
7 again for sticking with us.

8 MR. GARZOLINI: Yes, sir.

9 DR. SILVA: Bobby, we have a few more follow-up questions,
10 and we'll go around the room one more time. Are you still okay on
11 time?

12 MR. GARZOLINI: Yeah, I've got nowhere to go. When the feds
13 call you, you make time.

14 (Laughter.)

15 DR. SILVA: Well, we do appreciate it. I'm going to let
16 Shaun start off again.

17 MR. WILLIAMS: I think I'm going to let Sathya go. Thank
18 you, Bobby, I appreciate the time.

19 MR. GARZOLINI: Yes, sir.

20 BY DR. SILVA:

21 Q. All right, I had some follow-ups. You described the
22 inadvertent IMC training a little bit already. Was there a
23 specific -- you mentioned that flight that you didn't know had
24 been turned down by other companies. Do you have any specifics?
25 Do you remember any specifics about that flight? Where you were

1 going?

2 A. Yeah, it was way out of my service area. It was south of
3 St. Louis, and it's to a hospital there, and I questioned them,
4 because usually when you go to get a patient picked up from a long
5 way, that's a red flag something's wrong. And I understood it was
6 a multi-vehicle crash, so then it made sense to me. It was -- I
7 can't think of the name of the small town right off the top of my
8 head. I could probably find it for you if I did some research,
9 but it's -- and that made sense then, okay, well they needed
10 multiple helicopters. But when I got down there, we had our
11 helicopter from from Festus and mine, but other companies had
12 turned it down.

13 Q. Do you know why they turned it down?

14 A. Yeah, they apparently maybe knew the -- I don't know why. I
15 should back up, but I'm going to say they apparently knew the
16 weather. When I got down there, I checked the weather again. It
17 was coming in from the south and I had told my crew, you know, we
18 have to get things going here and if we're not out in -- I'm going
19 to paraphrase here, if we're not gone here in 30 minutes, we're
20 going to stay here. And if that's what we got to do, that's what
21 we got to do. They got our patient loaded. We were still good,
22 and I lifted and came back to St. Louis. And then, delivered the
23 patient, refueled, came back to Hannibal, but I never had -- I
24 never got in trouble with any low ceilings.

25 Q. Uh-huh. When was this, approximately?

1 A. It was out of Hannibal here. It had to be sometime this past
2 summer.

3 Q. Do you get patient condition information from dispatch as a
4 pilot?

5 A. No, I don't.

6 Q. Have they ever offered that information to you even after
7 you've accepted the flight?

8 A. After I've accepted?

9 Q. Yes, even afterwards.

10 A. Is that what you said?

11 Q. Uh-huh.

12 A. No, they've never offered to me. The only time you get that
13 is in flight when the crew's requesting it. You know, like the
14 scene or the hospital or whatever, but they never tell me what
15 type of patient I'm picking up.

16 Q. Okay. I'm going to jump around a little bit here. You said
17 that you don't get -- you don't have ForeFlight. And that's on
18 your company iPad, is that correct?

19 A. That's correct. Well, it might be on the iPad, but Gary
20 Mercer instructed we're not to use ForeFlight in flight. I was
21 talking about on our desktop.

22 Q. Oh, okay, got it.

23 A. But it is on the iPad, I'm sure.

24 Q. It is on the iPad?

25 A. I do believe so.

1 Q. And do -- what did he say not to use? He said not to use
2 ForeFlight on the desktop? Or on the iPad also?

3 A. No. No, in flight.

4 Q. In flight.

5 A. In flight.

6 Q. Okay.

7 A. We're not to have our iPads up there in flight.

8 Q. Are you aware of a flyer that was sent out to hospitals and
9 firehouses in the area in Columbus advertising Survival Flight as
10 an advantage?

11 A. Yes, but I wasn't aware of it until after the accident. I'd
12 never seen anything like that before.

13 Q. Understand.

14 A. It was all over the --

15 Q. Are you aware -- sorry, finish that sentence?

16 A. It was all over social media. That's the first I saw of it.

17 Q. Were you aware of any issues that continued at Columbus after
18 you had left, safety issues?

19 A. Yes.

20 Q. Can you provide more details on that and how you got that
21 information?

22 A. I got that information from several of the employees there,
23 John Robinson, Monica Arce, Valery Burkholder, Joe Mireles. And
24 it basically all was in one way or another related to the way they
25 were being treated by K.J. and pushed by K.J.

1 Q. What was the nature of these communications? Were they
2 looking for advice? Were they letting you know?

3 A. Looking for advice and just questioning what is done, and
4 almost always about flying in the weather, flying in rain, being
5 at the hangar when they've heard visible thunder, and K.J. said,
6 come on, we're going. And they're, like -- I said, you guys
7 can't, you know, do that shit. Just tell him no, not going. And
8 they said there was no "three to go, one to say no" rule. And I
9 tell them, that's not true. Pretty much that's kind of an --
10 overall that type of stuff. I even told Valery Burkholder -- she
11 called me last Thursday. I told her to quit and get out of there
12 before they kill you. And on Tuesday was the crash. I think she
13 was terminated on Friday.

14 Q. Let me get my thoughts together here. Do you feel like at
15 the base that you're at now, that the clinical crew feels
16 empowered to speak up if they're concerned about weather or
17 anything else?

18 A. Oh, absolutely. I had one flight that was aborted this year
19 by Lori Brown (ph.). We had some real light rain coming down. It
20 was a day flight. It was warm. It shouldn't have been an issue.
21 It was light. And she spoke up from the back and said, I'm
22 uncomfortable. I don't want to do this. I said, good enough.
23 Turn around. Yeah. So I aborted a flight that was probably very
24 doable.

25 Q. Yeah. I understand.

1 A. So they're not (indiscernible) up here.

2 Q. Regarding the shift changes, the pilot shift changes, are you
3 expected -- let's say you're oncoming and you have someone ask you
4 to meet them at the airplane and get going. Are you expected to
5 take that flight, or are you able to say, no, I need to take my
6 time and go to the base, and reject that flight? How does --
7 what's that expectation look like from the --

8 A. Actually, I feel like it's both ways. I've never had a
9 direct conversation about -- too much on that, other than what
10 Dave St. Onge said, you know, you're allowed to take the --
11 allowed to take the previous pilot's -- the brief like that and go
12 with it. And personally, it probably depends me on more who that
13 pilot is.

14 Q. Okay. And you mentioned regarding the shift changes and the
15 briefings that way that somebody said, this is how we do it. Who
16 was that?

17 A. Dave St. Onge.

18 Q. And is that another pilot?

19 A. He used to be with the company. He went around and opened
20 bases. He hasn't been with the company for quite a while.

21 Q. Okay. I understand. And you mentioned a couple of times
22 that you talked with the OCM. How often do you talk to the OCM
23 versus an OCS?

24 A. We talk to the dispatch, of course, every shift when we clock
25 in in every flight multiple times up and down. And as far as our

1 operational control manager, our hitches start on Wednesday, and
2 we're to call there on Wednesday, every -- before that 7-day or
3 14-day hitch starts. And then, generally, you don't have any
4 contact unless you do need something or they have something
5 specific they want to speak to you about.

6 Q. So you mentioned that you can't go red for weather. Are you
7 able to go red for other aspects of the risk assessment?

8 A. I can't say that I'm not, because I've never asked for it for
9 anything but the weather situation.

10 Q. Have you ever received any pressure from dispatch or anyone
11 else to change your risk assessment?

12 A. I don't believe I've ever had them challenge what I've
13 written down, no.

14 Q. And you mentioned that you fly with NVGs at night
15 consistently. Is that a requirement for the pilots to always have
16 those?

17 A. I believe it is a requirement that we have them. But I think
18 there is an option if you feel like, you know, there's a -- for
19 whatever reason you're better off unaided.

20 Q. And then, the last topic I wanted to get to was whether the
21 company has any programs for fatigue mitigation or anything along
22 those lines.

23 A. The only fatigue that I'm aware of is our massage chair.

24 Q. Okay. Can you tell me a little bit more about those massage
25 chairs? Where did they come from?

1 A. The company supplied them when we got to a certain -- I think
2 it was 30 flights to a base, like a rewards program. And you get
3 a massage chair, which is the same type of one you'd see in a lot
4 of airport FBOs, you know, shakes your whole body and reclines, et
5 cetera, et cetera.

6 Q. Were there any other incentives for taking flights?

7 A. I don't recall of anything I was ever incentivized for taking
8 flights, no.

9 Q. And then, just back to the shift real quick. So when you
10 switch between day and night or night and day shift, are you given
11 time to acclimatize?

12 A. We actually take the time. Our pilots have all had the
13 scenario that we come in early and do, a risk assessment and chat
14 and get your things -- your gear stowed, get your, you know, your
15 gear prepared, everything, before we actually come on shift.

16 Q. Are you typically given, let's say, when you're switching
17 between day and night, do you get, like a day off in between or
18 anything along those lines?

19 A. Oh, yeah, maybe I misunderstood the question, but, yeah, we
20 generally have a week between. But, you know, we did a lot of
21 overtime, but we're not doing, you know, go to days -- anytime
22 I've ever done it, if I have done it, I've had the day off.

23 Q. Okay, I understand. How much would you say you were doing
24 overtime or you are doing overtime with the company?

25 A. Last year, my salary went from 68,000 base at the beginning

1 of the year, and I got a raise to 70,000 in, like -- as a rate in
2 March, and I think I ended up over 90,000 in gross pay. I did a
3 substantial amount.

4 Q. And is that paid at time and a half?

5 A. Correct.

6 Q. Okay, I understand. Do you get any kind of pay bonus for
7 hitting a number of flights or anything like that?

8 A. Do I get any kind of what?

9 Q. Of a bonus in your paycheck?

10 A. No.

11 Q. Do you know of any programs the company may have for bonuses
12 for pilots?

13 A. I'm not aware of any.

14 DR. SILVA: All right, I am going to pass the buck off again,
15 and we'll let you off the hook here soon.

16 MR. GARZOLINI: That'd be nice.

17 (Laughter.)

18 DR. SILVA: John.

19 MR. BRANNEN: I don't think I have anything.

20 DR. SILVA: Okay, Dave.

21 MR. GERLACH: No, I don't have anything.

22 DR. SILVA: Paul.

23 MR. SUFFERN: No other questions, thank you.

24 MR. GARZOLINI: All right, thank you.

25 DR. SILVA: Tim. Tim, did you have any questions, any other

1 questions?

2 MR. TAYLOR: No, I don't have any questions, thank you.

3 Thanks, Bobby.

4 MR. GARZOLINI: Thank you, (indiscernible).

5 DR. SILVA: Tom.

6 MR. LUIPERSBECK: No, no further questions, thank you.

7 DR. SILVA: All right, Bobby, thank you so much. Is there
8 anything that you think we should have asked you that we didn't,
9 anything we should look into?

10 MR. GARZOLINI: I just want you to take a serious look how
11 K.J., in my opinion, was surely pushing these pilots to get
12 numbers after I left.

13 DR. SILVA: I understand.

14 MR. GARZOLINI: I think he holds a (indiscernible) amount of
15 responsibility here.

16 DR. SILVA: Okay, that's noted.

17 MR. GARZOLINI: Wait a minute. Yes, I do. I do have a
18 couple stories that I just heard since the accident. I've heard
19 that he's purposely flown into IIMC conditions, that he even
20 volunteered to take crew members into IMC conditions to show them
21 what it felt like. I was told that he flew through -- tried to
22 get over the -- to fly over the top by -- I mean, I'm just
23 appalled by the things I've heard in the last few days. So start
24 asking those people there if these rumors are true.

25 DR. SILVA: And you're saying this is information you gained

1 after the accident?

2 MR. GARZOLINI: Yes.

3 DR. SILVA: Okay, I understand. Well, if you think of
4 anything else, I think you have Shaun's information, is that
5 correct?

6 MR. GARZOLINI: Yeah, he texted me earlier. His phone
7 number's there, yes.

8 DR. SILVA: Great. Don't hesitate to reach out. We do
9 really appreciate your help today. This is a completely valuable
10 part of our investigation to do these interviews. Thank you for
11 being so upfront.

12 MR. GARZOLINI: Thank you, Sathya.

13 DR. SILVA: All right, well, take care then. We'll let you
14 get back to your day.

15 MR. GARZOLINI: All right, good-bye, folks.

16 DR. SILVA: Bye.

17 Off the record at 9:39 Central.

18 (Whereupon, at 9:39 a.m., the interview was concluded.)

19

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22

23

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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

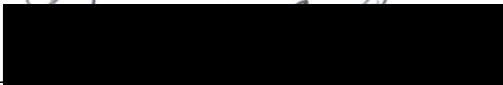
IN THE MATTER OF: SURVIVAL FLIGHT HELICOPTER CRASH
 NEAR ZALESKI, OHIO
 JANUARY 29, 2019
 Interview of Robert Garzolini

ACCIDENT NO.: CEN19FA072

PLACE: Via Telephone

DATE: February 7, 2019

was held according to the record, and that this is the original,
complete, true and accurate transcript which has been transcribed
to the best of my skill and ability.



Wendy C. Cutting
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

* * * * *

Investigation of: *

*

SURVIVAL FLIGHT HELICOPTER CRASH *

NEAR ZALESKI, OHIO * Accident No.: CEN19FA072

JANUARY 29, 2019 *

*

* * * * *

Interview of: THOMAS DEMOS

Via Telephone

APPEARANCES:

SATHYA SILVA, Ph.D., Human Performance Investigator
National Transportation Safety Board

SHAUN WILLIAMS, Investigator in Charge
National Transportation Safety Board

JOHN BRANNEN, Regional Investigator
National Transportation Safety Board

DAVID GERLACH, Aircraft Accident Investigator
Federal Aviation Administration

TOM LUIPERSBECK, Team Lead
Helicopter Air Ambulance Focus Team
Federal Aviation Administration

TIM TAYLOR, Instructor Pilot
Survival Flight

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I N T E R V I E W

(4:02 p.m.)

1 DR. SILVA: We are on the record at 4:02.

2
3 So, as I mentioned in -- on the phone earlier, my name is
4 Sathya Silva. I am a human performance investigator with the
5 NTSB. We've got a few people --

6 MR. DEMOS: Okay.

7 DR. SILVA: -- on the phone here, and I'll let everyone go
8 around and introduce themselves. Essentially, what you're hearing
9 is the NTSB party process. So we always work bigger
10 investigations in groups, essentially because while we are experts
11 investigating we do need the expertise of others, in terms of
12 company, manufacturers, things like that. So --

13 MR. DEMOS: Okay.

14 DR. SILVA: -- that's who everyone is. So, I'll go around
15 our table here and once our last person joins I'll have him
16 introduce himself too.

17 MR. DEMOS: Okay.

18 DR. SILVA: All right. Shaun?

19 MR. WILLIAMS: Yeah, Shaun Williams. I'm the investigator in
20 charge with the NTSB.

21 MR. DEMOS: Okay.

22 DR. SILVA: And John?

23 MR. BRANNEN: Hi, this is John Brannen. I'm a regional
24 investigator for the NTSB, and working ops on this accident.
25

1 DR. SILVA: All right.

2 MR. DEMOS: Okay.

3 DR. SILVA: And Tim?

4 MR. TAYLOR: Hey, Tom. Tim Taylor with Survival Flight. I'm
5 here just to represent the company. Just so you don't have to
6 worry about any retaliation or anything, I signed a nondisclosure.
7 So, anything that you -- on this line won't be told to management,
8 and if you don't feel comfortable with that feel free to reach out
9 to the NTSB and disclose any information. All we want you to do
10 is just be honest and upright.

11 MR. DEMOS: You got it, Tim.

12 DR. SILVA: Great. We have another Tom on the line. So,
13 I'll let him introduce himself.

14 MR. LUIPERSBECK: Hey, Tom. My name is Tom Luipersbeck. I'm
15 with the AFS-250 at Washington headquarters. That's the 135
16 policy branch. I'm also the helicopter air ambulance focus team
17 lead for the FAA.

18 MR. DEMOS: Okay.

19 DR. SILVA: And Dave, was that you that just signed on?

20 MR. GERLACH: It is.

21 DR. SILVA: Uh-huh.

22 MR. GERLACH: So, good afternoon, Tom. This is David
23 Gerlach. I'm with the Federal Aviation Administration's Office of
24 Accident Investigation and Prevention. I am an accident
25 investigator, and what we like to do is pass on that we're the

1 investigative side of things. We don't do compliance and
2 enforcement. And like the Board, this is all about trying to
3 figure out what happened and come up with ways to prevent it from
4 happening. So, like your office and Survival Flight there's no
5 kind of retaliation. We don't go after certificates, licenses,
6 you know, all that kind of stuff.

7 MR. DEMOS: Okay.

8 MR. GERLACH: We're just here to figure out what happened and
9 prevent it from happening. So, no --

10 MR. DEMOS: Sure.

11 MR. GERLACH: -- no compliance and enforcement. So, just
12 want to make sure you're aware of that.

13 MR. DEMOS: Okay.

14 DR. SILVA: Great. Thanks, Dave. So, that's everyone we've
15 got on the phone here. I'll run through my normal spiel and see
16 if you have any questions before we start. Sound good?

17 MR. DEMOS: The only question I had is if I get disconnected
18 from you guys for some reason I don't have the very best cell
19 service here at my house. Should I just call this number back in
20 and just do what I did before --

21 DR. SILVA: Yeah.

22 MR. DEMOS: -- but do it again?

23 DR. SILVA: Yeah. That should work.

24 MR. DEMOS: Okay.

25 DR. SILVA: Wonderful.

1 MR. DEMOS: No, that's the only question I've got for you
2 guys.

3 DR. SILVA: Okay. Great. So, we as the NTSB -- our goal
4 here is safety, really prevent this accident from happening again.
5 We're not here to assign fault, blame or liability. As a
6 government agency, however, we also cannot guarantee
7 confidentiality or immunity. What will happen --

8 MR. DEMOS: Okay.

9 DR. SILVA: -- what will happen was -- is this audio
10 recording will get sent out for transcription, and a copy of that
11 transcript will eventually become part of our public docket when
12 the investigation gets released. That could be 6 months to a
13 year, depending, from now.

14 MR. DEMOS: Okay.

15 DR. SILVA: Okay. So, you are entitled to have someone with
16 you -- sit with you for this interview. Would you like to have
17 someone, or are you okay on your own?

18 MR. DEMOS: You mean like a lawyer? Lawyer representation,
19 is that what you're saying?

20 DR. SILVA: It could be a lawyer. It could be your dog. For
21 our purposes --

22 MR. DEMOS: Yeah.

23 DR. SILVA: -- it's really just for your support.

24 MR. DEMOS: No, I've got -- I've got two -- yeah, I've got
25 two Shih Tzus sitting here. So, I'm good.

1 DR. SILVA: Okay. All right. Well, if you do change your
2 mind, you know, feel free to let us know at any point during the
3 interview.

4 MR. DEMOS: Okay.

5 DR. SILVA: So --

6 MR. DEMOS: Yeah. No problem.

7 DR. SILVA: Okay. Great. Keep in mind during the interview
8 you are our expert here. There are no wrong answers. If you
9 don't understand a question or want us to clarify, feel free to
10 ask. If you need a break, also ask. It should be pretty low-key
11 when it comes to this.

12 MR. DEMOS: Okay.

13 DR. SILVA: So, I will start out with a handful of questions,
14 and then we'll go around essentially our virtual table and just
15 make sure --

16 MR. DEMOS: Okay.

17 DR. SILVA: -- that everyone else has an opportunity. And
18 then at the end, I'm going to turn it to you to see if there's
19 anything else you wanted to add or anything else that you think
20 might be helpful for us in the investigation.

21 MR. DEMOS: Okay.

22 DR. SILVA: All right. Any questions before we start?

23 MR. DEMOS: No. Not on my end.

24 DR. SILVA: Okay. Great. We have lots of questions. So --

25 MR. DEMOS: Okay.

1 DR. SILVA: -- let's get started.

2 INTERVIEW OF THOMAS DEMOS

3 BY DR. SILVA:

4 Q. Can you spell your full name for us, please?

5 A. Sure. It's Tom -- or Thomas, my legal name.

6 Q. Okay.

7 A. T-H-O-M-A-S.

8 Q. Okay.

9 A. Last name is Demos, D as in David, E-M-O-S, as in Sierra.

10 Q. Great. And what's your current title?

11 A. Lead pilot for Hannibal, Missouri.

12 Q. Okay. And can you run through a brief summary of your
13 background in aviation and how you got to where you are?

14 A. Sure. I started flying in 2006, and went and got my private
15 pilot's license. Went through a flight school -- a civilian
16 flight school down in Palm Beach, Florida, called Palm Beach
17 Helicopters. Did my private, commercial, instrument, CFI, CFII
18 rating. Taught -- was a flight instructor for a while. Got into
19 tour flying. Spent a few years offshore, flying in the Gulf of
20 Mexico. Flew a corporate job out of St. Louis, then got into EMS
21 in 2011, with a company named Eagle Med. I was based in multiple
22 bases in Kansas. Finished my working career with Eagle Med in
23 Joplin, Missouri, and then came to Survival Flight in summer of
24 2015.

25 Q. Uh-huh.

1 A. And had been based at Hannibal, Missouri. But my whole
2 career was Survival Flight ever since. I spent -- I took a hiatus
3 -- I left for about 3 months and went to another company.

4 Q. Uh-huh.

5 A. Pentastar, Kankakee, Illinois. Didn't like that job, and I
6 was away from home. So, I came back to Survival Flight. And all
7 my time is civilian time. All my time is rotorcraft time. I've
8 accumulated just a hair over 3,200 flight hours in a rotorcraft.
9 And yeah, so that's kind of where I'm at. That's where I'm at
10 now.

11 Q. Great. Wonderful. So, you've been in Hannibal for almost 4
12 years now. Do you remember in 2015 you joined the company?

13 A. I do. It was August of '15.

14 Q. Okay. In August. How do you like working for Survival
15 Flight?

16 A. I like Survival Flight because I am close to home.

17 Q. Uh-huh.

18 A. I enjoy being able to sleep in my own bed each night. I
19 drive home after my shifts, and I enjoy flying the Bell 407.

20 Q. Uh-huh. Are -- if you could change anything about your job,
21 what would it be?

22 A. I would change -- oh, let's see. Where do I start. That's a
23 tough question. There's a lot that I'd say -- I could say. I
24 could change the way management deals with us, the way we deal
25 with management.

1 Q. Okay.

2 A. I mean, there's just a lot.

3 Q. Okay. Well --

4 A. I wouldn't even know where to begin --

5 Q. Well, let's start there.

6 A. It's a --

7 Q. Okay.

8 A. Yeah.

9 Q. So, you mentioned issues with management. Can you expand?

10 A. Well, for one, I mean, a perfect example is our flight
11 release form -- our flight releases. The FAA stamped this and
12 says hey, you know, this is the -- any place I've ever worked, the
13 GOM is the bible. We do exactly what it says, and the flight
14 releases -- you know, as simple as weather being below minimums
15 and we're supposed to be red, here I'm calling them and I'm
16 telling them hey, we're red. No, you're not, you guys are amber
17 this evening. Well, no, we're red because it says right here the
18 weather is below our day/night weather minimum.

19 Q. Uh-huh.

20 A. And they won't let you be red. It's -- I mean, this is just
21 a microcosm of some of the issues.

22 Q. Okay.

23 A. And it's frustrating, because the position it puts myself in.
24 And all the other pilots, and everybody else that works at that
25 company. I mean, even down to human factors.

1 Q. Uh-huh.

2 A. You know, how do you think it would go over if I told them,
3 hey -- our crew is fatigued, they're completely exhausted, unable
4 to function, so we need to red. You know, it just wouldn't
5 happen.

6 Q. Okay.

7 A. So, those are my -- those are things to me that are just, you
8 know, completely inexcusable and frustrating.

9 Q. Uh-huh.

10 A. And just because I -- and just to make it clear, just because
11 I am amber sure as heck doesn't mean I'm going to take a flight,
12 you know. It just means that, you know -- it's hard to explain,
13 but that's just the way it is.

14 Q. Uh-huh. So, when you mentioned not being able to essentially
15 go red, who is pushing back?

16 A. Okay. Well, you'll have ops center pushing back.

17 Q. Okay.

18 A. Everyone in ops will say well, you need to get approval for
19 that or -- there's always got to be an approval for this or that,
20 when you call -- if you were to call whoever the ops manager is
21 and explain to them --

22 Q. Uh-huh.

23 A. -- why you're red or why you're amber, whatever it is, if you
24 meet the certain parameters to be red --

25 Q. Uh-huh.

1 A. -- well, you can just be amber. Or I've tried it before.
2 I've tried to be red and I'm like telling guys that we're red, I'm
3 -- it doesn't mean -- just because I'm red that doesn't mean you
4 still don't call me. Maybe that should be written different.
5 Maybe it should say --

6 Q. Uh-huh.

7 A. -- weather is below blah blah blah, check in for the ops
8 every 30 minutes. You know --

9 Q. Uh-huh.

10 A. -- or, you're still going to get a call even if you are red,
11 just to see if it's cleared up but you haven't noticed it.

12 Q. Uh-huh.

13 A. But yeah, I mean, I've tried it in ops. I've hung up the
14 phone with them, and about 3 minutes later the director of ops is
15 calling me and asking me, you know, why are you red, that's not
16 the way we do things. Well, okay. But that's the way the law is
17 written, so to say. You know.

18 Q. Right.

19 A. And yeah.

20 Q. So --

21 A. So --

22 Q. -- what's been the result of conversations like that?

23 A. Nothing. The -- okay, well, you -- well, you're going to be
24 amber because we don't ever go red. And I don't know if it's
25 because these people -- when I say these people, I mean the

1 director of ops and the owner of the company have promised these
2 people --

3 Q. Uh-huh.

4 A. -- the hospitals or wherever their contract is -- I don't
5 know if it's because they've promised these people that we
6 literally will never go out of service for anything -- they won't
7 let you out of service for maintenance, unless the weather is
8 down, and sometimes it just has to be -- you just have to do it.

9 Q. Uh-huh.

10 A. That's just the way it is. We try our very best, in this
11 industry in particular, to eliminate out of service time around --
12 you know, around good weather. We always try to do it around bad
13 weather. That way we're not down --

14 Q. Uh-huh.

15 A. -- for maintenance. And it just won't happen, you know.

16 Q. Okay.

17 A. So, the result of the conversation with them is no, no,
18 you're going to be amber again. And what do you do, you know.

19 Q. Okay.

20 A. I enjoy my job. I like my job. I like the people I work
21 with. But you get the sense that you're going to be blackballed,
22 you know, if you go against them.

23 Q. Uh-huh.

24 A. So --

25 Q. Have you --

1 A. And that's from -- go ahead.

2 Q. No, no, no. Go ahead. Finish your thought.

3 A. I was just going to say, that's from the owner down. And
4 middle management sees it, you know. The guys in training see it.
5 They know how it is. And it's just -- it's frustrating.

6 Q. Uh-huh.

7 A. What do you do, you know.

8 Q. Do you get communication from the owner of the company?

9 A. I have in the past. So, just so you guys know, when I came
10 on board I was at base 3. We were at three bases when I came on
11 with the company. So, you can see how they've expanded. That was
12 in the summer of 2015, and now look where we're at.

13 Q. Uh-huh.

14 A. So, when I came on board there was no director of -- well,
15 there was a director of maintenance. I can explain that in a
16 second. But --

17 Q. Okay.

18 A. -- when I came on board there was only initially 12 pilots.

19 Q. Uh-huh.

20 A. So it was a small company. We had just got the 407. It was
21 a new 407 in Hannibal. And Batesville base wasn't even open yet,
22 which was base number 4.

23 Q. Uh-huh.

24 A. So, Chris Millard, the owner, he was -- he was very hands-on
25 with everything. That was before we had Doug Wall (ph.), who is

1 the director of maintenance now.

2 Q. Uh-huh.

3 A. You know. So, now a lot of -- everything pretty much goes
4 through either Doug or Gary or Jack or some -- I'm naming these
5 people. I'm sure -- I'm assuming you guys at this point know who
6 everyone is. But --

7 Q. Uh-huh.

8 A. -- back then we had a director of maintenance that his -- I
9 forgot his name at this point, but he was out in Arizona. Just he
10 was the director of maintenance and all of our paperwork --
11 everything would go to him, he approved this and that. That's not
12 the way it works.

13 Q. Uh-huh.

14 A. You know, if there was a -- if we were down to our -- because
15 at the time we didn't have an MEL either. If anything was off
16 with the aircraft, we were out of service. Well, you know, the
17 owner would be calling blowing up our phones, hey, you know, why
18 are you guys still out of service, why are you still out of
19 service, where is the mechanic, is the mechanic working on it, is
20 he done with that inspection yet or -- put the cowlings back on.
21 Put it back together. We got to get back -- this is the culture
22 of like hurry, hurry, hurry, we cannot be out of service for
23 anything. Well, you know, that's not realistic.

24 Q. Uh-huh.

25 A. It's just not. I mean, we try our very best to eliminate

1 that, but it's just not realistic. It's going to happen. And he
2 just couldn't see that.

3 Q. Uh-huh.

4 A. And it's infuriating.

5 Q. Do you -- does that still happen directly from the owner?

6 A. No. It does not. And I think a lot of that is Doug Wall was
7 hired -- I forget exactly when Doug Wall came in.

8 Q. Uh-huh.

9 A. And all of that -- I'm -- the only thing I can think is all
10 of that goes through Doug now. If something is down, I can
11 guarantee you he's on the phone with Doug, like what's going on,
12 what's going on.

13 Q. Uh-huh.

14 A. But it used to be the owner of the company was calling
15 directly to base mechanics --

16 Q. Uh-huh.

17 A. -- you know, what's going on, we need to get that aircraft
18 back up, you know, whatever you guys do let's get -- you know, get
19 that inspection done, so forth and so on. But since Doug has come
20 on board I'm -- I can almost imagine that all of that goes through
21 his telephone now. And it was a problem -- it was a big problem
22 at the time, I thought. I had come -- I had come from a company
23 -- I'm sure you guys have heard of Eagle Med. They had
24 fatalities. They had fatal accidents too. But it was a big
25 corporation. I said oh, my Lord, like the owner of this company

1 is actually calling the base mechanic and calling a pilot's
2 telephone asking what's going on, like --

3 Q. Uh-huh.

4 A. -- what's the status. It's just like good Lord, I haven't
5 ever seen anything like this. You know. So, it was kind of -- I
6 was kind of alarmed at that point. I thought holy cow.

7 Q. Was there anyone --

8 A. It was strange.

9 Q. -- that you could talk to --

10 A. But no --

11 Q. -- to voice your concerns?

12 A. I'm sorry. Say again.

13 Q. Was there anyone that you could talk to to voice your
14 concerns?

15 A. No. No. Especially at that time. At that time, we -- or,
16 now we've grown and there's, you know, safety forms. There's
17 stuff that you can turn in if God -- you know, God forbid I have
18 to turn in a safety form without the owner of the company calling
19 and harassing us. But -- which would probably be perceived very
20 poorly. But no, there wasn't. I mean, I could call the director
21 of ops, Gary Mercer, and that would go nowhere.

22 Q. Uh-huh.

23 A. At the time, the chief pilot was different. Basically, that
24 was, you know, a title only for -- I think that was -- I think
25 that was -- I forgot. It might have been Steve. Oh, no, not --

1 Q. Uh-huh.

2 A. I'm sorry. I forgot who it was. But --

3 Q. That's all right.

4 A. -- I never had any interaction with him. So, to answer your
5 question, no. There was no one to talk to.

6 Q. Uh-huh.

7 A. Other than the owner. And yeah.

8 Q. How do you feel now --

9 A. Or I got --

10 Q. Okay.

11 A. Go ahead.

12 Q. Oh, I was just --

13 A. Go ahead. I'm sorry.

14 Q. -- I was going to say how do you feel now? Do you feel like
15 there's any more reception to your -- listening to concerns, or
16 kind of the same?

17 A. No. No, not at all. In fact, I see the concerns would be --
18 would make me look bad. And in fact, they have.

19 Q. Uh-huh.

20 A. I've raised concerns. I've said things. I've done things
21 that have -- and pardon my French, but it pissed the owner off, in
22 particular. Mr. Millard was mad at me for doing what was right.

23 Q. Uh-huh.

24 A. And then here, you know, our slogan is Do What's Right
25 Always. Well, that's true if that only involves not taking the

1 aircraft out of service. You know.

2 Q. I see.

3 A. And I'm the type of guy -- Tim knows me. I don't sugarcoat
4 it. That's not me. I'm going to do what's safe and what's right.
5 And if that pisses people off, that's too bad.

6 Q. Uh-huh.

7 A. You know.

8 Q. Can you give us an example of issues you may have raised and
9 how they were --

10 A. Yeah. Yeah, I can. I've got a couple of examples. One was
11 on the maintenance side of the house. I -- this was I'm -- yeah,
12 I don't -- some of these I don't have exact dates for, folks. I
13 apologize, but it's --

14 Q. That's fine. No problem.

15 A. This is a perfect example of something that happened to me.
16 I was -- this was, I think, the first summer I ever worked there,
17 going into fall. I was preflighting the aircraft, came back in --
18 preflight -- you know, I preflighted the logbook, was going
19 through the status sheet and realized that an inspection that we
20 were in overfly on in 10 percent was due, and the mechanics just
21 did a 150 hour whatever it was he just performed on the aircraft.
22 And he just signed off this particular -- it wasn't a major, it
23 was just -- I think it was air filter. The AFS inspection barrier
24 filter inspection, or something. So, I immediately called the
25 director of ops and said hey, we're within .8 of this aircraft

1 dropping dead because we can't overfly the 10 percent. You know.
2 And the mechanic didn't sign it off on the log sheet. So, we're
3 essentially out of service until they can get here.

4 Q. Uh-huh.

5 A. So, Gary says okay. Well, not 4 or 5 minutes later the phone
6 rings -- the pilot's phone -- and it's Chris Millard, the owner.
7 And he says, well, what's going on, what's going on. And I said,
8 well, Ed -- the mechanic at the time -- didn't sign off this
9 inspection and it's due. And he said no, I just talked to Ed, he
10 said he did it, he just forgot to sign it off. And I'm like well,
11 no, because I -- at this point, I had already called Ed, the
12 mechanic, and he said that he didn't do it.

13 Q. I see.

14 A. And so, so he said he didn't do it. Chris is saying he did
15 do it. And to me, it just came across as oh, well, we just want
16 to limit any out of service time, we don't want, you know -- we
17 don't want to -- we don't want any out of service time, so let's
18 just -- let's just say that he did, you know. And not only that,
19 but the mechanic -- you know, you probably thinking this story
20 sounds crazy, but it's true. The mechanic had hurt his neck or
21 his back or something, and he was at this point at home and he was
22 taking hydrocodone and on all these things, and he could barely
23 even speak on the phone and -- or talk. So, I had to, you know,
24 see if he was okay. And then on the phone with the owner, Chris
25 Millard, Chris wanted me to take the logbook to this guy that was

1 on hydrocodone and have him sign off the inspection and say that
2 it was done. And I said Chris, I'm not doing that.

3 Q. Uh-huh.

4 A. I'm not going to do that. Well, he got upset with me. He
5 raised his voice. He said fine, fine, I'll send a mechanic, I'll
6 send a mechanic. At the time, we used to have a couple of
7 mechanics that just kind of traveled around. I'll send Dallas --
8 Dallas was this guy's name. I'll just send Dallas up there.
9 Dallas East is his last name. I'll just send Dallas to do it.
10 And I said perfect, sounds good. Well, he hangs up on me. I'm
11 thinking you've got to be kidding me. And at this point I'm like
12 what did I get myself involved in here.

13 Q. Uh-huh.

14 A. You know. So, that's one time that I had interaction with
15 him on that. There's been other stuff. And I don't know how much
16 you want to hear or you don't. I just -- you know, that's just
17 one example.

18 Q. Okay.

19 A. And I guess at this point, if you -- you know, you got to
20 move on to another question, that's fine.

21 Q. No. No. We're good with examples. The more specifics you
22 can give us, the better for us. So, if you want to continue.

23 A. Well, there's one thing I think you guys should know. There
24 was another time that -- this is something I've really been
25 wanting to get off my chest for a long time. And it was something

1 that I felt really kind of blackballed me with the company, and
2 the owner specifically had said things about me. It was summer.
3 It was this last summer. I want to get this timeline right. So,
4 I -- remember I told you I went to Pentastar Aviation. I worked
5 over at Kankakee, Illinois.

6 Q. Right.

7 A. And then I was there for a few months, and then I came back.

8 Q. Okay.

9 A. So, when I came back to Hannibal our aircraft lighting -- our
10 specific aircraft in particular has a really odd lighting system.
11 It's an old Air Methods helicopter, and it's got -- there's three
12 different Rheostats. Two control the back lighting -- instrument
13 back lighting -- and one controls the NVGs.

14 Q. Uh-huh.

15 A. So, it's just kind of an oddball system.

16 Q. Okay.

17 A. When I got back for at least a month, the Rheostat was not --
18 it would adjust, and then it wouldn't adjust. And then it would
19 work, and then it wouldn't work. Well, I kept telling maintenance
20 about it and lo and behold it wouldn't work, and then all of a
21 sudden it would work. Like, you would have to just knock on it
22 with your finger and then you could dim or brighten the switches,
23 or all the lights.

24 Well, one night -- because it's been an ongoing issue for 30
25 days, 60 days. So, I was working night shift and I came in. As

1 soon as I walked in the door, I got a flight. So, I was taking
2 the flight from Hannibal, Missouri -- Hannibal hospital to St.
3 Louis. And the sun still wasn't going down at this point. I
4 mean, it wasn't getting dark. I forgot what the actual sunset
5 was, but it wasn't going -- I mean, it wasn't really dark dark
6 until after 8:45.

7 Q. Okay.

8 A. So, heading down to St. Louis -- halfway down, I realized
9 that my -- the Rheostat is completely broke. It is -- all of the
10 gauges, all of the instrument gauges are stuck on bright. Not --
11 I mean, all of them. I'm talking both GPS 430s, all of the
12 instrument backlighting, all of the NVG -- everything is stuck on
13 bright.

14 Q. Uh-huh.

15 A. All of the instrument com panels, the backlighting on that,
16 the tetrasonic, everything is stuck on bright. Which, you know,
17 the back lights -- especially if you're using goggles, this -- you
18 just almost can't use the google, because it's so, so bright.

19 Q. Uh-huh.

20 A. So, it was fine. I flew down. I landed at Barnes hospital.
21 Again, I don't have an exact date for you. I mean, it was -- I
22 could go back and look at the logbook and see when all this
23 happened. But --

24 Q. It's okay.

25 A. -- I don't have exact dates. But, so I land at Barnes

1 hospital, call the director of ops and say hey, the instruments
2 are stuck on bright, I'm not going to fly the aircraft after dark.
3 I'm going to take -- if the instruments come up and I can't make
4 it back, I'm not going back to Hannibal like this. I've had it.

5 Q. Uh-huh.

6 A. I'm taking the airport -- or, taking the aircraft over to
7 Spirit of St. Louis airport, which is about, oh, 8 miles away, and
8 I'm going to land there and we're going to spend the night there.
9 Because I'm not going to fly this aircraft like that. Well, he
10 says okay, well, can you at least get it back to Hannibal. I said
11 no, I'm not, I'm not taking it back to Hannibal. I'm going to
12 take it over to the airport (indiscernible) and that's just the
13 way it's going to be. I'm not flying it during -- I'm not going
14 to fly it during the day -- or, at night.

15 Q. Right.

16 A. So, I'm going through -- at this point, we have MEL. So I'm
17 going through the MEL and it specifically says in there in
18 electronics -- whatever the section is, I think -- I'm guessing --
19 I think it's 33 -- section 33 of the MEL says about instrument
20 lighting, electronics, this and that. Well, it specifically says
21 in there you can't -- I forgot how it's worded, but you can't MEL
22 something -- like individual lights, I think you can. But you
23 can't control a switch that would control all of them. Okay.
24 Which makes sense.

25 Q. Uh-huh.

1 A. So, it can't be MEL but it's okay for daytime, so long as
2 it's, you know, not being your eyes during the night, which it
3 was. So, (indiscernible) comes up. It's starting to get dark. I
4 just fly right to the airport and land.

5 Q. Okay.

6 A. Well, I land over at the airport, spend the night there. I
7 call the director of ops. He -- again, he wanted -- he said well,
8 I just don't see -- I'm -- Gary specifically told me I've never
9 ask you to do anything unsafe, but can you get it back to
10 Hannibal. And I told him no. I said I'm not. I said I'm not
11 getting -- I'm not flying it in this configuration in the middle
12 of the night back to Hannibal -- 70 miles. I'm not doing it. So,
13 we're going to stay the night here and essentially we're going to
14 be out of service. That's just the way it's going to be.

15 Q. Uh-huh.

16 A. So, that's what we did. When the sun came up, I flew it back
17 to Hannibal. And it was down like that for 2 or 3 days. Because
18 that Rheostat they actually had to have -- they had to have a
19 company make it. It wasn't just sitting on a shelf at Bell or Air
20 Methods or anything. They had to make that, because of that.
21 Well, the mechanic at the time his name -- his name was Steve
22 Salinas. He now works for Air Evac --

23 Q. Uh-huh.

24 A. -- as a -- I don't know what he's doing, but he's working for
25 Air Evac.

1 Q. Okay.

2 A. He was on a call with Doug Wall, the owner Chris Millard, and
3 a couple other maintenance guys, because they thought that they
4 could fix it. Or they thought it was a wiring issue, and it
5 didn't need -- the Rheostat didn't need to be replaced. Well, I
6 knew what was wrong. I knew the Rheostat was broke. Well, Chris
7 Millard specifically says Tom Demos is such a pain in the ass, he
8 should -- I should have never hired him back. I knew that was a
9 bad idea, he is such a pain in the ass. He was going off on me,
10 and this and that. Here I'm telling these people -- I'm telling
11 the owner of the company, I'm telling my director of ops, I'm
12 telling these people this is an unsafe condition. And that's the
13 way they treat me. That's the way they treat me. And the way I
14 know that this is true is because at the time the mechanic came
15 and told me that he couldn't believe the owner was saying that
16 about me.

17 Q. Uh-huh.

18 A. And I'm raising specific safety concerns. I don't know one
19 person at that base who takes leadership, who makes sure things
20 are done right, who makes sure things are done safely.

21 Q. Uh-huh.

22 A. And he's going to say I'm a pain in the ass. Well, I'm a
23 pain in the ass because the aircraft is out of service at night,
24 for a few nights. Well, too bad. So, that is another issue that
25 I've come across with him. And well, what do I do, you know.

1 What do I with it, you know, tell the owner of the company -- I
2 don't say anything. You know, I just avoid him. I just don't
3 talk to him. So, those are two examples right there of --
4 specific example of my interaction with him, and him wanting --
5 almost wanting me to do something that I wasn't comfortable with.

6 Q. Uh-huh.

7 A. And not even so much that I'm not comfortable with it. It's
8 something that's not right. And that's all I've got to say about
9 that.

10 Q. Okay. I can see how that would be extremely frustrating.
11 So, you mentioned a couple of examples of maintenance. Were there
12 any other issues you may have had with maintenance and --

13 A. Well, I mean, just the -- the maintenance has come leaps and
14 bounds from my first days with the company. I mean, the parts
15 procurement process at first was horrible. I mean, we couldn't
16 even get a -- we didn't even have the landing lights. You sure as
17 hell aren't going to have a starter generator sitting on a shelf,
18 you know. If something goes out, it was wait until we get you one
19 or, you know, it was just a constant nightmare.

20 Q. Uh-huh.

21 A. Maintenance has gotten better. Parts has gotten better. But
22 I still don't think it's anywhere near where it needs to be, and
23 I'm trying to think of -- you're probably -- your next question
24 (indiscernible) at least give me a specific example.

25 Q. Okay.

1 A. Probably, if I had been better prepared to answer questions.

2 Q. That's okay.

3 A. But right now, probably not.

4 Q. Okay.

5 A. You know, but it's -- it definitely needs to be -- I think
6 it's something that the company could improve on.

7 Q. Uh-huh. I understand. Can you talk a little bit more about
8 -- you mentioned at the beginning about not being able to go red
9 for fatigue. Does the company have a fatigue program, or anything
10 of that sort?

11 A. Not that I'm aware of, other than you saying hey, I'm tired.
12 I have flown three flights today, I'm tired. You know, it's -- I
13 don't know how that fatigue is measured. But other than saying,
14 hey, I don't -- I think I need to get some rest -- one example was
15 we had -- I don't know, one of our pilots, who is no longer with
16 us, he had three flights in the middle of the night. And that's
17 not real typical. I mean, we're a pretty busy base -- one of the
18 busier bases in the company. And, you know, at night you'll get
19 one, two flights most. Well, this particular pilot had three
20 flights. On that third flight, he actually called the OCM, which
21 was Jack Windes, and said hey, Jack, I'm -- you know, I'm beat,
22 man, I don't know if I can do this flight. And Jack talked him
23 through it, said well, you know, I mean, you -- I don't know what
24 the wording was, but he ended up taking this flight and doing it,
25 and that's another example of them maybe not necessarily pushing,

1 but when this pilot is telling them, hey, I'm calling you to tell
2 you that I'm tired --

3 Q. Right.

4 A. -- you know, I'm -- I wouldn't be calling you to tell you I'm
5 tired if I'm not. It's not that I want to sit here and watch the
6 Super Bowl. I've already done two flights. I'm telling you, this
7 is the third flight and I'm tired. But they try to talk you
8 through it and say hey, well, maybe you can go ahead and do it,
9 you know, maybe you can go ahead and get it done, maybe drink a
10 cup of coffee before you go or something and try to get it done.

11 Q. Uh-huh.

12 A. And he did it, and it was fine. But I don't know how that
13 accident report would read either.

14 Q. Uh-huh. Understand. So, have you ever been in a situation
15 where you would essentially call out fatigue, when you didn't feel
16 comfortable?

17 A. Not me, no. No, I have not. I've always tried to get my
18 rest. Try to eat decent, especially on hitch. I've never
19 experienced that. I've done three flights multiple times, but --
20 on nights or days. But, my fatigue factor may be different than
21 others, you know. I've always felt that I was capable of handling
22 the flight in through.

23 Q. Yeah. Do you feel like you could call fatigue if you needed
24 to?

25 A. No. I could not. No, if I ever felt that way I would

1 absolutely not feel comfortable calling anyone and telling them
2 that.

3 Q. Uh-huh.

4 A. Because I just think it would -- I think it would get shot
5 down right away.

6 Q. I see. Can you run through what your roles and
7 responsibility are -- is -- responsibilities are as a lead pilot?

8 A. Sure. Well, basically it's -- well, there's quite a few.
9 There's, you know, scheduling, payroll, making sure everything is
10 good at the base, making sure the hazard map is up to date.
11 Making sure the aircraft is up to date. Making sure the air
12 worthiness certificate, all that stuff is in there. Making sure
13 iPads are charged. Making sure iPads are up to date. Acting as
14 the liaison between line pilots and the chief pilot. Essentially,
15 making sure day to day stuff at the base is done right, proper.
16 Making sure the guys are doing what they're supposed to be doing.
17 Making sure everybody is staying compliant. Making sure weights
18 and ballast is configured properly, that the weight -- or, weight
19 and ballast marks are on the computer properly. Making sure that
20 all the numbers match. Once a month, I'll weigh all the medical
21 equipment weight, making sure those bag weights and everything
22 coincide with what's on the weight in the Excel spreadsheet on the
23 weights and ballast.

24 Making sure that the guys turn in their duty logs. Making
25 sure they're doing their flight releases correctly. Making sure

1 they put their times on. Making sure the HNVGOs are logged.
2 Making sure the med crew is doing their HNVGOs. Running base
3 meetings, making sure that we're talking, talking, you know,
4 simple things -- crew resource management. Also, we'll come up
5 with some sort of topic and talk at the monthly safety meetings,
6 talk to everybody. During the winter, we're making sure we talk
7 about winter ops, you know, what ways to travel. There's a lot.
8 I mean, that's just kind of the -- an example of some of the
9 things I do on a daily, monthly basis. New guys coming in, I stay
10 with new guys 2 or 3 days. I just had a guy come through JR that
11 Tim trained, and he stayed with me 2 or 3 days and he's on hitch
12 now. He's doing a great job.

13 Q. Uh-huh.

14 A. But when he came, I stayed with him for 2 to 3 days, minimum,
15 to make sure he's comfortable. He knows how to work the radios,
16 he knows, you know, how a flight comes in, how it gets dispatched.
17 What you're doing, how to communicate with the crew, you know,
18 before takeoff checks, all that stuff. Communicate with
19 everybody. So, that -- that's how I perceive it. Now, if you
20 actually take the company handbook and you read through it, it may
21 say something different or it may say something similar. It's
22 been a while since I've actually read through that and looked at
23 it.

24 Q. Uh-huh. So, actually, to follow up on that, do -- when you
25 say you're -- you stay with the new guys, are you on duty when you

1 are essentially mentoring?

2 A. No.

3 Q. Okay.

4 A. Well, when -- yeah. Yeah, I am. Like, if I'm -- so, what
5 I'll do is I'll say hey, me and JR are essentially on duty
6 together.

7 Q. Okay.

8 A. Okay. So, what I did I was going -- I'm on 7. So, I stayed
9 with him 2 days. Okay. So, our -- the night pilot, Bobby
10 Garzolini, stayed over an extra 2 days. So, me and JR stayed
11 together for 12 hours for a few days. And then at the night pilot
12 would stay on extra so the base was covered. Does that make
13 sense?

14 Q. I think so. But I'm going to think on it, and ask you again
15 if I don't.

16 A. Okay. Yeah, yeah, please do. Yeah, yeah.

17 Q. Okay. So, regarding the other duties that you have, are
18 those counted -- do you normally do those when you're on shift or,
19 like, if you have to do them outside of shift do you --

20 A. The majority of that is all -- no, the majority of that is
21 all done on shift.

22 Q. Okay. Okay. If you do have to do something off shift --

23 A. Oh, except --

24 Q. Sorry.

25 A. No, no, say it again. I'm sorry. I interrupted you.

1 Q. No, no, no. It's -- if you do have to do something off
2 shift, does that count against your rest? Do you know?

3 A. No. I mean, I -- so, let's say if I'm working nights. I --
4 even if I don't fly and I get to rest, I'll come home and I'll
5 still sleep until noon or 1:00. So, if there's something I had to
6 do -- which I can't think of anything there is -- make a couple of
7 phone calls, it's going to be after I've rested anyway. So, no,
8 it would never impede -- things I have to do would not impede my
9 rest period.

10 Q. I understand.

11 A. No way, no how. Anything that I would do is -- 99 percent of
12 the time is done at work when I'm on shift or when I'm off duty.

13 Q. Uh-huh.

14 A. And when I mean off duty, I mean off hitch from -- when I
15 have my 7 days off. And before I -- there -- I maintain the pilot
16 apartment too. We've got a pilot apartment in Hannibal. So, I
17 make sure that, you know, I'm the liaison between the landlord
18 there. So, I make sure that's all squared away. And then expense
19 reports. We've got two credit cards that I'm responsible for,
20 that I have to turn in at the end of the month. So, if you guys
21 ever have to use that I have service reports for that as well.
22 So, that's just a couple of other things --

23 Q. I see.

24 A. -- that I'm responsible for there.

25 Q. Uh-huh. I understand.

1 A. And then to med crew -- and another thing, if the med crews
2 -- and this has happened, if just for some reason, you know, they
3 weren't happy with something or a particular pilot was flying too
4 high or too low or something, and they've mentioned it to me -- if
5 they went directly to the pilot and they didn't like their answer
6 they could come to me, and we could all sit down and discuss it.
7 You know. And I interact with that as well, and try to, you know,
8 make sure everybody is happy, copacetic and so forth.

9 Q. How would you use the med crew when you're in flight? Are
10 they used?

11 A. I -- me particularly --

12 Q. Uh-huh.

13 A. -- I use them constantly. I'll say before liftoff, you know,
14 I'll announce sterile cockpit. Hey guys, warning lights out,
15 gauges green, feels good, to your left, right and above. Or else
16 it's live, we're going to depart to the north, we're going to make
17 a left turn and head south. Are we clear left, clear right.
18 Everybody buckled. Clear left, clear right, everybody's buckled,
19 let's go. So, I absolutely utilize them all the time. Going into
20 a scene, I'll say hey, guys, we're going to do some recon and do a
21 high recon, low recon. We're going to check everything out. You
22 guys please let me know if you see anything, sterile cockpit is in
23 effect, phases of lights. But obviously, if you see something
24 pitch related, please let me know. And I absolutely use them,
25 day, night, doesn't matter. You know, if we're coming into a --

1 even an improved LZ, we're going to land at University of
2 Missouri, you know, on our approach hey, guys, there's some light
3 poles on top of the parking garage. I've got them in sight. No
4 factor. And they'll, you know, close look communications.
5 They'll come back to me, thanks, got the light poles in sight.
6 And you know, I use them a lot.

7 Q. All right.

8 A. I find them very useful.

9 Q. Uh-huh. Have they ever voiced any concerns to you regarding
10 the safety of flight?

11 A. Sure. Yeah. We've had instances where -- well, there's been
12 a few instances where they didn't feel comfortable and they'd come
13 back either for visibility, ceiling, they weren't comfortable with
14 it. And they said hey, we're not comfortable, we want to turn
15 around. And at -- there's one instance, which I'm going to share
16 with you here in a second --

17 Q. Okay.

18 A. -- at my base where I felt things weren't handled quite
19 properly. Every other time, it's been fine. It's been -- if
20 those guys aren't comfortable -- we're going to take every flight
21 we can. If it's legal, and it's safe we're going to take it.
22 Now, there's a lot more that we do take than we don't. So, I'm --
23 I get frustrated sometimes. I do feel like the corporate wants us
24 to take as much as we can, and that the med crew doesn't have a
25 say. And that's not the case, and what I'm getting at is --

1 again, if the med crew doesn't feel comfortable that's not the
2 norm.

3 Med crew is almost always comfortable. But there is times
4 when they don't feel comfortable. Maybe I'm comfortable. And the
5 way that can get mitigated is I'll say hey, guys, I'll communicate
6 with you guys. I'm comfortable. I've got 4 miles of visibility.
7 Everything is looking good up here, and the parameters are good.
8 I can see 4 miles. I'll continually update you. I'll talk you
9 through it, and everything is fine. I'll back the power down a
10 little bit. We'll continue on, everything is fine. But maybe
11 that doesn't get communicated right from other pilots. And maybe
12 that's why. I don't have the answer to that.

13 But, just -- but anyway, I wanted to tell you the instance
14 that happened, to your questions. State your question one more
15 time. You said something has the med crew ever felt unsafe or
16 voiced safety --

17 Q. Right. Yeah. Have the med crew ever voiced any concerns
18 about safety of flight.

19 A. Yeah. Well, okay, so I don't have an exact date on this
20 either. It was one time that our aircraft -- where we're located,
21 we're -- I don't the way to the -- I think you may have a weather
22 guy on the line here, but I'm not 100 percent sure, but where we
23 are it's always freaky cold, especially -- we have horrible
24 winters --

25 Q. Okay.

1 A. -- in Hannibal. The last few days, it's been 400 foot
2 ceilings and a half-mile vis, rain -- freaky rain, sleet. It's
3 just bad. So, my base in particular we really are aware of icing
4 -- any icing conditions, any of that kind of stuff.

5 Q. Uh-huh.

6 A. So, we had a pilot take off. And again, this is probably 3
7 months ago.

8 Q. Okay.

9 A. Had a pilot take off, and started getting just a little bit
10 of ice on the windshield and the chin bubble. Well, the pilot had
11 -- didn't say anything. So, the med crew in back said hey, is
12 that ice on the chin bubble on the front of the aircraft. Well --
13 this is hard for me, guys, because I don't -- I really don't want
14 to throw anybody under the bus, but I feel I need to be honest
15 about this. So, Tim, I appreciate you saying that at the
16 beginning of the conversation, and I just -- again, I apologize
17 for saying that. But --

18 Q. We --

19 A. -- the pilot was kind of a smart aleck about it, and said oh,
20 no, those are scratches on the windshield. Well, the med crew is
21 not stupid. I mean, these people that have been flying there have
22 been flying for -- since the base has been open. And they said
23 no, that's ice. You know, you either need to land -- you know,
24 the main thing is land. Or turn around, or get out of it. And he
25 didn't communicate with them. He's like no, I think it's going to

1 be safer if I continue on. This is unforecast, and I'm thinking
2 back. I'm like oh, my God, if it's unforecast then why are you
3 continuing on in this condition. What -- you know, I still don't
4 -- so, anyways, so they ended up coming -- turning around, coming
5 back, landing. Everything was fine.

6 Q. Right.

7 A. So, the med crew called me and they said hey, we want you to
8 come in and talk to this particular pilot and what -- they called
9 me and said, hey, this is what happened. I said no problem, I'm
10 going to come in and I'll talk to the pilot. So, I came in. We
11 sat down, talked about it. And basically the end result was just
12 the pilot didn't feel he did anything wrong and I told him some
13 instances of when I myself got into icing in a forecast and stuff,
14 how I handled it and how scary it can be.

15 Q. Uh-huh.

16 A. But, yeah, so those are examples. Was a hazard report filled
17 out -- no. Should it have been -- I don't know. I mean, if you
18 read the safety manual it says specifically in the safety manual
19 stuff that would be reported in a hazard report is severe icing.
20 You know, it doesn't say anything about light ice or --

21 Q. Right.

22 A. -- you know, the med crew being concerned about icing, that
23 kind of stuff. So, no, it wasn't. But yeah, we probably should
24 have put something -- you know, we probably should have put
25 something in writing on that. And I took the initiative. I sat

1 down and talked to everyone, made sure everyone was comfortable
2 with it. And I told them the parameters that, you know, that we
3 typically follow. And my rule of thumb and everyone at my base --
4 Bell puts out -- says, hey, 41 degrees Fahrenheit or less you're
5 going to use engine anti-ice PW. That's what we do. So, my
6 general rule of thumb is anything 38 degrees Fahrenheit or less,
7 and there's any visible moisture -- that means any reports of
8 moisture, mist, rain, any of that stuff, you don't go. The last
9 -- the two ways you get to ice, you're just doing what I said or
10 flying in the clouds. Neither of which we do. That's the only
11 instance we've ever had of icing at all.

12 Q. Uh-huh. So --

13 A. And that was one (indiscernible). Another one where the guy
14 was flying too high -- I mean, silly stuff. Stuff that you guys
15 are like okay, guys, come on, let's -- if he wants to fly at 4,000
16 foot and the patient doesn't require -- he doesn't have a head
17 bleed and the patient can fly at 4,000, that's fine, you know,
18 whatever. Stuff -- guys turning too fast or something, and then
19 he does not communicate -- I mean, stuff that can easily be
20 resolved. Those are all safety concerns I've heard. And it's not
21 really necessarily safety concerns. It's the med group maybe a
22 little over cautious, and maybe the pilot not communicating that,
23 hey, I'm going to make a steep left turn, guys, getting to the
24 helipad, or whatever it is.

25 Q. Uh-huh.

1 A. You know. But a legitimate one -- yeah, that was a
2 legitimate one that I felt was blown off. So, after that had
3 happened -- after I had the talk with the pilot and the crew,
4 everything was fine. I thought it was fine.

5 Q. Okay.

6 A. Well, come to find out not 2 hours later that particular
7 pilot had called the director of ops and said that he felt that he
8 was -- he felt that he was being put in a corner, and made to be
9 felt that he was doing things unsafe. Basically, the way that all
10 went down was that the director of ops said oh, don't worry about
11 it, that's just med group being (indiscernible). Well, all right.
12 I don't feel that way but, you know -- you know, I felt that that
13 should have been -- to me, right then and there should have been
14 well, did you have ice on the windshield. Yeah. Then what the
15 hell were you ding.

16 Q. Uh-huh.

17 A. Why did you not land. Why did you not take the initiative to
18 land, and when they said that go oh, wow, yeah, guys, I'm sorry, I
19 didn't see that. Let's land in this field right here.

20 Q. Right.

21 A. You know, rather than arguing with them. But that's just
22 kind of the culture, you know. The med crew is always wrong, and
23 they just need to sit back there and shut up, you know. So, I
24 guess that's kind of what I'm getting at there.

25 Q. Yeah. That makes sense. So, do you feel like that concern

1 was resolved.

2 A. Say that again. I'm sorry.

3 Q. Sorry. My dog also wants to be on this. Do you feel like
4 the icing issue was resolved after that?

5 A. No, I feel that this -- no, I feel that that particular pilot
6 feels that he was talked to for no reason, and that it was a non-
7 issue. Well, let me tell you, I don't know how many of you guys
8 on the phone have been in icing conditions, or ever gotten in an
9 ice forecast, and how quickly that can go downhill. You know,
10 it's a very scary thing. And I feel that that pilot in particular
11 thought it was just oh, well, it was just the med crew freaking
12 out. They shouldn't have freaked out. That's just them trying to
13 get me in trouble sort of thing. When it should have been more of
14 a learning lesson. And I feel that if, when he had called the
15 director of ops, the director of ops would have taken more of the
16 stance as well, you know, maybe, you know, if you see that again
17 -- if that ever happens again, regardless of what the med crew is
18 saying land.

19 Q. Uh-huh.

20 A. You know, or get -- do whatever you have to do. Did you have
21 your engine anti-ice on. Did you have your PW on. What were the
22 parameters. And, you know, maybe do -- obviously, if you're going
23 to fly nights it's going to be unforecasted. Because why would
24 you go fly into it if it was forecast.

25 Q. Uh-huh.

1 A. So, if it's unforecasted and it happens get out of it. Land.
2 Don't mess with it. But yeah, I just feel that if the director of
3 ops would have handled that differently and talked to that pilot,
4 and had -- and more had my back and the med crew's back, then
5 maybe that could save someone's life. Maybe if that pilot ever
6 gets into that again, he's going to remember me telling him that.

7 Q. Right.

8 A. And then if the director of ops had my back more, that would
9 never happen again.

10 Q. Uh-huh.

11 A. But I just don't -- I don't have that feel. So, no, I just
12 -- maybe I'm talking and saying more than I should, or long-
13 winded, but I just wanted you guys to feel how emotionally
14 attached I am to this --

15 Q. Uh-huh.

16 A. -- and how I feel about it. And I want to do things -- do it
17 right.

18 Q. Yeah. No, we really appreciate it. And that's one of the
19 biggest assets about interviewing pilots --

20 A. Sure.

21 Q. -- on the line. So, we do really appreciate that candor.

22 A. Sure.

23 DR. SILVA: I'm going to pass the buck off. How are you
24 doing? Do you need a break?

25 MR. DEMOS: Just me?

1 DR. SILVA: Yes.

2 MR. DEMOS: No.

3 DR. SILVA: Okay.

4 MR. DEMOS: Oh, no, no, I'm -- yeah, no, I'm doing okay. I -
5 - it's fine.

6 DR. SILVA: Okay. Well, so, I'll go around the table here
7 and then I'll come back with a few more questions. So, let's
8 start with Shaun.

9 MR. DEMOS: Okay.

10 MR. WILLIAMS: No, I have no questions. Thank you.

11 DR. SILVA: Okay. John?

12 MR. BRANNEN: Okay. Yeah, I've got a few.

13 BY MR. BRANNEN:

14 Q. Let me start off with -- let me pull it up here. These are
15 actually -- you mentioned that there was probably a meteorologist
16 on the phone, but he actually --

17 A. Okay.

18 Q. -- wasn't able to make it.

19 A. Okay.

20 Q. He wanted us to ask some questions --

21 A. Sure.

22 Q. -- so I'll just pose those. So, the first one is please
23 describe how you stay updated on weather conditions during your
24 shift.

25 A. Sure. Not a problem. I've got a few. Obviously, I use the

1 computer -- either I'll -- I have a subscription to weathermeister
2 -- weathermeister.com, and I'll -- I do a 150 nautical mile radius
3 of my base. It includes METARS, surface analysis charts, prog
4 charts, TAFs, NOTAMs. I also use aviationweather.gov. I'll use
5 that HEMS Tool. I use SkyVector for AIRMETs, any SIGMETs, icing
6 conditions. Those are the three main that I use. And yeah,
7 that's how I look at it -- just monitor it all shift long.

8 Q. Okay. Okay. And of those tools, which one do you find the
9 most helpful?

10 A. Probably weathermeister and the HEMS Tool.

11 Q. Okay. Okay. And have you turned down -- I think I -- we
12 know the answer to this one. But, have you turned down a flight
13 request due to icing conditions?

14 A. I have.

15 Q. And if so, can you just give a description of one of those?

16 A. Sure. One was recently. Light rain, we had a flight request
17 from Hannibal to Columbia, Missouri, and there was light rain
18 about -- oh, from about Mexico up through the -- you guys don't
19 probably know what I'm talking about, but the -- Mexico, Missouri,
20 is kind of midway between Hannibal and Columbia. There was light
21 rain and it was 35 degrees. So, just declined immediately.

22 Q. Okay. Okay. And for the company established weather
23 minimums, what weather observations, reports, things like that
24 carry the most weight in your decision for making a go or no go
25 decision?

1 A. It's hard to say on one specific thing. I just really -- the
2 main thing that I try to do is I really try to watch the way the
3 weather is trending. If I see temps and dew points getting close,
4 if I see, obviously thunderstorm or squall lines coming towards
5 we're not going to do that. But, I just really set watch the way
6 the weather is trending. If I see it's at 1,100 and 4 at night
7 and the temp dew point is getting close and I -- we had a rough
8 rain that night or whatever, you know, TAFs are saying am I going
9 to say something, no. Because I know at that point in space it's
10 1,100 and 4. Well, in an hour it's probably going to be 500 and a
11 half mile. So, you just really got to watch which way the weather
12 is trending. You pay attention to the temps and dew points,
13 humidity level, that kind of stuff.

14 Q. Okay. Okay. And in your -- you know, your geographical area
15 that you cover, are there gaps in the weather information --

16 A. Yes.

17 Q. -- you know, like you -- so, you'd like to have some better
18 weather information --

19 A. Certainly.

20 Q. -- more facilities, things like that.

21 A. Yes. The -- one of our main routes is from Hannibal to St.
22 Louis. From Hannibal to St. Louis is about 70 -- they've actually
23 changed that. I do that flight constantly. I should know exactly
24 how many it is. But, I'd -- let's say it's 75 miles from Hannibal
25 to St. Louis. There's nothing. You leave Hannibal, you got a

1 METAR in Hannibal. And then when you get to St. Louis, you've got
2 multiple. You know, you've got Lambert, St. Charles, Spirit of
3 St. Louis, downtown airport. You've got four within probably --
4 weather reporting stations within 4 miles. But between that space
5 you have nothing. There's just absolutely nothing. So --

6 Q. Okay.

7 A. -- but there's one to the west and there's one to the east.
8 But they're 40, 50 miles apart. So that whole corridor, you have
9 nothing.

10 Q. Okay. Okay. And as far as the tools that you use for
11 weather, do you think there's anything missing that would help you
12 do your job better, as far as weather evaluations?

13 A. Not necessarily. I mean, I'm sure there is. I take a little
14 more simplistic look, just off being -- you know, Joe, our -- one
15 of our training guys, he's really, really good at getting in there
16 and looking at all this stuff. And he may be able to answer that
17 a little more, and know more specifically getting into those
18 websites and digging real deep down into it. But as far as I'm
19 concerned, I've got available what I need and what I need to do my
20 job safe. And I feel confident in making weather decisions based
21 on what I'm using.

22 Q. Okay. Okay. Okay, that completes the meteorologist
23 questions that he had. So --

24 A. Sure.

25 Q. -- I've got a couple in regards to risk analysis.

1 A. Okay.

2 Q. So, when you come on shift you fill out a risk analysis
3 worksheet. Is that correct?

4 A. That's correct.

5 Q. Okay. And do you -- like, if -- say nothing happens for
6 halfway through your shift, and then you get a call for a flight.
7 Do you update that -- is the practice to update that risk
8 assessment you did at the beginning of the shift to --

9 A. Correct. If something has changed -- if the weather has come
10 down and meets a parameter, or if the flight request had changed -
11 - you know, if they asked us to do something oddball, like go
12 search and rescue with a sheriff's department -- so, if something
13 has changed then, yeah, we need to update that. It just kind of
14 -- so, the flight release that's -- when you come in, you do it
15 based on the scenario that you see in front of you or which way
16 the weather is trending or whatever. But, they can definitely
17 change throughout the 12-hour shift that you're there.

18 Q. Okay. Okay. And after you complete a flight, let's say you
19 get in a flight early in your shift and you come back, say, you
20 know, maybe it was a 2-hour flight and you're gone for 2 hours.

21 A. Right.

22 Q. When you come back, do you update the risk assessment when
23 you -- also when you come back? To reflect, you know, maybe you
24 hit -- had a long flight, you're fatigued, things like that.

25 A. Sure.

1 Q. Or --

2 A. Sure. Absolutely, yes. Absolutely. If you feel that way.
3 Now, if you come back and you're not, then everything -- all the
4 other parameters are the same, then you stay the same. But if you
5 -- if anything changes at all, then absolutely you -- that's
6 correct, you would change -- you would make that change.

7 MR. BRANNEN: Okay. I don't think I have anything else at
8 this point.

9 DR. SILVA: Okay. Thanks.

10 MR. BRANNEN: Thank you for your --

11 MR. DEMOS: No, I -- no problem. No problem.

12 DR. SILVA: Thanks, John. Dave?

13 BY MR. GERLACH:

14 Q. So, just a few questions. You're one of the few people we've
15 talked to that has had any kind of experience with -- you and
16 colleagues with icing in the helicopter.

17 A. Uh-huh.

18 Q. Can you talk a little bit about where you noticed the icing
19 developed first and what kind of icing conditions have you been in
20 -- rime, clear, those kind of things. And --

21 A. Sure.

22 Q. -- as -- have you -- been anything change in handling
23 qualities as well?

24 A. No, it has not changed the handling quality. Essentially,
25 what you're going to get is you start seeing moisture come across

1 the wind screen. And before that little droplet of water can come
2 across and disappear, it freezes. And that's essentially what
3 happens. So, immediately when you see that land, turn around, and
4 those are the bad instances with this company that I've ever had.
5 And I actually had that happen to me. I was -- I had picked up a
6 patient Bowling Green airport. It's about 30 miles south of us.
7 I was in route, picked up the patient and just took off. And it
8 was -- you know, some unforecast mist. And I -- it's -- we were
9 about 2 miles south of the airfield, and I started seeing that.
10 Immediately landed at the airport and they took the patient by
11 ground.

12 Q. Got you. Anybody else in the company had, you know, icing
13 worse than that?

14 A. No. Not other than the scenario I mentioned -- the story I
15 told you guys a minute ago.

16 Q. Right. Got you.

17 A. And that was --

18 Q. How can --

19 A. -- I -- go ahead. I'm sorry.

20 Q. No, go ahead.

21 A. Oh, I was just saying the other instance that I had that was
22 bad was with a different company. It doesn't pertain to this
23 company at all.

24 Q. Got you. And along those same lines, how about inadvertent
25 IMC encounters?

1 A. Never.

2 Q. Is that --

3 A. Never. Never with me.

4 Q. And how do you manage things to avoid those kind of events?

5 A. Okay. So, me I continually -- I just continually watch
6 things. I avoid it. I don't -- me and Tim have had this
7 discussion. I remember him saying he came up a path and got into
8 it, because he was eyes down or looking into stuff, and that can
9 happen. But it's my -- it's never happened to me. It's my belief
10 that especially in the helicopter industry if your eyes are
11 outside you're constantly scanning, you're looking, you're in bad
12 weather and you know it. It -- let's say on the high end I'm
13 cruising at 140 knots, which is pretty fast for a helicopter. You
14 typically, typically are not going to go from good to zero and
15 zero in a nanosecond. It's just not going to happen. So, the
16 IIMC stuff is either people just trying to stick their nose in too
17 far, or have their eyes down and get into a small cloud layer or
18 something. And that's the only thing I can attribute it to. But
19 I have just been super cautious. I don't do that. If I start
20 seeing weather turn -- come down, I always have an alternate put
21 in. I have two GPS.

22 If I ever, ever am flying in anything even marginal, I'll
23 have two or three outs. You know, maybe that's just -- goes with
24 experience. I'll have one GPS pointing to a different airport,
25 where I know it's clear. Or I'll see the cues, and if I ever --

1 I've always told myself if you ever slow down you -- as soon as
2 you lower the power, if you lower the (indiscernible) to slow down
3 at all, that makes your decision right there. You turn around or
4 land. Turn around or land short. And that's what I've always
5 lived by, and here I am still talking to you on the phone. And
6 I've never had a IIMC encounter. Is it -- I'm not saying it's
7 never going to happen. But that's the way I handle it.

8 Q. Do you set any personal minimums -- visibility and ceiling --
9 that helps you stay out of the weather like that?

10 A. No, I do not. If I feel -- if I check the atmosphere, I see,
11 you know -- I know -- the other thing, too, is I've been at that
12 base for 4 years. Okay. Now, to say personal minimums if you
13 threw me in Oklahoma City or down where Tim is, yeah, I probably
14 would -- you know, am I going to take something at 1,000 and 3 at
15 night -- no. You know, no way in hell because I don't know the
16 area. So, it's just -- it's so hard to say, you know. But, you
17 know, I tell people taking something at night at 1,100 and 4 in
18 Hannibal -- yeah, I can do that. Because I know every single
19 tower. I know the way every farm looks. I know the way every
20 road looks. I know landmarks. I know that area. I know that
21 flying to St. Louis I'll just follow Highway 61 down, and then
22 turn into St. Louis. So, no, I don't have personal minimums. I
23 am comfortable with what's established at my location. But if you
24 put me somewhere else, absolutely I wouldn't be comfortable with
25 the minimums that they have.

1 Q. Got you. Hey, what kind of shift changes do you guys do up
2 there?

3 A. Oh, when the pilots swap, you mean?

4 Q. Yeah, pilot swaps. What --

5 A. Okay. So --

6 Q. -- (indiscernible).

7 A. -- our duty time is 0700 to 1900. The pilots come in at that
8 time, maybe a few minutes before -- 5, 10 minutes before. I
9 usually -- if I'm not in the middle of something, or if I'm not
10 landing from a flight, I will put, you know, all the parameters --
11 I'll say you got 780 pounds of fuel, you've got 1,200 on the
12 oxygen. You've got such and such as your nurse and your medic.
13 There was no significant anomalies during the flight, the aircraft
14 is flying good. We had two flights -- one went to Columbia, one
15 went to St. Louis. Just talk about any pertinent information that
16 happens throughout the day. If there was anything with the
17 aircraft, the mechanic did this or the mechanic did that, check it
18 out. I noticed one of the pitch change links seems a little bit
19 loose. Whatever it is, you know, I'll talk to that pilot about it
20 -- any information.

21 Q. Do you guys ever have flight requests come in right at 7?

22 A. Yeah, I have.

23 Q. How do you manage those? Let's say it's --

24 A. You --

25 Q. Go ahead.

1 A. Oh, no, go ahead. I'm sorry.

2 Q. Yeah, let's say, you know, you're due to come off at 7. It
3 comes in right at 6:45.

4 A. Well, the stuff that we need to do is really truly handle the
5 paperwork. So, if that happens you need to -- you said it came in
6 at 6:45 and you're off at 7.

7 Q. Right.

8 A. You take the flight.

9 Q. Who takes the --

10 A. You take the flight. You take the flight. If you're on
11 duty, you take the flight. Not calling to check if the oncoming
12 pilot is coming in. You don't do that. You take the flight. At
13 my base -- and this is what I do with the guys -- if you get a
14 flight request before your relief gets there, you take it. You
15 don't call them. You don't see what's going on. Just -- in our
16 area, there is no reason you can't get to every single place we
17 serve and back by the time your duty time expires. It's just --
18 it's silly. So, you take it. You don't rush the pilot in and let
19 him not be able to check the weather or do the performance
20 planning, the weight and ballast -- you know, not doing the flight
21 release form right. It's not going to happen. It's not going to
22 happen at that base.

23 Q. Got you. Do you guys do like recurrent training or anything
24 in the helicopter?

25 A. You mean with -- yeah, I mean, we do our recurrent at -- we

1 come down and do recurrent in Batesville once a year.

2 Q. Yeah. What helicopters do you do that in?

3 A. Either -- good question. Whichever is available. Sometimes
4 it's the 407. Sometimes it's the L model that's down there.
5 Whichever helicopter they have available. And I know that's a
6 toss-up, you know. I mean, it's hard to -- they don't have a 407
7 available, most -- 9 times out of 10, so we'll do our stuff in one
8 of the L models. It might be just a spare aircraft or if it's the
9 training aircraft.

10 Q. Do you do training and then like a pilot check as well?

11 A. Yes. We'll go out -- I'll go out and fly. Like this last
12 time -- I just recently went through recurrent. I came down and
13 flew in -- with Joe for a little over an hour. We went out and we
14 did EPs. We went through instrument stuff, you know, all the
15 stuff that was required -- a confined area. It's just, you know,
16 stuff that's required, a checklist. And then I think the next day
17 we went through ground school, weather classes, did some stuff
18 like that. And then I -- Tim actually checked it, the following
19 night.

20 Q. Does the recurrent training include IIMC, icing, those kind
21 of things?

22 A. It did. It did. Correct.

23 Q. And is that --

24 A. It's unusual --

25 Q. -- just practical stuff?

1 A. No, no. That's practical. We did unusual attitudes. We did
2 the foggles, actually. They put the goggles on, you assail the
3 goggles. So, essentially they're foggles at that point, you can't
4 see other than your instruments. And make you fly an approach.
5 Do some unusual attitude, recovery.

6 Q. Got you. And you talked about NVGs too. When did you get
7 your rating for using the NVGs?

8 A. I'm sorry, you said when or where?

9 Q. Okay. All the above -- when and where.

10 A. So, the idea -- well, the first time ever used goggles was
11 when I first started with Eagle Med. That was in 2011. That's
12 where I got my -- all my initial training, was with them.

13 Q. Right.

14 A. And the rest was -- well, with Survival Flight -- when I
15 first started with Survival Flight, we didn't have
16 (indiscernible). So, when we did get goggles Tim Taylor, who is
17 on the phone, came up to Hannibal to train all of us -- all the
18 pilots on the goggles.

19 Q. And what did that include?

20 A. Every -- that included everything that we -- everything that
21 we would do on a check ride, on a 135 check ride, without the
22 goggles. It included quick stops, confined area landings, engine
23 failures, you know, forced landings, autos with turns, unusual
24 attitude recovery, all that kind of stuff. Single tube failure,
25 dual tube failure, all those sorts of things.

1 Q. So, now that you guys got NVGs would you ever take a flight
2 at night without your goggles?

3 A. No way. Not a chance.

4 Q. Yeah.

5 A. No.

6 Q. How about in snow? Would you use NVGs at night in the snow?

7 A. You could, but if you have a land light or anything on it's
8 going to look like, you know, the world. So, I mean, you could.

9 Q. Yeah.

10 A. Anything with snow, you don't need a whole lot of snow not to
11 be able to see through it. You're not going to go -- you're not
12 going to fly through anything you can't see through. So, even if
13 it's reporting light snow and 4 miles, there's no way you got 4
14 miles. Especially at another half mile down the road.

15 Q. Right. Does flying in the snow -- is that a concern for you
16 guys?

17 A. Not necessarily. It is -- I don't want to say not
18 necessarily, because it is.

19 Q. Right.

20 A. Let me take that back. It is a concern. I'm talking
21 flurries. If there's anything reporting light snow
22 (indiscernible) that can be very, very bad, because you might --
23 you can't see through that. And it comes down as light snow, and
24 it can basically show you quarter mile visibility once you get
25 into that stuff. I mean, there's times it's showing light snow

1 and 5 to 6 miles at Hannibal, and I go outside and I can barely
2 see the hospital. So, we're not -- any time there's a report of
3 light snow, I'm not flying. Especially at night. There's been
4 times I've had to abort because of snow.

5 MR. GERLACH: Got you. Let's see, I don't think I have any
6 more questions at this point. So, thanks for sharing that --
7 those insights --

8 MR. DEMOS: Yeah, no problem.

9 MR. GERLACH: -- with us.

10 MR. DEMOS: No problem.

11 MR. GERLACH: I'll pass it back to Sathya.

12 DR. SILVA: Let's see, Tim.

13 MR. TAYLOR: I don't have any questions. Thank you.

14 DR. SILVA: All right. Luipersbeck.

15 MR. LUIPERSBECK: Oh, thank you. Only my friends call me
16 that.

17 BY MR. LUIPERSBECK:

18 Q. No, I -- well, from your time when you were at Med Trans --
19 Eagle Med --

20 A. Uh-huh.

21 Q. -- it's been a while since (indiscernible) on Med Trans.

22 A. (Indiscernible) at Med Trans now.

23 Q. Yeah. A majority of them. Did he -- compared to the risk
24 analysis program you're going with now, which you've pretty well
25 (indiscernible) how -- was it basically the same at Eagle Med, or

1 was it a different program? I realize it was a requirement --

2 A. Well --

3 Q. -- period when you left.

4 A. Right. Well, the thing is it's weird, because the thing with
5 that parent company as a whole -- that AMGH that owns all them --
6 is to me it's a double-edged sword. So, it's -- you had computer
7 risk analysis. You had a paper risk analysis. You had someone
8 that was telling you whether you could even -- it would go through
9 the ops center, and they had somebody in there that would even --
10 the flight wouldn't even come to you, and so you may not even get
11 to turn that flight down or to accept it. And then when it would
12 come to you -- I mean, it was almost overload.

13 It was almost -- you would be so saturated from doing risk
14 assessments and doing all this -- and then they had this thing
15 called a stop check checklist, and before you took off and before
16 you landed you had to go through this stop check checklist. You'd
17 tell them when you were lifting, hey, it's blah, blah, blah. Stop
18 check complete. And they wanted you to do it on the scene. At
19 the time I was a lead pilot in Joplin, and I was having guys
20 circling scenes pulling out a piece of paper going through this
21 stop check checklist. I'm thinking good Lord, guys -- you know,
22 it's almost too much.

23 But, where you find the happy medium I don't know what the
24 answer is. Because what we have now is minimal, and being a pilot
25 I think that's great, because it allows you to be a pilot and make

1 decisions. But do we need more oversight or more scrutiny -- I
2 don't necessarily think so. I think it's the -- I think if the
3 current risk assessment that we have now was implemented properly,
4 and the company was allowed to go red for what (indiscernible),
5 where our green is red, then I think it would work fine. And
6 maybe that means rewriting it and putting in there, hey, if you're
7 red you need to check in every 30 minutes or whatever -- you know,
8 whatever it is. But I -- but, I guess the short answer is I think
9 what we have now would work properly if it was -- would work
10 better if it was implemented properly, compared to what I had at
11 Eagle Med. Because it was almost too much. There was almost too
12 many things -- too much oversight, and that not only slowed things
13 down but it made things more confusing. If that makes any sense.

14 MR. LUIPERSBECK: Okay. Yeah, that does. All right. No,
15 that's really only my question. Thanks very much.

16 MR. DEMOS: Yes.

17 MR. LUIPERSBECK: Thank you.

18 MR. DEMOS: Yeah, no problem.

19 DR. SILVA: All right, Tom. I just had a few follow-up. But
20 you're almost done here.

21 MR. DEMOS: Sure.

22 BY DR. SILVA:

23 Q. Can you run -- and you talked about this a little bit, but
24 can you run through your process for assessing whether icing is
25 going to be a factor on a flight?

1 A. Sure. Yeah, absolutely. No problem. The main thing is if
2 you're -- well, this is going to be -- well, like I said, any time
3 -- this is what I was always taught and this is what I live by.

4 Q. Uh-huh.

5 A. Just my rule of thumb is if it's 38 degrees Fahrenheit or
6 less, meaning down to -- let's say down to 25 degrees, okay -- 28
7 degrees -- and there's any call for any visible -- if there's any
8 moisture out there, meaning mist, snow in those particular
9 temperatures, real low ceilings, obviously rain -- any type of
10 moisture, you don't go.

11 Q. Uh-huh.

12 A. Because those are cues automatically, I know, from
13 experience, you're going to get into icing, you know. You may
14 not, but you could. And, you know, the same can be said for
15 temperatures below 25.

16 Q. Uh-huh.

17 A. Now, I've taken flights that other people have turned down
18 and it actually -- I know that they turned it down for icing
19 conditions, but at 20 degrees Fahrenheit, you know, you're not
20 going to get into icing conditions unless you get into a
21 temperature inversion or something like that. It's just not going
22 to happen. There was no snow, there was no rain, there was
23 nothing like that obviously at 20 degrees. And that's just --
24 that's what I've always done.

25 Q. Uh-huh.

1 A. And I've been successful.

2 Q. Yeah. I understand. And then, the last thing is kind of to
3 circle back to how we started here, in terms of what you would
4 change if --

5 A. Uh-huh.

6 Q. -- you could. Do you want to --

7 A. I'm sorry, what would I change?

8 Q. Yeah. What would you change about your job or the company --

9 A. Oh, geez.

10 Q. -- if you could?

11 A. Well, I mean, I could keep you guys on the phone for another
12 30 minutes. I -- you know, I doubt anybody wants that. But --

13 Q. That's okay.

14 A. -- to change the company -- I mean, there's -- to me, there's
15 got to be quite a few things to change. The -- I'm sure that you
16 guys have heard this, but they have got to stop -- it's almost
17 like they're reverse helicopter shopping. Our company will go
18 onto weather turndown and look at people have turned down flights,
19 and they'll call that hospital and say, hey, do you still have
20 that patient there or have you already sent them by ground. And
21 they'll say well, that -- you know, the receiving -- the sending
22 facility is like well, that's kind of weird, how did you even know
23 I had a patient here. And they'll say well, I can check with the
24 pilot to see if he can take it.

25 Q. Uh-huh.

1 A. And they do that. And here we're supposed to be helping
2 people, and it's just like my base -- you know, we average 30
3 flights a month. Is that not enough. So, is that -- are we not
4 doing enough. I mean, are we really going to have to go through
5 this, and risk safety and it's just not -- to me, it's just not
6 ethical. So, that needs to change immediately. I think the ops
7 center absolutely has got to have, say, an aviator on duty. And I
8 mean a -- someone who has done this job. Someone who has been an
9 EMS pilot who is either retired or lost to medical. They have got
10 to get somebody in there. They may have a meteorologist who knows
11 everything about everything and can tell you what cloud top
12 heights are and tell you, you know, where a tornado is. It
13 doesn't mean anything. So they've got to have somebody in there
14 that sees the way the weather is going, or watching the little
15 helicopter going across the track on a map and being like, well,
16 it looks like he's starting to get into a little bit of low vis.
17 Maybe I'm going to call him and give him a heads up, hey, it looks
18 like in front of you is going to be down to 4 miles or something
19 like that.

20 Q. Okay.

21 A. That's never happened. It's never happened with this
22 company.

23 Q. Okay.

24 A. And so they need more oversight. And I think they need an
25 aviator at ops center. They've got to -- me and Joe Lawrence have

1 talked quite a bit about getting a mentor pilot program, something
2 -- and he said that he would like to send guys up to me, like once
3 they get through training. You know, send me these guys. It's
4 just the way it goes. They don't have all the time in the world.
5 They need to get these guys through, and make sure they're
6 proficient on what they need to be -- checking the boxes, these
7 guys can fly the aircraft, they can do it.

8 But when you get -- send people out who have 2,500 flight
9 hours doing this and other jobs and they come to EMS, they need to
10 know what's -- what the real world is like, on kind of a day to
11 day basis. So, I don't think it's unreasonable for our company to
12 send new people once they get through training up to fly with some
13 guy, or shadow a guy for 2 or 3 days. I don't think that's
14 unreasonable. And I think that that would really, really help.
15 Help people's career. I think it would stick with them, if these
16 people were subject to doing that.

17 And I just don't see that happening right now. Maybe things
18 will change after this. I don't know. But me and Joe have both
19 tried to implement that, and Jack, the chief pilot. But Gary
20 wouldn't have it. Wouldn't have it.

21 Q. Uh-huh.

22 A. So, you know -- and, I mean, there's -- you know, I don't
23 know. I'm sorry, I'm just frustrated. I'm more mad about this
24 than anything. I mean, I'm sad, I'm angry. I just, I -- when all
25 this happened I had all these emotions, but I've just been more

1 mad than anything because I -- you know, I just kind of feel like
2 this whole thing could have been prevented, really.

3 Q. Uh-huh. I mean, and that's what we're here for --

4 A. Yes.

5 Q. -- too. So, again, we understand.

6 A. Yeah, I think this -- I think if there was changes or there
7 was different things in place, this all could have been avoided.

8 Q. Uh-huh.

9 A. I really truly do. And I know guys have been questioned on
10 weather. Not pushed, but questioned. People have turned things
11 down. And then not 4 or 5 minutes after you turn it down, you'll
12 get a phone call from the chief pilot or from the director of ops
13 asking why. And whether that -- they don't come out and say hey,
14 you can take that, you can get through that, it will be fine. But
15 it's more of a hey, why -- I saw we turned one down out of here.
16 What's going on. But, to a new person or someone who doesn't have
17 experience or someone who is not willing to do that, that may be
18 perceived as pressure and think, man, you know, I've got bills at
19 home, I've got to pay my mortgage and this and that. And if that
20 ever happens again, I guess I'm going to have to take that flight.

21 Q. Uh-huh.

22 A. You know. And then that has happened. And that needed to
23 stop, you know. That -- like, that needed to stop --

24 Q. Right.

25 A. -- like immediately. So --

1 Q. Do you recall why Gary wasn't a fan of the mentor pilot
2 program?

3 A. I don't know. I think it's just -- I'm sure Tim can explain
4 to you too, just getting the training aircrafts is hard enough.
5 They'll be like, hey, Tim, you got blah blah blah helicopter --
6 oh, never mind, that's got to go to Lawton because Lawton has got
7 a turbine change or, you know, whatever it is. It's just a
8 constant nightmare. You know, they don't have -- they've got that
9 one white Dell model that would be -- that's a training aircraft.
10 That's not on the 135 certificate I don't believe. So that would
11 be a good one. I don't know why he's not receptive to it, other
12 than just not wanting to do it. I don't know if it's about money
13 -- I mean, I can't imagine that it's -- in the long run, that it's
14 not going to be beneficial to have guys go out and train with
15 someone who has been doing it for almost 10 years, or see how it,
16 how it works, you know. And how it really -- at the base level,
17 how this job --

18 Q. Right.

19 A. -- works. I just don't understand. I don't know.

20 Q. Uh-huh.

21 A. You explain it to me, because I can't. You know, I don't get
22 it.

23 Q. Uh-huh. No, we understand. When you said that they were
24 shopping for flights, can you expand on that and --

25 A. Yeah. So, basically you got -- I'm sure that you understand

1 or that you know that healthnet website weather turndown. I've
2 actually got an account on there, because I find it useful. So,
3 years ago when I was with Eagle Med I created an account for our
4 base, which I -- at Joplin, where I was based. And I still use it
5 with Survival Flight.

6 So, I'll just kind of every once in a while monitor it, and
7 I'll also get an email if someone -- I have it for the state of
8 Missouri. So, if anyone in the state of Missouri turns down a
9 flight, I get a notification, hey, there was a flight from
10 Columbia -- or, from Sedalia to Columbia that Air Methods has
11 turned down. So, Air Methods will go on and they'll -- they'll go
12 in there and they'll turn it down. And it will show a weather
13 turndown for that particular flight that I just mentioned. Well,
14 our company will -- I guess they have an account somehow. They
15 created an account with weather turndown. They will watch that
16 and if there's anything within my coverage area or anything way
17 out of my coverage area I'll get a call on it. I've gotten them
18 to Pittsfield, Illinois, which is about 30 miles east of my
19 location. And they said hey -- and they specifically told me,
20 hey, we were looking at weather turndown and there's one that was
21 turned down out of Pittsfield, Illinois, we were going to call
22 that hospital and see if you wanted to take it. And that's --

23 Q. I see.

24 A. -- just -- another one of the things. It's just complete --
25 that's why when I started I said we take all the ones we can, and

1 it's a hell of a lot more than the ones we don't. So, why are we
2 doing this. Why are we going as a company -- and I have no clue
3 who implemented that. If it was Chris Millard himself or it was
4 the boss's daughter, Rachel, who implemented this. But it's not
5 right. I just really don't like that. And I'll be honest with
6 you, there's been times I've done it. You know, I felt
7 comfortable the -- we were -- I was well within my legal rights,
8 my comfort level to get the flight. I went over to Pittsfield and
9 picked the flight up -- picked the patient up and took them
10 Quincy, Illinois --

11 Q. Uh-huh.

12 A. -- where an Air Evac base was getting it. You know. And
13 they've got an air -- they've got a contract with that hospital,
14 and the people at Air Evac, you know, are just looking out at us
15 like we're doing something unsafe and I'm well within my legal
16 right to do it, I would say, so I completed the flight. That's
17 fine. But they know -- they're like man, what the heck. So, the
18 other people I think know that our company is doing that, and it's
19 just not right.

20 I've got a flight request from them -- at my particular base,
21 if I get a flight request anywhere from a heading of like 280 to
22 030 I already know immediately there's probably three or four
23 other helicopters have turned that down. There's no doubt in my
24 mind. And I've gotten a call up to Memphis, Missouri. And I'm
25 like wait a minute, guys, is this a weather turndown flight. And

1 they're like yeah. I'm like I'm not taking it. I'm not doing it.
2 I -- I don't go that way. I don't know what -- why they're
3 calling me. But this is just not right.

4 Q. Uh-huh.

5 A. So, yeah. So, I think that's got to stop. So, to me, it's
6 kind of -- what would you call it, reverse helicopter shopping.

7 Q. Uh-huh.

8 A. That's just -- you know, it's -- that's the only thing I can
9 call it. I mean, you know, hospitals aren't technically supposed
10 to do that either. I don't know if that law is really enforced or
11 not.

12 Q. Right.

13 A. But I just -- I can't believe that our company is doing that.

14 Q. I see.

15 A. And it's true. I mean, it's a fact. They are doing that.

16 Q. Uh-huh. So, what's going on between 280 and 030?

17 A. Well, there's a helicopter directly to the north of me.

18 Q. Okay.

19 A. There's a helicopter -- well, that helicopter is probably 12
20 miles to the north of me. There's a helicopter probably 30 miles,
21 40 miles west of me. There's a helicopter that sits at a heading
22 of about 290. It's about 35 miles from me. There's a helicopter
23 35 miles to the northeast. There's one directly north above
24 Quincy. Med Trans has a base there in Iowa. There's one -- I
25 mean, there's just five or six helicopters in that general

1 direction. And we're the absolute last call. So, if that call
2 comes to us I automatically know something -- it just piques my
3 interest. I automatically know this is a -- this isn't right, you
4 know. I mean, what's going on here?

5 Q. Uh-huh. And when you know that this is a -- that you're
6 getting a call about a flight that's already been turned down, how
7 does that affect your decision making, knowing that information?

8 A. Well, it automatically -- if I was told -- okay, if I was --
9 if someone were to call and say hey, we got a flight request, this
10 weather has been turned down by two other operators --

11 Q. Uh-huh.

12 A. -- it would -- it's not going to change the way I look at the
13 weather or the way I make my decision. But it is going to pique
14 my interest, to say man, I wonder if there's something there that
15 they see that I don't. Let me take a harder look. Let me see
16 where that flight path is. Is it a place I've gone before. Is it
17 a place I've never been before. If I go there, would I need to
18 follow this highway. Is it nighttime, is it day. Has there been
19 snow come through here. You're probably just going to take a
20 little bit better look at it, and not only that but in flight
21 you're going to be much more cautious. Much more guarded.

22 DR. SILVA: I see. Great. I think that's it for the
23 questions that I had. We'll go around the room one more time, and
24 then we'll --

25 MR. DEMOS: Okay.

1 DR. SILVA: -- let you off the hook here. Shaun?

2 MR. DEMOS: Okay.

3 DR. SILVA: Shaun?

4 MR. WILLIAMS: No, don't hang up.

5 MR. LUIPERSBECK: Tom has no further questions. That's --
6 he's gone.

7 MR. WILLIAMS: Shaun has no more. Sorry.

8 DR. SILVA: Okay. John?

9 MR. BRANNEN: Nothing for me.

10 DR. SILVA: Let's see, Dave.

11 MR. GERLACH: He has no more questions either. Thank you.

12 DR. SILVA: All right. Tim?

13 MR. TAYLOR: I don't have any questions. Thanks. Thanks,
14 Tom.

15 MR. DEMOS: Yeah. No problem, sir.

16 DR. SILVA: And Luipersbeck?

17 MR. LUIPERSBECK: I have no further questions.

18 DR. SILVA: All right. Well, Tom, this has been --

19 MR. LUIPERSBECK: Thank you, Tom.

20 DR. SILVA: Yeah. This has been very insightful, and we
21 really do appreciate your candor. Is there anything else --

22 MR. DEMOS: Okay.

23 DR. SILVA: -- that you want to add that we maybe didn't ask
24 you or you think that --

25 MR. DEMOS: No.

1 DR. SILVA: -- may help you with the --

2 MR. DEMOS: No, I think I pretty much put it out there. I --
3 you know, I just want every -- you know, I'm -- my goal -- I think
4 you guys can tell I'm passionate about this. I want everybody to
5 be safe.

6 DR. SILVA: Uh-huh.

7 MR. DEMOS: I want there to be changes made. And I just
8 really hope that what had happened, this terrible tragedy, was not
9 in vain. And in order to make things safer, we've got to make
10 some changes. So, I hope that you folks -- I hope having Tim
11 there, you know, will -- that there will be changes made. And
12 that's the only thing I can hope for. I'm just going to continue
13 what I do, and keep everyone at my base as safe as possible.

14 DR. SILVA: Uh-huh.

15 MR. DEMOS: But the company as a whole has got to make some
16 changes. And, you know, if they don't then we may be talking
17 again in another year, you know.

18 DR. SILVA: Right. And that's the last thing that we all
19 want. So --

20 MR. DEMOS: Right.

21 DR. SILVA: Yeah. We will do our best to prevent that from
22 happening. But again, your interview has been very valuable. So,
23 we do really appreciate it.

24 MR. DEMOS: Good deal.

25 DR. SILVA: All right. Well, thank you for your time. If

1 you do think of anything else --

2 MR. DEMOS: Sure.

3 DR. SILVA: -- you want to add, feel free to reach out. You
4 have my number. And --

5 MR. DEMOS: Okay.

6 DR. SILVA: -- don't -- yeah, don't hesitate.

7 MR. DEMOS: All right. Sounds good. Thanks all -- thanks to
8 all you guys for calling in and doing this, and sorry it's under
9 these circumstances but if you guys need anything else from me
10 please contact me as well.

11 DR. SILVA: Okay.

12 MR. DEMOS: I think the main caller has got my number. If
13 you guys need anything reach out.

14 DR. SILVA: We appreciate that. Great.

15 MR. DEMOS: All right. I guess that's it. So, I go ahead
16 and hang up now or --

17 DR. SILVA: Yeah. You can hang up. I think we're all going
18 to get off the line here.

19 MR. DEMOS: Thank you.

20 DR. SILVA: So, thanks, Tom.

21 MR. DEMOS: Okay. All right. Thank you. Take care,
22 everyone. Bye bye. Bye bye.

23 DR. SILVA: Bye. Off the record at 5:32.

24 (Whereupon, at 5:32 p.m., the interview was concluded.)

25

CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD



IN THE MATTER OF: SURVIVAL FLIGHT HELICOPTER CRASH
 NEAR ZALESKI, OHIO
 JANUARY 29, 2019
 Interview of Thomas Demos

ACCIDENT NO.: CEN19FA072

PLACE: Via Telephone

DATE:

was held according to the record, and that this is the original,
complete, true and accurate transcript which has been transcribed
to the best of my skill and ability.

Jane W. Gilliam
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

* * * * *

Investigation of: *

SURVIVAL FLIGHT HELICOPTER CRASH *
NEAR ZALESKI, OHIO *
JANUARY 29, 2019 *

Accident No.: CEN19FA072

* * * * *

Interview of: JEFF STACKPOLE

Via Telephone

APPEARANCES:

SATHYA SILVA, Ph.D., Human Performance Investigator
National Transportation Safety Board

JOHN BRANNEN, Regional Investigator
National Transportation Safety Board

PAUL SUFFERN, Senior Meteorologist
National Transportation Safety Board

DAVID GERLACH, Aircraft Accident Investigator
Federal Aviation Administration

TOM LUIPERSBECK, Team Lead
Helicopter Air Ambulance Focus Team
Federal Aviation Administration

TIM TAYLOR, Instructor Pilot
Survival Flight

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I N T E R V I E W

(8:00 p.m.)

1
2
3 DR. SILVA: On the record at 8:00 p.m. Eastern.

4 All right, so you have heard a number of people on the phone
5 and essentially what you're hearing is essentially our party
6 process at the NTSB.

7 So while we are experts in investigations, we bring in other
8 representatives to help us get all of the other information that
9 we may need for an investigation, so that's why you hear Tim on
10 the phone and folks from the FAA. And I'll have everyone go
11 around the room and explain their role, if that sounds good?

12 MR. STACKPOLE: Sure. Great.

13 DR. SILVA: Okay. So we'll start with John.

14 MR. BRANNEN: Hello, I'm John Brannen. I am a regional
15 investigator for the NTSB. On this accident I'm working
16 operations.

17 DR. SILVA: All right, Paul.

18 MR. SUFFERN: All right. I'm Paul Suffern. I'm a
19 meteorologist investigator with the NTSB.

20 MR. STACKPOLE: I'm sorry, Paul, I didn't catch your last
21 name?

22 MR. SUFFERN: Suffern. Like the word suffer and then put an
23 N on it.

24 MR. STACKPOLE: Got it.

25 DR. SILVA: Dave.

1 MR. GERLACH: Yeah, Jeff, this is David Gerlach. I work for
2 the FAA Office of Accident Investigation and Prevention, and I am
3 an accident investigator. And I am on the investigations side and
4 not the compliance enforcement side, so we don't have anything to
5 do with the people that, you know, are interested in figuring out
6 what regulations you violated and all that kind of stuff. We're
7 all about just figuring out what happened and how we prevent it
8 from happening again, but not the compliance and enforcement side
9 of the house. So everything that's said in this telecom doesn't
10 go toward any part of any kind of a compliance enforcement side of
11 the house. All that has to be done completely separate than what
12 we're doing here.

13 MR. STACKPOLE: Okay. And just to be clear, to address what
14 you just said, you are -- this call is in reference to the
15 accident that occurred in Columbus, Ohio with Survival Flight 14,
16 correct?

17 MR. GERLACH: That's correct.

18 MR. STACKPOLE: Okay. Just making sure when you said you're
19 not interested in any violations that may have occurred, I also
20 want to (indiscernible) so --

21 MR. GERLACH: No, not -- absolutely. Nope, we're not
22 interested in something that occurred with you or any other pilot.
23 This is all about the investigation and your insights into the
24 investigation. Any help you can give us about the operation of
25 the company, how you guys do business, that kind of thing.

1 But whatever is said in here cannot be used in any kind of
2 way in the compliance and enforcement side of the Federal Aviation
3 Administration.

4 MR. STACKPOLE: It's good information; I appreciate you
5 sharing that with me.

6 MR. GERLACH: Absolutely.

7 DR. SILVA: Thank you, Dave.

8 Tom.

9 MR. LUIPERSBECK: Hey, my name is Tom Luipersbeck. I am with
10 the FAA as well. I'm with AFS215, that's Part 135 Operations and
11 On-demand Policy Branch, so we're not there during the course of
12 (indiscernible).

13 Yeah, I'm also a helicopter air ambulance focus team lead for
14 the FAA, and if my memory serves you -- me correctly, I think I
15 actually met you at the (indiscernible) base about 10 years ago
16 probably or so.

17 MR. STACKPOLE: Or more. It might have been at the Festus
18 base for Survival Flight.

19 MR. LUIPERSBECK: No, this was about 2009.

20 MR. STACKPOLE: Oh, okay. All right, you're absolutely
21 right.

22 MR. LUIPERSBECK: Because you were flying a BK back then, if
23 I recall correctly?

24 MR. STACKPOLE: Your memory is better than mine.

25 MR. LUIPERSBECK: Okay.

1 MR. STACKPOLE: That's -- I'm impressed.

2 MR. LUIPERSBECK: Yeah, well, I mean, come on, Luipersbeck
3 and Stackpole are not real common names.

4 MR. STACKPOLE: No, I remember the name, but I was just
5 trying to remember the occurrence, and you nailed it. I remember
6 it now.

7 MR. LUIPERSBECK: Okay. Yeah, there was a bunch of you
8 there. Anyway.

9 MR. STACKPOLE: Yep, it's been a while ago.

10 MR. LUIPERSBECK: Good to talk to you again. Oh, yeah, 10
11 years.

12 MR. STACKPOLE: Same here, yep.

13 DR. SILVA: All right. Thanks, Tom.

14 Tim.

15 MR. TAYLOR: Hey, Jeff, Tim Taylor with Survival Flight. I'm
16 here to represent the company. Just so you know, anything you say
17 will be confidential, won't get back to management. I signed a
18 disclaimer, so I can't share anything with them so whatever you
19 say is fine. And if you're not comfortable with me on there, you
20 can feel free to reach out to these people after we get done,
21 okay?

22 MR. STACKPOLE: Yeah, I'm sorry, Tim, I didn't catch your
23 last name?

24 MR. TAYLOR: Taylor.

25 MR. STACKPOLE: Oh, hi, Tim. Sorry about that --

1 MR. TAYLOR: Hey, hey, Jeff.

2 MR. STACKPOLE: These damn conference calls on this speaker
3 phone, I don't know if anybody else has had a problem but it's --
4 I don't know, I have a hard time. But I know who you are now,
5 buddy. It's good to hear from you.

6 MR. TAYLOR: Hey, buddy.

7 DR. SILVA: Great. Well, thank you. That's everyone that's
8 on the call right now. If we do get one more, that's going to be
9 Shaun Williams. He's our investigator in charge. And so if he
10 does buzz on, I'll stop the interview and have him introduce
11 himself to you.

12 MR. STACKPOLE: Got it.

13 DR. SILVA: So, good. So you got a feel for who's on the
14 call?

15 MR. STACKPOLE: Yeah.

16 DR. SILVA: We, as the NTSB, are here for safety. We're not
17 here to assign fault, blame or liability. As a government agency
18 we can't offer any kind of confidentiality or immunity. What will
19 happen -- (dog barking) -- excuse me one moment.

20 MR. STACKPOLE: Don't mind.

21 DR. SILVA: Got to take good care of this guy here. Sorry
22 about that.

23 MR. STACKPOLE: No problem.

24 DR. SILVA: Okay. So what will happen is this. All your
25 recording will get sent for transcription and a copy of that

1 transcript will become part of our public docket whenever we
2 release the information on the investigation, usually that's
3 between 6 months and a year, depending on how it goes.

4 MR. STACKPOLE: Okay.

5 DR. SILVA: Let's see. You are entitled to have a
6 representative with you. Would you like to have someone sit with
7 you today?

8 MR. STACKPOLE: No, I'm good all by myself. I'm good by
9 myself.

10 DR. SILVA: Okay. If you change your mind, just let us know.
11 It's not -- shouldn't be a big deal. As we go through the
12 interview, remember you're the expert. We want to get as much
13 information as we can from you, from your perspective, so there's
14 no wrong answers. If you don't -- and if you don't understand a
15 question, feel free to ask for clarification. And if you need a
16 break just let us know. It should be pretty low key.

17 MR. STACKPOLE: Sure.

18 DR. SILVA: Great.

19 MR. STACKPOLE: Okay.

20 DR. SILVA: So what -- so in terms of what you can expect,
21 I'll start off with a handful of questions and then we'll go
22 around our virtual table here, make sure everyone has a chance to
23 ask their questions. That's usually two rounds just to make sure.

24 And then at the end, I'll turn the floor over to you and see
25 if you have anything else you want to add or any other information

1 you might think is relevant for the investigation.

2 MR. STACKPOLE: Okay.

3 DR. SILVA: So that's what this is going to look like. All
4 right.

5 INTERVIEW OF JEFF STACKPOLE

6 BY DR. SILVA:

7 Q. Start with the easy stuff. Can you spell your full name for
8 us, please?

9 A. Jeff, J-E-F-F; last name is Stackpole, S-T-A-C-K-P-O-L-E.

10 Q. Wonderful. And what is your current title?

11 A. I'm the lead pilot for Survival Flight 5 which is located in
12 Jerseyville, Illinois.

13 Q. Okay. And can you run through a brief summary of your
14 aviation experience and what led you to where you are now?

15 A. Sure. I learned to fly in 1988, '89 in airplanes. Started
16 flying helicopters in 1990. Got my commercial rating shortly
17 thereafter and started flying various -- miscellaneous jobs,
18 photographers' rides. Got my certified flight instructor rating
19 and my instrument instructor rating. Did a little bit of flight
20 instruction, flew as a local traffic reporter pilot here in St.
21 Louis and got a bunch of hours in a Bell 206. And just got
22 experience, and went down to the Gulf of Mexico and worked for
23 PHI. Did that for a couple of years and then went to work for
24 Arch Air Medical, which is a wholly owned subsidiary of Air
25 Methods Corporation. Worked for them for 10 years, left and went

1 to work for Survival Flight back in November of 2010.

2 Q. Okay. So you started in November of 2010, so you've been
3 here a while, huh?

4 A. Yeah. I mean, the current certificates as they exist now, I
5 guess it's got a date of 2014 on it, if I'm not mistaken. But the
6 previous entity or the entity that existed prior to this one,
7 started out in Festus in 2010 and I've been with them since day
8 one, yes.

9 Q. I understand. Approximately how many hours do you have?

10 A. 6,500 roughly.

11 Q. Okay. And can you run through what your roles or
12 responsibilities are as lead pilot?

13 A. Let me -- in addition to, you know, the duties of a line
14 pilot, essentially it's scheduling, payroll, you know, just
15 various other miscellaneous things, nothing of significance.
16 I mean, we have other administrative duties but nothing of
17 significance.

18 Q. How do you like working for Survival Flight?

19 A. It's been a good experience.

20 Q. Have you had any challenges with the company since you've
21 started?

22 A. Challenges with the company. I mean, it's -- you know, it's
23 a new company or it was when I joined 8 years coming up on 9 years
24 old. But so other than typical growing pains I would classify,
25 you know, what every company experiences as they expand the way

1 ours has.

2 No, I mean, you know, it's been a very enjoyable experience
3 having worked for only two other 135 operators, this one's been as
4 good as either of the other two.

5 Q. So when you say growing pains, can you give me some examples
6 of what you're referring to?

7 A. A limited number of aircraft; in other words, we don't have -
8 - necessarily didn't have -- early on didn't have dedicated
9 training aircraft. Perhaps limited parts, spare parts
10 availabilities early on, you know, those are growing pains.

11 Personnel, you know, adding personnel on pretty much a
12 constant basis as the company grew. Based on working it out -- we
13 established that back in 2015 and we still have an open position
14 for that, for that base. So a shortage of personnel occasionally
15 but that's not any different here than anywhere else really.

16 Q. I understand. Can you describe Survival Flight's Safety
17 Program from your perspective?

18 A. Survival Flight's Safety Program from my perspective.

19 Q. Or what is --

20 A. Can you be more specific?

21 Q. Yeah, what does safety look like in terms of interface with
22 the company, bringing up safety concerns, things like that?

23 A. So, yeah, if there's -- I mean, if there's anything, any
24 concern I have a direct line to the chief pilot, certainly the
25 director of operations as well. And, for that matter, you know,

1 the president of the company, the owner, Chris Millard.

2 You know, we actually have Gary Mercer, who's our DO and Jack
3 Windes, who's the chief pilot, their numbers are on -- stored in
4 the pilot phone. I could call either of those guys at any point
5 in time if I had any issue, I mean, it doesn't have to be a safety
6 concern, anything I want to discuss related to the job or
7 otherwise for that matter, I can call them any time of the day or
8 night.

9 They have an operational control center, they have an
10 operational control manager, they have safety representatives, you
11 know, and certainly to address your question, if there's ever a
12 safety concern, you know, I have no hesitation of bringing that to
13 any one of the people I was just mentioning or anyone else for
14 that matter and asking for help and then -- I'm trying to think of
15 an example of when it's ever occurred.

16 I've never, you know, really had anything where we had any
17 issues that I've felt I needed to bring to management's attention
18 or anybody else's attention, to give you an example of what, you
19 know, maybe would need to be addressed. I mean, just hasn't
20 really been any concerns, I guess.

21 Q. Okay. So you haven't --

22 A. I'm thinking over the 8 years (indiscernible) though.

23 Q. Okay. You haven't had the need to report anything safety
24 related to the company?

25 A. I'm, I can't think of a thing.

1 Q. Okay.

2 A. I mean, you're not talking about like a mechanical
3 malfunction of an aircraft or a chip flight or something in that
4 regard, you're talking about an operational type of concern, in
5 other words, something I think is a method or a process or policy
6 or something like that, right?

7 Q. Well, they're -- that's one aspect but maintenance is
8 another, is another. Have you ever had any concerns with the
9 aircraft or aircraft maintenance?

10 A. No, not concerns. I mean, we've certainly obviously had chip
11 flights occur, we've had hydraulic line ruptures, we've had -- you
12 know, we've had the same mechanical issues that anybody operating,
13 you know, turbine aircraft have experienced. So, no, nothing out
14 of the usual in that regard but certainly those issues have
15 occurred.

16 Q. How does the company handle maintenance that may come up
17 unexpectedly?

18 A. They send a part as needed and we have a mechanic assigned to
19 our base full-time.

20 Q. Okay. Have you ever been in a situation where you think that
21 something should have been addressed sooner than the company had
22 kind of set out for?

23 A. Nothing of any significance.

24 Q. Okay. I understand, all right. What's your favorite thing
25 about working here?

1 A. Yeah, that's a tough one. The base is 10 minutes from my
2 house.

3 Q. Okay.

4 A. There's that. It's kind of hard to beat that situation. I
5 would say that and along with the open lines of communication that
6 we have with the managers. I mean, you know, I'm only using the
7 term managers because I'm on a conference call with all of you, I
8 would consider them friends and coworkers before I would really
9 consider them managers but that's who they are so --

10 DR. SILVA: Okay. Great. I'm going to pass the buck over
11 around the table and, let's see, we'll start with John.

12 BY MR. BRANNEN:

13 Q. Okay. So in regard to safety and risk management, can you
14 explain the risk management procedures that are in place for
15 pilots?

16 A. Well, I mean, you have to receive a flight release from the
17 Operational Control Center and in order to do that we have to have
18 gone through a risk management process to determine what our
19 weather status is, what our aircraft status is, what our crew
20 status is, any other risks that we have a line out of in there for
21 operational status, if there's anything unusual about the
22 operation that we're conducting which, you know, considering that
23 we're doing medical trips and landing at scenes, I mean, pretty
24 much to me every flight is, you know, a little bit different and
25 that category is always going to be, you know, a little, a little

1 elevated, I suppose.

2 But, anyway, we complete that risk assessment and come up
3 with, you know, a determination and communicate that to our Com
4 Center and they make an assessment and review the data that we've
5 gone over and issue us a flight release for the day.

6 Q. Okay. And is that risk assessment performed before flight of
7 the day or just once at the beginning of the shift?

8 A. Essentially once at the beginning of the shift.

9 Q. Okay. And, you know, when the decision is made to accept or
10 decline a flight, who has the ultimate decision on that?

11 A. Pilot.

12 Q. Pilot?

13 A. Yes.

14 Q. And does the medical crew have any say in whether a flight is
15 taken or not?

16 A. The short answer's, no. The longer answer is, as I'm sure
17 you've heard and I'm sure you're familiar with, the free to go
18 when to say, no, policy, essentially in place to help with the
19 crews -- you know, maintain a level of comfort while they're doing
20 their job, which is treating a patient.

21 And so we, the industry, the company, the FAA, our GOM
22 provides, our policy provides for the medical crew to communicate
23 to the pilot that they're not comfortable with whatever, whatever
24 it is they're not comfortable with and at which point the pilot
25 would take that into consideration and make a determination as to

1 what the appropriate action is.

2 And they can also refuse to take -- to, you know, initiate a
3 flight, they cannot accept the flight. Our phone, our phone
4 rings. I say our phone -- the pilot on duty carries the phone and
5 that phone is how our Communications Center communicates to the
6 pilot on duty a flight request, and the flight request is
7 processed by the pilot alone, who makes his, you know, weather
8 determination and risk assessment and then makes a decision on
9 whether or not to accept or decline the flight.

10 Q. Okay. Well, this question then refers to OCC personnel on
11 the --

12 A. I'm sorry, you're, you're breaking up a little bit. I'm
13 sorry.

14 Q. I'm sorry. This question refers to OCC personnel, OCS, are
15 they (indiscernible)?

16 MR. STACKPOLE: Is that my phone or do you not hear the same
17 thing I'm hearing?

18 DR. SILVA: John. No, John, I think your phone's cutting in
19 and out.

20 MR. BRANNEN: (Indiscernible.)

21 MR. STACKPOLE: Yeah. That didn't work (indiscernible).

22 DR. SILVA: Yeah, that's not any better.

23 MR. STACKPOLE: Can you walk a little far from your phone.

24 MR. BRANNEN: Is that any better?

25 DR. SILVA: Yes, that's perfect.

1 MR. STACKPOLE: Yes, much.

2 MR. BRANNEN: Okay. I just, I just moved it about 6 inches
3 so --

4 DR. SILVA: Go ahead.

5 MR. BRANNEN: I live out in the country where weird things
6 like that happen so --

7 MR. STACKPOLE: Yeah, no, and I do too and that's why I
8 thought maybe it was mine so I'm glad it was you this time.

9 MR. BRANNEN: Yeah.

10 MR. STACKPOLE: Okay.

11 BY MR. BRANNEN:

12 Q. Okay. I'll repeat that. But basically the same question in
13 regards to OCC personnel, are they -- and particularly in regards
14 to declining a flight, are they authorized to decline a flight or
15 is it, or is it totally the pilot's discretion?

16 A. I mean, I want to say I don't know the hard answer to your
17 question. My, so in other words, if somebody called our
18 Communications Center requested a flight of the base -- of our
19 base, if our OCC was to decline that flight without talking to me,
20 I would never know about it.

21 I don't believe that -- the way the company operates, I don't
22 believe -- I'm quite confident it's not what the GOM calls for and
23 I don't think they do that. But, I mean, I couldn't tell you if
24 that ever occurs because, if it did I wouldn't know.

25 Q. Okay. All right, fair enough.

1 A. Unless I misunderstood your question.

2 Q. No, no. Well, I mean, let's say your risk assessment, you
3 know, shows, you know, whatever. I mean, it shows that, you know,
4 the weather's at least decent for a flight to maybe Amber or
5 something, but OCS gets the call, they look at the weather on
6 their screen, they say, oh, you know what, the weather's crap
7 we're -- you know, we're not even going to call the pilot we're
8 going to do climate. Does anything like that ever go on or is it
9 --

10 A. Again, I can't, I can't say because I don't work in
11 Batesville or when the comm center used to be in Mesa I never --
12 you know, never worked in those locations but what I can tell you
13 is I'm confident that that does not happen.

14 Q. Okay.

15 A. In other words, and that's for any company I've worked at.
16 Well, Air Methods is the only other medical, you know, helicopter
17 operator, but they would never do that, and the reason why is, you
18 know, their information could be wrong and they'd certainly want
19 to talk to -- I'm certain they'd want to talk to whoever it was
20 that was actually, you know, at the location where the flight was
21 being requested as opposed to going off of, you know, some data
22 that may be incorrect.

23 Q. Okay. Okay, fair enough. And as far as, I don't know,
24 problems with, you know, safety concerns, things like that, is
25 there, an avenue that the company has for employees, either

1 medical crew or flight crew to report issues that they're
2 concerned about in maybe an anonymous fashion?

3 A. Oh, I assume that there is but, you know, I've never had that
4 come up. Yeah, I'm not sure, I'm not sure. I would guess and say
5 probably. I mean, if I go in our toolkit we've got a couple of
6 different websites that the company uses for storing forms and
7 Toolkit's one of them and there may be a form on there that you
8 could fill out anonymously. Honestly, I don't know, I'm going to
9 plead ignorance.

10 Q. Okay, fair enough. Yeah, and I don't know, I can't remember
11 if it was said at the beginning, that's a perfectly legitimate
12 answer. You know, I don't know is perfectly legitimate so it's
13 fine.

14 A. Okay.

15 Q. Have you -- so you're in Jerseyville, Illinois, is that
16 where?

17 A. Yes, correct.

18 Q. Okay. So --

19 A. I'm 35 miles north of St. Louis.

20 Q. And how long have you been at that base?

21 A. Since it opened September of 2015.

22 Q. 2015, okay. So I guess in that time you probably had an
23 occasion to decline flights based on icing conditions?

24 A. For all sorts of conditions, yeah. We were in the hangar
25 today and I declined too.

1 Q. Okay, okay. So what do you look for in terms of determining
2 if there's icing conditions?

3 A. You know, not to sound too basic but temperatures below
4 freezing and visible moisture.

5 MR. BRANNEN: Okay. And I'm sure Paul's going to ask you the
6 questions about the tools you use so I'll let him delve into that.
7 I think for right now that's all I've got.

8 MR. STACKPOLE: Okay.

9 DR. SILVA: All right. It's a good transition. Paul, do you
10 want to take over?

11 MR. SUFFERN: Yeah, sure. Thanks.

12 BY MR. SUFFERN:

13 Q. Thank you for your time tonight, Jeff, appreciate that.

14 A. Okay.

15 Q. We'll delve a little bit into some weather conditions here.
16 How do you stay updated on weather conditions during your shift
17 there?

18 A. I actually use SkyVector a lot -- you know, I know that for
19 our GOM off specs were, you know, really good to use the National
20 Weather Service information and I do use that as a backup. In
21 fact, per the, you know, regulation I use that for my go decision,
22 you know, I can use the other information for my no go decision
23 but I can, you know, only use legally the other information to
24 make a decision to accept the flight.

25 But, I mean, I've found the SkyVector product to be a little

1 -- just easier for me to interpret, easier, you know, site to
2 work, a little more robust, so I prefer that. A lot of the guys
3 use the HEMS Tool. I usually have that open on the desk as well
4 but I don't, I don't -- I just don't prefer that.

5 Q. So you'd say, you know, as far as the most helpful tool that
6 you have in both equipment and software the SkyVector is your
7 favorite?

8 A. SkyVector is, yeah, it's got everything on one screen and I
9 guess the other sites have a lot of that too. But, yeah, it's
10 just, just the way it's presented I like that a lot, yeah.

11 Q. Okay, great. As far as, I know, John asked just a little bit
12 ago as far as flight requests turning down due to icing
13 conditions. Can you give me an example of where that happened?

14 A. Where icing happens?

15 Q. No, an example of where you had to -- you were
16 (indiscernible) and you got a flight request and you were checking
17 out things and it looked like icing conditions were going to occur
18 so you turned it down?

19 A. Well, I mean, you know, I don't know if I've had a request
20 where that specifically has occurred. So, for example, like today
21 and we had the two requests we had today, I mean, I don't know,
22 I'm sure you've seen the weather in St. Louis today, we've got 300
23 foot ceilings and a mile and a half disability, I think, last I
24 looked and it's been like that all day long.

25 So, you know, it negates me having to go any further and look

1 into how close are we to the, you know, the freezing point, you
2 know, and where's the freezing level and on and on. But, and that
3 seems to be the case most of the time in the winter for us.

4 I mean, you know, obviously I'm, you know, keenly alert for,
5 you know, freezing rain or mist that's occurring when the
6 temperatures are at 32 degrees or cooler. But I don't know that
7 we've had -- in the last -- certainly in the last 2 years, I mean,
8 here at Jerseyville and then even before that at down at one, you
9 know, it seems like normally if we've got those conditions the
10 aircraft's in the hangar, you know, because you don't want it to
11 get iced up on the ramp and so it's not, it's not an issue, if
12 that makes sense, if that answers your question?

13 Q. Yeah, no, that definitely makes sense. And as far as, have
14 you ever been on a flight where you were going through some snow
15 at all?

16 A. Yes, sure have.

17 Q. Can you describe that situation?

18 A. Well, I don't know, the last one was probably -- well, we had
19 early snow this year, I mean; we had snow in November as I recall.
20 My memory, you know, my memory's foggy but I'm going to guess and
21 say maybe it was back in late November or whenever we had our
22 first couple snowfalls coming back from -- a medical flight
23 encountered some snow on the way back to the base.

24 Q. It sounds like you got snow early like we did here on the
25 east coast this year.

1 A. Yeah, it's been an unusual year. I mean, you know, we have -
2 - we don't get a lot of accumulating snow here. We certainly
3 don't get a lot of snow before Christmas so November was an odd
4 situation.

5 Yeah, we don't get a lot of accumulating snow here so it's
6 not a big, not a big factor for us. But, yeah, I mean, it wasn't,
7 wasn't a big, wasn't a big issue. It wasn't, I guess, heavy
8 enough it didn't restrict our visibility much at all and, you
9 know, it was kind of a nonissue, wasn't sticking to the aircraft.

10 Q. Okay. And to delve into the company established weather
11 minimum, what weather observations or reports carry the most
12 weight for you when you're making your go, no go decision?

13 A. Do you mean what specific METAR station or ASOS stations
14 or --

15 Q. Yeah, whether it's ASOS, whether it's METAR, whether it's
16 TAF, you know, weather radar, that kind of stuff, what do you
17 weigh the most when you're doing this -- making your decision?

18 A. Well, I mean, I guess it depends, you know, if it's -- I
19 would say equally, I mean, you know. Well, I don't put a lot of
20 weight in the TAFs. I mean, first of all, you know, our location
21 we do fairly short legged flights so realistically I don't need to
22 know the weather much beyond about an hour and a half, 2 hours,
23 you know, after, after we would -- you know, we would be launching
24 on any flight.

25 So and which is not to say I don't study the TAFs and don't

1 pay attention to them, but if you're asking me to weigh, you know,
2 METARs, TAFs, radar and so on, I would say the TAFs would be, you
3 know, at the low end of the scale weight wise and then certainly
4 METAR, you know, would be top of the scale, I guess.

5 But if I'm trying to, you know, get around, you know, some
6 rain or if there's, you know, if there's precipitation in the area
7 and I believe I can get around it well then radar become a
8 priority.

9 Q. Okay. Yeah, and that definitely makes sense, I guess. As
10 far as where you're flying through there at (indiscernible) number
11 5 are there any gaps in your flight area where you wish you had
12 more of a better weather observation?

13 A. You know, I think we'd all agree we'd always love to have
14 more. More is better. And even some of the ones that are there
15 unfortunately are really not great. You know, we've got a couple
16 stations in our operating area that sort of habitually report
17 inaccurately, you know, and so you just have to come get used to
18 seeing that. But, yeah, we'd love to see some more, some more
19 METAR reporting sites, you bet.

20 Q. So what specific stations are you talking about or have an
21 issue with stuff like that?

22 A. Pittsfield right now. I've noticed Pittsfield was bad. And,
23 well, we call -- I had the day pilot. I was working nights at the
24 time, the day pilot called the FBO and they indicated that --
25 well, the guy apparently told him that, yeah, those spiders that

1 were just real -- I don't know if you guys experienced those but
2 we had, we had a really -- a dense population of spiders that were
3 creating a bunch of webs.

4 They'd do that all over the aircraft, pretty much anything
5 that was outside. Apparently that -- you know, the same thing was
6 happening in Pittsfield and the FBO operator was aware of it but I
7 guess didn't, you know, go out and clean off the equipment.

8 So when it was -- when that station was reporting, you know,
9 clearly erroneous weather everywhere else it was 10 and clear and
10 they were reporting IFR far, you know, his suspicion was that it
11 was spider webs on the sensors.

12 And sure enough, after it rained, the following day or
13 whatever, the spider webs, I guess, washed off and the equipment
14 started to report correctly.

15 Q. Oh, yeah, yeah, I've seen that before so I understand.

16 A. Yes. You know, and you'll see, you know, whether it's St.
17 Charles or whether it's Parks or whether it's -- you know, and so
18 many of our -- the fields and reports do it, they're all right on,
19 the water, you know, and a lot of times they'll go.

20 They'll show IFR or low IFR and it's kind of clear -- you
21 know, not only, you know, within 5 miles of the site but literally
22 at the airport, you know, I've seen, I've seen that. You know, I
23 can't count how many times, you know, the station, whether it's at
24 their -- and I'm not familiar enough with how the sensors work but
25 it seems to me like, you know, maybe they're just not warmed

1 enough and so the condensation forms on them, I guess, and causes
2 them to give you an erroneous indication.

3 But, yeah, we get a lot of that, you know, where it's
4 reporting lower weather than what you actually, you know, see.
5 And I know that because I'm out flying, you know, when the sensor
6 and the report drops, you know what I'm saying? So I'm out -- I'm
7 not in the actual conditions and it's -- you know, I know what it
8 actually is and then, and then you're getting a completely
9 different report from the site.

10 Q. Oh, yeah, definitely. As far as the tool you were describing
11 earlier and things like that, is there anything missing weather
12 wise as far as a tool or a flight that could help you do your job
13 better?

14 A. A camera, you know, cameras onsite would be neat. I have
15 actually used a lot of those occasionally, you know, there's --
16 they call them traffic cameras or maybe some news station has a
17 camera downtown pointing at the arch or -- so, I mean, I use, I
18 use those a lot of times to backup what it is I'm seeing on the
19 NWS site or on SkyVector.

20 But you can't rely on that information because you don't know
21 for sure if those images are current.

22 Q. Yeah, definitely.

23 A. Yeah. So it's just, it's just a way to, you know, it's all
24 data points, you know. I mean, that's the way I look at it,
25 whether it's an individual METAR site or whether it's a camera or

1 whether it's, you know, a radar return, whatever it is, you know,
2 it's a bit of information that you use to compile and try to paint
3 a big picture and get an idea of what the, you know, actual
4 current conditions are and hopefully form an opinion about what
5 the -- you know, the next hour and a half to 2 hours holds for
6 you.

7 MR. SUFFERN: Yeah, no definitely. Great. Thanks, Jeff,
8 that's all the questions I have for right now.

9 MR. STACKPOLE: Okay.

10 DR. SILVA: All right. Dave. Dave, are you there?

11 MR. GERLACH: I am but my phone wasn't working.

12 BY MR. GERLACH:

13 Q. Hey, Jeff, thanks for coming to talk to us, we know your time
14 is real valuable so we appreciate your openness in sharing with
15 us. A couple questions for you. In looking at what you guys do,
16 with Jerseyville and Hannibal so close, is there some overlap with
17 kind of where you guys fly and trips that you pick up and who's
18 going to pick up what trip, is there some challenges there?

19 A. I don't know that I'd describe them as challenges, no. I
20 mean, I don't run into any confusion as far as who's going to get
21 what. The Comp Center usually does a real good job of, you know,
22 allocating the closest aircraft to the flight -- the appropriate
23 flight so, you know, certainly in the -- I've been doing this now
24 19 years so, I mean, I certainly have seen it happen. I've had it
25 happen to me.

1 You know, there are methods and I don't know that it's
2 happened here. So I'll fly -- but you get a call and they call
3 the wrong location --

4 Q. Yeah.

5 A. -- you know.

6 Q. Yeah.

7 A. Yeah. So I've had that happen and there are methods. I
8 don't -- in fact, it has happened at Survival Flight. I got the
9 call and they thought they were calling, you know, one or three or
10 -- you know, it's like, oh, I don't know if they just dialed the
11 wrong number or if they, if they thought they dialed the right
12 number.

13 Anyway, so I always verify, you know, if it's a flight
14 request to a base where I know we have an aircraft either there or
15 closer to there, you know, I'll ask the question, you know, is
16 that aircraft out flying or has that aircraft turned the flight
17 down, and typically the answer is that they're out flying.

18 Q. Gotcha. And the same thing with (indiscernible) too, I mean,
19 it looks to me like it can be a toss-up for anything into St.
20 Louis but who's going to get what flight? How do they, how do
21 they manage that, do they kind of --

22 A. (Indiscernible).

23 Q. Yeah. Well, certainly for Festus, you know, it's 50/50 if
24 you're picking up something, you know. It just seems to me that
25 any of the bases could pick up a trip for the most part.

1 A. Well, so we don't normally fly out of St. Louise. Normally
2 our trips are either from our base hospital in Jerseyville or
3 their base hospital in Festus or Hannibal, that base hospital, or
4 in our case in Jerseyville we're going to maybe Carlinville or
5 Carrollton or somewhere that's north of our base or west of our
6 base or east of our base.

7 We're typically not going too far south of our base, although
8 we do go and pick up in Alton but we're much closer to Alton than
9 Festus would be. So there's not really any conflict, any
10 locations I can think of where Survival Flight has bases where
11 there's a transferring hospital or an EMS agency, you know, where
12 it would be a close call as to who would get the flight.

13 I mean, Pittsfield is maybe -- I'd have to look at the map
14 but I know Hannibal's closer to Pittsfield but I don't know by how
15 much. I mean, off the top of my head I'd say maybe, you know, 15
16 miles or so -- closer than we are so they're going to get that
17 flight 9 times out of 10.

18 But occasionally they're out flying or sometimes there's
19 weather that's local to Hannibal and we may get a call asking us
20 to go to Pittsfield. And, in fact, then when I asked the
21 question, was Hannibal out, the answer might be, no, they turned
22 it down or they may already tell me that, you know, Hannibal's
23 turned this for weather but they've got, you know, something going
24 on at the airport at Hannibal, you know, can you take it.

25 And we've had situations where that occurs where, in fact,

1 the weather's -- you know, the weather phenomena is local and
2 there's no problem with us completing the flight. And also
3 there's, you know, as I'm sure you all know, there's, you know,
4 other operators, there's Air Evac and Air Methods, all, you know,
5 surrounding most of the bases that we operate.

6 So typically, you know, if you're getting a flight request
7 from, you know, more than 30 miles away from your base, you know,
8 you can be confident that someone else has had an opportunity to
9 do that flight.

10 Q. Gotcha. Is Jerseyville kind of a challenging area with
11 respect to the other bases from visibility and ceiling standpoint,
12 do you guys find yourself down in the weather more often?

13 A. No, I don't think that's accurate, no.

14 Q. No?

15 A. No, I mean, it's there, you know, it's flat around us.
16 We're, I mean, we're not -- I don't know, we're 13, 14 miles north
17 of the river -- you know, I mean, it's on the west side of us as
18 well as north but you've got to go a little further.

19 But, yeah, no, it's -- I wouldn't describe this as a
20 challenging area, no, maybe, maybe the opposite. I mean, the
21 weather usually is a little bit nicer here in Jerseyville than it
22 is in St. Louis or certainly at Spirit or maybe Parks, you know,
23 and there seems to be a little bit of a trough around Litchfield
24 and just, you know, parts east of us you'll see some weather going
25 up that way, and then Hannibal up along the river by Hannibal.

1 But, no, this is kind of, kind of an area where the weather
2 stays a little bit nicer. You know, the problem we'll run into is
3 I can't get into St. Louis or I can't get up to Springfield but,
4 you know, I could probably fly circles all day along around
5 Jerseyville and stay good, but the weather's usually a little bit
6 nicer out by Jerseyville than most other places.

7 Q. Gotcha. Talking about whether -- does your base have any
8 specific like visibility or ceiling limitations that you guys have
9 to meet?

10 A. 135.609.

11 Q. So no specific minimums or they're all the same for every
12 base?

13 A. As far as I know, yes. We don't have any that I'm aware of
14 the company doesn't utilize any local minimums.

15 Q. Gotcha.

16 A. Everything's, everything's cross country for us.

17 Q. Do you all have any -- does everybody set their own personal
18 minimums or anything like that?

19 A. I mean, if they do it's higher than what the company -- what
20 the op spec minimums are.

21 Q. Gotcha, okay. How about weather conditions like snow and
22 ice, do you guys venture into that arena as well?

23 A. Nobody's operating in ice, you know, I mean. My
24 understanding and you guys can feel free to correct me, you know,
25 the only time you're going to get icing is if you're in the clouds

1 or if you're operating in freezing rain or mist.

2 So I'm not sure, you know, I don't know, as it pertains to
3 the current accident, yeah, I mean, I would be interested when
4 you're all done asking me questions that would be the first one
5 I'd want to know is, you know, why is that such a question on this
6 flight because I didn't -- I looked at the weather, you know, for
7 that time period in that area and it didn't look like it was --
8 didn't look like icing was really a concern.

9 But with that aside, yes, so I'm not -- if we suspect, you
10 know, that there's conditions, you know, for freezing rain or
11 freezing mist or any kind of precipitation or visible moisture
12 when the temperature's going to be anywhere near the freezing
13 point, you know, and that's just not at the surface but obviously,
14 you know, at a 1,000 feet, 1,500 feet, 2,000 feet, you know, we
15 don't fly much higher than that.

16 You know, yeah, we're going to be in the hangar or we're
17 going to be -- we're probably going to be in the hangar because,
18 as I said, for us it's an issue of if the aircraft gets iced up
19 our hangars we can't -- you know, we have to fly to get to the
20 hangar so we have no way to deice the aircraft. No, no easy way
21 to deice the aircraft if it were to happen on the ramp so it's
22 going to probably be in the hangar.

23 Q. Gotcha. Do you find yourself flying through snow at all in
24 the St. Louis Area?

25 A. As I said earlier, yeah, I mean, I've encountered snow a

1 couple times here in recent memory. It doesn't happen often but,
2 yeah, it happens.

3 Q. Does that affect the flying characteristics of the helicopter
4 at all?

5 A. I mean, you know, I've been, I've been up in the 30 years
6 I've been flying I've been caught in snow a few times. I've
7 never, I've never had it affect the handling characteristics of
8 the aircraft I've been operating.

9 Q. Gotcha. How about visibility, have you flown in snow during
10 the day or night, does that change at all?

11 A. Both. And I've encountered snow that didn't affect our
12 visibility much at all and I've encountered snow that shut our
13 visibility down and caused me to turn around and abort a flight.

14 Q. Gotcha. Is that like a daytime flight or a nighttime flight?

15 A. I want to say I've had them both. I mean, you know, I've
16 seen -- I've turned around, I've aborted flights when it was
17 snowing when we ran into snow that was either non-forecast or
18 heavier than forecast and where I aborted the flight because I
19 believed -- I was confident the visibility had dropped to lower
20 than minimums and we turned around and went back, went home.

21 Q. Have you -- what do you guys use to kind of sense visibility
22 in flight there at (indiscernible)?

23 A. After you've done it a while, I mean, you know, to me it's
24 just -- it's just what it looks like to me. In other words, you
25 know, I could tell you, well, I look at the tower and figure out

1 how long it takes me to get to that spot but realistically it's
2 just that looks like 3 miles to me, I think we're -- I think
3 that's, you know, that's as far as I can see.

4 Q. Gotcha. Any techniques that you use in particular for
5 dealing with a low visibility or low ceiling as you fly along?

6 A. Are you talking about whether it's declining or deteriorating
7 below minimum or just in --

8 Q. Yeah, sure.

9 A. I mean, if the --

10 Q. Well, so if you're --

11 A. Go ahead.

12 Q. Yeah. Let's, for example, you're flying along at 10 miles
13 visibility and then it works down to 5 and 3, do you do anything
14 different at all?

15 A. I mean, for the most part, no. I mean, like anybody else
16 that flies a helicopter, I mean, you know, we have the ability to
17 slow down to hover, for that matter, but we certainly have the
18 ability to slow down to -- you know, from 110 knots to 60 and give
19 us a lot more time to react to what is, you know, occurring in
20 front of us.

21 So I certainly have done that and will do that, and I know
22 that, you know, that's -- typically that's an indication that
23 probably conditions are deteriorating, you know, to or below
24 minimums, so that's usually a real good indicator it's time to do
25 something different.

1 So, yeah, I mean, you know, I'm certainly not going to, not
2 going to continue on a flight that, you know, in weather that's
3 below, that's below minimums.

4 Q. Yeah. If you find that's the case, let's say your visibility
5 starts to drop below 3 miles, what would be the typical response
6 of you or any of the other pilots at your base?

7 A. I mean, we just had it happen the other night, I mean; I took
8 a flight down to DePaul, which is, you know, about a 13 minute
9 flight for us, it was slight above minimums. We got out and it --
10 to me it didn't look like it was the actual but it was what was
11 reported and, you know, we were probably, oh, I don't know, I'm
12 going to say 6 miles south of -- 6 or 7 miles south of the basin.

13 Told the crew, you know, I don't like what I'm looking at and
14 we're going back to the base and we turned around and went home.

15 Q. Gotcha. Is there any technique that you would use for what
16 everybody calls IIMC at all?

17 A. When you say technique, what do you mean?

18 Q. Is there a procedure that you use where inadvertent IIMC?

19 A. Is to avoid it.

20 Q. And what if you all of a sudden notice that you're in IIMC
21 conditions, below minimums, is there a technique that you use?

22 A. My technique would be to transition to instruments
23 immediately and then it would depend on, you know, what was the
24 situation when I encountered those conditions if it were -- if
25 there were, you know, 22 and clear behind me, you know, I'd

1 execute 180 degree turn and go back to that.

2 If I was out, you know, poking around in minimums where it
3 was like that, you know, from Springfield to St. Louis, you know,
4 at that point I'd probably climb to the minimum safe altitude and
5 holler at the guys in the tower and let them know I'm coming in
6 for a (indiscernible) approach.

7 Q. Gotcha. Hey, with bases all up and down the Mississippi
8 River for you guys, what's your duty on, duty off schedule, are
9 they all the same, everybody's on the same schedule?

10 A. I'm going to, I'm going to say I'm not certain but I think it
11 -- I think they are. We change at 6:30.

12 Q. What --

13 A. Yeah, I mean, the official, official, official, official time
14 is, I guess, 7:00 but at 5:00 we change at 6:30. You look at my
15 duty -- our flight release logs and our duty logs, I change at
16 6:30 in the morning and I get relieved at 6:30 at night or visa-
17 versa.

18 And I think it's similar at 1:00 and 3:00 and pretty much
19 everywhere else I've been.

20 Q. Gotcha. And then when you guys transition from your
21 nighttime pilot to your daytime pilot, is there a standard process
22 that you guys use?

23 A. Standard process. I mean, you know --

24 Q. Seven foot (inaudible?)

25 A. I'm sorry, I didn't hear that.

1 Q. Is there a checklist that you use as you do a shift change?

2 A. I mean, there actually is a formal checklist that exists. Do
3 I utilize that every day? No. We have -- you know, basically
4 there's two people besides me at the base currently assigned and
5 when we're fully staffed there's three others and me, and so you
6 get pretty used to the people you're working with and they're
7 pretty familiar with the operation as are you, and so the brief
8 consists of exchanging the phone, which is our primary means of
9 dispatch, communicating how much fuel is onboard the aircraft, how
10 much O2 is onboard the aircraft.

11 The pilot's going to know, you know, who the crew is but
12 that's on the board as well, you know, certainly making him aware
13 of any maintenance issues or maintenance that was done during the
14 day, you know, certainly talking about the weather and what it's -
15 - you know, what it's doing currently, what the forecast is for
16 the shift.

17 That's pretty much it and then, you know, if there's any news
18 or anything that, you know, is relevant that he needs -- you know,
19 he needs to know for that, for that shift or the upcoming week.

20 Q. How long does it typically take you guys to do that?

21 A. It depends on the circumstances --

22 Q. Yeah.

23 A. -- but 5 minutes.

24 Q. Gotcha, okay. And how many guys -- how many pilots do you
25 guys have at Jerseyville?

1 A. Three permanently assigned and then, and then currently one
2 that's, that's just there temporarily.

3 Q. Do you guys have like a base home or does everybody live
4 somewhere else then you kind of commute in?

5 A. There are pilot quarters at this location as well as, you
6 know, at 5 -- I'm sorry, at three and most the other locations
7 they have pilot quarters, off-duty quarters for pilots. One does
8 not have that but we do have that at 5 here in Jerseyville.

9 Q. Gotcha. And what do you do your training in and how often do
10 you do training?

11 A. Training's per 135 290, 293 and 299 and we do it in
12 Batesville in a 206 or 407.

13 Q. Gotcha. And do you guys train with night vision goggles or
14 is it unaided?

15 A. No, it would -- since we got the NVGs, which is coming up on
16 a year ago, we've trained with the NVGs.

17 Q. Gotcha. And do you train to be able to perform like an
18 inadvertent IIMC event, is that --

19 A. Sure. Of course, yes. Yes.

20 Q. And walk me through what kind of training you would get and
21 then what kind of testing they do every year?

22 A. When you say what kind of training I would get, I'm not sure
23 though.

24 Q. Yeah. So how long do you train, how many flights do you get
25 and, you know, what kind of things do you do during training?

1 A. I mean, I think the training's pretty standard as far as, you
2 know, it was similar to what I had when I was at Air Methods and
3 it's been pretty consistent and similar here the whole time, what
4 I would expect they're doing at Air Mack and everywhere else but,
5 you know, we're doing all the basic maneuvers, we're, you know,
6 doing slopes and hovering autos and all kinds of engine failures
7 or auto rotations and procedures and we're doing inadvertent
8 IIMCs, as you said, and hydraulics off, confined areas.

9 What else are we doing? I mean, there's -- you know, it
10 depends. I mean, if you're talking -- obviously the new guys, the
11 initial hires get, you know, trained on the radios and GPS and our
12 system of, you know, identifying (indiscernible) flights or
13 whatever, that kind of thing.

14 And we -- and obviously they have a training manual. They
15 come in with a training manual that they follow and then could
16 weed out all that, but --

17 Q. Yeah.

18 A. But as far as flights, I would say we probably do two or
19 three training flights and then a check ride.

20 Q. Gotcha. Okay. What's the biggest challenge for you flying
21 out of Jerseyville?

22 A. Not getting too bored. We don't fly enough. Yeah, we used
23 to --

24 Q. Yeah.

25 A. -- find that out, I mean, and that's not unique to

1 Jerseyville that's an industry issue, you know. When I first
2 started doing this in 2000, you know, we were one of maybe four
3 aircraft in 150 mile radius and we flew every day and several
4 times a day a lot of times, and we stayed busy and it was, you
5 know, much more -- much longer flights and more challenging
6 flights, more scene work.

7 But, so, yeah, just the lack of flying is probably the
8 biggest challenge that we find at not just Jerseyville but
9 throughout the industry.

10 Q. But it sounds like you're probably one of the most senior
11 pilots in the company; you've been around the company for a long
12 time?

13 A. I think the senior pilot in the company.

14 Q. Yeah. Do you have the opportunity to meet and fly with other
15 pilots, I guess, at least in the St. Louis Area or are you just
16 landlocked to Jerseyville?

17 A. Well, a lot of new guys have come through Jerseyville so I've
18 had the opportunity to orient them to bring -- you know, for them
19 to have Jerseyville be their first experience and I've been able
20 to orient a fair number of new pilots, I mean, now that we're, you
21 know, 15 bases, I'm not seeing very many.

22 But certainly, you know, earlier on, you know, we did. We
23 saw a lot of that at one, we saw a lot of new pilots come through
24 one and, you know, we'd get to orient them. But it's -- there's
25 not -- it's not flight training, it's -- and it's not flying with

1 them really, although there was a little bit of that, you know,
2 but just riding at that point because we didn't have a training
3 aircraft in those instances.

4 We're just talking about doing orientation, local area
5 orientation. And so we still do, you know, some of that. We'll
6 still get some new pilots that come through here, this base first
7 and then they'll move on to wherever their, you know, permanent
8 base is going to be, but it's not as frequent now as it used to
9 be.

10 MR. GERLACH: Gotcha. Well, Jeff, I think I've used my time
11 up but thank you very much again for your insight. I appreciate
12 everything that you've shared with us and I'll pass the gavel off
13 to somebody else.

14 MR. STACKPOLE: Okay.

15 DR. SILVA: Thanks, Dave. Tim, do you have any questions?

16 MR. TAYLOR: No, I don't have any questions. Thank you.

17 DR. SILVA: All right. Tom.

18 MR. LUIPERSBECK: Thank you, ma'am, I just have maybe two.

19 BY MR. LUIPERSBECK:

20 Q. Hey, with regards to NVGs and someone may have asked this
21 earlier, if they did I apologize. Is there ever a time you would
22 take a night flight without NVGs or --

23 A. Not on purpose.

24 Q. -- do you always take them?

25 A. Yeah, no. I mean, you know, understand that I'm new to them.

1 I was prior military but I didn't fly so I was in the Air Force
2 but in civil engineering so I never had the benefit of night
3 vision goggles until we got them in February last year.

4 So I didn't know what I didn't know. I didn't know what I
5 was missing. I heard everybody say, you know, once you fly with
6 them you won't want to fly without them, and that's true. So
7 while I don't take any flights with them that I wouldn't take
8 without them, and while I don't, you know, rely on them, I really
9 like having them. And, no, I wouldn't intentionally take a flight
10 without them.

11 Q. Yeah, I get that. I flew EMS in the mountains of Tennessee,
12 and after we got them, quite frankly, there were places I wouldn't
13 go back to having seen the stuff.

14 A. Yeah. I'm still trying to get used to them and understand
15 their limitations and, you know, and so, I mean, I don't have to
16 tell you, you know, at least for me it seems I -- you know, when
17 I'm looking through the goggles and I flip them up, I don't
18 remember it being that dark, you know --

19 Q. Yeah, I don't either.

20 A. -- as it looks now.

21 Q. Oh.

22 A. So I don't know if that's, in fact, the goggles doing that to
23 me or if it just always was that dark and I just never really
24 noticed it. But I'm still getting used to them but I really like
25 them.

1 Q. Yeah, is that pretty much the way everybody feels with them,
2 okay, if they've got them they're going to take them with them at
3 your base, I mean?

4 A. Yeah. I mean, yeah, I can't --

5 Q. Yeah.

6 A. Understand our base is a little unique; our flights are
7 really pretty short, like I said, and they're over
8 (indiscernible). I mean, within 5 minutes of taking off, you
9 know, I can see the lights of St. Louis, you know, if it's a
10 reasonable night so -- and then going up to Springfield it's --
11 you know, it's flat as a pancake and there's usually, you know,
12 quite a few lights around.

13 It's only when we go northwest of our base that it's pretty
14 dark but even then there's -- you know, it's not like you get --
15 if you're down at Festus and you're heading south to Iron County
16 or if you're, you know, at some other location. So ours is a
17 little bit different.

18 So I think a guy -- you know, if it's a beautifully clear
19 night and no forecast of any weather, you know, and you're just
20 getting the (indiscernible) undone into St. Louis and back, he
21 might, you know, not go through the trouble of goggling up if he
22 got a late flight before the end of the shift, maybe an early
23 flight before -- you know, at dawn, but I don't. Like I said, I
24 can't imagine me doing that.

25 MR. LUIPERSBECK: That's really the only thing I was kind of

1 curious about was the (indiscernible) at your base and how that
2 was because everybody else pretty much covered everything else, so
3 that's really the only thing I have.

4 MR. STACKPOLE: Gotcha.

5 MR. LUIPERSBECK: Thanks.

6 DR. SILVA: Thanks, Tom. I just had a few follow-ups and
7 we'll run around the virtual table one more time.

8 BY DR. SILVA:

9 Q. How are you doing, Jeff?

10 A. Doing okay. How am I doing?

11 Q. So you're almost off the hook here. I was curious what your
12 interaction as a pilot is with the medical crew on the flight?

13 A. What my interaction with the medical crew?

14 Q. Uh-huh.

15 A. I mean, it depends on the medical crew, I suppose, is the
16 answer to that question. Some of them are, you know, phenomenal
17 and very good friends and others I tolerate until the end of the
18 shift so --

19 Q. Do you use them at all for any safety of flight?

20 A. But, having said that, we're all professionals, we're all at
21 work, we're all there to do a job. There's nobody at our base
22 that doesn't do that and act professionally and they get that
23 same, you know, respect from me.

24 Q. Okay. Is there -- do you use them at all for safety of
25 flight, you know, looking out for traffic or anything along those

1 lines?

2 A. Certainly, yeah, I mean, they're briefed and they're trained
3 and they understand, you know, that their butts in the seat right
4 next to mine and if I screw up that they're going to pay the price
5 like I am and so absolutely.

6 You know, having said that, you know, typically two of the
7 legs of the flight, you know, they're not available or they're not
8 even onboard the aircraft on one of them, you know. Usually I've
9 dropped them at the receiving hospital and then gone to get fuel
10 or repositioning out of the way off the Level One Trauma Center
11 helipads so, you know.

12 And prior to doing EMS I, you know, flew, you know, just
13 single pilot where I didn't have anybody to help me out. So I
14 don't rely -- you know, when you say rely on them, I mean, I don't
15 depend on someone else to keep me clear of obstacles or traffic
16 or, you know, to make my weather decisions for me but certainly
17 I'm not stupid enough to not make use of two more sets of eyes in
18 the backseat.

19 Q. Understand. We talked a little bit about flights that have
20 been turned down; do you get that information from dispatch?

21 A. I believe I'm required to.

22 Q. Okay.

23 A. You know, so, I mean, I certainly have gotten it. You know,
24 I can't attest to whether I've gotten it every time but I have
25 gotten it.

1 Q. Does that change your decision making at all or your review
2 of weather or anything?

3 A. You know, it makes the back of your -- the neck -- the hair
4 on the back of your neck stand up, I mean, sometimes, depends. It
5 really depends, you know. Just like with the METAR reports, you
6 know, where I see a station reporting low IFR and everybody is
7 reporting VFR, you know, I'm going to take that information with a
8 grain of salt, I'm going to take that information and provide it
9 with probably not a lot of weight, because I don't know what's on
10 the other end of that turndown.

11 It could be an inexperienced pilot, it could be somebody
12 that's new to the area, it could be somebody that doesn't want to
13 fly. It could be somebody that's aircraft is out of service for
14 maintenance and just use weather as a reason for turning it down.
15 And I've seen all of that firsthand in this industry so --

16 So, yeah, I used it as a data point, just like I do with the
17 METAR but I believe it and let it have input into my decision
18 making and sometimes I ignore it.

19 Q. Okay. And do you have personal weather minimums on top of
20 what the FAA minimums are?

21 A. Not really.

22 Q. Okay.

23 A. I mean, you know, it's -- I wish it were black and white, you
24 know, I wish there was an instrument on my panel that said I'm
25 looking at 1,000 and 3 turnaround. It doesn't work and everybody

1 got their methods and their -- you know, their ideas of how
2 they're judging visibility distance and, oh, by the way, it's like
3 that, you know, a third of the sky but the other two-thirds look
4 pretty good.

5 So, no, I mean, I basically make my decisions based on -- you
6 know, I mean, I won't say I haven't turned a flight down when the
7 weather was reporting slightly above minimums, it was probably
8 trending down at that point. Maybe I just wasn't sure if it was
9 going to be trending down or maybe I didn't like -- you know,
10 maybe the temps and dew points were kind of close together and
11 then I thought the forecasters got it wrong.

12 So, yeah, to me, you know, I understand the true meaning of
13 the spirit and the intent of the minimums is that when the numbers
14 are at that value the answer is the decision's made for you, the
15 answer is no. When it's above that, you know, you need to then
16 earn your money and figure out, you know, is the information
17 correct and, you know, can I use this, can I make use of this, you
18 know, these conditions and complete the flight or cannot.

19 Q. I understand. Have your pilots -- the other pilots that
20 operate at that base -- have any of them reported any safety
21 concerns to you as a lead pilot?

22 A. No, no.

23 Q. Okay. I can't think of a thing, I mean. I mean, you know,
24 inconvenient stuff. I mean, you know, I would love to have a
25 hangar that's at our helipad opposed to having to fly over to our

1 hangar but I can't -- that's not a safety concern that's an
2 operational issue.

3 Q. Okay.

4 A. You know, that just means I've got to get ahead of the
5 weather and move it in, you know, before the weather gets to us or
6 if we miss that call and the aircraft gets iced up and sits on the
7 helipad, but that's a safety issue that's an operational issue.

8 Q. Okay.

9 A. You know, I mean, our base is -- you know, our physical
10 (indiscernible) is not collocated with (indiscernible). Again,
11 it's an inconvenience but it's not a safety issue. There really
12 haven't been, I mean, any -- well, if we've got a problem with the
13 aircraft maintenance wise, we write it up and it gets resolved.

14 You know, if we get a flight request that we can't accept a
15 reason, we turn it down and we're not questioned. You know, if
16 there's a problem that somebody comes in the place that doesn't
17 seem like they're, you know, meeting the standards, they're
18 reevaluated or they're terminated.

19 I mean, we just never had anything I can think of that would,
20 you know, allow me to answer the question in the affirmative.

21 Q. Okay. If there was anything that you could change about your
22 current position what would it be?

23 A. Be flying a BK 117 out of a heated hangar.

24 DR. SILVA: Okay, that's fair. All right. I'm going to go
25 around the table one more time and then we'll let you go back to

1 your night. John?

2 MR. BRANNEN: Nothing further.

3 DR. SILVA: Paul?

4 MR. SUFFERN: No more questions. Thank you.

5 DR. SILVA: Dave?

6 MR. GERLACH: Just a couple more.

7 MR. STACKPOLE: Yeah.

8 MR. GERLACH: On your weather turndown, do you get called
9 back by OCC, OCMs or anybody in wanting to discuss your weather
10 turndown?

11 MR. STACKPOLE: Never.

12 MR. GERLACH: Gotcha, okay. Yeah, that's all I have. Thank
13 you very much.

14 MR. STACKPOLE: Sure.

15 DR. SILVA: Tim?

16 MR. TAYLOR: I don't have anything. Thanks, Jeff.

17 MR. STACKPOLE: You bet.

18 DR. SILVA: Tom?

19 MR. LUIPERSBECK: I have nothing further. Thank you.

20 DR. SILVA: Okay. Well, Jeff, is there anything that you
21 would like to add or anything you think that might help us with
22 the investigation?

23 MR. STACKPOLE: Nothing I can think of. I mean, you know, I
24 don't know much and that's all I would add is -- or ask is, you
25 know, what can you tell me?

1 DR. SILVA: So we actually, I think, just released a
2 preliminary report. If it's not out right now it should be out
3 tomorrow and that will give all the information that we can
4 release at the moment and everything else is really just under
5 investigation, we're kind of tracking down all our leads here.

6 MR. STACKPOLE: So, I mean, I understand how this works on
7 the one hand, on the other hand, you know, this aircraft had a
8 flight data recorder in it and I think had a camera in it. And I
9 think that that the data card for that unit was recovered and is -
10 - maybe you guys have that at this point?

11 DR. SILVA: Yeah. All of that information we've gathered and
12 it's just in our labs right now so --

13 MR. STACKPOLE: So that hasn't been reviewed yet, the flight
14 data and the video if there is video, has that been reviewed yet?

15 DR. SILVA: We're still working on that, you know.

16 MR. STACKPOLE: Okay. Do you have an ETA on when that might
17 be? I mean, you know, this is part of, you know, a conversation
18 where it's like, you know, we're on the pointy end of the spear
19 out here, I would love to know what happened to our, you know,
20 fellow coworkers, you know, for a lot of reasons but, you know,
21 not the least of which is so I don't do whatever it was they did.

22 And, you know, and I've seen plenty of fatal accidents sadly,
23 thankfully never at a company that I've worked until now. But
24 I've seen plenty in the industry and, you know, we never really
25 seem to learn a whole lot from them, you know, and it seems like,

1 you know; now maybe we've got a better shot at learning something
2 from this with the flight data information and potentially a
3 video.

4 And I would love for, you know, for you to communicate that
5 back to me somehow, you know, so that we could know, you know, if
6 there's something that, in fact, was being done wrong or if there
7 wasn't, you know, or if was a (indiscernible) or if it was
8 whatever, you know.

9 I'd sure like to know that because you've got a lot of, you
10 know, pilots and medical crew both that -- you know, that, you
11 know, are not as comfortable doing their jobs as they were 2 weeks
12 ago.

13 DR. SILVA: Yeah, and there is a method that if there is
14 something immediate safety of flight where we can work with Tim
15 and also if there -- again, like if there's any kind of aircraft
16 issue or anything like that, that's not anything we're going to
17 sit on so you can rest assured for that kind of stuff.

18 MR. STACKPOLE: Okay.

19 DR. SILVA: So we're going to work on getting this out as
20 soon as we can and getting as much feedback back to you and the
21 company as fast as we can just because it is -- you know, you're
22 still operating in this so any information you have is going to be
23 helpful so we understand the concern.

24 MR. STACKPOLE: Yeah. I mean, it would be a shame to learn
25 that it was, you know, a IIMC event and for us not to -- for you

1 to learn that and for us not to know that, you know, until the
2 report gets released a year later, I mean, if that's what it was.
3 If it was an icing event it would be a shame for you know that
4 within a couple weeks and me not to get that information, you
5 know, sooner than what I can read it in the final report.

6 So, I mean, obviously if you get it Gary, you get it to Tim,
7 you get it somebody at the company they'll get it to us, I'm
8 confident of that.

9 DR. SILVA: Yeah.

10 MR. STACKPOLE: But, you know, I don't know, I'm a little
11 surprised honestly that that card hasn't been read yet, that that
12 data hasn't been analyzed. I mean, that was -- you know, the
13 industry was clamoring, the FAA was clamoring, NTSB was clamoring
14 for flight data recorders in aircraft and you've got a fatal with
15 a flight data recorder, how come we don't have the data right now?

16 DR. SILVA: Yeah.

17 MR. STACKPOLE: I don't get it.

18 DR. SILVA: And it's working through our internal processes
19 and I can't -- I don't really have anything more for you.

20 MR. STACKPOLE: I got it.

21 DR. SILVA: But the process is ongoing, it's not forgotten.

22 MR. STACKPOLE: Okay. Thanks (indiscernible).

23 DR. SILVA: Well, you have my information if you think of
24 anything else feel free to reach out, otherwise thanks again for
25 your time; we do really appreciate it, and also for making the

1 time tonight because I know you're probably tired.

2 MR. STACKPOLE: Yeah, no worries. Thank you guys for what
3 you're doing, I appreciate it.

4 DR. SILVA: All right. Take care. Thanks again.

5 MR. STACKPOLE: Okay. Goodnight.

6 DR. SILVA: Goodnight. Off the record at 9:14.

7 (Whereupon, at 9:14 p.m., the interview was concluded.)
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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: SURVIVAL FLIGHT HELICOPTER CRASH
NEAR ZALESKI, OHIO
JANUARY 29, 2019

ACCIDENT NO.: CEN19FA072

PLACE: Via Telephone

DATE:

was held according to the record, and that this is the original,
complete, true and accurate transcript which has been transcribed
to the best of my skill and ability.



Cheryl Farner Donovan
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

* * * * *

Investigation of: *

*

SURVIVAL FLIGHT HELICOPTER CRASH *

NEAR ZALESKI, OHIO * Accident No.: CEN19FA072

JANUARY 29, 2019 *

*

* * * * *

Interview of: SAMMY BRAKE

Via Telephone

APPEARANCES:

SATHYA SILVA, Ph.D., Human Performance Investigator
National Transportation Safety Board

SHAUN WILLIAMS, Investigator in Charge
National Transportation Safety Board

JOHN BRANNEN, Regional Investigator
National Transportation Safety Board

PAUL SUFFERN, Senior Meteorologist
National Transportation Safety Board

DAVID GERLACH, Aircraft Accident Investigator
Federal Aviation Administration

TOM LUIPERSBECK, Team Lead
Helicopter Air Ambulance Focus Team
Federal Aviation Administration

TIM TAYLOR, Instructor Pilot
Survival Flight

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I N T E R V I E W

(1:02 p.m.)

1 DR. SILVA: We are on the record at 1:02 Eastern.

2
3 So, there's a few people on the line here and I'm going to
4 have everyone go around the room shortly and --

5 MR. BRAKE: Okay.

6 DR. SILVA: -- introduce themselves, but what you're hearing
7 is our NTSB party process. So, while we are experts in
8 investigating, we do rely on other people from other organizations
9 in each case to get us all of the information that we really need.

10 MR. BRAKE: Sure.

11 DR. SILVA: So, I'll let everyone go around the room here so
12 you know who you're talking to. And then we're missing one person
13 and if he joins I'll have -- I'll stop the interview and have him
14 introduce himself.

15 MR. BRAKE: Okay.

16 DR. SILVA: So, Paul, would you like to start?

17 MR. SUFFERN: Yeah. Hi, there. I'm Paul Suffern. I'm a
18 meteorologist investigator with the NTSB.

19 MR. BRAKE: Hi, Paul. How are you doing? I could hear you
20 really well.

21 DR. SILVA: Yes. John, go ahead.

22 MR. BRANNEN: Hi, this is John Brannen with the NTSB. I am a
23 regional investigator for the NTSB. On this case I'm working ops.

24 MR. BRAKE: Okay.
25

1 DR. SILVA: Shaun?

2 MR. WILLIAMS: Yeah, I'm Shaun Williams. I'm the NTSB
3 investigator in charge.

4 MR. BRAKE: Okay.

5 DR. SILVA: Tom? Tom?

6 MR. LUIPERSBECK: Sorry. My name is Tom Luipersbeck. I'm
7 with the FAA. I work in headquarters in the 135 Operations Policy
8 branch, and I am also the Helicopter Air Ambulance focus team lead
9 for the FAA.

10 MR. BRAKE: Okay. How are you doing, Tom?

11 MR. LUIPERSBECK: Good.

12 DR. SILVA: Okay. And, Tim?

13 MR. TAYLOR: Hey, Sammy, this is Tim Taylor from Survival
14 Flight. I'm representing Survival Flight. I was asked on the
15 Board just to represent them. I signed a nondisclosure, so
16 anything that you say -- feel free to say and it won't be held
17 against you. However, if you want to not say anything and talk to
18 people offline, that's fine as well, okay?

19 MR. BRAKE: Okay, okay. Thanks, Tim.

20 DR. SILVA: I'm going to -- Sammy, I'm going to put -- switch
21 phones here for a second and let me know if you hear me any
22 better.

23 MR. BRAKE: Okay. I can hear you a little bit better. You
24 were just -- when you were talking (indiscernible).

25 DR. SILVA: Okay. Is that any better? Okay. I think I'm

1 getting -- stand by I'm getting an echo. I'm going to call back
2 in on my other phone. Hang tight. All right. Is everyone still
3 there?

4 MR. BRAKE: Oh, I've got you a lot better now.

5 DR. SILVA: Okay, wonderful. Got to switch phones.

6 MR. BRAKE: Sounds very clear, very clear.

7 DR. SILVA: Okay. We will use this one instead, okay. So,
8 let's continue here. So, our goal here as the Safety Board is
9 safety. We're not here to assign fault, blame, or liability. As
10 a government agency, we can't offer any guarantee of
11 confidentiality or immunity.

12 Essentially, what will happen is that this recording will get
13 sent for transcription and a copy of that transcript will
14 eventually become part of our public docket once the investigation
15 gets released.

16 MR. BRAKE: Okay.

17 DR. SILVA: You are entitled to have someone with you today.
18 Would you like to have someone with you or are you okay on your
19 own?

20 MR. BRAKE: No, I'm okay without.

21 DR. SILVA: Okay. And if you do change your mind at any
22 point, just let us know, should not --

23 MR. BRAKE: Okay.

24 DR. SILVA: -- would not be a problem. And so, when we do
25 this interview remember that you are the expert here. We are

1 really just trying to learn what you know from your perspective,
2 so there is no right or wrong answers. The more detail you can
3 provide the better, instances, examples, things like that. If you
4 don't understand a question, feel free to ask for clarification or
5 say -- if you don't know an answer that's fine too.

6 MR. BRAKE: Okay.

7 DR. SILVA: And just, you know, holler if you need a break,
8 too.

9 MR. BRAKE: Okay.

10 DR. SILVA: Should be pretty straightforward there. I will
11 start out with asking a handful of questions and then we'll go
12 around our virtual table here usually twice to make sure that
13 everyone gets a chance to ask their questions, and then I'll turn
14 it over to you to see if there is anything we missed or anything
15 else you wanted to add.

16 MR. BRAKE: Okay.

17 DR. SILVA: All right. Let's -- any questions before we
18 start?

19 MR. BRAKE: No.

20 DR. SILVA: Okay, great.

21 INTERVIEW OF SAMMY BRAKE

22 BY DR. SILVA:

23 Q. So, can you spell your full name for us?

24 A. S-A-M-M-Y, first name. Last name, Brake, B-R-A-K-E like the
25 car brake.

1 Q. Okay. And what's your current title position?

2 A. I am a lead pilot at Survival Flight 8 in Lawton, Oklahoma.

3 Q. Okay. And can you run through a brief summary of your
4 background in aviation and how you got to where you are now?

5 A. I was born and raised about 20 miles from Lawton, Oklahoma
6 where our current base is. When I graduated high school I joined
7 the Navy. I became a naval meteorologist in the Navy, and I did
8 that for about two years. I was an aviation forecaster. I was
9 also -- worked on minesweepers and did a lot of oceanography work.

10 When I was enlisted then I -- my last duty station was at --
11 as an enlisted person was at the Naval War College. I was a
12 tactical oceanography meteorology instructor. I finished up my
13 degree, I put in my package for OCS to be an aviator in the Navy.
14 They accepted me.

15 Continued on with that through my training in Corpus Christi
16 and then moved on to helicopter training at South Whiting Field in
17 Milton, Florida. And then went on to the fleet and I flew MH-53s
18 Sea Dragons minesweepers for the rest of my career in the Navy.

19 I retired in 2012, May of 2012. I moved back home in Duncan,
20 Oklahoma which, like I said, is about 20 miles from Lawton.

21 Q. Okay.

22 A. There's a local oil tycoon here in town and has a Bell 407.
23 He has always owned helicopters for 40-plus years. I put in an
24 application with those guys, so I started flying, getting
25 experience in the Bell 407 since 2013 through him and other folks

1 that I met.

2 I got in with the Stephens County Sheriff's Department,
3 started flying the UH-12E for those guys whenever they needed me.
4 And through him, that's how I found out about Survival Flight and
5 got in contact with Gary Mercer and did an interview with him, and
6 showed up in Searcy the next week and I started working for
7 Survival Flight in January of 2017.

8 So, I've been with the company just for a little bit over two
9 years, and I've been a lead pilot for just a little over a year at
10 8 in Lawton. That's pretty much it.

11 A single dad, raised my kids by myself for -- my two kids for
12 the last 10 years. Of course, they're both adults now.

13 Q. Sounds like a tough job.

14 A. Oh, it's been a roller coaster. Having a good time.

15 Q. Yeah. I mean, you've got quite the experience here. How
16 many total hours do you have, approximately?

17 A. 3,000 total.

18 Q. Okay. And you said you went to Searcy. Were you working at
19 that base before you were at Lawton?

20 A. No, that's -- back then that's when the company was still
21 kind of small and growing. They hadn't opened up Survival Flight
22 9 as of yet, 8 was the newest base open. That's where Steve
23 Foster was doing the training for the company, but he was doing it
24 out of his -- I think it's called Bulldog Helicopters. He was
25 doing the 135 training and check rides --

1 Q. I see.

2 A. -- down there in Searcy before they had moved all the
3 training up to Batesville.

4 Q. Okay. I understand. So, were you always based in Survival
5 8?

6 A. I've always been based at Survival 8, yes.

7 Q. I understand. Okay. So, as a lead pilot, what does that
8 mean? What are your roles and responsibilities on top of a normal
9 line pilot?

10 A. Just kind of -- just to name a few, I've got a lot of duties.
11 You know, most of it is administrative duties working the pilot
12 schedule, taking care of all the fuel receipts, maintaining the
13 pilot read file, our daily task binder making sure it's up to
14 date.

15 What else? We got a pilot training binder. Any new
16 information we get in that, I keep that binder updated and make
17 sure that all my other pilots are reading that and initialing it.

18 Q. Mm-hmm.

19 A. Take care of our maintenance logs, weight and balance form
20 make sure that it's correct and up to date. And just that's like
21 as far as my administrative tasks. Everything else is always --
22 just always talking with my pilots and making sure that they're
23 not having any issues with maintenance or with any med crew.

24 I also cross the lines over and talk with med crew to make
25 sure that there's good relationships with the pilots and that if

1 there was any issues that were brought up or anything else that
2 everything is taken care of and we got good communication within
3 the base.

4 Q. Mm-hmm.

5 A. That's pretty much it, just kind of the liaison. Me and my
6 base manager, we work very close with each other. We're always
7 making sure that, you know, things are being done the best way we
8 can do it.

9 Q. How is that relationship?

10 A. Oh, it's awesome.

11 Q. Okay.

12 A. Our base is a very unique base. It's got a lot of synergy.
13 Probably one of the best things about our base is we have two med
14 crew -- actually three med crew, two of them are nurses and
15 paramedics. They've been doing HEMS for 20-plus years. And
16 including Jody (ph.), our paramedic, he's been doing it a good 15-
17 plus years.

18 So, we've got a lot of experience with our med crew, and
19 that's -- I think that's one of the biggest things that really
20 makes our base really strong.

21 And including our base manager, he's -- he can take some
22 nasty input and politically, you know, he's pretty PC, he knows
23 how to turn it around and sweeten it up a little bit and pass the
24 information out to everybody else to where, you know, everybody
25 can kind of get on board with it, so.

1 Q. So, regarding the relationship between med crew and pilots,
2 can you talk about what that relationship normally looks like and
3 any issues that you may have encountered in the past?

4 A. You're right that the -- okay. Can you ask that question one
5 more time, please?

6 Q. Well, let's start with, how is the relationship between med
7 crew and pilots at your base?

8 A. The relationship between med crew and pilots at our base is a
9 very professional relationship. One thing that we talk about is
10 -- CRM is very important at our base. Since I am prior Navy, they
11 kind of beat that in our head because, you know, (indiscernible)
12 you've got up to five people in the back doing multiple things,
13 and then you also have a co-pilot with you.

14 So, CRM is one of the most important things that we talk
15 about. However, we do also talk about respecting each other's
16 seat. You know, they have a job to do in the back, we have a job
17 to do in the front.

18 I, as a pilot, need to know what is going on in the back so
19 that I can do my own risk assessment and mitigate my risk, and
20 they also need to know what's going on up in the front. So, we've
21 got a real good clear communication, front and back, at all times.

22 Q. Do you use the med crew for safety in flight at all?

23 A. Oh absolutely, use them all the time. All the way from the
24 time we're walking up to the aircraft -- well, actually even
25 before that, whenever we get in our briefs, especially what type

1 of day we're going to have, if we're going to have any LZ classes
2 what the weather is looking like, what the illumination is going
3 to be for the night, you know, obviously, if I'm a night pilot
4 things to look out for, winds.

5 We talk about everything that possibly may come up. And, of
6 course, you know, it's not a perfect world. Any time that
7 anything changes in flight, we're always re-briefing and re-
8 mitigating all of our risk to make sure that everything goes as
9 smooth as it possibly can.

10 One particular of the things that I do as a pilot is I'm
11 always giving them assignments, something to look at, something to
12 watch out for on the right side, on the left side, in the back --

13 Q. Mm-hmm.

14 A. -- and everything else. You know, that keeps them engaged.
15 If anybody's too quiet in the back, you know, they may be
16 dreaming, daydreaming or something, thinking about something else.

17 Q. Okay.

18 A. But if I give them an assignment, then they have to look at
19 it.

20 Q. Mm-hmm. Have you ever had a med crew get uncomfortable with
21 weather or anything and voice those concerns?

22 A. Have I ever had med crew get uncomfortable and voice
23 concerns?

24 Q. With like a flight issue, like weather, encountering weather.

25 A. Are you talking about in flight or before we go on the

1 flight?

2 Q. Either way.

3 A. I've had both of those situations come up and, you know,
4 completely understandable. You know, one of the benefits of my
5 meteorology background is that I can, you know, soundly explain,
6 you know, why it's okay to take a flight or the other side I can
7 soundly explain why it is not okay to go take a flight.

8 Q. Mm-hmm.

9 A. It's the same thing that when we're in flight, you know, you
10 do have haze and, you know, a lot of time haze looks like fog and
11 they start asking questions and I have a known distance of a town
12 or something like that, you know, based off of my GPS and say,
13 well you see that town right over there? And they're like, yeah.
14 Okay. Well, that's 12 miles away, so that's what our current in
15 flight visibility is.

16 That's pretty much how we work it, so. And we've had med
17 crew, you know, voice their concerns and we listen to them. If
18 nobody -- if somebody is not comfortable with it, then we discuss
19 that as a crew and then PIC makes the final decision to abort the
20 flight if they're not feeling good about it in the back.

21 Q. Okay. So, have you had instances of that where you would
22 have to abort a flight because maybe the crew were more concerned
23 than -- and the pilot could -- may have thought that the flight
24 would have been able to continue?

25 A. Well, a lot of the times in a lot of our cases the PIC was

1 the first one to call it because he just knows it's not -- this is
2 not looking good, we're not going to continue on with this. There
3 has been some instances also -- I mean, it's a whole -- it's a
4 mixed bag of situations like that.

5 I mean, I've had a few situations myself with, you know, the
6 air field is reporting 2,000 feet or whatever and we're flying
7 West into the darkness to Altus and we start seeing some ceilings
8 or fog or whatever that's way lower than what was, you know,
9 forecasted or what the current METAR was saying and just it's a
10 real simple, easy call, call operations tell them we're aborting,
11 turn around and go back to the house.

12 Q. I understand. Have there been any challenges between the
13 pilots and the med crew?

14 A. Any challenges?

15 Q. Mm-hmm.

16 A. No, not at our base.

17 Q. Okay. You mentioned maintenance earlier. How would you rate
18 the maintenance on these aircrafts, the aircraft that you fly?

19 A. How would I rate the maintenance at our base or at the
20 company?

21 Q. Let's start with the base.

22 A. That's kind of really hard to -- a little bit of background
23 about our maintenance at our base. The -- our current mechanic,
24 his name is Caleb Roberts (ph.). I've known Caleb for about 5
25 years. He works on my other boss's aircraft. This guy is a

1 consummate professional. I've been trying -- ever since I started
2 working over at Survival Flight I've been trying to get him to
3 come over because he lives in Duncan also.

4 And been trying to get him to come over but he just seemed to
5 not have the -- you know, he thought it was a little bigger than
6 what he needed to be doing, but finally got him talked into it and
7 he came over and really, really, really super glad to have him.
8 He's been working for us I'd probably say for about 15 months now.

9 Q. Mm-hmm.

10 A. But really glad to have him. He's an awesome mechanic. He
11 does everything by the book. Before he does any kind of
12 maintenance he gets all of his papers out, his parts list, he
13 studies before he gets into it that way he can see any issues
14 coming up prior to getting into it. Very, very happy with our
15 mechanic at our base.

16 Q. Okay. So, how would you, then, describe the overall company
17 maintenance?

18 A. We've got a -- in the past we had a huge problem about
19 getting parts.

20 Q. Okay.

21 A. That has improved over time. It's really hard to sit here in
22 this chair and, you know, talk about this and talk about that when
23 you don't really know what's going on up there. Do they have
24 manpower issues? Is there -- do they have people that's in the
25 position that doesn't need to be in that position or not being

1 very effective at what they're doing? It gets to the point to
2 where it's just confusing, to be honest with you. If that makes
3 any sense.

4 Q. So, just so I can get some clarity here. So, what does it
5 look like from your perspective? I understand it's difficult to
6 know what is happening on the other side, but how does that
7 manifest to you as a line pilot?

8 A. Okay. Well, if you want to put it in those terms of what it
9 looks like from my perspective, it looks like they don't really
10 want to spend the money.

11 Q. Okay.

12 A. Helicopters are very expensive to operate. When a part
13 breaks or something is about to go out, it's still in limits but
14 it's about to go out, get the part to us. I don't care if it
15 costs \$10,000 or \$15,000 or whatever, it's required so get it to
16 us.

17 Q. Mm-hmm.

18 A. Probably, you know, the best person to talk to would be my
19 mechanic himself and, you know, he would tell you a whole lot more
20 about this because I don't know about his discussions that he has,
21 but I can definitely tell that my mechanic was very frustrated
22 with how the system, how the system works.

23 But, like I said, once again, my mechanic -- if the aircraft
24 is not good to go, it's not going to go. He has told us that many
25 times.

1 Q. Okay.

2 A. And so, that makes us feel a lot better.

3 Q. Do you have an example specifically about a case that you
4 feel like the company was hesitant to spend the money to get your
5 part?

6 A. Let's see, I'm thinking like -- I'm trying to think of a good
7 example, that's why I'm kind of --

8 Q. Okay.

9 A. -- humming and hawing here. You know, like I said, it would
10 be a lot easier for you guys just to -- you know, if you're trying
11 to find a little bit more information on that, probably my
12 mechanic will be the best person to talk to --

13 Q. Okay.

14 A. -- about that. You know, I'd be more than glad to give you
15 his name and number if you want to talk to him about that.

16 Q. No problem. So, you mentioned that maintenance was great at
17 the base after Caleb joined the force. How was it before? Did
18 you have concerns prior to him joining?

19 A. No, I didn't really have any concerns. Like I said, my
20 biggest concern was just the process of -- it's like you as for a
21 part -- see, now I'm kind of speaking for Caleb a little bit. I'm
22 kind of bringing something up that he told me once.

23 It's like when he calls them and tells them that this part is
24 going bad or is about to be bad or out, it's like they shame him
25 and make him feel like that he's incompetent and he doesn't know

1 what he's doing.

2 Q. Okay.

3 A. Like, well did you do this, well did you do that, did you,
4 you know, check this, did you clean the contacts? He's like,
5 yeah, I did all that. Well, okay, we'll just keep an eye on it
6 and let us know if it gets any worse.

7 Q. I see.

8 A. Yeah, I guess that's about the best way that I could say
9 that.

10 Q. Yeah. And he has voiced that -- those issues or those
11 feelings to you directly?

12 A. Yes.

13 Q. Have you ever received any pressure from the company
14 management or dispatch to take a flight when you have turned it
15 down or planned on turning it down?

16 A. No, I have not.

17 Q. Okay.

18 A. That's the one thing that I can say with honesty is that I
19 have not. Now, if you ask me if I have heard about other bases
20 that were pressured, yes, I have heard. But that has never
21 personally happened to me nor has it -- to my knowledge has it
22 happened to any of my pilots at my base.

23 Q. Okay. So, you're not aware of any cases at 8?

24 A. No, ma'am.

25 Q. Okay. Okay, got it. How -- does Survival Flight have a way

1 to bring up safety concerns to the company?

2 A. Can you say that again, ma'am?

3 Q. Does the company have a way of bringing up safety concerns
4 or, sorry, that you can --

5 A. Safety concerns or do they have a way -- did you say a way of
6 coming up with safety concerns?

7 Q. A way that you can report safety concerns.

8 A. Oh yes. We have -- Dave Marinari (ph.) is our safety rep and
9 we have a safety board that's posted up that's got the email
10 address and the password so that it is supposedly, you know,
11 supposed to be anonymous. This email goes to him. And I think
12 that Joe Lawrence is the safety guy up at Batesville. And we fill
13 that out.

14 You can do that via that way or these guys know that if they
15 do have a safety concern they can always come to the base manager
16 or they can come directly to the lead pilot if they want to. So,
17 there's more than one avenue to address any safety concerns.

18 Q. Have you had any concerns be reported to you as lead pilot?

19 A. Not at my base, I have not.

20 Q. Okay. Not at your base?

21 A. Not at my base.

22 Q. Okay. Are people -- are others contacting you about issues
23 that they're having at other bases?

24 A. I said nobody's contacted me directly about anything, it's
25 just things that you hear on the around, you know, called

1 scuttlebutt rumors.

2 Q. Okay.

3 A. Med crew talks to med crew and pilots talk to pilots and
4 stuff just gets around, and I think Tim can probably attest to
5 that, you know, everybody talks.

6 Q. Okay. Have you had any safety concerns come up at your base
7 that -- I'll just stop there. Have you had any concerns with the
8 company --

9 A. Well --

10 Q. -- or the operation?

11 A. One of the -- well, one of the things that we had talked
12 about at our base is this -- I don't know if you could perceive it
13 as helicopter shopping or -- in the beginning of it it was kind of
14 weird because we would get these weather checks for towns and
15 hospitals that's, you know, way out of our service area that
16 we've, you know, never even been to or never even heard of or --
17 and that other companies had turned those down for weather, and
18 then now we're getting a phone call.

19 And I'm sitting there going, this is kind of weird because
20 these people out here, how do they even know, you know, that
21 Survival Flight is even, you know, available to even come and do
22 something like that.

23 So, yeah, we talked about that a lot and I talked with a
24 bunch of other pilots and I think the term reverse helicopter
25 shopping has been brought up to where the assumption is that

1 operations was monitoring weatherturndown.com and they would see
2 somebody in the Oklahoma area turn a flight down.

3 Then they would call the hospital and ask them if the patient
4 still needed to be transported and that they could call one of the
5 pilots to see if they would accept the flight, and if they would
6 accept the flight did they want us to come and pick them up.

7 Q. So, what -- how did those discussions go?

8 A. Amongst my base --

9 Q. Uh-huh.

10 A. -- how did the discussion go?

11 Q. Right.

12 A. Oh, we were all, you know, that's not a good thing. That's,
13 you know, going out there trying to pick up bread crumbs all over
14 the place and that's pushing it. After our discussions and
15 everything, we even had this discussion at a base meeting and I
16 passed on to all my pilots and all the med crew that, you know,
17 this is not going to change how we do business, you know.

18 Operations are going to do what they're going to do to call
19 and get weather checks, the thing is we don't know if that actual
20 hospital is calling us directly like we're a first call or we
21 don't know if operations is the one that's going out there trying
22 to poach flights from other bases.

23 You form up this mistrust, so now we're kind of -- we're
24 putting up walls around our base to protect ourselves from, you
25 know, this stuff going on, whatever it is that's going on. Like I

1 said, it's all perception. I don't know any, I don't know any
2 facts.

3 Q. Mm-hmm.

4 A. I haven't directly asked anybody or talked to anybody, you
5 know, like hey, what are you doing because this doesn't look
6 right, but it's not going to change how we do our weather checks.
7 It's not going to change how we accept or decline flights.

8 Q. Mm-hmm.

9 A. And everybody is on board with that.

10 DR. SILVA: Got it. Okay. I'm going to pass the buck over
11 here. How are you doing? Do you need a break?

12 MR. BRAKE: No, I'm good.

13 DR. SILVA: Okay. Paul, do you want to take over?

14 MR. SUFFERN: Yeah, I'll take over. Thanks, Sathya. Thanks,
15 Sammy, for your time today. So, a little bit more into weather
16 perspective and nice to speak to another person who has a
17 meteorology degree and worked in that area.

18 BY MR. SUFFERN:

19 Q. Could you describe how you stay updated on weather conditions
20 during your shift?

21 A. Okay. Could you repeat that one more time, sir?

22 Q. Yeah. Could you describe how you stay updated on weather
23 conditions during your shift?

24 A. Oh, okay, okay, how I stay updated. Okay. At my desk I have
25 a -- and I would call it a minimum of eight tabs that are open. I

1 use AWC HEMS tool. I use the -- I have another one opened up --
2 AWC is like kind of my main stores where I get all my information
3 and I have PIREP reports that are popped up.

4 Another big one that I really like to use is the GFA tool,
5 the graphical forecast analysis tool. That kind of gives me an
6 idea of what's really going on in the next 12 hours for the day.
7 I always have the Weather Channel up on the TV. I always watch
8 the local news. And we also have another program called Weather
9 Maestro if you've ever heard of that, and that's another excellent
10 tool to get some information.

11 I always have a satellite picture up. If it's the daytime
12 I've got my visual picture with my weather vapor imagery up, and
13 at nighttime, of course, I've got my infrared imagery up with the
14 water vapor reducing my satellite interpretation.

15 I'm a little paranoid. I don't -- I do not trust METARs, I
16 really don't because the METAR itself only tells you what's going
17 on right over its field at that specific datapoint. Let's see,
18 what other program do I use?

19 I always have the area forecast discussion up also. And
20 about every 30 minutes or so I'll run across all the tabs, I'll
21 refresh everything and then I'll go back and look at everything to
22 see what my trending is going to be.

23 That's another reason why I use the GFA. I'm always bouncing
24 it against what the real-time is doing to see how well those
25 models are handling the system. That's pretty much how I check

1 all my stuff. And I've taught all my pilots how to use all that
2 stuff.

3 Of course, it depends on what time of year, you know, we're
4 in. Are we in winter time conditions, are we in springtime
5 because, obviously, we're in Oklahoma and so we start getting, you
6 know, severe weather developing off to our West with
7 (indiscernible) setting up and everything else. Always looking
8 for different products. We use HRRR, the high res model for the
9 severe thunderstorms picking up also.

10 Q. Okay. And as far as the GFA tool, have you ever seen an
11 issue where you seen a problem like the GFA tool like inconsistent
12 between the -- maybe the clouds that it's showing and then the
13 visibility at the surface or something or there's a little
14 disconnect and may show -- for example, it may show like Cirrus
15 clouds but then, you know, visibility of 2 with no fog or mist or
16 anything? Have you seen that?

17 A. Oh yeah, I've always seen -- you know, there's always
18 anomalies with everything, you know, we don't -- as with anything,
19 you don't take it literal. You got to -- I'm always bouncing the
20 satellite picture, you know, especially if you're
21 (indiscernible) mid or high-level clouds because I'm always
22 concerned about low level clouds being a helicopter guy, so that's
23 what I'm always trying to look at.

24 And a lot of times I'm fortunate enough to be able to look at
25 the low level clouds that are associated, and then I bounce that

1 against the GFA tool that's calling those marginal ceilings for
2 getting down into IFR or low IFR conditions.

3 Q. Okay. And as far as the most helpful of those eight tabs,
4 which one of those would be your main go-to if you could have it?

5 A. Main go-to is always the HEMS tool looking at real-time
6 what's going on right now, and then I always bounce that against
7 the Weather Maestro just to make sure that the observations are
8 agreeing with each other because a lot of times some of those are
9 late, up to 20 minutes late updating.

10 I have the phone numbers for, you know, Oklahoma City,
11 Lawton, Altus, Duncan, Chickasha, all of our areas. Sometimes --
12 especially when the weather is getting marginal, I'll get my phone
13 out and I'll call each one of those AWOS stations just to see to
14 make sure that everything is jiving with what's reporting on the
15 HEMS tool.

16 Q. Now, as far as icing conditions are concerned there in
17 Oklahoma, have you ever turned down a flight request due to icing
18 before?

19 A. Multiple times.

20 Q. Can you give me an example of one of those?

21 A. Example of turning down for icing conditions, first thing I
22 do is looking at our surface temperature and how much moisture is
23 in the air, I use the HEMS tool for that showing the relative
24 humidity at 1,000 feet AGL, and then I go and look at the icing
25 probability at 1,000 feet AGL, and icing severity at 1,000 feet

1 AGL. And that's where I start at.

2 And then I start moving on and looking for any Airmet Zulus
3 that are out currently. And then I move over to the GFA tool to
4 see if later on whenever the temperature starts dropping in the
5 evening and into the night I'll look there looking at -- for, you
6 know, the prognosis for the next, you know, three to six hours and
7 putting out any Airmet that may be possibly coming out in the
8 three to six hours.

9 Q. (Indiscernible) --

10 A. And (indiscernible) going back and tracking that and keeping
11 up with the GFA tool and see if it is tracking along with what
12 currently is showing me on the HEMS tool.

13 Q. Okay. And as far as snow conditions, have you ever flown in
14 snow before?

15 A. No, I have not. I have not flown in snow conditions. We
16 don't get a lot of snow down here in Southwest Oklahoma. It's
17 like usually get that once -- you know, that real, real good snow
18 one every 20 years or so.

19 The biggest thing we get here in Oklahoma is icing at the
20 surface and, you know, of course in the upper levels also, but
21 that's usually with the transition between the -- it just doesn't
22 get cold enough and it just it's not warm enough.

23 So, it's just kind of right there in that transition line
24 where we usually always get the ice and three counties north in
25 Northern Oklahoma they get all the snow, and then everybody south

1 of us they get all the rain.

2 Q. You're in the meteorology fun zone.

3 A. Sir?

4 Q. Yeah, you're in the meteorology fun zone there.

5 A. Yeah, we're in the fun zone. And, you know, fortunately for
6 us at 8, my biggest concern whenever that type of weather is
7 coming in is what time am I moving the helicopter over in the
8 hangar because we don't want to get any ice on the helicopter.
9 So, it usually gets moved over a good three or four hours before
10 it even starts, you know, showing any type of icing conditions at
11 the surface.

12 Q. Okay. As far as the company established weather minimum,
13 what plays the biggest role for you making your go, no-go
14 decisions? Is it METAR and TAFs? What's the biggest thing for
15 you?

16 A. What exactly -- and once again, you know, coming from a guy
17 that used to write TAFs, I don't trust METARs and I don't trust
18 TAFs. This is something that -- and, like I said, being a guy
19 that used to write for TAFs and I knew a lot of people that did
20 that were regional forecasters, I call it the cookie cutter TAFs.

21 It depends on what guy you've got sitting up there in
22 Oklahoma City that's writing these TAFs for the regional area. I
23 can't tell you how many times -- and it just really irritates me,
24 Oklahoma City is 75, 78 miles northeast of us and they will put
25 out a TAF for Oklahoma City and they will put out a TAF for Lawton

1 and both of those TAFs will be the exact same TAF.

2 And I know that's a bunch of BS because you've got more
3 dynamics going on than that, especially like multiple area effects
4 that will change, you know. It will be different for us than what
5 it is for Oklahoma City. And when they run their visibilities
6 down, they'll run our visibilities down at the same time.

7 And you got a stratus layer coming in from the South, you
8 know, with advection fog or something like that and they've got
9 their visibility going down before ours. So, I catch those
10 things.

11 Q. Yeah.

12 A. I wish that they could do a better job with weather reporting
13 because I can tell you right now, a lot of pilots that I met in
14 the company and pilots that I've known in the Navy, sure they have
15 weather training, they go through all this other stuff, but some
16 of these guys take this stuff literal. If it's saying -- if the
17 forecast is saying that's what it is, then that may be their go,
18 no-go decision.

19 They're just going to completely trust what the forecast says
20 and you're going to completely trust what the METAR says and
21 you'll want to go. And now they're out in the middle of nowhere
22 and they get caught in some bad stuff. That's kind of my two
23 cents on that.

24 Now, going back to talking about me, the best thing is
25 knowing your area, talking with people that have flown in the area

1 for a while and believing what those people are telling you,
2 specifically for Duncan. If we start seeing Duncan going down,
3 I'm not taking flights.

4 I don't care of it says that Chickasha, which is 36 miles
5 north of Duncan which is on our way to Oklahoma City, I don't care
6 if Chickasha is still showing green because here in about the next
7 15 or 20 minutes they're going to be in the pink or they're going
8 to be in the red. So, just kind of an experience thing with all
9 that.

10 If the weather said, you know, (indiscernible) 1,000 foot
11 ceilings and three miles of visibility, there is absolutely no way
12 I'm going to take a flight if I have 1,000 foot and three miles
13 visibility where I'm taking off at or in route and at my
14 destination.

15 It's not going to be that on the way, I guarantee it. I'd
16 bet my paycheck on it. You're going to see 400, 500, 600 foot
17 ceilings and you're going to see visibilities as far as down as
18 one mile between those METAR reporting clumps based off of local
19 area effects, farmer's fields, creeks, lakes, you name it.

20 Q. Have you found a good way to share this information to the
21 other pilots at your base?

22 A. Oh yeah. No, we talk constantly all the time. And to tell
23 you the truth, I think I probably get on their nerves, but I don't
24 care. They need to know these things and I'll pass that
25 information. I always send emails out to them talking about

1 icing, talking about fog.

2 In the Navy we called it hangar flying. If the pilot had
3 gone out and accepted a flight and did something and, you know,
4 everything looked good and then things started looking kind of bad
5 and you always tell those stories to each other even if, you know,
6 it wasn't an exactly perfect situation and we all learn from each
7 other by talking with each other.

8 Like I said, that's the awesome synergy that we have at our
9 base is we all talk with each other. We're not out trying to get
10 each other, we're trying to set each other up for success because
11 our number one priority is those med crews flying in the back is
12 taking care of those guys and getting them back home safe.

13 Q. So, it sounds like you send emails out. Has anybody from
14 your base, other pilots, have they sent their experience back to
15 you and to other pilots in the group where they've had challenges
16 potentially with the weather and share that back as well or is it
17 just you --

18 A. Oh absolutely. Yeah, yeah. We all share those challenges
19 with each other and, you know, while we're on shift I'll be
20 working with a med crew and I'll just talk with them and say, hey,
21 tell me about that, tell me about that flight that you all had,
22 you know, the other night or whatever, whenever that pilot told me
23 about that.

24 And they talk about it and, you know, about how well, you
25 know, the pilot did in his decision and whether it would have been

1 aborting the flight or diverting to another area, visibility
2 starting to come down a little bit, med crew getting a little
3 nervous and the pilot talking with them and letting them know
4 what's going on and, you know, kind of putting them at ease about
5 things.

6 Just, like I said, that's the synergy that we got at our
7 base, it's not one of those situations where it's, you know, shut
8 your mouth, I'm the professional, you know, it's my job, you know,
9 you just shut up and let's go, you know? We don't have any of
10 that type of stuff at our base.

11 Q. So, as far as tools and weather and the like, is there
12 anything that you would like to see weather-wise, a new tool or
13 something like that, that could help you do your job better?

14 A. Are you talking about like from the National Weather Service
15 or --

16 Q. Anything, software, National Weather Service.

17 A. The biggest wish list for me is we -- and I say this about
18 the entire country, safety costs a lot of money and if we're going
19 to get a lot safer in what we do as aviators and everything else,
20 one of the biggest things that could help out is we need a lot
21 more coverage.

22 We need more information about -- because, for example, if
23 you ever looked at a map of -- if you go out to Coweta, which is
24 Western Oklahoma, you have Childress that's just in the panhandle
25 of Texas, if you're going anywhere to Amarillo there is 100 miles

1 of nothingness. It's so dark out there you can't see your hand in
2 front of your face. But there is no -- there's not enough
3 reporting stations out there to be able to tell you if there's
4 something out there.

5 Now, you can take a look at the satellite imagery, you can
6 try to interpret that, but if there's high clouds you're not going
7 to get any information at all, it's going to be completely
8 covering all that up. So, that's an example of the worst case
9 scenario.

10 But for my wish list, I wish there was lot more -- and it
11 doesn't have to be anything crazy just I need to know what the
12 ceiling is and I need to know what the visibility is at that
13 location there. That would help out a lot.

14 But, you know, where we sit right now is basically you just
15 have to just kind of look at this and look at that and go, well
16 that doesn't look very promising so we'll just go ahead, we'll
17 just go ahead and just turn that down based off of all the other
18 information that we received, based off of the area forecast
19 discussion which is huge because I want to know what these
20 forecasters are thinking about when they're writing these TAFs.

21 Another big thing that I talk to my pilots about is -- and I
22 see this a lot, is you got to read that area forecast. If you're
23 not reading an area forecast, you're not getting the whole picture
24 because if you do go in and read the area forecast they will talk
25 about fog, they will talk about this, but they will say -- at the

1 end or that they will say, not enough confidence so did not put in
2 any area TAFs.

3 Well, if my guys are just only looking at TAFs then they're
4 not going to know that information that there is a possibility
5 that we could be getting some fog tonight. And it has happened.
6 They have put out an area forecast talking about possible fog, not
7 enough confidence to put it in TAFs and they were VFR all night
8 long and TAFs, and here comes about 1:00 in the morning we're at a
9 vertical disability of 200 feet with a quarter mile fog.

10 And then now they're putting out another, you know,
11 correction to the area forecast, you know, it looks like this,
12 this, this happened and so on. Nobody's perfect.

13 Q. Yeah.

14 A. We can only do as well as the information that we get. And I
15 know these forecasters have put out the TAFs and everything
16 they're putting everything out based off of what they see off of
17 the data, and that stuff can change and the weather can just
18 change in an instant. So, same goes for severe weather, we really
19 don't play around with that here in Oklahoma.

20 MR. SUFFREN: All right. Thanks, Sammy. And, Sathya, that's
21 all the questions I have for right now. Thank you.

22 MR. BRAKE: Okay. thank you, sir.

23 DR. SILVA: All right. Thanks, Paul. John?

24 MR. BRANNEN: Yeah. I think a lot of what I was going to ask
25 was already covered. I got a couple questions about night

1 flights.

2 BY MR. BRANNEN:

3 Q. So, When you get a call for a night flight, does that -- how
4 does that affect your weather evaluation?

5 A. It definitely affects my weather evaluation a lot more than
6 it does at daytime. I've gotten some of those flights, you know,
7 where it was calling it good and I felt good about it and I'd
8 looked at all my stuff.

9 And we got out there and it's kind of like you don't want to
10 put your goggles on after you were already looking at it because
11 you put your goggles down and the beautiful thing about goggles
12 you can really see what's out there. And I absolutely love flying
13 with goggles (indiscernible) best -- next best thing is to
14 (indiscernible).

15 I don't see how in the world any EMS company was ever flying
16 without goggles. It's just -- it just blows my mind. Nighttime,
17 the biggest thing for -- and to get to your question, the biggest
18 thing about nighttime is temperature. When you got temperatures
19 dropping at night a lot of things are happening. You know, you're
20 getting down to your dew points, ceilings act erratically, fog
21 will develop within five minutes. Those are one of the biggest
22 considerations for me at nighttime.

23 You know, just like I said, even though it says 1,000 feet
24 and three miles part 135 minimums, that is not my minimum. My
25 minimum is more like around 1,400 and 4. And another

1 consideration to that is the stability of the air mass. Is this
2 something that is behind the cold front or is this something
3 that's in the area of a warm front because that definitely changes
4 a lot too.

5 Q. Okay, very good. So, you mentioned the NVG. Would you ever
6 consider taking a night flight without your NVG?

7 A. Yes, I would consider taking a night flight without NVG if it
8 was 100 percent illumination and the skies were completely clear.

9 Q. Okay. But as a normal practice, you -- and, I mean, what
10 factor would make the NVG not available or not, you know, not --
11 you know, you could not take them?

12 A. Well, probably -- since we're like in the wintertime one
13 thing that would kind of catch us out with our pants down without
14 having the goggles with us is being a daytime pilot and you get a
15 call at, I don't know, we'll say 4:00 in the afternoon and you've
16 got to do a run to Dallas or Tulsa, any time we do a Dallas flight
17 or a Tulsa flight I guarantee you we're going to be gone for five
18 hours.

19 So, at some point during that flight sun's going to set at
20 5:30, 6:00, you know, during the wintertime and you're going to be
21 caught without your goggles going back home.

22 Q. Okay. But, you know, if you knew -- you know, if you got a
23 call and it was already night, you would, as a general practice,
24 take your goggles all the time.

25 A. Always. Yes, sir. Yes, sir. One of the practices that we

1 do at our base is -- and I told my guys, you need to have those
2 goggles out, you know, at least around 5:00 or so. Of course,
3 that's back when the sun was setting at 5:30. It's starting to
4 set about 6:15 now, which is getting, you know, a little bit
5 closer to when our shift change or pilot changeover is happening.
6 But have those goggles out and ready to go.

7 You may take off while the sun is still out, pick up the
8 patient, whether it be a scene call or take off from the facility
9 they're based at and then transferring up to Oklahoma City, and
10 then while you're up there while they're taking care of the
11 patient then you get the goggles out and get them on your helmet
12 and fly back. That's our practice.

13 MR. BRENNAN: Okay. I don't think I have anything else.
14 Thank you.

15 MR. BRAKE: Okay. You're welcome, sir.

16 DR. SILVA: All right. Thanks, John. Shaun? Shaun may not
17 be on. I think he said he might have to drop off. Dave, did you
18 join the line?

19 MR. GERLACH: Sathya, I am with you.

20 DR. SILVA: Okay.

21 MR. GERLACH: And I guess let me introduce myself to you real
22 quick. So, this is David Gerlach. Good afternoon. I am with the
23 FAA Office of Accident Investigation and Prevention. And just to
24 kind of give you some insight, we are just on the investigation
25 side.

1 We're not any part of compliance and enforcement or anything
2 like that, so I want you to still be -- feel free to say whatever
3 you want to say. We have nothing to do with, you know, the
4 investigate -- or the compliance side of things, so. So, just a
5 couple of questions for you. And, boy, it sure does sound like
6 you really know the Oklahoma area, Texas area quite a bit.

7 BY MR. GERLACH:

8 Q. Do you find that from a weather standpoint you're a heck of a
9 lot more knowledgeable than those folks in the OCC that are
10 looking at the weather as well?

11 A. Yes, sir.

12 Q. And --

13 A. And I only say that, I only say that because those folks
14 sitting there at OCC are not pilots. They have not flown in
15 situations where the weather has gotten, you know, really nasty.
16 They don't know what that looks like at nighttime or at daytime or
17 anything. It's kind of like you don't really know what you're
18 talking about until you've experienced it.

19 And that's why I say that I am more knowledgeable than, you
20 know, even the meteorologists that we have at OCC. I mean, those
21 guys are great, you know, they can talk about a lot of stuff and
22 they can look at products and talk all these fancy words and
23 stuff, but that doesn't really apply to a real-time, you know,
24 what's going on right now kind of situation.

25 It's just experience is one of the things that really helps

1 out is just knowing that you've been out there in that stuff
2 before. And just like when I was talking about before, you know,
3 even if the METAR says that's what it is, that's not what it
4 really is. That's just what it is over the top of the field. You
5 have to have --

6 Q. Right.

7 A. -- a better understanding of what's going on in the region,
8 what's going on with this air mass that's sitting over the top of
9 us and how is that air mass going to change whenever it's
10 interacting with another air mass that's moving into the area?
11 What's it going to do locally to us? That's one of the biggest
12 things that they need to understand what's going on.

13 Q. Got you. And it would seem to me that because of your
14 locality and your experience in that area that you're able to make
15 better decisions than possibly somebody, like you mentioned, in
16 the OCC that's probably just looking at a METAR which is right
17 there, you know, at that reporting station.

18 And, correct me if I'm wrong, but they probably don't look
19 at, you know, the synoptics for a whole area, they're just quickly
20 looking at a trip and METAR to METAR from departure to what your
21 destination is. And, I mean, do they typically assess the whole
22 area like you would and look at the product chart and see what's
23 happening or is this just kind of a quick look for them versus
24 your big perspective on what's happening in your general area?

25 A. You know, that's what I was talking about before. I don't

1 know what they're doing up there.

2 Q. I got you.

3 A. I could only, I could only perceive what they're doing up
4 there. And, you know, I don't mean to sound mean or anything like
5 that, but operations, when it comes to weather or something like
6 that, they're pretty much useless to me personally. They're
7 useless to me because they're not -- and the reason why -- you
8 know, naturally the reason why I'm looking at all these products
9 is because I'm the one that's in the air.

10 I'm the one that's putting my life and my med crew's life on
11 the line every time that we accept a flight. And I'm going to
12 make damn sure that I've done everything that I possibly can to
13 make sure that it is safe to go. And if at any point that I
14 second-guess myself, I don't take it. I'm not going to take it.
15 Simple as that.

16 Q. Well, that certainly sounds like a good attitude to me. What
17 kind of challenges and what's your number one challenge for
18 keeping you, your med crew safe from a day-to-day basis out there?

19 A. The number one challenge of keeping them safe is speed. I'm
20 always -- we're always talking about -- we have this thing in our
21 company called variance reports.

22 If you don't, if you don't lift in a specific amount of time,
23 you have to fill out a variance report and explain why it is that
24 you didn't lift in time, a med crew member was in the bathroom or
25 one of them was in the shower or something like that or whatever.

1 But, you know, I always fill those things out honestly and like,
2 you know, we got some weather in the area, took some extra time to
3 look at that stuff. And this dynamic just constantly changes.

4 The biggest challenge for us is scene calls. You know, when
5 you get the call, if you get a weather check, if we're in amber
6 position and doesn't give a weather check, then I always take my
7 time looking at that. But, yeah, scene calls are the pilot really
8 doesn't have a whole lot of time when you got to go, you got to
9 get to the scene. But I don't ever let that pressure, pressure me
10 and I'm always telling my other pilots, you know, don't let that
11 pressure you neither, even if you have any kind of perceived
12 pressure that you really need to hurry, hurry, hurry.

13 Nighttime is another challenge, too. I'm always talking with
14 my guys saying hey, you know, it's nighttime you need to slow
15 things down because naturally at night the -- you can always miss
16 something at nighttime. And that's probably some of the biggest
17 challenges that we have is nighttime flying also.

18 Q. Yeah. If you had to list out, you know, your top five
19 hazards for daytime, would they be the same as night or would you
20 list them differently?

21 A. Naturally, our nighttime hazards would be obstacles, low
22 ceilings to nighttime visibilities for nighttime. Having any kind
23 of emergency in the aircraft, just simply nighttime makes it just
24 all around dangerous, period. And that's why we need to slow
25 down, we need to talk, we need to have good communication in -- on

1 the front to the back and the back to the front. Was that four
2 for night?

3 Q. That's good.

4 A. And as we discussed before, icing. Icing in the wintertime
5 at nighttime, that's another big challenge is that rapid drop in
6 temperature when you start getting closer to the freezing level.
7 Yeah, biggest challenge, helicopters, you know, a lot of this
8 stuff -- I just use common sense on a lot of things.

9 They may not -- I may not see anything in Airmet Zulu for
10 icing for our area, but if it's 34, 35 degrees at the surface and
11 I use a standard (indiscernible) rate of 2 degree Celsius drop for
12 1,000 and they're forecasting some drizzle or some light rain in
13 the area. Well, yeah, that's light rain at the surface but it's
14 more than likely going to be icing if you get up to 1,000 feet.

15 And, you know, sometimes the HEMS tool doesn't really reflect
16 that, so those are cases where I just -- yeah, I don't have a
17 product to tell me there's icing out there, but I kind of use
18 common sense that, you know, if you get up to that freezing level
19 you could see that. And, like I said, these products are not
20 perfect.

21 Q. Yeah.

22 A. And we need some more micro forecasting would be nice. And
23 HEMS tool is great, it's great, but I think it could be better.
24 Some really, really smart dudes could come up with something. A
25 lot smarter than me.

1 Q. Well, speaking of icing, have you noticed on the helicopter
2 that it starts to show ice in any particular areas first?

3 A. It shows -- it starts to show ice on the (indiscernible) and
4 on the nose, it should.

5 Q. Does it --

6 A. That's the first place --

7 Q. Does it --

8 A. (Indiscernible) because we don't have --

9 Q. Go ahead.

10 A. Go ahead, sir.

11 Q. You know, with the different forms of icing, clear icing and
12 rime icing, will it accumulate rime ice on the windshield as well?

13 A. I would suppose it would.

14 Q. Yeah. No experience with it, though?

15 A. I have in the -- when I flew 53, MH-53 --

16 Q. Yeah.

17 A. -- we had gotten icing before.

18 Q. Got you. Got you. How about the TAWS, is it helpful or is
19 it a distraction to you flying in the area?

20 A. Are you talking about HTAWS?

21 Q. Yeah.

22 A. No, absolutely it's not a distraction.

23 Q. Is it a helpful tool? I mean, are -- do you -- is it
24 something that you use consistently or is it just more of a
25 warning thing for you?

1 A. Well, that kind of gets me into another area. One of the
2 things about this company is -- of course now I say it's my wish
3 list and everything else, but we I think have flown from Survival
4 Flight 9 (indiscernible) that base and on, every aircraft that was
5 purchased and fixed up as a HEMS helicopter, they installed dual
6 650 Garmins with a Garmin 500 display in those aircraft. Our
7 aircraft does not have that. We have an old outdated Sandel. Are
8 you familiar with a Sandel HSI?

9 Q. I am, yeah.

10 A. Okay. That's what we have in our helicopter. We have a 530
11 and a 430. We do have XM satellite or radar that pops up on the
12 530, also the lighting structure or anything like that, which is
13 -- you know, it's all good, I'm glad we got that, but I don't have
14 that display up in front of me showing me the, you know, the real-
15 time, you know, what's going on.

16 I can't get all that information all at one time. Of course,
17 you know, the 530 I can bring it up and have it showing some red
18 areas and yellow areas and all that good stuff, where you have
19 terrain and all that good stuff. But, yeah, it would be kind of
20 nice to have all that new fancy stuff, but we have what we have.

21 Q. Got you.

22 A. Some of the other aircraft -- I think Russellville, they have
23 a 530 and they have this other system on there called a Chelton.

24 Q. Sure.

25 A. I did work over there once. He tried to show me the Chelton

1 and I was like, oh man, it's just -- that's confusing, so. I got
2 the hang of it after a flight and figured it out. I would like to
3 see some older equipment being the same across the board and
4 everybody being trained, you know, on that equipment.

5 I fly my helicopter here all year and then I go up to
6 Batesville and I get trained in a 206L3 that has a dual stack 650
7 Garmins with the Garmin 500 display in it and everything, I'm
8 like, okay, I don't use this, but it is pretty neat and I'd like
9 to learn it.

10 But as soon as I, you know, get done with my check ride I go
11 back to Lawton, Oklahoma and I'm flying my Sandel HSI and -- so,
12 how did that training help me out any with what I've got down here
13 in Lawton? It really didn't as far as, you know, we call in the
14 Navy, train like you fight. So, they trained me on some really
15 cool stuff up there, and then I go back to Lawton and I don't even
16 us that type of equipment.

17 Q. Right. Well, that's a good segue to one of my next questions
18 that I was going to ask you was, what you thought the quality of
19 the training and things that you might want to see different in
20 your annual training with the company.

21 A. And this is just me speaking for everybody else in the
22 company, I'm speaking for them and, unfortunately, for me if my
23 boss that I worked for here in Duncan, Oklahoma with flying the
24 407, he pays \$5,000 a year for me to go down to Bell Textron at
25 the Bell Helicopter Academy and I go down there, they train me in

1 FADEC in the 407.

2 They train me for all the rotations, all the way down to the
3 ground and everything else. And those guys are awesome and
4 they're experts and that's very beneficial for me. But for the
5 other company, I would like to see that.

6 I would like to see -- if you're going to be flying the 407
7 at a base, you need to be trained in a 407, you need to do your
8 check ride in a 407. Everything that you're going to see at your
9 base needs to be in that aircraft that you're being trained in.

10 Q. Got you.

11 A. I don't fly a 206L3 at Lawton, but that's what I train in and
12 that's what I do my check ride in. I mean, if that's --

13 Q. Got you.

14 A. -- perfectly legal with the FAA then, you know, that's the
15 way it is. And it doesn't affect me, you see what I'm saying, but
16 I can see that as a problem with a new hire and they train them in
17 the L3 and then they do a crossover training to show them the
18 differences between the 206 and the 407.

19 And you can ask Tim, I don't know how many hours that they
20 fly in the 407 before they cut them loose and send them to their
21 new base, but they may get two hours, they may get three hours,
22 but Tim might be able to elaborate on that.

23 But they show up at a new base on the 407 and they've only
24 got three, two or three hours of 407 time under their belt, have
25 not had any kind of FADEC training for a FADEC -- or, excuse me,

1 for a full FADEC (indiscernible) or anything like that. And it's
2 not just strapping in an aircraft with an air crew and everything
3 else and giddy-up, let's just go out and learn as we go.

4 Q. Got you. And have you made those kind of recommendations at
5 all?

6 A. I have not made those recommendations. I have asked the
7 question and kind of just kind of had eyes cut at me, you know,
8 like, do you know how much money that costs to do something like
9 that?

10 Q. Right.

11 A. Yeah, I'm sure, safety is very expensive. It's very
12 expensive. You've got to spend a lot of money on safety and
13 selfishly I'd -- I don't know how much -- you know, I don't know
14 what's going on up there. I have no idea of anything that's going
15 on up there as far as financings or we can do this or we can't do
16 that because we just don't have enough money to do that. You
17 know, the company would go under if we did something like that. I
18 have no idea about any of that.

19 MR. GERLACH: Well, thanks for your candor and your openness
20 and your insight. Sathya, I don't have any more questions right
21 now.

22 DR. SILVA: All right. Thanks, Dave.

23 MR. BRAKE: Thank you.

24 DR. SILVA: Tom?

25 MR. LUIPERSBECK: Thank you. Fortunately, most of my

1 questions have been previously covered, so mine I will keep to a
2 minimum.

3 BY MR. LUIPERSBECK:

4 Q. How would you describe the risk analysis program at Survival
5 Flight?

6 A. I would describe the risk analysis is very -- it's very good
7 for, you know, what we need to be looking at as far as internally
8 into our base. You know, to bring something up about the risk
9 analysis is -- I really don't know how to say this. It's anything
10 outside of the base is just a bunch of words is all it is. If I
11 tell OCC that, you know, hey we're red, well what is done about
12 that, you know?

13 Is it -- I'm trying to come up with the right words for that.
14 I remember about a year ago that I -- that the weather was below
15 minimum so I tried going red and they said, no, you're not red
16 we're just going to put you amber for a weather check. I'm like,
17 okay, whatever. You call me, the weather is still bad I'm not
18 going. And they're like, oh yeah, yeah, you know, that's fine.
19 Okay. I don't know if I answered your question with that.

20 Q. You did. If it were up to you, were there other things that
21 you would have considered on that risk analysis worksheet?

22 A. Would there be some other things that I would consider that
23 you needed to add to it, absolutely.

24 Q. Is there anything --

25 A. New pilots. New pilots for sure. Those guys need to be --

1 they don't need to be on any kind of variance report. They don't
2 need to be rushed at all. I mean, I don't care how long it takes
3 for them to get to the aircraft and go through the checklist and
4 make sure that everything is done before they pull pitch on the
5 helicopter.

6 I also think another -- because I personally went through
7 this myself, I did work over at Russellville and they've got a lot
8 of hills and a lot of stuff going on over there and I made a big
9 mistake of taking the work over night shift and I had never worked
10 there before.

11 And I'm sitting there at the desk and I was just studying the
12 area, I was studying the weather and the weather was good, it was
13 okay, but it was marginal and I remember I got a flight request
14 and I was looking at everything and I took myself out of the
15 equation.

16 I said, I can't -- I'm not going to take that flight. And
17 they're like oh -- the med crew is like, we've taken those flights
18 before. And I said, no. I said, I'm not going to take it. I
19 shouldn't even be here right now, so. I was sitting in the chair
20 wishing I was flying instead of being up in the air wishing I was
21 in the chair. So, we just kind of left it at that.

22 So, I think that would be another thing that the company
23 would really need to look at is pilots, even current pilots that
24 are going over and working over at another base that doesn't
25 really know the area very well, doesn't know the local area

1 weather effects and everything else. I think that needs to be
2 something that need to be added to the risk assessment.

3 And since you just asked that question to me, I'm sure I
4 could probably think of other things an hour or two from now, but
5 just right off of the top of my head that would be some big ones
6 there.

7 Q. Okay. Well, you mentioned that. Do you think there's -- or
8 is there a provision in your GOM or in any OCC guidance for the
9 OCS personnel to possibly override a new pilot's decision on a go
10 flight and maybe tell them to reconsider that perhaps they should
11 decline that flight?

12 A. Right. You're talking about like OCC being that little angel
13 on their shoulder and kind of giving them a recommendation? Is
14 that what you're asking, sir?

15 Q. Yes.

16 A. Absolutely. I completely agree with that 100 percent.

17 Q. Does that happen now? My question is, does that happen now?
18 Is that the case currently?

19 A. No, sir, it is not.

20 Q. Okay.

21 A. Not in my experience. Not in my experience.

22 Q. Okay.

23 A. Another strange thing, too, is those guys are supposed to be
24 good at looking at weather and they see that the weather is not
25 good, why are they calling me? Why are they calling me for a

1 weather check?

2 That's one of the things that I don't really understand
3 because -- and when I say calling me, let's say that -- let's say
4 I'm a brand new pilot and I got something to prove. Well, if they
5 know that the weather is not good, why are they calling and asking
6 for a weather check because as soon as they, as soon as they ask
7 for a weather check from a new pilot they're already opening
8 Pandora's box. Does that make sense?

9 Q. Yes.

10 A. They're not going to get me, but I could see it, I could see
11 it happening at another base with a brand new pilot, them doing a
12 weather check with that pilot whenever OCC already knows that the
13 weather is not good to do the flight and then they're calling for
14 a weather check to go pick up at a certain hospital.

15 That right there, I don't think that's good practice. It
16 either tells me that they're doing something they're not supposed
17 to be doing or they don't know what they're doing.

18 MR. LUIPERSBECK: Okay. Well, thank you very much. And
19 that's really the only couple of questions that I had. Thank you.

20 MR. BRAKE: Thank you, sir.

21 DR. SILVA: Tim, do you have any questions?

22 MR. TAYLOR: No, I don't have any questions, thanks.

23 DR. SILVA: All right. I actually don't -- actually, I'll
24 ask this one question and then we can go around the room on more
25 time.

1 BY DR. SILVA:

2 Q. How would you rate the safety culture at Survival Flight?

3 A. How would I rate the safety culture?

4 Q. Mm-hmm.

5 A. The only thing that I can say about it is that, you know,
6 like after we had this incident, for example, I found out about
7 the incident through word of mouth. I didn't find out about it
8 from director of operations, didn't find out about it from the
9 owner of the company.

10 I didn't find out -- and it was kind of crazy that, you know,
11 we didn't just take a pause companywide just to get the word out
12 to everybody and to, you know, let's talk about this and this
13 could have been an issue or something and we could have had
14 another incident right after that.

15 Q. Right.

16 A. We didn't get any of that. We did not get safety now, did
17 not get any kind of -- just like there's no flow of information
18 out to people. If I hear about an issue that happened at another
19 base, I hear it through word of mouth. I don't hear it directly
20 from, you know, the head shed from the corporate. We don't get
21 any of that information. I think that needs a lot of improvement.

22 There needs to be some transparency because if somebody found
23 a crack in the compressor section, they need to get that word out
24 immediately to everybody. I can't remember what base it was, I
25 think it might have been -- it might have been Russellville, they

1 found a pretty good crack in their compressor.

2 Q. Mm-hmm.

3 A. Well, I didn't find out about it until six weeks later.

4 Q. Wow.

5 A. I thought that was a big problem.

6 Q. Mm-hmm.

7 A. We need a lot more transparency. People need to know what's
8 going on --

9 Q. Yeah.

10 A. -- instead of just it staying this -- oh, just keep it here
11 at this base and everything else.

12 Q. Right.

13 A. Does that answer your question?

14 DR. SILVA: It does, thank you. That's the only one I had.
15 Sounds like everyone kind of badgered you with questions already,
16 but we'll go around one more time just to make sure.

17 MR. BRAKE: Okay.

18 DR. SILVA: Let's see, Paul?

19 MR. SUFFERN: No more questions. Thank you for your time
20 today, Sammy.

21 MR. BRAKE: Thanks, sir.

22 DR. SILVA: All right. John?

23 MR. BRANNEN: Nothing further.

24 DR. SILVA: Okay.

25 MR. BRANNEN: Thank you.

1 MR. BRAKE: Thank you, sir.

2 DR. SILVA: Shaun, did you log back in?

3 MR. GERLACH: No, it's Gerlach. My phone dropped off.

4 DR. SILVA: Okay. Do you have anything else?

5 MR. GERLACH: I don't, no. Thanks for asking, though.

6 DR. SILVA: All right. Tom?

7 MR. LUIPERSBECK: Nothing further. Thank you very much for
8 your time.

9 DR. SILVA: And Tim?

10 MR. BRAKE: Thank you, Tom. I'll see you next week.

11 DR. SILVA: All right. Tim, did you have anything else?

12 MR. TAYLOR: No, I don't have anything. And I'll see you
13 next week, Sam.

14 MR. BRAKE: Okay. Thank you, sir. I thought you were the
15 one before. Sorry about that, Tom. Tim -- Tom, Tim, okay.

16 DR. SILVA: Do you have anything you want to add that we
17 didn't necessarily ask you?

18 MR. BRAKE: No, ma'am, not really.

19 DR. SILVA: Okay. Well --

20 MR. BRAKE: Just kind of like, you know, you have all these
21 dynamics going on and you really just want to grab ahold of all of
22 them and do something, but I think the only thing we can do is
23 just talk about it and hopefully see some improvement and get to a
24 place where, you know, we're doing the best we can do, you know.

25 This job is inherently dangerous, accidents do happen even if

1 we do everything just absolutely perfect, but we've got to do
2 better and everybody has always got room to do better. Like I
3 said, you know, the biggest thing is safety is very expensive.

4 It costs a lot of money to get things into place, installing
5 all of these upgraded avionics in the aircraft, make them all the
6 same, training, having an additional training 407 for these guys
7 and possibly even bringing up a Bell rep from Dallas to do full
8 auto rotations in the 407 with these guys and teach them FADEC
9 training and anything else. I think that's a real good start.

10 Another thing, too, me myself I talked with -- me and Tom
11 Demos up at Hannibal are pretty good friends. We talk all the
12 time. Me and him both kind of run our bases pretty much the same.
13 Every time that we get a new pilot on board we absolutely go out
14 of our way to try to teach everything possible to these guys.

15 The company does a real good job at training pilots, but I
16 think they do a horrible job at training EMS pilots. For example,
17 about 5 months ago I got a guy that came in from the oil field, he
18 was a prior Army guy, he flew 60s, but he had been flying for 17
19 years offshore. A great pilot. I mean, he can fly the blades off
20 his bird.

21 I don't know how many thousands of hours he's got, but it was
22 like getting a brand new baby trying to teach him the EMS world
23 because it's a completely different animal than flying pipeline,
24 flying powerlines or flying (indiscernible) flying for the
25 military, it's a completely different animal.

1 DR. SILVA: Mm-hmm.

2 MR. BRAKE: And you talk about a trial by fire, when they
3 just throw you at it and say, you know, learn as you go, that's
4 not good.

5 DR. SILVA: Yeah.

6 MR. BRAKE: Because I didn't even get that training whenever
7 I first showed up at the base. They showed me the phone, the
8 pilot went out and showed me the helicopter, showed me the radios,
9 switchology and all that. He said, well you got any questions?
10 I'm like, I don't know what questions I'm supposed to ask.

11 DR. SILVA: Mm-hmm.

12 MR. BRAKE: I have no idea what this is all about. And he's
13 like, well you'll learn. The crew will take care of you. If they
14 see you doing something they'll let you know. I'm like, okay.
15 And that first week that I worked at Lawton was the most stressful
16 week I've ever had in my life.

17 DR. SILVA: Mm-hmm.

18 MR. BRAKE: I got so stressed out I got the flu two or three
19 days after I was off hitch.

20 DR. SILVA: Oh man.

21 MR. BRAKE: But I got better over time and whenever they made
22 me lead pilot a year ago I had -- since I've been there our
23 company was building so fast they cycled a lot of new pilots
24 through our base and then were sending them to Altus and then
25 sending them to Oklahoma City and then -- and setting them up for

1 the two bases opening up in Columbus.

2 And Jennifer Topper was one of my, one of my pilots and she
3 worked for me for about 5 months and whenever I would talk with
4 her she was eyes wide open taking notes --

5 DR. SILVA: Mm-hmm.

6 MR. BRAKE: -- and listening to everything I had to say. And
7 I would talk so much that I would go hoarse and lose my voice.
8 And then I would go home and then I would still call her on the
9 phone and say, oh yeah, you know, remember this, remember this,
10 remember this.

11 DR. SILVA: Mm-hmm.

12 MR. BRAKE: There's a lot of things that you have to do
13 that's not in the books. You got to do stuff kind of on the fly,
14 you know. You need to be thinking about this, you need to be
15 thinking about that, and she got really good. She got really good
16 by the time that she left Lawton, so I knew that she was going to
17 do a great job up in Columbus and this really breaks my heart.

18 DR. SILVA: So, do you recall when she was at Lawton?

19 MR. BRAKE: She was there from I want to say May to
20 September, first week of September, sometime around that
21 timeframe.

22 DR. SILVA: Okay. Of last year?

23 MR. BRAKE: Yeah. And I'm just kind of swaging those numbers
24 a little bit.

25 DR. SILVA: That's okay.

1 MR. BRAKE: She was with us for about four or five months.

2 DR. SILVA: And that was her first assignment out of
3 training?

4 MR. BRAKE: That was her first what?

5 DR. SILVA: Was that her first assignment out of training, do
6 you know?

7 MR. BRAKE: Yes.

8 DR. SILVA: Okay.

9 MR. BRAKE: Yeah. And her boyfriend, Heath Beecher, he was
10 assigned to Altus, which is about 45 miles west of Lawton,
11 Survival Flight 11.

12 DR. SILVA: Okay. Got it. All right. Well, you have my
13 information if you do want to reach out or think of anything else.
14 We are very sorry for your loss and we do really appreciate you
15 agreeing to talk with us and being so candid. This was very
16 helpful.

17 MR. BRAKE: Okay.

18 DR. SILVA: All right. We'll let you get back --

19 MR. BRAKE: Thank you, ma'am.

20 DR. SILVA: -- and enjoy your day. Thank you so much.

21 MR. BRAKE: Okay. Appreciate it.

22 DR. SILVA: All right. Thanks, everyone.

23 MR. BRAKE: Okay, bye.

24 DR. SILVA: Bye.

25 MR. GERLACH: See you guys.

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DR. SILVA: We're off the record at 2:34 p.m. Eastern.
(Whereupon, at 2:19 p.m., the interview was concluded.)

CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: SURVIVAL FLIGHT HELICOPTER CRASH
 NEAR ZALESKI, OHIO
 JANUARY 29, 2019
 Interview of Sammy Brake

ACCIDENT NO.: CEN19FA072

PLACE: Via Telephone

DATE:

was held according to the record, and that this is the original,
complete, true and accurate transcript which has been transcribed
to the best of my skill and ability.

Charlene Brown

Charlene Brown
Transcriber

RECORD OF CONVERSATION

Robert Mariotti¹

Via telephone

On 2/13/2019 at 1356 EST

During the conversation, Mr Mariotti stated the following:

He worked at Survival Flight from February 2015 to September 2017. He was based in Hannibal, MO and worked with Tom Demos, Bobby Garzolini, and Yonel Dorelis (goes by Yogi). He stated that he's gotten calls about multiple weather turn downs from the director of operations and chief pilot.

He described one instance that occurred shortly before he left the company, where he turned down a flight for high winds and low ceiling and had received a call from the Chief Pilot (CP), Jack Wyndes. The CP began to question Mariotti's decision and stated that he was not seeing the report weather from his location. Mariotti who was the PIC at the time explained to the CP The winds were in excess of 35 knots, gusting to 50 MPH. When the call ended, he was immediately phoned by the Gary Mercer, the Director of Operations (DO). The DO asked why they cancelled the flight and stated that the aircraft could handle the winds reported. Mariotti relayed that the winds were such that the crew was uncomfortable. The DO pressured him to disclose which crewmember had a problem with the winds and asked him to put that person on the phone. Mariotti handed the phone to the nurse (Ashley Danusers) who was uncomfortable taking the flight and the DO spoke to her and she was in tears. The DO told him to take the flight or at least try. If he had to turn around the so be it. Mariotti refused and stated crew was not feeling safe. The nurse later filed a complaint with the Mesa FSDO regarding the incident and Mariotti was interviewed about the incident also on record by the FAA. He had talked to the DO and chief pilot beforehand who had warned him to be careful what he said to the FAA. He was terminated from the company a few months after the incident and believes that the incident played a part in the termination. Mariotti stated that this practice was all too common among Survival Flight and he is certain this behavior led to the events of Survival 14.

He described a flyer he had seen after the accident occurred stated that Survival Flight flew to lower minimums. He had never seen that flyer prior to the accident, however he had known of lots of people going to hospitals telling them to call survival flight if other operators turned them down. He described that practice as unacceptable. He had known that Andy Arthur was a persistent person. He found out that Andy Arthur went to hospitals trying to get business through other employees' statements to him, in texts after the incident. He had a history of coming in behind other vendors and pursuing potential turn down flights.

Mariotti stated that he knows that Survival 14 accident could have been prevented. The fact that the incoming pilot swapped out with rotors turning at the start of her shift, not securing the NVG's from the other pilot, and his knowledge that Survivals Flight's unrealistic and unsafe

¹ Mr. Mariotti was provided with a draft of this record of conversation on February 13, 2019 for review of accuracy and responded on February 19, 2019 with additional information which was incorporated into this final copy.

launch time was a key contributing factor that prevented the pilot from seeking safe necessary steps to accept the doomed flight. There had been many situations in where flights came in during shift change and you just did not have the time to properly preflight and check weather. If your time in launching off was delayed, then you got those dreaded phone calls form the Chief Pilot. The was just unrealistic launch times and this was pounded in by management listed above.

He stated that people in the company now could be reluctant to speak up since they would be worried for their jobs, but he's not worried since he's not at the company anymore. He did not consider 800 ft ceilings and 2 miles visibility to be safe. He stated that he can only imagine the pressure the accident pilot may have felt to take the flight. He stated that there has been more than one occasion where people have sent texts stating they were scared to fly.

He was very concerned about the Survival Flight operation and stated that these practices needed to stop.

Sathya Silva
Human Performance Investigator
National Transportation Safety Board

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

* * * * *

Investigation of: *

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SURVIVAL FLIGHT HELICOPTER CRASH *

NEAR ZALESKI, OHIO * Accident No.: CEN19FA072

JANUARY 29, 2019 *

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* * * * *

Interview of: DAVID HOLLISTER

Via Telephone

APPEARANCES:

SATHYA SILVA, Ph.D., Human Performance Investigator
National Transportation Safety Board

SHAUN WILLIAMS, Investigator in Charge
National Transportation Safety Board

JOHN BRANNEN, Regional Investigator
National Transportation Safety Board

PAUL SUFFERN, Senior Meteorologist
National Transportation Safety Board

DAVID GERLACH, Aircraft Accident Investigator
Federal Aviation Administration

TOM LUIPERSBECK, Team Lead
Helicopter Air Ambulance Focus Team
Federal Aviation Administration

TIM TAYLOR, Instructor Pilot
Survival Flight

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I N T E R V I E W

(9:01 a.m.)

1 DR. SILVA: We are on the record at 9:01.

2 All right. Shaun, you want to introduce yourself?

3 MR. WILLIAMS: Yeah. Hey, David. Good morning. Thanks for
4 talking with us today. My name's Shaun Williams. I'm the
5 investigator in charge of the NTSB.

6 MR. HOLLISTER: Okay. Nice to meet you.

7 DR. SILVA: Paul?

8 MR. SUFFERN: Hi, David. I'm Paul Suffern. I'm a
9 meteorologist investigator with the NTSB.

10 MR. HOLLISTER: Okay. Nice to meet you, Paul.

11 DR. SILVA: All right. John?

12 MR. BRANNEN: This is John Brannen. I'm a regional
13 investigator with the NTSB working ops on the accident.

14 MR. HOLLISTER: Okay. Nice to meet you.

15 DR. SILVA: Dave?

16 MR. HOLLISTER: Myself?

17 DR. SILVA: Oh, there's another Dave on the line. Sorry.

18 MR. HOLLISTER: Oh, there's another one. Okay.

19 MR. GERLACH: Yeah, good morning, David. This is the other
20 David. I'm from the Federal Aviation Administration, Office of
21 Accident Investigation and Prevention, and I am an accident
22 investigator.

23 MR. HOLLISTER: Okay. Nice to meet you, Dave.

1 MR. GERLACH: You too.

2 DR. SILVA: And Tim?

3 MR. TAYLOR: Good morning, Dave. My name's Tim Taylor. I'm
4 with Survival Flight. I'm an instructor pilot.

5 MR. HOLLISTER: Okay. Nice to meet you.

6 DR. SILVA: And Tom?

7 MR. HOLLISTER: I can barely hear you.

8 MR. TAYLOR: I'll speak up a little louder.

9 DR. SILVA: All right, thanks.

10 MR. LUIPERSBECK: This is Tom. Am I next?

11 DR. SILVA: Yes, Tom, go ahead.

12 MR. LUIPERSBECK: My name is Tom Luipersbeck. I'm -- my name
13 is Tom Luipersbeck. I'm with the FAA out of Washington
14 headquarters. I'm from the 135 commuter and on-demand policy
15 branch. I'm also the helicopter air ambulance focus team lead in
16 the FAA.

17 MR. HOLLISTER: Okay. Nice to meet you.

18 DR. SILVA: All right. So that should be everyone. I'll run
19 through our normal spiel and see if you have any questions before
20 we start. Sound good?

21 MR. HOLLISTER: Yes, sounds good. No questions.

22 DR. SILVA: All right. Great. So our purpose here is to
23 improve safety. Hopefully that's something that you already know.
24 We're not here to assign any fault, blame, liability, any of that
25 sort.

1 So we as the NTSB can't offer any type of confidentiality or
2 immunity. Essentially what will happen is a copy of -- so this
3 recording will essentially get sent out for transcription and a
4 copy of that transcript will eventually become part of our public
5 docket once the information is released.

6 MR. HOLLISTER: Okay.

7 DR. SILVA: You are entitled to have someone sit with you.
8 Would you like someone to sit with you or are you okay on your
9 own?

10 MR. HOLLISTER: I'm okay on my own.

11 DR. SILVA: Okay, and if that changes just let us know.
12 It'll be pretty low-key. Remember, you are the expert here. We
13 want to know everything kind of from your perspective. If you
14 don't understand a question or don't know the answer, you know, I
15 don't know is a perfectly good answer. Feel free to ask for
16 clarification. If you need a break, you know, just mention it.

17 MR. HOLLISTER: Okay.

18 DR. SILVA: And then the last thing is the format. So I'll
19 start out with a handful of questions and then we'll go around,
20 essentially, our virtual table and make sure everyone gets a
21 chance to ask their questions. Usually that happens twice, and
22 then at the end I'll turn it to you and see if there's anything we
23 missed or anything else you wanted to add. Sound good?

24 MR. HOLLISTER: Okay, sounds good.

25 DR. SILVA: All right.

1 INTERVIEW OF RACHEL MILLARD

2 BY DR. SILVA:

3 Q. Okay, let's start with some easy stuff. Can you spell your
4 full name for us?5 A. Sure. First name David, D-A-V-I-D, last name Hollister,
6 H-O-L-L-I-S-T-E-R.

7 Q. And what is your current position?

8 A. I'm a pilot with Westland Helicopters.

9 Q. Westland, okay. And can you run through a brief summary of
10 your background in aviation and how you got to where you are now?11 A. Sure. December of '99 I began training, you know, the
12 private and commercial. I got to helicopters in Seattle and then
13 went for the CFI and that was down in Chandler, Arizona. And then
14 I was a CFI working for 3 years back at Classic Helicopters. And
15 got the instrument rating at Classic Helicopters.16 In 2006, joined PHI and I was with them for a little less
17 than a year and then went to Papillon up in the Grand Canyon,
18 Arizona. And flew tourists for one season and went to the Gulf of
19 Mexico again with RLC. I don't remember how many years. I was
20 with them for a few years and, yeah then, after that I went back
21 to Papillon transitioning into EC130, flew tours. Went to Hawaii.
22 I flew Hawaiian EC130, flew tours. Back to the Gulf, RLC, and
23 then from RLC over to Westland. And then last year left Westland,
24 and in June went to Survival Flight. I was there for 6 months and
25 now I'm back at Westland.

1 Q. Okay, got it. And what base were you located at with
2 Survival Flight?

3 A. That was Jerseyville. I think that was Survival 5, I think.
4 That was -- let's see, a week up at the Hannibal base. And I'm a
5 14/14 pilot and they made a mistake. They thought that there was
6 a 14/14 available at Hannibal and there actually wasn't in reality
7 and so they sent me to Jerseyville where there was a 14/14
8 position open flying an L4.

9 Q. Can you clarify what that means, 14/14?

10 A. Fourteen days on and 14 days off.

11 Q. Got it. What was your experience like with Survival Flight?

12 A. Well, initially, I liked the informal attitude of the family
13 business, very friendly atmosphere. But as training came to an
14 end -- I thought the training was quite good. It was a 407, all
15 night NVG, so I was pleased with that. And when I went into the
16 field and started working, began noticing certain things
17 practically every hitch, that over time, we were to the point
18 where I was very uncomfortable with the company, and hence, I
19 left.

20 Q. Okay.

21 A. I could elaborate if you want.

22 Q. Yes, please. That was my next question.

23 A. All right. So the first week I was at Hannibal base and met
24 a mechanic, one of the mechanics for the area, young guy, good
25 mechanic. And he was about to quit the company and then he

1 changed his mind. I asked him about that and he said that they
2 hot started an L4, the L4 that was down in Jerseyville, and they
3 weren't going to do an inspection of the engine. It was a very
4 hot start, he said. And it upset him. He refused to put his name
5 on anything regarding the situation and he threatened to quit and
6 went ahead and put in his notice.

7 Then they said, okay, if we go ahead and open up the engine,
8 would you stay? They were very desperate for mechanics and he
9 said okay, you know, agreed. They opened up the engine and it was
10 damaged. So, you know, right there I was like, oh, that's not
11 good.

12 And then I went down to Jerseyville and met the chief, I met
13 the lead pilot there, and practically every hitch, he and I would
14 have a disagreement about safety issues.

15 Q. Can you give us some examples?

16 A. One of them was -- yeah, one of them was -- he watched how
17 things operated when he was off-hitch and he pressed me about my
18 lift time when the weather was cold. It had gotten very cold.
19 And he questioned me about, you know, why -- Dave, why did you
20 just sit spinning on the pad when you should've just taken off
21 immediately? And I said, well, following the checklist, we need
22 to have all gauges in the green. That includes the transmission
23 oil temperature, and it takes a minute or two for that to come up
24 into the green. And he said, no, you don't need to do that. You
25 can just go ahead and take off.

1 And I looked at him and I was like, that's typically how most
2 companies operate. You need to have your gauges in the green,
3 including the engine oil transmission temperature. And he said,
4 no, there's actually nothing in the RFM, the Rotorcraft Flight
5 Manual, that says that.

6 And I talked to the DO, Director of Operations, and the main
7 instructor, and they agreed with me and I'm like, say what? I
8 talked to the other pilots and they said, don't -- just ignore him
9 and put in a request to ops to include a delay for, you know,
10 engine warmup, for transmission warmup, which I did. But, you
11 know, that's one example.

12 Another is in the Gulf of Mexico we had wind limitations.
13 Apparently, at Survival Flight -- and I noticed this when I was in
14 training, that there were no wind limitations. And I was like,
15 I'm going to fly my personal limitations which are based on what
16 we do in the Gulf, which makes sense, especially for an L4, which
17 is an aircraft that doesn't like extreme winds, especially gusty
18 winds, especially on startup and shutdown.

19 So one day there was a flight into St. Louis. The winds were
20 about 40 knots, gusting, and I declined a flight and heard about
21 it when he came to relieve me. And he said, well, we have no wind
22 limitations. Yeah, but I do personally, and I followed the
23 companies -- you know, whether it's Westland, RLC, PHI, they all
24 hold the same wind limitations and it's prudent to follow that,
25 especially if we're going into the city, I think. You know, sky

1 scrapers, tall buildings, lots of turbulence, up draft, down
2 draft, and so that's why I declined the flight. It's an L4 and it
3 doesn't do well in that environment. And he's like, well, I've
4 never seen a pilot, you know, turn down a flight for wind. So I
5 was like, well, okay, I guess I'm the first at this base to do
6 that.

7 Later, I talked to a 407 pilot who flew out of Hannibal and
8 he went ahead into St. Louis that day, the day that I turned down
9 the flight, and he said he had gotten into trouble and would never
10 do that again. He told ops, I'm not going to take any more
11 flights that take me down to St. Louis. He had a bad experience.
12 So there was that.

13 It was just general attitude of, you know, we'll take the
14 flight if nobody else -- if other people decline, we'll take that
15 flight.

16 And there was another incident where a flight was offered,
17 patient transfer, and it was a patient, she was up in an area that
18 the Air Evac covered and the dispatcher said, here's a flight, Air
19 Evac has already turned it down due to weather. And I looked at
20 the HEMS Tool, H-E-M-S, Helicopter EMS, weather product that we
21 use, and I could see, oh yeah, this area that they want to have
22 the patient transfer, the place is IFR. Okay, I can see why Air
23 Evac turned it down, I too will turn it down. So I did.

24 Again, when lead pilot, when he relieved me, he said why did
25 you decline that flight? And I said, well, Air Evac turned it

1 down and the HEMS Tool indicated that area was IFR. And his
2 attitude was, you know, I think that that reporting station under
3 the AWOS, or was it EFAS, is faulty and you should've tried to
4 take that flight. We'd like to -- I can think of nothing better
5 than to poach a flight from Air Evac. And, you know, I was like,
6 well, it was my call. I made the call, so there you go.

7 Yeah, one thing after another. Finally -- early on, I was
8 like this isn't going to work out, you know, for those reasons,
9 but also a 14/14 in an EMS world, it just doesn't really work very
10 well. Especially when you're doing 14 nights in a row. It taxes
11 you. So, you know, that's why I left.

12 Q. When did you leave the company?

13 A. That was November of last year.

14 Q. So you were there from June to November?

15 A. Yeah, that's right.

16 Q. Since you touched on it, did Survival Flight have any fatigue
17 policies or anything along those lines?

18 A. What policies?

19 Q. Fatigue policies.

20 A. No. Not that I remember.

21 Q. Were you able to call out for fatigue?

22 A. Was I able to? I didn't feel that I was, that I'm -- I was
23 able to. I'm sure if I said, hey, you got to have somebody cover
24 me, I'm too fatigued to go, that they would probably have supplied
25 somebody. I would assume that they would have brought somebody in

1 or had somebody do work over and take over. The subject was never
2 brought up in training and I never really thought about that.

3 Q. Did you ever feel the need to?

4 A. Yeah, there was a couple of nights towards the end of one of
5 my 14 days at night where I was very, you know, very fatigued. I
6 could still function safely, but I would have to operate at a
7 slower speed, and even though we have EMS and you want to be
8 quick, you know.

9 Q. Right.

10 A. I'd still slow it down anyways, and inform my med crew, you
11 know, look, I am feeling fatigued so I'm going to be moving at a
12 slower than normal speed and not rushing anything and becoming
13 more deliberate in my actions, and, you know, made them aware of
14 that.

15 Q. Okay.

16 A. And that's one of the reasons I was, you know, thinking to
17 myself this isn't going to work out because, you know, doing this
18 every other hitch, 14 days of night, can lead to something
19 catastrophic. And, you know, in the end I could see why other
20 companies don't do this, for sure, without a doubt. I know my
21 limitations and I wouldn't do it again.

22 Q. So how did Survival Flight's operation compare to the other
23 experience you had with other companies?

24 A. Subpar.

25 Q. Okay.

1 A. It was -- the other companies I've worked for, you know, had
2 standards that they all adhere to. Survival Flight was a little
3 bit more, how to put it, flexible; bending regulations wasn't
4 uncommon. You know, when it came to a 14-hour duty day, I got the
5 impression that they felt it would be -- it's okay if you go over
6 every so often. It's okay if you break your 14-hour duty day. I
7 ran into that.

8 I had a flight in a city that was far from the base and I
9 told the med crew, you know, look, it's getting late, I'm getting
10 close to my duty day, is it okay if I leave you here at the
11 hospital and go back and the relief pilot will -- he and I will
12 switch and he can come get you. And they were like, oh, yeah, we
13 do this all the time. It's actually quite common, and no problem.
14 And we'll just get dinner here and you go ahead and take off,
15 don't bust your duty day.

16 So I take off, got back, and, you know, timed it perfectly.
17 And, sure enough, got a phone call from ops saying, you know, why
18 did you leave your people there in the city, and that means your
19 aircraft was out of service for an extra -- for an hour. And I
20 was like, well, I don't want to bust my duty, my 14-hour duty day.
21 And they were like, well, honestly, we think you could've made it.
22 You could have done it maybe. And I was like, well, maybe. That
23 doesn't really work. You've got to adhere to the regs, and, so,
24 you know, I feel like I made the right call.

25 But, you know, getting a pushback from -- I think it was

1 actually our safety pilot, I was kind of surprised. And the med
2 crew heard about it and were -- and they were surprised and felt
3 that maybe that the safety officer was being pressured by CEOs.
4 We're not really sure. But they were surprised that I got a phone
5 call regarding that because other pilots had did it. It had
6 happened before. It wasn't an uncommon event, and you know, that
7 was an event that left a bad taste in my mouth.

8 Q. So speaking of --

9 A. Well, as far as -- oh, go ahead.

10 Q. No, actually, go ahead. I didn't let you finish your answer.

11 A. Yes. As far as their operations compared to other companies,
12 not as professional, not as -- I would say that they saw the regs,
13 including, our ops manual, as something that, you know, could be
14 bent as necessary.

15 Q. So the duty day, did that start when you came in or is it
16 based on your schedule at Survival Flight?

17 A. A 14-hour duty day (indiscernible) operation, it's something
18 that you have to adhere to, every company.

19 Q. So when did it, according to Survival Flight, is there a time
20 that your duty started and ended?

21 A. Yeah, yeah. Typically, you would come in a little early,
22 actually before your duty day began, and give the relief pilot a
23 briefing on the helicopter, the crew, yourself, any information
24 that they need to know, and then once your hitch was over, it was
25 a 12-hour, I believe, you would wait and give a briefing to the

1 relief pilot who was coming in to take over.

2 Q. So was that time that you came in early ever counted towards
3 your duty as far as you know?

4 A. No.

5 Q. Is duty something that you alone as a pilot have to keep
6 track of or does OCC have their own information on that?

7 A. It's the pilot's responsibility to adhere to the 14-hour duty
8 day. Dispatch, by following ops, will also keep track, or they
9 should be keeping track as well.

10 Q. So regarding the issues that you mentioned in those examples,
11 was there a way for you to report this attitude or behavior to
12 management?

13 A. I do not recall any anonymous safety reporting system that
14 some of the other companies I've worked for had in place.
15 Reporting to management that management is unsafe, I don't --
16 yeah. I feel that's a wall that, you know, would be difficult to
17 punch through.

18 Now, the chief pilot who I talked to on several occasions on
19 the phone, we never met face-to-face, I had heard that he was, you
20 know, very pro-pilot, pro-safety, and that he himself would
21 experience pushback from management regarding his adherence to
22 safety and pilot wellbeing. But I never contacted him regarding
23 how I was feeling about the company. I never met him. We just
24 talked on the phone.

25 Q. How were those conversations with him?

1 A. Good. Yeah, positive. You know, he was quite friendly. I
2 got the impression that he was a pro-safe, pro-pilot kind of a
3 guy. But, you know, we never talked at any great length and I
4 never met him face-to-face or got to know him personally.

5 Q. Did you have any interactions with the director of
6 operations?

7 A. Yeah, he was in training.

8 Q. Okay.

9 A. And so, and I sat with him on several occasions so I got to
10 know him fairly well.

11 Q. And how were those interactions?

12 A. They were good, positive. I felt that, you know, he was also
13 the kind of guy who was safety oriented. Several times he said,
14 you know, the whole objective of the job is to make sure that
15 everybody gets home safely.

16 Q. Did you have any other conversation --

17 A. So --

18 Q. I'm sorry. Did you want to add to that?

19 A. No, go ahead.

20 Q. Did you have any other conversations with the director of
21 safety aside from the one you mentioned?

22 A. The, any other conversations with Gary Mercer?

23 Q. Oh, sorry. Joe Lawrence.

24 A. Joe Lawrence. He was the one who was second-guessing my
25 decision to not violate my 14-hour duty day. I -- he did do a

1 training class with me and the other pilot who was with me, he did
2 meteorology, weather. I liked him. He was a very personable guy,
3 very friendly, easy to like. And so it kind of surprised me when
4 I got that phone call from him regarding my decision to head back
5 to base. Yeah, I was quite surprised by that.

6 Q. Okay. And when you were there, did Survival Flight have an
7 expectation from the time that a call came in to the time that you
8 had to be skids up?

9 A. An -- sorry, what was that?

10 Q. An expectation of a time it would take from the tone of a
11 call --

12 A. Oh yeah.

13 Q. Yeah, what was that?

14 A. Yeah, that was -- I want to say it was 7 minutes.

15 Q. Okay. Do you feel like that was reasonable?

16 A. If everything went according to plan. It's quick. PHI has
17 the same -- I believe they've got the same 7-minute standard, and
18 as long as everything falls into place, you can do it. Of course,
19 sometimes that doesn't happen. If the weather is -- if it snowed
20 or it's extremely cold, then you could ask for an additional, some
21 additional time. You know, the 2 minutes for the warmup is pretty
22 common according to the other pilots at the Jerseyville base. But
23 it's quick, but you can do it.

24 Q. So is that, does that time start from the time that you get
25 the call or is the time that you accept the flight?

1 A. When you accept the flight. I believe that's how it goes.

2 Q. Okay, got it. And did you as a pilot know when a flight was
3 declined by other carriers?

4 A. That's, that's a good point. Sometimes the dispatcher from
5 ops would tell you, you know, this is a flight that was turned
6 down by Metro or Air Evac or Air Method. Once in a while, they
7 did not tell me that a flight had been turned down and the other
8 pilot said you always want to make sure you ask, has this flight
9 been declined by other companies? I think it happened once, maybe
10 twice, when I was just starting out and then I found out, oh, they
11 need to tell me, okay. They had a change of dispatchers and ops,
12 and once the change took place, then I remember always being
13 informed if a flight had been turned down.

14 Q. I see. How does that change your decision-making process if
15 you knew a flight was declined?

16 A. Greatly. Oh, yeah, greatly. I would dig further, and also
17 the ops people would be looking at the same weather product that
18 I'd be looking at so we were on the same page, and yeah. The
19 crews that took over a little bit later after I joined were very
20 good. It was their job to call even if we both looked at the
21 weather and said, oh, no way. But they were always in agreement,
22 if we looked at a flight and the weather was pretty bad and
23 there's really no safe way we could, or I could do the flight,
24 then, you know, they'd be like, yeah, that's what we suspected as
25 well. So, you know, a good relationship with those people.

1 DR. SILVA: Well, I've been talking for a little bit. How
2 are you doing? Do you need a break or anything?

3 MR. HOLLISTER: Oh, no, I'm fine. Thank you.

4 DR. SILVA: All right. I'm going to pass the buck over
5 around our virtual table here. Shaun?

6 BY MR. WILLIAMS:

7 Q. Hey, good morning. I was just wondering, tell me a little
8 bit about the transition training or check ride you did going from
9 206 to 407, and you ended up in the L4.

10 A. Oh, the transition, it was good. I had a good instructor,
11 which I think it was Tim -- I can't remember his last name. No,
12 but it was a good transition. I enjoyed it. And it was one of
13 those, you know, we're evaluating every flight, everything you do,
14 so the check ride was basically an ongoing process over the entire
15 training area.

16 During the end, when Joe Lawrence got in a helicopter with me
17 and we went out and did some basic maneuvers, yeah, he had already
18 looked over my eval and training record and said, yeah, you're
19 good to go. Yeah, when I got out in the field, I felt very
20 confident and very comfortable with the machine. Especially doing
21 most of the training NVG at night, which, as you know, it's not
22 that easy but you get used to it, I think it makes for a better
23 transition.

24 Q. Do you remember what ship or what platform was your check
25 ride on? Was it 206 or 407?

1 A. 407.

2 MR. WILLIAMS: All right. I think that's all I have, Sathya,
3 for right now. Thanks.

4 MR. HOLLISTER: Okay.

5 DR. SILVA: All right, Paul?

6 BY MR. SUFFERN:

7 Q. Hi David. Thank you for your time today. I appreciate it.

8 A. Oh, yeah, no problem. My pleasure.

9 Q. Could you describe how you stay updated on weather conditions
10 during a shift?

11 A. It was good. Yeah, they would, ops would call and notify me
12 of any weather change that was coming through. So, yeah, that was
13 good. And, I mean, they were the only ones who would give me an
14 update, and of course I'd be checking the weather if there was
15 unusual weather reported, forecasted in the area. So, you know,
16 we were on it the whole time.

17 Q. So how did you -- did you have access on your phone? Did you
18 have access on like a computer terminal or software or anything?

19 A. Yeah, all -- we had tablets for the helicopters. Actually,
20 there were two tablets for the helicopter I was assigned to. And
21 we had the computers in the office, and I had my phone. So, you
22 know, access to graphic weather product was easy to get a hold of
23 and we always were aware of, you know, what the weather situation
24 was.

25 Q. What was the most helpful tool that you used when you were

1 checking things out?

2 A. I would say the NOAA tool. That was like my primary go-to.

3 Q. As far as flight requests and weather conditions there, did
4 you ever turn down a flight request due to icing conditions?

5 A. I'm trying to think because -- no. No, just visibility
6 ceiling and one time for wind.

7 Q. Were there any weather gaps in the area when you were flying
8 around there in Jerseyville that you wished you had more weather
9 information?

10 A. Yeah. There was a couple of areas where there was no
11 reporting, but the pilots who had been flying that area for quite
12 a long time, they gave me some really good advice about
13 interpreting weather reporting stations in, you know, close to the
14 gap areas and saying okay, if this is reporting this you can be
15 sure that this area here where there is nothing is going to be
16 like that. So, yeah, that was very helpful. Without that, I
17 would've taken off and found out the hard way.

18 Q. Could you give me an example of one of those scenarios?

19 A. Yeah, there's a gap between Jerseyville and Springfield,
20 Illinois and there's only two reporting stations -- if you do a
21 straight-fly Jerseyville to Springfield, there's nothing that
22 reported anything along the route of flight except for two
23 reporting stations off to the east, and the veteran pilot said if
24 those are reporting marginal or IFR, it's going to be worse
25 weather existing in that gap along the route of flight. So there

1 was at least one occasion where a flight to Jerseyville,
2 Springfield was requested and looked at the stations reporting to
3 the east and they were both marginal or IFR and so I declined the
4 flight and it was never questioned.

5 Q. Okay, thank you. As far as the company-established weather
6 minimums there at Survival Flight, what was your primary thing you
7 looked at for making your go and no-go decisions from a weather
8 point of view? Was it METARs and TAFs, something else?

9 A. Yeah, METARs and TAFs are my primary go-tos. As well as, of
10 course, the HEMS Tool. Yeah, low ceiling and vis were of main
11 concern. Later, as it got a little bit colder, I did start to
12 look at the icing, but left before that became more of an issue.
13 It wasn't that much of an issue when I was there for the summer
14 and fall.

15 Q. Okay. And as far as tools weather-wise, is there anything
16 missing you think that could've helped you make your job better
17 from a weather point of view.

18 A. They have pretty good setups. Let's see, aside from the
19 NOAA, they have another graphic weather product -- I'm trying to
20 remember what it is. They had a couple that you could look at. I
21 can't remember off the top of my head what they were, but there's
22 plenty of product available, so I always felt, you know, I was
23 pretty well informed about what was going on around me regarding
24 the weather.

25 MR. SUFFERN: Okay, thank you.

1 Sathya, that's all the questions I have.

2 DR. SILVA: Okay, thanks, Paul. John?

3 BY MR. BRANNEN:

4 Q. Hi David. I just have a couple of questions. In your
5 interactions with the other pilots at the base, did they -- I
6 mean, I guess this is maybe kind of hearsay, but do you feel that
7 they also felt pressured to take flight beyond their personal
8 limits?

9 A. I think that they probably had been at some point pressured,
10 but they were very good pilots and they're the kind of people that
11 they would have no problem turning down a flight if they felt that
12 there was an issue with safety. And they were very helpful and
13 they gave me a lot of good advice. And they didn't have the best
14 opinion about the lead pilot and his attitude towards safety. His
15 attitude was, you know, you've got to at least try. Go and at
16 least check it out. So, and the other pilots, the other line
17 pilots, were much more cautious and they had been there done that,
18 so their attitude was, you know, don't just take off and go.
19 You've got to be a lot more careful than that.

20 Q. So you mentioned that lead pilot which was more prone to just
21 at least launch and take a look. What -- can you tell us his
22 name?

23 A. Jeff Stackpole.

24 Q. What was that again?

25 A. Jeff Stackpole, S-T-A-C-K-P-O-L-E.

1 Q. He was the lead pilot at the base you were assigned to?

2 A. Yes.

3 Q. And -- oh, I just wanted to clarify the duty day stuff. So,
4 say, your scheduled shift was 7 to 7 or whatever, but you came in
5 at say 6:30 to get a debrief from the off-going pilot, would you
6 consider your duty day starting at 6:30 when you came in to get
7 the debrief or 7?

8 A. Personally, I considered it as soon as I walked in the door.
9 That's when my duty day began. The company's attitude was, no,
10 it's not. So there was a point of contention right there.

11 MR. BRANNEN: I think that's all I have right now, Sathya.

12 DR. SILVA: Dave?

13 BY MR. GERLACH:

14 Q. Thank you. Thanks again for coming to talk to us. And I
15 just have a couple just really quick questions for you. Did the
16 company work with you all during training when you were doing
17 inadvertent IMC training?

18 A. Yes. We did practice inadvertent IMC.

19 Q. How often did you all do that?

20 A. Not often. I remember probably twice. At least once.

21 Q. Now, was that in the beginning of your flight training, did
22 it happen periodically? How would you describe the occurrences?

23 A. I would say it happened about midway, probably the second or
24 third of the flight training.

25 Q. And can you describe the kind of training you've done for

1 inadvertent IMC?

2 A. It was, close your eyes, I'm going to put the helicopter in
3 an unusual position, and when I tell you, you'll open your eyes
4 and take the controls and you will then bring the helicopter into
5 normal cruise flight attitude and -- that definitely happened at
6 least once.

7 Q. Did you have any kind of view limiting devices? How did you
8 manage the IMC kind of scenario? Or how --

9 A. Foggles. Yeah. They were just following -- a foggle
10 exercise. Yeah, I would say, because I just had my 135 training
11 that I recall the RNAV under foggles, and that happened once.

12 Q. Did you ever find yourself have an inadvertent encounter with
13 IMC conditions?

14 A. Oh, no.

15 Q. What was the company's policy for that? Did they have
16 specific instructions for you on what you should do if you
17 encountered IMC?

18 A. Usually turn back towards a known --

19 Q. Can you --

20 A. Oh, go ahead.

21 Q. I was just going to say, can you describe that procedure?

22 A. Oh, right turn, half right, back towards VFR conditions. You
23 know, maintain the aircraft, straighten out all cruise flight and
24 turn around and go back.

25 Q. Is that something that is standard from company to company or

1 is that a procedure specific to Survival Flight?

2 A. Standard company to company.

3 Q. Hey, with regard to duty and rest, you talked about when you
4 started your duty time personally and when you stopped. You had
5 a, I think, 12-hour shift, 7 a.m. to 7 p.m. Is that right?

6 A. Correct. Yes.

7 Q. And you also described 14 hours. What could be done and how
8 could you extend your 12 hours to 14 hours?

9 A. Oh, it was -- no, it was just you needed to be aware of when
10 you reached your, or when you were getting close to your 14-hour
11 duty day or duty time. So it was basically the pilot's
12 responsibility to adhere to that. Yeah, it apparently was not
13 uncommon to find yourself at a different location than where you
14 started from and reaching your 14-hour duty day and having to stay
15 there at that location. The company would get a hotel for
16 everybody.

17 Q. It's not uncommon?

18 A. Yeah, so it happened. It happened several times.

19 Q. So that 2-hour window from 12 to 14, could they launch you on
20 a flight at -- say, you worked all night and it was time for the
21 daytime pilot to come in, could they launch you right at 7 a.m.
22 or --

23 A. Yeah. They could. And then it was your responsibility to
24 call the relief pilot and let them know, hey, I've taken a flight,
25 get in your car, and you're going to have to meet me at such and

1 such location so we can do the switch, the swap, at that location.
2 And that was, you know, one of the times where, when you got close
3 to your relief time, you'd pray that you wouldn't get a call so
4 that you'd be flying off to some other city far away and having to
5 wait for your relief to show up, take their car, drive yourself
6 all the way back to your apartment, you know, where the company
7 kept you.

8 And that was another question that I would roll around in my
9 mind going, well, okay, that happens, driving a car isn't resting,
10 so you know, I'm pushing right past. I mean, I'm not doing my
11 flight duties but, you know, I'm not getting the 10-hour required
12 rest. So that was just one of those things that just always
13 perplexed me about how they handled that. I didn't think that
14 that was quite correct.

15 Q. So they -- would they consider the -- David, would they
16 consider the time period where you were driving from, say, a
17 hospital back to your base as rest time?

18 A. Yes, that was my impression.

19 Q. Now, did that ever happen to you or you just heard from other
20 folks that that might occur?

21 A. Just heard from other people.

22 Q. Okay. You talked a little bit about praying that a call
23 wouldn't come in right at shift change. Would you ever have an
24 opportunity where a call might come in right at 7 a.m. and you
25 might do like a hot swap of some sort with the oncoming daytime

1 pilot if you were the nighttime pilot?

2 A. Yes. It actually happened serendipitously where I showed up
3 a little bit earlier than usual and I got there and the pilot was
4 like, oh my God, thank God you're here because we just got a call
5 and he said I was just about to take off. And I said, oh no, you
6 go, I'll take it. And, you know, of course I thought what
7 would've happened if I hadn't showed up a little extra early and
8 he had to take off.

9 Q. How would you go about that quick swap? What would you do
10 and what would the outgoing pilot do?

11 A. Oh, you know, he would just say the book is here, the call is
12 this, you know, explain really quickly what was going on, where I
13 needed to go, and he would hand me the cell phone that we use and
14 yeah that would be pretty much it. Very, very fast swap out.

15 Q. Would you do any kind of pre-flight things? Weather, walk
16 arounds, you know that kind of stuff --

17 A. Definitely a walk around. Yeah. Without a doubt a walk
18 around before start up.

19 MR. GERLACH: I think that's probably all the questions I
20 have for you. I'll had it back to Sathya.

21 MR. HOLLISTER: Okay.

22 MR. GERLACH: Thank you very much.

23 MR. HOLLISTER: Oh, yeah. You're welcome.

24 DR. SILVA: All right, Tim?

25 MR. TAYLOR: I don't have any questions. Thank you.

1 DR. SILVA: Okay. And Tom?

2 BY MR. LUIPERSBECK:

3 Q. Yeah, I just have two. You mentioned earlier that you did
4 your check in the 407. Did you also do a check ride in the 206 or
5 just training?

6 A. No, I never touched a 206 while I was at training. It was
7 strictly the 407. I already had enough hours in the 206 to be
8 able to fly that machine.

9 Q. Okay, did you fly 206 from a base, one of the bases?

10 A. I flew the 206 at Jerseyville base.

11 Q. Okay, so just a quick question about the risk analysis
12 program at survival flight. Did you routinely complete a risk
13 analysis form?

14 A. There was a pre-flight briefing that we did, and part of that
15 was also to talk to the med crew and discuss risks for that shift.

16 MR. LUIPERSBECK: That's really all I have. Thank you very
17 much for speaking with us.

18 MR. HOLLISTER: Oh, yeah, you're welcome.

19 MR. LUIPERSBECK: Not the end of the call, but thanks.

20 DR. SILVA: All right, I just had a few follow ups. Do you
21 need a break?

22 MR. HOLLISTER: No, no, I'm good.

23 BY DR. SILVA:

24 Q. Did you ever have any concerns about aircraft maintenance or
25 the state of the aircraft while you were there?

1 A. Yes. In regards to the aircraft that I was flying, I had a
2 really good relationship with Ed Beaty (ph.), the mechanic, and so
3 I felt that he was doing his job correctly with my aircraft. As
4 far as other aircrafts, not so much.

5 There was an incident where a 407 was hot started on a
6 helipad on a rooftop of a hospital, I want to say Oklahoma, and
7 the pilot directed one of the medical crew to empty out a fire
8 extinguisher down the exhaust stack of the helicopter, which they
9 did, and then they went about trying to clean up as best they
10 could after many phone calls were made (indiscernible) started the
11 helicopter and flew it away off of the pad.

12 The pilot who told me this said would you have flown that
13 helicopter that had been hot started and then had a fire
14 extinguisher emptied into its engine, even though they cleaned it
15 up as best they could on the helipad, would you have flown it
16 away. I was like definitely not. And the fact that Ed had told
17 me about the engine being hot started in the L model, the 206, and
18 their reticence to open up the engine and take a physical look at
19 what had happened and talking to other pilots that Survival
20 Flight's maintenance is terrible. Just to put it really bluntly.

21 Q. Do you have any specifics on that or --

22 A. Say again?

23 Q. Do you have any specifics on why the maintenance was
24 terrible? Any examples?

25 A. Well that was the attitude of the more veteran pilots, and

1 then, you know, hearing from other people about what had happened.
2 You know, I would have to concur. The aircraft, when I got it,
3 had a very weak battery and right away I said well this is
4 probably why you have several hot starts on this aircraft, because
5 the battery needs to be replaced. And, I kid you not, it took
6 like 2 months to get a fresh battery installed, which I've never
7 experienced that with any other company. Every other company
8 would have given me a new battery immediately.

9 Q. Did they ever say why it was being delayed or --

10 A. No. Nope. Just, you know, well put it on a charger, charge
11 it up. Okay, how do you know that it's a weak battery. Like, why
12 don't we just, you know, work with what you have and finally they
13 gave in and said okay, fine, we'll give you a newer battery to
14 use.

15 Q. I see. And regarding the hot start that you just described,
16 is that the same hot start that you were describing earlier in our
17 conversation or were there two different?

18 A. (Indiscernible) hot started prior or after that with a new
19 engine with no damage (indiscernible).

20 Q. Okay.

21 A. Yeah, so, the old model had been hot started, engine
22 replaced, and I believe it had another hot start after that.

23 Q. I see. And that was the one that you just described with the
24 fire extinguisher?

25 A. Oh, that was a 407 in Oklahoma.

1 Q. Oh, okay.

2 A. Yeah, different aircraft, different city.

3 Q. And then the last question I had was regarding the shift
4 change. Can you kind of walk us through what that would look
5 like, what information you're transferring between the two, things
6 like that?

7 A. Oh, yeah. So you come in the door and check with the other
8 pilot how they're doing, how was their shift, any flights. If
9 there were, what happened. And we'd hand over the cell phone and
10 hand over the aircraft log. Talk about the medical crew if
11 they're the same, if they were changing. Talk about the weather.
12 Talk about the aircraft, upcoming maintenance, anything coming due
13 on maintenance in the future. Yeah, just -- and then we'd
14 chitchat. Usually it took about 10 or 15 minutes at the most.

15 Q. Okay. And how, what was your interaction like with medical
16 crew when you were flying?

17 A. Excellent. Excellent, yeah. They were very good, very
18 professional, very smart, very personable, not a lot of
19 (indiscernible). They were the highlight of that job.

20 Q. Would you ever use them for any safety of flight tasks at
21 all?

22 A. I'm sorry. Would I use them for what?

23 Q. Any safety of flight tasks or anything?

24 A. Oh, certainly, yeah, and they were very good at that. You
25 know, they would help prep the aircraft. They would watch out for

1 other aircraft, watch out for weather. Yeah, they were on it.

2 They took a real interest in safety of flight without a doubt.

3 Q. Great.

4 DR. SILVA: All right. That's it for me. I'll go around one
5 more time. We're almost done. Shaun?

6 MR. WILLIAMS: I have nothing Sathya. Thank you.

7 DR. SILVA: Paul?

8 MR. SUFFERN: No more questions. Thank you.

9 DR. SILVA: John?

10 MR. BRANNEN: Nothing.

11 DR. SILVA: Okay. Dave?

12 MR. GERLACH: Sathya, nothing for me either. Thank you.

13 DR. SILVA: Okay. Tim?

14 MR. TAYLOR: I have nothing. Thank you.

15 DR. SILVA: Tom?

16 MR. LUIPERSBECK: Nothing further. Thank you.

17 DR. SILVA: All right, Dave. Thank you so much for speaking
18 with us.

19 MR. HOLLISTER: Oh, yeah.

20 DR. SILVA: Is there anything that we didn't ask you that you
21 think we should've? Anything we should look into?

22 MR. HOLLISTER: No. We covered everything.

23 DR. SILVA: Great. Well, if you think of anything, you have
24 my contact information. Don't hesitate to reach out. But this
25 has been very helpful, so we really appreciate your openness and

1 willingness to talk.

2 MR. HOLLISTER: Oh, good, good. Glad I could help.

3 DR. SILVA: Yes, yes, absolutely. Well, I hope you have a
4 good rest of the day.

5 MR. HOLLISTER: All right. Thanks. You too.

6 DR. SILVA: Take care. Bye.

7 MR. HOLLISTER: All right, take care. Bye bye.

8 DR. SILVA: We are off the record at 10:07.

9 (Whereupon, at 10:07 a.m., the interview was concluded.)

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CERTIFICATE

This is to certify that the attached proceeding before the
NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: SURVIVAL FLIGHT HELICOPTER CRASH
NEAR ZALESKI, OHIO
JANUARY 29, 2019
Interview of David Hollister

ACCIDENT NO.: CEN19FA072

PLACE: Via Telephone

DATE:

was held according to the record, and that this is the original,
complete, true and accurate transcript which has been transcribed
to the best of my skill and ability.

Shelby Marshall
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

* * * * *

Investigation of: *

*

SURVIVAL FLIGHT HELICOPTER CRASH *

NEAR ZALESKI, OHIO * Accident No.: CEN19FA072

JANUARY 29, 2019 *

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Interview of: MONICA E. ARCE

Via Telephone

Thursday,
February 7, 2019

APPEARANCES:

SATHYA SILVA, Ph.D., Human Performance Investigator
National Transportation Safety Board

SHAUN WILLIAMS, Investigator in Charge
National Transportation Safety Board

JOHN BRANNEN, Air Accident Investigator
National Transportation Safety Board

PAUL SUFFERN, Senior Meteorologist
National Transportation Safety Board

DAVID GERLACH, Aircraft Accident Investigator
Federal Aviation Administration

TOM LUIPERSBECK, Team Lead
Helicopter Air Ambulance Focus Team
Federal Aviation Administration

TIM TAYLOR, Instructor Pilot
Survival Flight

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I N T E R V I E W

(10:32 a.m.)

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2
3 DR. SILVA: We're on the record at 10:32 Central.

4 All right, Monica, so I'll have everyone go on around and
5 introduce themselves here, but I'm Sathya Silva. I'm a human
6 performance investigator with the National Transportation Safety
7 Board out of Washington, D.C. And you've heard, we have a few
8 people on the line today, and the reason that you are talking to
9 so many of us is because we work with groups when we do
10 investigations like this. So while we are --

11 MS. ARCE: Okay.

12 DR. SILVA: -- while we, as the NTSB, are experts in
13 investigating, we rely on others, the FAA, and today we also have
14 a representative from Survival Flight, again, working within the
15 investigative group, bound by our rules, to get as much
16 information as we can and access as we can. So that's what you're
17 going to hear.

18 MS. ARCE: Okay.

19 DR. SILVA: I'll have everyone go around and introduce
20 themselves and we'll start with Shaun.

21 MR. WILLIAMS: Hi, Monica. Shaun Williams. I'm the
22 investigator in charge with the NTSB.

23 DR. SILVA: Dave.

24 MS. ARCE: Hi, Shaun.

25 MR. GERLACH: Hi, Monica. This is David Gerlach. I'm with

1 the Federal Aviation Administration in the Office of Accident
2 Investigation and Prevention, and I'm an aircraft accident
3 investigator.

4 DR. SILVA: All right. John was that you that joined in?

5 MR. BRANNEN: Yeah, that was John. Sorry, I wrote the
6 passcode down wrong so I had to go back and get it.

7 DR. SILVA: No worries. We have had that issue. You want to
8 go ahead and introduce yourself for Monica here?

9 MR. BRANNEN: Yeah, this is John Brannen. I'm with the NTSB.
10 I'm a regional investigator. On this accident, I'm working
11 operations.

12 DR. SILVA: And Paul.

13 MR. SUFFERN: Hi, Monica. My name is Paul Suffern. I'm a
14 meteorologist investigator with the National Transportation Safety
15 Board.

16 DR. SILVA: Tim.

17 MR. TAYLOR: Hi, Monica. I'm Tim Taylor. I work with
18 Survival Flight. I'm an instructor pilot for them.

19 DR. SILVA: And Tom.

20 MS. ARCE: Hello.

21 DR. SILVA: Wonderful. Tom, are you on the line?

22 MR. LUIPERSBECK: If that was for Tom. Yeah, I am. Sorry.
23 My name is Tom Luipersbeck. I'm from FAA headquarters in the Air
24 Transportation Division for 135 operations policy. I'm also the
25 helicopter air ambulance focus team lead for the FAA policy

1 division.

2 DR. SILVA: All right. So that is all of us. As you can
3 see, we have a breadth of experience here. But we're here for
4 safety as the Board. We're not here to assign any fault, blame or
5 liability. We can't offer any kind of confidentiality or immunity
6 either. What will happen is this recording will be sent out for
7 transcription and a copy of that transcript will become part of
8 our public docket at some point in the future, once our
9 investigation information starts to get released. Usually --

10 MS. ARCE: Okay.

11 DR. SILVA: -- that's 6 months to a year from now so that you
12 have an idea of that. You are entitled to have someone sit with
13 you during this interview. Do you want someone there with you or
14 do you have someone there with you?

15 MS. ARCE: No, it's just me.

16 DR. SILVA: Okay. Well, if you do want a representative as
17 we go on, from our perspective that can be anyone, just let us
18 know and we can, we can hold off.

19 MS. ARCE: Okay.

20 DR. SILVA: Okay, great.

21 MS. ARCE: I think I'm okay.

22 DR. SILVA: Okay, great. Let's see here. So you know what
23 to expect. I will start out with a handful of questions and then
24 we'll essentially go around our virtual table here to make sure
25 everyone gets a chance to ask the questions that they may have.

1 And we'll do two rounds of that and then at the end I'll ask you
2 if there's anything else that you want to add --

3 MS. ARCE: Okay.

4 DR. SILVA: -- or you think that we missed. Any -- so along
5 those lines.

6 MS. ARCE: Okay.

7 DR. SILVA: Any questions before we start?

8 MS. ARCE: I don't think so.

9 DR. SILVA: Okay. Great.

10 INTERVIEW OF MONICA

11 BY DR. SILVA:

12 Q. Can you state your full name and spelling for the record,
13 please?

14 A. Monica Emelia Arce, M-O-N-I-C-A, E-M-I-L-I-A, A-R-C-E.

15 Q. Wonderful. And can you run through a brief summary of your
16 background and where you are now.

17 A. Sure. Excuse me. I was a former cardiac ICU nurse for 2
18 years, and previous to that I was a neuro ICU nurse for 2 years.
19 I applied to Survival Flight in, I believe, early spring last year
20 and accepted a position and started there in the beginning of June
21 and have been working as a flight nurse for the past 8 months.

22 Q. Okay. Is this your first flight job?

23 A. Yes.

24 Q. And what base are you with?

25 A. Survival 14.

1 Q. 14? Okay. So how is it, in your experience, how's the
2 company culture based on your experience in the last 8 months?

3 A. From my experience, I mean, the company works as a family.
4 We're all very close and open to talk to each other. There's an
5 open line of communication between us at the very lowest ranks of
6 the crew, and our CEO and owner, we can get ahold of. We have
7 everyone's phone numbers. They encourage us to call them with any
8 issues or problems or ideas.

9 Q. Have you ever had to report any issues or have you had any
10 safety concerns since you've been at 14?

11 A. I have. We've reported several issues to our base manager
12 and then to our -- oh, I forget what his official title is, but
13 Joe Lawrence, back in the beginning of December. And then we
14 hadn't heard anything, so then we continued the same issue and
15 wrote up a, just some documentation on it so it could be official,
16 and sent it to Dawn, the head of HR.

17 Q. Okay. Can you --

18 A. And then I had spoke to Jen with our safety coordinate at our
19 specific base and I had spoke to her quite a bit also.

20 Q. Can you go through what those concerns were in as much detail
21 as you can remember?

22 A. Sure. So one of the main concerns was while on a flight or
23 before taking flight, a lot of the crew was new to flying, so we
24 didn't know much about weather and what it should look like and
25 what we should be doing, so we relied heavily on our pilots, who

1 were fantastic, fantastic at explaining the weather to us. And on
2 several occasions, we had taken a flight where the crew became
3 uncomfortable or just didn't quite -- I mean, visibility would
4 start lowering or it wasn't quite what we expected to see when we
5 got in the air, and we voiced the concerns and wanted to turn
6 around and abort the flight, but we would continue on and kind of
7 push, push it and push it until we got to a point where we had to
8 abort or had to turn around and the pilot would turn around. And
9 I didn't like that it came to that point. I felt as soon as we
10 had voiced concern, they should be taken seriously and we should
11 abort or land, whatever was safer.

12 Q. How many times did this happen?

13 A. I know of at least two with me and then there were several
14 other people. We had started talking to each other a little bit
15 and they had expressed the same issue that had happened on
16 different flights. I'm not sure.

17 Q. I see. Do you recall any specifics? Can you walk through
18 those two flights and, you know, where you were going, what you
19 were thinking, what you saw, in as much detail as you can provide?

20 A. Sure. The first flight we had taken was headed up to, I
21 believe, Marion and our other base, 13, which was closer had
22 already turned this flight down, so I was concerned that we were
23 taking a flight that another base and group of pilots that I
24 trusted had already said that they didn't want to take. But they
25 were going to fly around the weather is what we were told.

1 So we went out east pretty far from the area and were cutting
2 back in towards Marion, and visibility started dropping and I had
3 voiced, you know, that I felt visibility was dropping. And they
4 were like, yes, but it's still within our minimums, so we
5 continued on. And then I started to lose sight of ground lights.
6 It was becoming thicker, the clouds. So I voiced that concern and
7 I was told we were going to try a little further and see if we
8 could find a different way in. And then I lost visibility of
9 ground lights on my side of the aircraft completely and we turned
10 around and we had no visibility for, it was probably only 3 to 5
11 seconds, but it felt like an eternity. And we aborted, turned
12 around, and got out of it safely and back. And then I can't, I
13 can't think of any specifics on the other occasion right now.

14 Q. Okay. Do you recall when that Marion flight happened?

15 A. It happened shortly after our base, 14, had opened. I'm not
16 sure exactly.

17 Q. And was this the same pilot for both of those flights, do you
18 recall?

19 A. Yes. It was.

20 Q. Okay. Who is that pilot?

21 A. Kevin Johnson.

22 Q. Okay, so, so this, this happened with this inadvertent IMC,
23 it sounds like. What did you do afterwards? Were there any
24 conversations that happened? How were they taking --

25 A. We did. We always debrief after flights, and us being new, I

1 was with the more experienced medic at the time, and we talked
2 about it and talked about how we shouldn't have pushed farther and
3 we were told that that wouldn't happen again. We were on our --
4 I'm not sure if we wrote it on our debrief sheet at the time or
5 not. But we, as a new base, we didn't understand at that time
6 that we should be recording all things down on the debrief sheet.
7 We didn't really understand that and weren't told about that until
8 our meeting in December with Joe Lawrence.

9 Q. Okay.

10 A. So I'm not quite sure if that got wrote down or not.

11 Q. I see. How was, how did Kevin react to your concerns?

12 A. At the time, he seemed like he took them seriously. It was
13 after different occasions that I became concerned that he wasn't
14 taking safety quite seriously. And after talking to several other
15 crew members, and we all kind of had similar experiences with him,
16 that I thought it was a real issue and we started voicing concerns
17 up our chain of command.

18 Q. So when you voiced your concerns, can you say specifically
19 who you talked to and what the response was?

20 A. Initially, we talked to our base manager, Amanda, and she
21 said she would talk to -- because aviation is separate from our
22 clinical side and our base manager is our clinical side, she said
23 she -- I don't know who she was going to talk to on the aviation
24 side, but she said she would talk to them. And then when we
25 really didn't notice, hear any changes or notice any changes

1 happening, we voiced our concerns to Jen, our safety lead at our
2 base for the aviation side, and I know she spoke with Jack, the
3 chief pilot about it.

4 Q. Okay. Did she say anything that was discussed or did she
5 come back with anything after that conversation?

6 A. Initially she didn't. She felt like she wasn't being heard.
7 But then earlier -- or earlier in January, the beginning of
8 January, Jack came up to our base and spent some time with us and
9 she had a more in-depth conversation with him. And she told me
10 that -- she didn't give me any specifics of what was happening,
11 but she told me that she felt very optimistic about things and
12 that changes was going to happen, but she didn't tell me anything
13 specific that was getting changed.

14 Q. So up until the accident, do you feel like conditions or the
15 situation improved at all or did it kind of stay the same?

16 A. I actually didn't have any opportunity to work with Kevin.
17 He was -- he only worked a few shifts in December and then only a
18 few in January, and I wasn't with him during any of those shifts
19 so I can't say one way or another.

20 Q. I see. This -- do you know if he's based at 14 or is he at
21 13?

22 A. What, what'd you say? I'm sorry.

23 Q. Do you know if Kevin is based at 14 or is he based at 13?

24 A. He's our lead pilot at 14.

25 Q. Oh, he's your lead pilot at 14. I understand.

1 A. Yes.

2 Q. Do -- can you describe your interactions with Jen?

3 A. Jen was very close to me, both professionally and personally.
4 She was one of my best friends. Professionally, at work, Jen took
5 safety very, very seriously. We would debrief every day when we'd
6 get to work and every day she had a different safety debrief that
7 she was very thorough. She would take time out of her day to
8 teach us things about weather or about the aircraft. She was very
9 involved in the company and really loved working for it.

10 Q. What were flights like with her?

11 A. What was flights like?

12 Q. Um-hum. What was flying like with her?

13 A. It was, it was great. She was, like I said, she took
14 everything seriously. While we were flying, she would point out
15 to us, this is what visibility looks like at different distances
16 and cloud heights and she would tell us everything during flight
17 so that we would gain -- especially since, like I said, a lot of
18 us were newer, we would gain the experience and the understanding
19 at what we were seeing. I trusted Jen thoroughly, and if she were
20 here today, I would fly with her today with no doubt.

21 Q. Have you ever had any experience where she flew in lower
22 weather or visibility or anything along those lines?

23 A. We did have one flight where there was kind of a haze out and
24 she had actually -- me and Valery were on this flight with her and
25 she had actually mentioned, like, this is the lowest I will fly

1 in. I -- it was kind of ironic that she mentioned that, that this
2 is the worst she would fly in, and looking around, compared to
3 some of the other flights I had been on, it was not bad at all.
4 Like, I was very comfortable with it the entire time.

5 Q. Do you know what the visibility or ceiling was when she said
6 that?

7 A. I don't. I don't. I know it was a flight we did to -- I
8 want to say it was from Mary Rutan and we returned to John Glenn
9 because Bolton was IFR and we weren't able to get back to Bolton,
10 so we went to John Glenn. But I'm not 100 percent sure it was
11 Mary Rutan that we went to.

12 Q. When was the last time you talked to Jen or you saw Jen?

13 A. The day before the accident.

14 Q. How did she seem that day?

15 A. Happy.

16 Q. Do you recall any conversations that you had with her?

17 A. It was just casual stuff the day before. We were actually
18 talking about having dinner.

19 Q. Can you run through, when you get a call come in, or a pilot
20 gets a call to come in, can you run through what that process is
21 like? What you're doing, what you're looking at from the time the
22 call comes in to the time that you lift off?

23 A. Sure. So we have, our pilots will do their -- depends on the
24 weather. If we're green and we're good to go when the call comes
25 in, they immediately accept the flight; we leave as a crew

1 together. Sometimes the pilot does leave on their own. Jen often
2 would go over first and get the aircraft ready while we were
3 gathering up our supplies and then we would meet her at the pad.
4 If weather could play a factor that day, the OCC will call the
5 pilot, ask whether or not the weather's acceptable, and the pilot
6 will go to the room or on their iPad check their weather. If it
7 is, we -- (indiscernible) scenario, we gather our stuff and we go.
8 If weather seems to be a factor, they will talk it out with the
9 OCC or decline the flight.

10 Q. So how long does it take to -- from when you get the call to
11 when you are ready to lift off?

12 A. Usually minutes. The longest part of it is our drive over
13 from the house that we stay in to the helipad. Usually within 1
14 or 2 minutes we have our stuff and are in the car ready to go.

15 Q. Is there an expectation that the company has to -- for how
16 fast you had to get off the ground?

17 A. It's 7 minutes is when they want us off the ground.

18 Q. Okay, 7 minutes from the time that the call comes in?

19 A. The call comes in, yes.

20 Q. And are you involved at all in the weather decision or do --
21 does any -- do they talk to you about that?

22 A. No, not usually. On occasion, if weather is a concern and we
23 express any type of concern in it, they'll tell us their plan, and
24 they're good at showing us the weather and if we have to fly
25 around something, they'll tell us their plan. And usually they

1 have a plan A and a plan B about how to get there, but usually
2 only if we express some type of concern.

3 Q. I see. So have you ever been in a situation where you have
4 felt uncomfortable and voiced that and had the flight turn around?

5 A. Just that, the specific flight I told you about earlier up to
6 Marion.

7 Q. Okay. What was the company's response after the accident?

8 A. What do you mean by that question?

9 Q. Did they come out, did they reach out to you all? Did they
10 give you some time off? Anything along those lines?

11 A. Yes, yes. So they did, initially, after the accident, we
12 were all notified and we met at the base. And then later, later
13 in the day, we all met together officially and we were told all
14 the facts, everything that we knew that happened, which were
15 minimal. And we were told we're not being pressured in to going
16 back. I still haven't set a date when I'm going to go back yet.
17 It's essentially, it's left up to us when we want to go back and
18 when we want -- when we felt that the base should, not our base,
19 but 13, 13 closed down for the -- we were very close and worked
20 close together and shared a lot of crew, and 13 closed down, too,
21 for the time. And when we open that back up was left up to us.

22 Q. I see. Okay. Outside of flying into reduced visibility or
23 no visibility, are there any other safety concerns that you have
24 or you have had?

25 A. I mean, aside from just the weather issues, I don't believe

1 so. Nothing that I've personally had.

2 DR. SILVA: Okay. So I'm going to pass the buck over. Do
3 you need a break? How are you feeling?

4 MS. ARCE: I'm okay.

5 DR. SILVA: Okay, just let us know if you do. It's no big
6 deal.

7 MS. ARCE: Okay.

8 DR. SILVA: All right, Shaun.

9 BY MR. WILLIAMS:

10 Q. So Monica, thanks for talking with us. I just have one
11 question here. I want to see if you can remember. That flight
12 with Jen, with the haze, do you remember when that was?

13 A. It was -- I'm trying to think. It was towards the beginning.
14 It was still warm out, but it was starting to cool down, so it had
15 to have been in the fall at some point.

16 MR. WILLIAMS: That's all I had. Thank you.

17 DR. SILVA: All right. Dave.

18 BY MR. GERLACH:

19 Q. Hi Monica, thanks for talking with us. A couple of questions
20 for you.

21 A. Yeah.

22 Q. Did you all use night vision goggles in the back?

23 A. Yes. Yes.

24 Q. And how did you use them? What did you do with them?

25 A. Generally, the medic sits on the left side of the aircraft,

1 so the medic was most likely to use them, but we've all been
2 trained. And it was mostly for landings. We don't do a lot of
3 scenes right now. Most of our volume is interfacility transfers.
4 But for scenes, we always use them to help land and make sure
5 there's no wires, no trees, no obstacles. And aside from that,
6 just to get experience using them, we would pass them back and
7 forth during flight just to kind of look through them and get used
8 to what it looks like seeing them.

9 Q. Gotcha. So you mentioned you had used them for landings.
10 How would you communicate, not physically, but, you know, what
11 would you say to the crew if you saw something of safety concern?
12 How do you go about doing that?

13 A. So it -- are you talking about with the night vision goggles?
14 Like what we'd say in the aircraft?

15 Q. Yeah, exactly. Yes. So if you're in the aircraft, you're
16 coming in to land and you're looking out the window, what do you
17 communicate to the pilot?

18 A. Sure. If we're coming in to land, it would depend on what it
19 was. If we were coming down and there was an immediate concern we
20 would say abort or lift, and it just cued our pilot to immediately
21 lift or abort the landing. But if it was something like wires
22 were to the east, we would say, you know, wires to the east, I've
23 got them in sight, they're no factor. Or trees. Or if there was
24 something on the ground we were concerned with, we would say, you
25 know, there's snow on the ground, just to give the pilot a heads

1 up, like maybe hover and try to clear some of that snow before we
2 landed into it, but it would just depend on what it was.

3 Q. Gotcha. Did Jen typically fly with night vision goggles
4 during the night flights?

5 A. Yes, she always did.

6 Q. And was that something that she wore from the moment you
7 lifted off en route and then landing as well?

8 A. Yes. They were connected to her helmet.

9 Q. Gotcha. So you typically saw her always have night vision
10 goggles on at night?

11 A. Yes.

12 Q. Did you ever see her on any night flights without them?

13 A. No.

14 Q. Okay. Can you talk a little bit about where you guys stay
15 during your shifts? What kind of place is it? Your base?

16 A. We have a house. It's probably half a mile or less from the
17 pad that's right behind it. And we all stay in the house. Prior
18 to, I believe it was a mid-October when we moved into the house,
19 we had been staying at Mount Carmel West and we just had a floor
20 on the hospital that we would stay in. It was just dedicated to
21 Survival Flight.

22 Q. So breakfast kitchen, dining room, bedrooms, all that kind of
23 stuff?

24 A. Yeah, yeah. Three bedrooms: one for the pilot, one for the
25 nurse, one for the medic. Living room, kitchen. It has a

1 basement where we keep our supplies, and a garage.

2 Q. And is there a -- is there like a briefing room for the crew?
3 Is there computers and all that kind of stuff?

4 A. Yeah, we have a -- where the dining room of the house should
5 be, we had computers for charting. Generally briefs would just
6 take place in the living room. We would shut off the TV or if
7 anything was on, turn it off, and focus on the brief.

8 Q. Yeah. Do you guys have any kind of policy for, hey, lights
9 out at 9 o'clock, the house goes quiet?

10 A. We do not, but generally everyone goes to their own rooms and
11 does their own thing.

12 Q. Yeah.

13 A. But if anyone was tired or wanted to nap during the day, we
14 would just say so, you know, and everyone was very respectful of
15 that.

16 Q. No struggles with some night owls that stay up watching world
17 wrestling or something like that?

18 A. No.

19 Q. Gotcha. Okay.

20 MR. GERLACH: I think that's really, that's all I have,
21 Shaun, so -- Sathya, those are all my questions for today at this
22 point.

23 DR. SILVA: All right. Paul, do you have any questions?

24 MR. SUFFERN: Yeah, just a couple.

25 BY MR. SUFFERN:

1 Q. Thank you, Monica, for the time here. When you're just
2 flying with any of the pilots there, in general, on the base, when
3 there is cloud cover at say 3,000 feet or 4,000 feet that's not
4 anywhere near the company minimums or anything like that, would
5 the pilots fly, you know, below the clouds so that they have
6 really good visibility? Would you estimate they would stay a
7 couple hundred feet below the clouds, 500 feet, or it would vary
8 from pilot to pilot?

9 A. It would vary, but we were -- if it was high, we would never
10 be near them.

11 Q. Have you ever been there or part of the discussion between
12 the three of you where a pilot there turned down a flight due to
13 the weather?

14 A. Have I been part of the discussion to turn down?

15 Q. Yeah, like the, the --

16 A. Could you repeat the question?

17 Q. Yeah, sorry. I'll make it a little bit more clear. So when
18 a pilot got a call for a specific flight and you guys were getting
19 ready, the nurse and the paramedic, were you ever part of the
20 discussion where the pilot came in and said, yeah, we're turning
21 down this flight due to the weather?

22 A. Generally, usually the pilots would come in and tell us, you
23 know, I mean, we -- the phone was loud, so anytime it goes off, we
24 hear and immediately we're up getting ready to go. And if the
25 pilot was turning down for weather and we were up, they would tell

1 us, you know, we're turning down for weather, and usually they'd
2 say this is why. But a lot of times during the night if they get
3 a call, they're not going to wake us up and tell us that they were
4 turning down for weather or anything. They'd just let us know in
5 the morning, you know, we had two calls, we didn't go for weather.

6 Q. Generally, how often was a flight turned down because of
7 weather? Like once a week, once a month, it depends on when you
8 have stormy times?

9 A. It really depends. Ohio's weather is a little bit bipolar.
10 It can fluctuate even from day to day. I mean, today's it's 50
11 degrees and by tonight it's going to be single digits again. And
12 same with the rain and clouds moving in, it really fluctuates. We
13 -- at least, a few calls a week that we would turn down for
14 weather. Sometimes more.

15 Q. Was there ever an occasion, since the phone was loud and
16 maybe it was during the daytime, where you heard the pilot and the
17 OCS person discussing the weather and OCS trying to put pressure
18 or anything like that for the pilot, say, well, it looks like it's
19 better weather or anything like that? Anything you overheard
20 there?

21 A. No. Never.

22 MR. SUFFERN: All right. That's all the questions I have.
23 Thank you.

24 DR. SILVA: John?

25 MR. BRANNEN: I don't think I have anything this time around.

1 DR. SILVA: Okay. Tim?

2 MR. TAYLOR: No, I don't have anything. Thank you.

3 DR. SILVA: All right. Tom?

4 MR. LUIPERSBECK: I just have one question. Everybody
5 covered the ones I had written down.

6 BY MR. LUIPERSBECK:

7 Q. Back to the flight with Kevin Johnson where you expressed
8 your concerns but the flight continued and ended up turning
9 around. With regard to that, are the medical crew members, the
10 paramedic and nurse, are they generally involved with the risk
11 analysis that the pilot does?

12 A. No. Not usually. Unless something -- if we mentally felt
13 that we may need -- if there was something on our mind that we
14 needed to discuss with the pilot or didn't feel like we were like
15 mentally there, we would talk to them, but generally that was
16 handled by us as a crew, and if we weren't mentally prepared to
17 fly that day, someone else would come in and cover the shift. So
18 it was never a real issue that we had to deal with.

19 Q. On that particular day, do you happen to recall what the risk
20 level was for the base? Green or amber or --

21 A. I do not know.

22 MR. LUIPERSBECK: Okay. That's the only question I had,
23 thank you.

24 DR. SILVA: Okay, so I had a few follow-ups.

25 BY DR. SILVA:

1 Q. How are you feeling?

2 A. I'm okay.

3 Q. It shouldn't take as long this time around. Do you guys as a
4 base have any kind of incentives to take flights or --

5 A. Not, nothing that the pilots were involved in, but as a base,
6 it was, we wanted to get 30 flights in a month and we got a
7 massage chair or something.

8 Q. Did you guys ever get that chair?

9 A. No.

10 Q. Do you have any idea of what number you guys were at in
11 January?

12 A. I believe we were -- it was the high 20s.

13 Q. High 20s. Okay. How is that kept track of?

14 A. In the room where we keep our computers and we do our
15 charting, we had a board that we kept track of all flights,
16 whether it was weather aborts or calls that 13 took for us or
17 completed flights, and then what type of completed flights they
18 were and where they were. We wanted to know where our volume came
19 from.

20 Q. I see. Have you ever felt pressure to take a flight?

21 A. No, not from the company. But I did have pressure from Kevin
22 a few times, and it's difficult because we are -- like I said, I
23 am new to flying. So I had expressed some concerns, and this was
24 very shortly after 14 had opened. We were at a PR taking a
25 flight, I don't remember where the flight was going at all, but we

1 were at a PR. It was a carnival with a lot of kids and we got a
2 call. And I was concerned because thunder storms were moving in
3 and I could hear thunder, so Kevin showed me several ways we could
4 fly around to get away from this storm, and that we were more than
5 20 nautical miles away from it. He assured me of that but I was
6 still concerned. So we did take some time discussing it and went
7 through different scenarios and then ended up accepting it because
8 I, like I said, I'm unsure of the weather and I'm new to
9 everything in aviation, but we did take it and we did end up
10 aborting that flight also.

11 Q. Do you know, again, what time or date that was or
12 approximately?

13 A. I know it was in summer, shortly after 14 opened.

14 Q. How many flights would say that you've aborted?

15 A. It -- quite a few. Are you talking about in like my
16 career --

17 Q. Yeah.

18 A. -- so far as a flight nurse?

19 Q. Um-hum.

20 A. Quite a few. I feel like more than I would expect to.

21 Q. Can you give me like an approximate number or a range or
22 anything like that?

23 A. Probably between -- I would say probably between 10 and 20.
24 I'm really not sure.

25 Q. That's fine. Ten and 20. And is this -- have you been in

1 situations where you've aborted with different pilots or is it
2 primarily with a specific pilot?

3 A. It was primarily with Kevin, but there was a few that I had
4 taken, one with Jen and one recently with Wally.

5 Q. Can you describe those flights with Jen and Wally when you
6 aborted?

7 A. Sure. They were both last Saturday. The flight with Jen was
8 up -- I believe we were going to Mansfield. And as soon as as we
9 got over -- it was a flight that 13 had also declined, so as soon
10 as we got over 13, there was a, clearly a wall that there was no
11 way we were going to get around and we immediately turned around.
12 I mean, as soon as it was in visual, we knew we weren't going to
13 be able to surpass it and we immediately turned around and went
14 back.

15 Q. Yeah, okay. And that was with Jen?

16 A. Yes.

17 Q. And what about the flight with Wally?

18 A. The flight with Wally. It was down south, and south of us we
19 come into a lot of terrain. There's a lot of hills. It's very
20 dark. I don't remember exactly where we were going to but as soon
21 as we reached the hills, the clouds were kind of filling in and we
22 had defended a little bit and we went on a little further. We had
23 talked about aborting and turning around and we decided that we
24 would try to go north a little bit and see if it was just in this
25 area, because that's what it looked like on the radar, and see if

1 we could get around it. So we went north and we saw that there
2 was, there were clouds that just went on, so we decided to abort
3 at that time and we turned around.

4 Q. Okay. And to follow up on a question previously, you
5 mentioned that if the ceilings are pretty high, you're not flying
6 very close to clouds. But what if you got a low ceiling? Where
7 are you typically with respect to those?

8 A. It would depend. It would depend on how low, if it was like
9 towards our minimums. Occasionally we would -- it was very rare,
10 occasionally, there would be cloud coverage outside that we would
11 kind of hang just below. It would depend on the terrain too. If
12 it was up north, it's really not an issue. We don't have the
13 hills and we don't have the antennas that stick up off the hills.
14 But if it was going down south and that was a concern, we would
15 stay up higher, closer to the clouds.

16 Q. Do you have an idea of how close you were to the clouds?
17 Have you ever --

18 A. No.

19 Q. Okay. Do you get any training for interpreting weather or
20 anything along those lines?

21 A. No. Weather really isn't in our scope. It's not really
22 anything we discuss. The only time we discuss it is if we are
23 feeling uneasy in the back.

24 Q. Okay.

25 A. The pilots were really good at kind of educating us on what

1 they saw, but that's -- there was no official weather training we
2 received.

3 Q. And then the last topic I wanted to bring up was that, is
4 there -- does the company have a policy of writing employees up or
5 any kind of punishment?

6 A. The company does not, no. We -- Kevin, Kevin would keep
7 track of some employees. There was never any punishment attached
8 to it, but he often felt like he needed to take it upon himself to
9 lecture us if he saw something that he didn't like.

10 Q. What did that usually look like?

11 A. It was usually a debrief before our shift or after a flight
12 where he would go over everything he saw. Oftentimes he would
13 become emotional with it.

14 Q. What kind of emotion?

15 A. Just raising his voice, explicative language.

16 Q. Have you ever been the subject of one of these talks?

17 A. No. Not that I'm aware of.

18 Q. Have you seen them happening?

19 A. Yes. Not recently. I haven't had the opportunity to work
20 with Kevin, like I said, since a lot of these issues got brought
21 up in the beginning of December, but prior to that yes.

22 DR. SILVA: All right. I'm going to pass the buck off again.
23 Shaun?

24 MR. WILLIAMS: I think I'm good. You've answered everything
25 that we've -- that I had for questions. Thank you very much.

1 DR. SILVA: Dave?

2 MR. GERLACH: And I don't have any more questions either.

3 Thank you very much.

4 DR. SILVA: Paul?

5 MR. SUFFERN: No more questions. Thank you, Monica.

6 DR. SILVA: John?

7 MR. BRANNEN: Nothing from me.

8 DR. SILVA: Tim?

9 MR. TAYLOR: I don't have anything. Thank you. Thank you,
10 Monica.

11 DR. SILVA: And Tom?

12 MR. LUIPERSBECK: Nothing further. Thank you.

13 DR. SILVA: Monica, is there anyone else you suggest we talk
14 to?

15 MS. ARCE: I don't, I don't think so. I mean, it was me,
16 Rachel and Jen who were the people really having, expressing
17 concerns.

18 DR. SILVA: Got it. Is there anything that we didn't ask you
19 that you think we should have? Anything you want to add?

20 MS. ARCE: I don't think so. I think that really covered it.
21 My biggest concern was safety issues, so --

22 DR. SILVA: Great. I'm glad we got to everything. If you
23 ever -- if you want to, if you ever think of anything and want to
24 reach out, you have my information. Don't hesitate. We are here
25 to listen. But thank you so much, and we are very sorry for your

1 loss. I know this is a really tough time for you and I'm sure
2 talking to us is the last thing you want to do, but it's been very
3 helpful.

4 MS. ARCE: Great. Thank you, guys.

5 DR. SILVA: Thank you. Take care.

6 MS. ARCE: Bye.

7 MS. SILVA: Bye.

8 We are off the record at 11:19 Central.

9 (Whereupon, at 11:19 a.m., the interview was concluded.)

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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: SURVIVAL FLIGHT HELICOPTER CRASH
 NEAR ZALESKI, OHIO
 JANUARY 29, 2019
 Interview of Monica E. Arce

ACCIDENT NO.: CEN19FA072

PLACE: Via Telephone

DATE: February 7, 2019

was held according to the record, and that this is the original,
complete, true and accurate transcript which has been transcribed
to the best of my skill and ability.



Shelby Marshall
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

* * * * *

Investigation of: *

*

SURVIVAL FLIGHT HELICOPTER CRASH *

NEAR ZALESKI, OHIO * Accident No.: CEN19FA072

JANUARY 29, 2019 *

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Interview of: VALERY BURKHOLDER

Via Telephone

Wednesday,
February 6, 2019

APPEARANCES:

SATHYA SILVA, Ph.D., Human Performance Investigator
National Transportation Safety Board

SHAUN WILLIAMS, Investigator in Charge
National Transportation Safety Board

JOHN BRANNEN, Air Accident Investigator
National Transportation Safety Board

PAUL SUFFERN, Senior Meteorologist
National Transportation Safety Board

DAVID GERLACH, Aircraft Accident Investigator
Federal Aviation Administration

TOM LUIPERSBECK, Team Lead
Helicopter Air Ambulance Focus Team
Federal Aviation Administration

TIM TAYLOR, Instructor Pilot
Survival Flight

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I N T E R V I E W

(4:04 p.m.)

1 DR. SILVA: We're on the record at 4:04 Central.

2
3 All right. Thanks again, Valery. You just got a taste of
4 who is on the line here. But, we as the Safety Board we're here
5 for safety. We're not here to assign any fault, blame, liability
6 -- any of that sort. We really just want to prevent this accident
7 from happening again.
8

9 So we can't offer any guarantee of confidentiality or
10 immunity. A transcript, as I mentioned, will be made from this
11 audio recording, and a copy of that transcript will become part of
12 our public docket at some point in the future. That's usually 6
13 months to a year from now, depending on how the investigation
14 goes.

15 You are entitled to have a person sit with you. Did you want
16 someone to sit with you, or --

17 MS. BURKHOLDER: No, it's okay.

18 DR. SILVA: Okay. And if you change your mind, just let us
19 know. And also, if you need a break or anything along those lines
20 don't hesitate to speak up.

21 What we will do is, from a format perspective, I'll start off
22 with a handful of questions, and then we'll go around our virtual
23 table here to see if anyone else has questions.

24 And hold on for a second. I think I forgot Tim. Tim, can
25 you introduce yourself?

1 MR. TAYLOR: Hi, Valery. My name is Tim Taylor, Survival
2 Flight. I'm a check airman with Survival Flight (indiscernible)
3 with Jen.

4 DR. SILVA: So --

5 MS. BURKHOLDER: Okay. You were a little broken up. Sorry,
6 what did -- I'm sorry?

7 MR. TAYLOR: I'm a check airman with Survival Flight, and I
8 did some training with Jennifer.

9 MS. BURKHOLDER: Okay.

10 DR. SILVA: So -- yeah. So, Tim is our representative from
11 the company on the investigative team. Sorry I forgot --

12 MS. BURKHOLDER: Okay.

13 DR. SILVA: -- about you, Tim. Okay. So, okay -- so, as --
14 from the question point of view, we want to learn everything that
15 we can from you. You're the expert. If you don't understand a
16 question or need clarification, don't hesitate to ask. If you
17 don't know an answer, that's totally fine too. We really just
18 want to understand this as best as we can from your perspective.
19 Do you have any --

20 MS. BURKHOLDER: Okay.

21 DR. SILVA: -- questions before we start?

22 MS. BURKHOLDER: You're just trying to figure out -- so, the
23 outcome is just to make things a little safer --

24 DR. SILVA: Right.

25 MS. BURKHOLDER: -- for --

1 DR. SILVA: Yeah, exactly.

2 MS. BURKHOLDER: Okay. And can any of the -- I mean, because
3 I'm speaking truthful. I'm not here to speak ill of the company.
4 So, I just don't want any of this to come back and hurt me because
5 I was, you know, extremely transparent.

6 DR. SILVA: Okay. We'll -- what we -- all we can -- again,
7 what I mentioned is that this transcript will -- or, this
8 recording will become a transcript and that will eventually become
9 part of a public docket.

10 MS. BURKHOLDER: Right. Right.

11 DR. SILVA: Anything that you say -- so, essentially what
12 we'll do with this information is we take these statements from
13 employees or former employees to really build a story of what is
14 happening in the company. And then with --

15 MS. BURKHOLDER: Right.

16 DR. SILVA: -- with our investigation we'll determine what's
17 factual information and then how that relates, essentially, to the
18 issues that we may see in an analysis. And ultimately, what will
19 happen is that based on everything that we've done through the
20 investigation, we will issue recommendations to make either for
21 the company, for the FAA, aircraft manufacturers, anything along
22 those lines in order to make the system safer. Does that add
23 clarity?

24 MS. BURKHOLDER: Okay. It does. And I've also inquired with
25 my previous coworkers, and they have not received any calls from

1 you. Am I the only one you're interviewing?

2 DR. SILVA: We are --

3 MS. BURKHOLDER: Or will you be interviewing other employees?

4 DR. SILVA: We will also be interviewing other employees.

5 Yeah. You're just the first one.

6 MS. BURKHOLDER: Okay.

7 DR. SILVA: Uh-huh.

8 MS. BURKHOLDER: Okay. All right.

9 DR. SILVA: Yeah.

10 MS. BURKHOLDER: I was just curious, because --

11 DR. SILVA: That's okay. I understand. We want to put you
12 as much ease as we can. So --

13 MS. BURKHOLDER: Okay. All right. Perfect.

14 DR. SILVA: Okay, cool.

15 INTERVIEW OF VALERY BURKHOLDER

16 BY DR. SILVA:

17 Q. Well, we'll start -- can you spell your full name for us?

18 A. V-a-l-e-r-y. That's Valery.

19 Q. Uh-huh.

20 A. And then Burkholder, B as in boy, u-r-k-h-o-l-d-e-r.
21 Burkholder.

22 Q. All right. And can you run through a brief history of your
23 background and how you -- your background up through working at
24 Survival Flight, and also what you're doing now?

25 A. You wanted like my work history -- like what I did -- I mean,

1 I've been an EMS for 15 years. Do you want to know that
2 background, what led --

3 Q. Yeah. Yeah. Exactly.

4 A. -- is that what --

5 Q. Exactly.

6 A. No problem. So, I roughly started, I don't know, 2005 or so
7 and worked a lot for ground transport, and then transitioned to
8 local 911 agencies. Began in Virginia, then transitioned over to
9 West Virginia, where I've continued to work in high-volume 911
10 agencies. And throughout that I also became a critical care --
11 mobile critical care paramedic with West Virginia.

12 Q. Uh-huh.

13 A. Then continued on and worked for another agency, another 911
14 agency, as well as hospital settings. I also went and obtained my
15 FP-C, my flight certification, as well as my board certification
16 for critical care. So, this is 15 years of training.

17 Q. Uh-huh. So, what were you doing --

18 A. I also --

19 Q. Sorry. Go ahead.

20 A. Yes. No, no, no. Just I also have a bachelor's degree. So
21 I've also been doing -- I worked on that.

22 Q. Okay. What's your bachelor's in?

23 A. Psychology.

24 Q. So when did you start with Survival Flight?

25 A. I started with Survival Flight roughly March -- March of

1 2018.

2 Q. Okay. And when did you leave?

3 A. I was dismissed January 25th.

4 Q. Okay.

5 A. I was let go. I was fired.

6 Q. Okay. 2019. And do you have a current job now, or looking?

7 A. Yeah. Currently I work as an ER technician.

8 Q. Okay.

9 A. That's at home. And I am in nursing school, so I have 3
10 months left for my nursing degree -- registered nursing degree.

11 Q. Okay. Awesome. Well, good luck with that.

12 A. Oh, cross my fingers.

13 Q. Okay. And were you a paramedic with Survival Flight?

14 A. Yes. I was a paramedic with Survival Flight.

15 Q. Okay. Got it. All right. So what we'd really like to get
16 from you is your general opinion of the company as well as details
17 on how they operated, any concerns that you may have had, things
18 along those lines.

19 A. So that's two questions.

20 Q. Uh-huh.

21 A. Let me attack the first one, in regards to how they operated.
22 Our training that we did in March was called ground school, and we
23 were all very new to air medical services. I believe maybe there
24 was one or so that had a little bit of experience. But
25 essentially, we were very new. And it -- ground school was

1 essentially just more or less, you know, a review of some of the
2 medical practices but not so much the air medical world. We did
3 have a little bit of NVG training, but it's just turning off the
4 lights -- so much so that, you know, the crew essentially we felt
5 a little bit lacking.

6 So after that ground school we did get sent off for 2 weeks
7 of training at different bases. And some of us were able to do
8 that. Some of us were not. I got lucky enough to go to
9 Batesville and completed 2 weeks straight flying with people that
10 have had, you know, ample experience. So once we eventually
11 opened up base 13, there's quite a gap -- and I can't recall, you
12 know, the amount of time that it was from ground school to
13 opening, but there was quite a gap. So we opened and, you know,
14 essentially it was all starting all over again and you have a lot
15 of new people, you know, over -- operating outside of our comfort
16 zone. Eventually, they did fly other experienced, you know,
17 professionals and flight nurses and medics to come and help us as
18 you started riding.

19 Q. Uh-huh.

20 A. But, it was -- it -- I don't know, it was more or less like
21 they were trying to keep an eye on us as opposed to continuing to
22 teach us the ways of how to operate as a flight professional. And
23 then base 14 opened, and a lot of us that are still new -- have
24 only been flying for a month or so -- then they had us train the
25 new crewmembers that were coming on the 14. So that was a lot of

1 the hesitancy, you know, because we were saying the blind leading
2 the blind.

3 Q. Uh-huh.

4 A. You know, you're having someone that has little experience is
5 going to teach someone else. So we felt out of sorts, you know,
6 essentially. So that was one thing. So it was just a little bit
7 disorganized, you know, as opposed to being guided by experienced,
8 you know, air medical professionals.

9 Q. Uh-huh.

10 A. So that answers that question, in regards to, you know, the
11 corporation and -- I mean, just the team wasn't cohesive, because
12 we weren't trained properly.

13 Q. Uh-huh.

14 A. And we're all new. As well as we all traveled from different
15 cities to come and work in Columbus, and none of -- not none of
16 us, but very few knew the area of Columbus. A lot of us still had
17 a lot of geographical, you know, orientation, mind you --

18 Q. Uh-huh.

19 A. -- to get accustomed to. So that had a lot of pieces --
20 moving pieces --

21 Q. Uh-huh.

22 A. -- not being experienced, as well as not knowing your area.
23 And a lot of traffic, you know -- air traffic, to kind of
24 maneuver, as well as the tall towers in the area.

25 Q. Uh-huh.

1 A. So it was a little bit of apprehension as a cohesive team,
2 because we had so much to deal with as a new team. I hope that --
3 is that -- I hope that makes some sense.

4 Q. Sure. Did you ever voice your concerns regarding this? Like
5 the training --

6 A. It, it -- we were all very vocal. I'll speak for myself,
7 that, yes --

8 Q. Uh-huh.

9 A. -- it was discussed. However, the -- what was our,
10 essentially, like general manager for both of the bases -- he was
11 extremely busy doing PRs, personal relations around the area.

12 Q. Uh-huh.

13 A. So he wasn't readily available to us. We did not have base
14 managers until just a few months ago. So we didn't have a
15 specific person to go to.

16 Q. Okay.

17 A. Andy Arthurs did make himself, you know, available. But
18 however, you know, it was a little hard to get a communication
19 because we were supposed to go through someone else that was
20 essentially absent.

21 Q. Okay.

22 A. So that chain of command was a little bit broken.

23 Q. Uh-huh.

24 A. And just misunderstood.

25 Q. I see. So did you try to go through -- was it your area

1 manager? Is that the right term?

2 A. Yes. The area --

3 Q. Okay.

4 A. -- the area manager knew that we were very vocal. It's not
5 on paper, but I myself was also vocal about the blind leading the
6 blind --

7 Q. Okay.

8 A. -- and how uncomfortable it was, you know. But that's -- I
9 mean, we were -- that's the hand that we were dealt, you know.
10 And the -- we just continued because that's what was asked of us,
11 just to continue.

12 Q. Okay. Do --

13 A. So there was no resolution. We just had to continue, you
14 know, training and just blind leading the blind, until we got
15 comfortable by ourselves.

16 Q. Uh-huh. Did you ever feel like that resulted in compromised
17 safety or anything that could lead to compromised safety?

18 A. That was a lot of our concern, as well as myself, that yes.
19 Because not only, you know, you're going to a flight and now you
20 have to pick up a patient, constantly trying to be mindful of, you
21 know, caring for the patient, being able to look up, you know, for
22 any obstacles, help out -- you know, crew resource management, as
23 well as, you know, keep an eye on, you know, the new person. I'm
24 not experienced. How can I lead someone, you know, just from the
25 little amount of time that I've been flying, to properly guide

1 someone else, you know. And that's not to say that -- you know,
2 we did have third riders. But when the third riders -- the
3 professionals that came from other bases, when they were gone we
4 were back to ourselves.

5 Q. Uh-huh.

6 A. You know, it's just -- it was just ourself, you know, mind
7 you of less than -- you know, less than 5 months of training, you
8 know, by ourselves.

9 Q. Uh-huh. So --

10 A. So yeah -- oh, yeah, absolutely, it was a big safety issue.

11 Q. So just so I understand, you're saying that both the
12 paramedic and the nurse on certain shifts or rides -- both of you
13 would be new to the company. Is that -- am I understanding that
14 correctly?

15 A. There was times that both of us would be new -- absolutely
16 new.

17 Q. Okay.

18 A. And we would be with, you know, the pilot. And there was
19 also times that our new crew, as a brand-new crew member without
20 flight experience, would get saddled with a new pilot to the area
21 that would be traveling from out of state, you know, to come in
22 and fly with us. So --

23 Q. Right.

24 A. -- that added also an additional amount of safety --

25 Q. Uh-huh.

1 A. -- because we didn't know the area, you know, and they didn't
2 know the area. So we had to have all eyes out, but -- that still,
3 you know, heightened safety issues.

4 Q. Right. And what time frame was all of this happening?

5 A. Pretty much any -- pretty much as we opened. So I want to
6 say July was when 13 opened, and August or so was base 14, the one
7 that followed.

8 Q. Uh-huh. And that was pretty much the case until you left a
9 few weeks ago?

10 A. That was pretty much the case, because all of us essentially
11 gained more flight experience. Mind you, we haven't been -- you
12 know, just shy of year being open.

13 Q. Uh-huh.

14 A. And it would be, you know, up to the crewmembers. So if we
15 had a new employee it would be up to myself to train them on the
16 experience that I've had on my own, you know, and that one week of
17 ground school as well as 2 weeks of flight. So yeah, that
18 continued. Then, if we -- we have two new members right now --
19 two new flight members.

20 Q. Uh-huh.

21 A. Those two, you know, will have to get trained by the base
22 manager, if, you know, it falls to that schedule, or a brand-new
23 person that just got off of orientation, you know, within a month
24 or so.

25 Q. I see. So it still might be something that they're -- that

1 they've got --

2 A. Yeah. It's still --

3 Q. -- ongoing.

4 A. -- yeah, it's still you're training with someone that still
5 has, you know, less than a year or less than, you know, several
6 months of flight experience, because we're all very new. We have,
7 I want to say, maybe three flight crewmembers that are actually
8 experienced -- three or four, that came from other agencies. The
9 rest of us are brand-new.

10 Q. Uh-huh. Got it. So when -- you said you reported this
11 through -- it sounds like your chain of command. Is that
12 accurate?

13 A. Yeah.

14 Q. Okay.

15 A. This -- no, this was voiced to Rick Cosmar.

16 Q. Uh-huh.

17 A. He was essentially our -- I guess they considered him the
18 regional manager. He took care of both the bases, you know, as
19 well as PR to different, you know, fire departments. But this was
20 voiced to him very -- you know, it was all verbal, you know, on
21 hey, we can't be, you know, new and teaching someone else. So
22 yeah -- so, it was a team discussion.

23 Q. Okay. Was there any other way that you were told that you
24 could report safety concerns or anything? Or did you have to go
25 up through your chain of command?

1 A. It was through chain of command. Yes.

2 Q. Are you aware of any kind of anonymous reporting system or
3 anything that the company may have had for safety issues?

4 A. I am aware of it now, just because I have been going through
5 the debriefs after this event -- this accident.

6 Q. Okay.

7 A. And we were voiced that there was an anonymous email, I
8 believe, that we could have reported. We had no idea.

9 Q. Okay.

10 A. But to me, this is new information in the past 3 days.

11 Q. Got it. I understand. Okay. Can you -- are there any other
12 issues that you've encountered that may have felt were unsafe in
13 the aircraft?

14 A. What I personally have reported, and this I have documented,
15 was hostility in the workplace.

16 Q. Okay.

17 A. So for me in my personal experience that I reported back in
18 October, we have a pilot named K.J. that is very hot-tempered.
19 And he feels that he has to control everything and just would
20 create a lot of animosity.

21 Q. Uh-huh.

22 A. And we went on a call, and he felt that we loaded the litter
23 a little too fast.

24 Q. Uh-huh.

25 A. So once he -- screaming, you know, obscene words. And once I

1 got on the headphones, he started cursing, you know, the F word
2 and this and that and F slow down and whichever. Mind you, we had
3 the patient with us. So now it's so hostile that I'm worried
4 about him yelling at me, and not the patient.

5 Q. Uh-huh.

6 A. So then -- you know, so he calmed down essentially once I
7 told him where we were going. And during flight, you know, he
8 just was very quiet. You know, we took care of the patient and
9 landed.

10 Q. Uh-huh.

11 A. But afterwards, during debrief, it continued.

12 Q. Okay.

13 A. He continued to yell, throw a chair around and just
14 pretending to like slip underneath the table, and continued, you
15 know, the harassment and the hostile work environment. You know,
16 so once I reported that to my manager, and I wrote an extensive
17 email, I -- nothing happened.

18 Q. Uh-huh.

19 A. And I continued to be subjected to the hostility of this
20 pilot, as well as other employees. And I mean, they can tell you
21 their own stories.

22 Q. Uh-huh.

23 A. But mine was reported. And what happened to me is that 2 or
24 3 days later I got spoken to for 2 hours and written up and put on
25 a performance improvement plan, and essentially ever since October

1 I've lost my voice in the company. Because I was told to keep
2 quiet, put my head down and don't say anything.

3 Q. And where did that message come from?

4 A. Where did what?

5 Q. Where did that message come from?

6 A. It was verbally by my manager.

7 Q. Okay.

8 A. My manager Amanda Wolfe.

9 Q. Uh-huh.

10 A. Essentially, from my reporting of hostile work environment
11 somehow I got written up saying that I was causing an environment
12 that was not suitable for learning. And then another 12 items of
13 what K.J. deemed to apparently point out that he needed to have me
14 written up about.

15 Q. Okay.

16 A. And I'm not the only one he wrote up, from what I understand.

17 So --

18 Q. Okay.

19 A. -- and there's no other pilot in both of these bases that has
20 written anybody up.

21 Q. Uh-huh.

22 A. So --

23 Q. Okay.

24 A. -- in my eyes, I mean, it was retaliation.

25 Q. Uh-huh. And you didn't get any -- there was no feedback on

1 your complaint at all?

2 A. There was no feedback. Sadly, I was supposed to have a
3 meeting with Amanda and K.J. face to face on Sunday the 21st.

4 Q. Uh-huh.

5 A. But my sister died on September -- on October the 20th, so I
6 had to leave work and the meeting never occurred on the 21st.

7 Q. Oh.

8 A. So ever since then it was more or less like don't say
9 anything, don't even make a noise. You know, just stay quiet.

10 Q. Uh-huh.

11 A. So -- even though I reported all this, it was just as if
12 nothing happened.

13 Q. I see. Regarding K.J., we have -- you were mentioned in the
14 letter that Rachel Cunningham wrote to HR. I don't have the date
15 on that one.

16 A. Yes.

17 Q. I think it was --

18 A. I think it was December the 12th.

19 Q. Right. I think that -- and it was relating -- I think it was
20 relating to a flight on December 7th. Do you recall that flight
21 that was --

22 A. Yes, I do.

23 Q. Can you --

24 A. Yes, I do.

25 Q. -- can you run through kind of everything that you remember

1 from that day, and what it looked like from your perspective?

2 A. So just running through -- once we get a call, all we are
3 told is let's go, we have a flight.

4 Q. Uh-huh.

5 A. We don't look at weather. We don't have time -- you know,
6 they don't give us a time to get -- you know, look at weather or
7 whichever, and we just grab our items and go.

8 Q. Uh-huh.

9 A. What Rachel told me after, you know, that flight is that when
10 she was walking past the pilot -- because the nurses' office is
11 right in front of the pilots' office -- she happened to look at
12 the computer and saw some gray on the weather map.

13 Q. Okay.

14 A. That's all she remembers. So that with the -- so, this
15 flight we were leaving from Columbus getting over to Holzer, and
16 what we know very well is that there's no reporting stations in
17 that area.

18 Q. Uh-huh.

19 A. So a lot of the time we lift, you know, and we go to
20 investigate whether we can continue or whether we cannot.

21 Q. Uh-huh.

22 A. So what happened in route we ended up meeting a wall of snow.

23 Q. Okay.

24 A. And, you know, so I ended up on goggles and K.J. instructed
25 me to continue to see a light in a distance, which I could.

1 Q. Uh-huh.

2 A. And so, we got further into the snow and then I lost contact
3 -- out of the left side, I lost contact with the light as well as
4 the lights below me. So I lost contact on the left.

5 Q. Okay.

6 A. But on the right side -- Rachel sits on the right side.
7 Rachel still had clear visibility on the right side.

8 Q. Okay.

9 A. So essentially, the wall weather was to my left. I'm on the
10 left side of the aircraft.

11 Q. Uh-huh.

12 A. So we discussed and we aborted the flight, because it was
13 just too much of a, you know, a weather that we just couldn't, you
14 know, get through it.

15 Q. Uh-huh.

16 A. But we voiced this to communications that we were aborting.
17 What happened next is that K.J. continued to go almost in a
18 straight pattern towards the weather, but not aborting, you know,
19 to the right that we thought that we were going to go, because we
20 could see visibility pretty good.

21 Q. Uh-huh.

22 A. We got -- now it's snow, but it wasn't as thick. So now we
23 were flying in the snow, you know, and with goggles it was very
24 distracting because the snow, you know, was coming towards you.
25 Without goggles you could see a little bit better.

1 Q. Uh-huh.

2 A. And Rachel at that moment essentially asked I thought we
3 aborted. And I think then communications came on and said are you
4 aborting, correct. So after going straight a little bit and then
5 we went into the town -- we were under the snow, and -- but
6 visibility was marginal, we finally turned around. And as we were
7 trying to leave I voiced, you know, okay, hey, what do you think
8 about just, you know, going to that airport and waiting this
9 through.

10 Q. Uh-huh.

11 A. Because at that moment, we already knew what we were going
12 for. We were going for a pediatric. You know, so I guess that
13 kind of made us change our mind. But K.J. said no, since we
14 aborted, let's go back, you know, to the base.

15 Q. Yeah.

16 A. So in our minds we thought we did everything correctly.

17 Q. Uh-huh.

18 A. We thought it was, you know, textbook -- you know, why did he
19 continue going straight, you know, into the weather.

20 Q. Right.

21 A. But -- so, we did, and everything, you know, was kosher and
22 we talked about it and we hit some weather and, you know, we
23 discussed it. Well, the next morning our boss told K.J. and
24 talked about how was the flight, and K.J. responded by saying that
25 the crew panicked him and that he could've finished the mission.

1 Q. Uh-huh.

2 A. That it was essentially that changed his mind in completing
3 the mission.

4 Q. Okay.

5 A. So that was some concern because, you know, we were under the
6 impression that we were doing the correct thing.

7 Q. Uh-huh. When -- you mentioned that you knew it was a
8 pediatric patient and that changed some decision-making. Can you
9 elaborate on that a little bit?

10 A. One of the things that K.J. was discussing is he remembers
11 when he was in an accident as a child and he lost his leg.

12 Q. Okay.

13 A. And the only thing that day was, you know, the medical
14 profession to take care of him. So in a sense there was -- you
15 know, what he mentioned is that it was guiding him because he knew
16 that if we were the only people to take care of this child, you
17 know, who else could.

18 Q. Uh-huh.

19 A. So that was, you know, discussed in debrief and essentially,
20 I mean, that was what was guiding -- I don't know if that was
21 guiding him to continue going and try to find a route.

22 Q. Okay.

23 A. You know, whichever. But he voiced to us that it reminded
24 him of when he lost his leg.

25 Q. I see. And how do you normally get patient info on the -- do

1 you normally -- how do you normally get the patient condition and
2 information when you're on a flight?

3 A. Once we accept a mission and once we're in flight. Then we
4 can talk to communications while we've up in the air, via the
5 radio.

6 Q. Okay. All right. Do you know of any other instances where
7 that may have changed the decision-making for the pilot? Having
8 patients that --

9 A. Not that I'm aware of, no.

10 Q. Okay.

11 A. No. Yeah, they're pretty -- that's one thing they are very
12 good at. They don't give us anything until we're actually in
13 flight and on the way.

14 Q. Uh-huh.

15 A. Not -- nothing on the cell phones, nothing at all. Not until
16 we're up in the air and -- even, you know, because communications
17 is so, I don't know, extensive in the Columbus area --

18 Q. Yeah.

19 A. -- there's too much going on, we still wait until we're out
20 of that, you know, that traffic to speak to comms. Because
21 otherwise there's too much going on.

22 DR. SILVA: Uh-huh. Got it. I understand. Let's pause for
23 one second. Dave, is that you?

24 MR. GERLACH: It is. I'm here.

25 DR. SILVA: Okay. Is Tom with you, or we're waiting for one

1 more ping?

2 MR. GERLACH: Yeah, Tom will have to join us here shortly.

3 DR. SILVA: Okay. Dave, why don't you introduce yourself to
4 Valery?

5 MR. GERLACH: Hi, Valery. This is David Gerlach. I work for
6 the Federal Aviation Administration in the office of accident
7 investigation and prevention. And I am an accident investigator.

8 MS. BURKHOLDER: Okay. Hello.

9 BY DR. SILVA:

10 Q. Thanks, Valery. Sorry for the interruption here.

11 A. That's okay.

12 Q. Were there any other flights that you can recall that you've
13 encountered weather and either wanted to turn back or had turned
14 back?

15 A. So myself on, I believe -- I'd have to look at the date, but
16 it was within the month -- myself and my base manager, Amanda, and
17 K.J., the pilot, we encountered a IIMC. And prior to that, while
18 heading back from, you know, delivering the patient -- we were
19 coming back from Cleveland --

20 Q. Uh-huh.

21 A. -- the -- encountering a lot of heavy fog and our visibility
22 essentially started fluctuating from 3 to 4 miles or so.

23 Q. Uh-huh.

24 A. And our ceilings were lower. But we continued.

25 Q. Uh-huh.

1 A. And, you know, we did voice it, you know, with Amanda -- oh,
2 what do you think about the visibility, you know, to K.J. And
3 he's like it looks like 5 miles visibility, you know. But
4 however, it was a lot closer to us. Again, I'm not a
5 professional. I'm very new.

6 Q. Uh-huh.

7 A. But Amanda has flown with another agency before.

8 Q. Uh-huh.

9 A. And she did kind of look over at me and smile, almost like
10 okay, yeah, it's just a little bit shorter than what you think.
11 Amanda continue to work on her computer.

12 Q. Uh-huh.

13 A. And I happened to look down for a very small second, until I
14 look up and the visibility was just right there, maybe a mile or
15 so, until we finally became engulfed in it.

16 Q. Okay.

17 A. We -- it was a complete whiteout. We lost sight of the
18 ground. We lost sight of everything. And it felt like he was
19 going straight, you know, for a little bit. I think he was just
20 gathering his thoughts and from that point, I mean, it did get a
21 little fuzzy, because me being a new flight provider I've never
22 been in this situation.

23 Q. Uh-huh.

24 A. And I remember K.J., you know, started saying I'm going to
25 start my standard rate of turn, which I believe is 180 degrees.

1 And Amanda, you know, voiced trust your instruments. And at that
2 point, once she said that, then I was able to kind of be less numb
3 and started looking out my window. And you could feel that we
4 were turning and I was looking at his instruments, and it looked
5 good. And so, we managed to get out of it. We -- you know,
6 Amanda saw the ground first and then I, you know, saw it on the
7 left side. And it was snow covered, you know, ground. So his
8 orientation was, you know, a little bit distracting.

9 Q. Uh-huh.

10 A. But we did manage to get out of it. And from my
11 understanding it was roughly a minute or so that we were in the
12 conditions.

13 Q. Uh-huh.

14 A. So we ended up coming out into a town that the -- essentially
15 was like just a clear bowl of just, you know, VFR conditions.

16 Q. Okay.

17 A. We circled that town, you know, for maybe three or four
18 times.

19 Q. Uh-huh.

20 A. To try to figure out what we were going to do.

21 Q. Okay.

22 A. And you know, I started calling out this one -- what it
23 looked like was a school. There was a big parking lot in the
24 back. And K.J. started calling out a McDonald's, you know, just
25 wanted to put it over there, and he started saying the golden

1 arches. But then he started asking how far are we from a highway.
2 So, you know, we looked at him. We're like we have no idea. So
3 they started communicating with one of the towers nearby, which I
4 believe was Mansfield.

5 Q. Okay.

6 A. And they were saying that we can guide you to the highway.
7 So essentially none of us voiced put it down.

8 Q. Okay.

9 A. Because he started guiding us to continue.

10 Q. Okay.

11 A. So K.J. started guiding us to continue. Even though we were
12 discussing where to put it down, no one specifically said put it
13 down.

14 Q. Uh-huh.

15 A. But we left our clear town and Mansfield tower essentially
16 started guiding us to where Highway 71 was at.

17 Q. Uh-huh.

18 A. So initially to find that highway we followed a single car
19 and just followed the lights. Because once we left the -- at the
20 town --

21 Q. Uh-huh.

22 A. -- then we went straight back into marginal conditions.

23 Q. Okay.

24 A. You know, the ceilings were a little bit low and -- again,
25 I'm not experienced. I just know that they were low.

1 Q. Uh-huh.

2 A. The car -- Mansfield started telling us, you know, how far we
3 were, until we finally got to 71. And then we took Highway 71 the
4 whole way back to base.

5 Q. Uh-huh.

6 A. At one point -- I mean, as K.J. continued to communicate with
7 Mansfield, and there was one point to where there was another
8 airplane in the area.

9 Q. Uh-huh.

10 A. And the airplane was saying that it looked like it was clear
11 at 1,000 feet.

12 Q. Uh-huh.

13 A. So we essentially left from following the middle of the
14 highway, and K.J. voiced about let's go find this, you know, VFR
15 on top, I believe. You know, just because it's very clear on top.

16 Q. Uh-huh.

17 A. So we left, you know, being able to see the highway. We rose
18 thought the clouds until we lost visibility with the ground. And
19 I think he mentioned about being at 1,400 feet, and we were still
20 in the clouds then. I couldn't see the ground anymore, so I told
21 him -- I was like I can't see the ground. And then he goes well,
22 apparently, you know, it's a little bit higher and we're just
23 going to start a descent. So we came back down and then we
24 stayed, you know, fairly low again to follow the highway --

25 Q. Uh-huh.

1 A. -- all the way back to, you know, Columbus. And to me,
2 again, you know -- I keep repeating this -- I'm not experienced,
3 and that was my very first time, you know, going in those
4 conditions. And I won't lie to you, I texted my husband what I
5 thought was my last text, and I put inbound weather, I love you.

6 Q. Uh-huh.

7 A. You know, and we -- I mean, now I had experience, I -- you
8 know, we should have voiced put it down in, you know, in that city
9 and not taken another chance to take these marginal conditions to
10 get back to base.

11 Q. Uh-huh.

12 A. You know. And then the next morning I realized the severity,
13 because Amanda woke up in a panic and she started calling my name
14 at base, and, you know, she essentially was saying that she failed
15 me and, you know, we should have never gone back into those
16 conditions and, you know, that we need to have another discussion
17 with K.J. That way he understands that it was not right to do
18 that, at all.

19 Q. As far as you know, did that conversation happen?

20 A. So it did happen. There was a conversation that happened
21 between the two of them. And prior to that Amanda was, you know,
22 trying to figure out how to go about the conversation. And she
23 was mentioning more or less, you know, what do we do. And I said
24 well, the crews need to know what happened because it can't be
25 kept quiet. That's not -- us going in these conditions, the crews

1 need to learn about it because what happens if it happened with an
2 inexperienced crew. I fear that the outcome, you know, could have
3 been different.

4 Q. Uh-huh.

5 A. I have no idea. So we had the conversation with K.J. and we
6 had another conversation afterwards. And it just -- to me, there
7 was no human emotion from K.J. He just, you know, was voicing
8 that it's okay, you know. And then he voiced about if you guys
9 were so uncomfortable, you know, what I can do on a bright sunny
10 day if we see a cloud I'll put the aircraft in the cloud so you
11 can feel what it is to be in IFR conditions, and then I'll bring
12 it right back down. He goes I can do that, you know, with all of
13 us. We were like oh, okay, perfect, you know, thank you, thank
14 you. And then find out from our safety pilot Jen that no, that's
15 not something you are supposed to do.

16 Q. Okay.

17 A. You know, so -- you know, that kind of guide issues --
18 there's a lot of stuff that K.J. said that has been guiding our
19 thought process, because we're so new.

20 Q. Uh-huh.

21 A. But we think that people discussing what this pilot says --
22 and just -- it's just leading us, you know, in something that we
23 don't know that is incorrect.

24 Q. Uh-huh. Got it. So when was this flight approximately? Was
25 this back in October?

1 A. I believe -- no, this flight was in December.

2 Q. Okay. And you said you were --

3 A. This flight was --

4 Q. Yeah. Go ahead.

5 A. We were coming back from Cleveland. I believe this flight
6 was December the 17th. I'd have to look at -- to make sure.

7 Q. Okay.

8 A. But, it was very short prior to my dismissal.

9 Q. I see. Okay. So December 17th. And you mentioned double
10 IMC. What does that mean?

11 A. Inadvertent instrument meteorological conditions.

12 Q. Okay. Oh, okay. I see, IIMC.

13 A. Yeah.

14 Q. That -- have there been any other flights where you've
15 entered inadvertent IMC?

16 A. No. That was my very first.

17 Q. Okay. So between -- was it the December 7th that Rachel had
18 mentioned, and then December 17th, those are the only two times
19 that you've been in the aircraft when it's been IMC?

20 A. Just myself, yeah. And the crews can tell you about others,
21 because there was other episodes with Rachel as well as other
22 crews.

23 Q. Okay. As far as --

24 A. But myself -- oh --

25 Q. Uh-huh. Yeah.

1 A. No, I was just going to -- that was just with myself.

2 Q. Okay. So as far as you know, is this a problem that's
3 specific to one pilot or is this something that kind of was among
4 the pilot group? How does that --

5 A. No. No. This is specific to one pilot. One pilot has
6 essentially been guiding a lot of these behaviors.

7 Q. Uh-huh.

8 A. Meaning for, you know, (indiscernible) myself, you know, I've
9 been around other air medical agencies and I know essentially, you
10 know, how they look at weather and whichever. And it's a
11 different culture at this base. You know, we take what the pilots
12 say and go.

13 Q. Uh-huh.

14 A. Even when it's marginal, the whole crew of just, hey, it's
15 marginal but look at this, he -- K.J. essentially at times would
16 take these calls that were marginal and would attempt to give us
17 his iPad and pass it -- while in flight, pass it to us in the back
18 so we can guide him around the weather.

19 Q. Uh-huh.

20 A. And so, we started voicing, you know, those safety issues to
21 our boss Amanda, and, you know, she started saying that it's
22 inappropriate, and it's not up to the crew to guide you through
23 weather. You know, if you're guiding yourself through weather
24 essentially you know that. You should just be doing that. But --

25 Q. Okay.

1 A. -- yeah, it's very specific. All the other pilots are
2 wonderful, and it's very, very safe. Which is unfortunate why,
3 you know, this happened to Jen, because she was extremely safe.
4 But, yeah, the way that K.J., you know, kind of talks bad about
5 other pilots not taking calls when he can. It's very damaging to
6 the other pilots. And I -- you know, I can voice that it has made
7 a lot of pilots very upset, why they're being questioned of
8 turning down and why he's taking them.

9 Q. Uh-huh.

10 A. I will tell you that the culture at the base -- any new bases
11 is once you hit the flights you get a massage chair. 13 got their
12 massage chair several months ago.

13 Q. Uh-huh.

14 A. And what happened is essentially like that craziness of
15 wanting to do as many flights as possible has died down. Because
16 now they have their massage chair.

17 Q. Okay.

18 A. Our base 14 --

19 Q. Okay.

20 A. -- does not have that, you know.

21 Q. Okay.

22 A. So the craziness of trying to get that was voiced very loudly
23 by K.J.

24 Q. Okay. So this is an actual massage chair?

25 A. It is an actual leather --

1 Q. Okay.

2 A. -- massage chair, with different settings. Yeah.

3 Q. How many flights do you have to do in order to get this
4 massage chair?

5 A. Thirty. Thirty in a month.

6 Q. Oh.

7 A. But it's a one-time thing. Once you get your massage chair,
8 and the craziness of trying to get as many flights as you can to
9 hit that 30, it's done. Because you got your massage chair.

10 Q. Okay. Your --

11 A. That craziness will continue at that base, because we don't
12 have that yet.

13 Q. I see. Do you -- is there any other milestone after 30 that
14 the company gives you?

15 A. No, not that I'm aware of. No.

16 Q. That's the only incentive.

17 A. Yes.

18 Q. Okay. Interesting. You mentioned that other pilots were
19 questioned for turning down flights. Is that something that
20 you've witnessed?

21 A. It's something that K.J. has hassled other pilots in front of
22 the crews --

23 Q. Uh-huh.

24 A. -- to, you know, to say why didn't they take them, we can
25 take it, we'll go around it. We'll find a way. That's not to say

1 that, you know -- 13 essentially has a lot of weather that does go
2 around there, and we can come from the south and take a call.

3 Q. Uh-huh.

4 A. That's fine. But the thing is that he does pick and needle
5 at the other pilots of why (indiscernible).

6 Q. Okay.

7 A. You know, or -- an incident that happened -- I believe it was
8 with Heath, when he declined the flight is because it was rough
9 conditions or whichever, when 13 -- or, when 14 got our flight,
10 you know, the request to our base, it was a little bit different
11 for us.

12 Q. Uh-huh.

13 A. So we accepted it. And, you know, essentially Heath felt
14 really bad because K.J. took it, which is the one that continues
15 to bully, you know, why he's taking calls and they're not. He's
16 known as this cowboy attitude --

17 Q. Okay.

18 A. -- and wears the cowboy hat. You know, so it's almost like a
19 bullying fashion of he's taking flights, why aren't you.

20 Q. Uh-huh. I see. Does that come only from K.J. or are there
21 other people that kind of bring up turning down flights?

22 A. From us -- from what we witness and from what I witnessed
23 personally, it just comes from K.J.

24 Q. Okay.

25 A. We're not around any other management for us to hear if it

1 does come from somewhere else. We just see it from K.J.

2 Q. I see.

3 A. All the other pilots are cohesive, work with each other. And
4 if one turns it down, that's it. There's no talk about it.

5 Q. Uh-huh. Okay. If -- okay, got it. Can you run through,
6 just again so we have the context, once -- when you were at
7 Survival Flight and you got a call, what did the process look like
8 from the time that that call came in to when you took off? What
9 were you doing? What were you looking at?

10 A. Oh, our set-up over at 14 -- our base is about a block away
11 from our helipad.

12 Q. Uh-huh.

13 A. The helipad is over by the hospital. So what we do
14 essentially we get the flight. We collect our med bags, our iPad,
15 any equipment that, you know, we may have had just for training,
16 and we collect that. We get -- we gather our helmets if we don't
17 have them already in the aircraft. And then we go. Sometimes the
18 pilot -- as soon as we get the flight, the pilot will say we got a
19 flight or he'll ring the doorbell, or he'll knock on the doors if
20 we're actually, you know, sleeping.

21 Q. Uh-huh.

22 A. And they will take off. So they will take off in a separate
23 car.

24 Q. Okay.

25 A. And then -- because, you know, we have to gather all the

1 other items. Then we take off in another vehicle.

2 Q. Okay.

3 A. Drive down -- you know the road. It's a two-way -- two-lane
4 road. That's it. We have to wait for the traffic, and then you
5 get to a traffic light before you turn over to the hospital.

6 Q. Uh-huh.

7 A. And then just -- I mean, they'll park it over by either the
8 road or by the little sidewalk over there, and you walk over. We
9 have to -- right now, because it's winter, we have the battery
10 plugged in, the heater inside the aircraft plugged in as well as
11 two other plugs in the back. We got to unhook all that, put it in
12 the aft compartment. Then we go to the front and we wait until we
13 can remove the battery pack. We'll do a walk-around, and then we
14 get inside until we go.

15 Q. Uh-huh.

16 A. And that's a very typical response.

17 Q. Okay. How long does it -- is there a time that you're
18 expected to be off the ground from the time that you get a call?

19 A. Under -- I believe our lift time is about 7 minutes, is what
20 they want.

21 Q. Okay. Seven minutes from when the call comes in? Is that
22 correct?

23 A. Yes.

24 Q. Okay.

25 A. Yes.

1 Q. Okay. Is there -- are there any times where you, as the
2 clinical crew, would be involved with any decision-making for
3 weather beforehand, or anything like that?

4 A. No. It's not typical.

5 Q. Okay.

6 A. No, it's -- the dynamic of the team is when we get the call
7 with K.J. we will end up taking calls during marginal weather --

8 Q. Okay.

9 A. -- a lot more with K.J. than anybody else.

10 Q. Uh-huh.

11 A. When it's marginal with, you know, the other pilots, they
12 decline a lot more because they know that by the time they get up
13 there and back we won't have the weather that we need.

14 Q. Uh-huh.

15 A. I don't recall having had any moment to where they'll say
16 come look at this, what do you think? There will be times when
17 K.J. was passing the iPad while in flight, you know, to us and
18 telling us what do you think to the east, to the west?

19 Q. I see.

20 A. But we were already in flight (indiscernible) the call.

21 Q. Uh-huh. I understand. How was it flying with Jen?

22 A. Beautiful.

23 Q. Okay.

24 A. Smooth, cautious. Talkative -- she would explain to you what
25 was going on, what she would see. Great, you know, crew resource

1 management we would tell her what we would see on the left and,
2 you know, my partner on the right. Anytime we would land
3 anywhere, you know, she would have us come out and watch the tail.

4 Q. Okay.

5 A. Landing, I mean, just constantly calling out things or, you
6 know, saying hey, watch out for this, you know, I'm going to get
7 close to that, watch out on the left -- you know, whichever. It
8 -- I mean, just very talkative.

9 Q. Uh-huh.

10 A. It was so comfortable and safe flying with Jen.

11 Q. Uh-huh. Have you ever been in a situation where the weather
12 was questionable when she was flying?

13 A. No.

14 Q. Okay.

15 A. Nope. And her comfort level was so good that there's one
16 time that we were flying -- I can't remember the call, or where we
17 were coming back -- it was visibility of like roughly 8 to 9, you
18 know, miles.

19 Q. Uh-huh.

20 A. And you know, she was saying -- she was like this is my
21 comfort level, guys. You know, this is it.

22 Q. Okay.

23 A. The ceilings were so high but, you know, visibility of like 8
24 -- and, you know, we're like wow, Jen, we love your comfort level.
25 Like, we're okay with this.

1 Q. Okay.

2 A. You know. So her comfort levels were so acceptable.

3 Q. Uh-huh.

4 A. And comforting.

5 Q. I see. And had you had any flights -- what happened if --
6 what happens if you get a call that comes in during a shift
7 change? A pilot's shift change. Is there anything different that
8 happens if something like that -- in that case?

9 A. It really -- it really depends on where we are in that shift
10 change.

11 Q. Uh-huh.

12 A. Sometimes they'll call each other and, you know, try to see
13 how far are you.

14 Q. Okay.

15 A. You know, or whichever.

16 Q. Uh-huh.

17 A. But I mean, because I believe they turn pumpkin around like
18 14 hours or so.

19 Q. Uh-huh.

20 A. So there's been times that we've been coming back around
21 shift change and, you know, we'll try to get back as far as we
22 can, and we'll just have to lay the aircraft, you know, nearby
23 another airport and then another pilot will just come up and take
24 over and fly us, you know, the remainder of the way to base.

25 Q. Okay.

1 A. But, typically they just used to call each other and they'll
2 ask how far they are and whether they can accept that or not
3 accept that, or just go, you know, on whichever. But like -- and
4 that's very little of what we heard, because I don't recall having
5 that many, you know, around shift change.

6 Q. Okay. So you don't recall that many happening where a pilot
7 would call --

8 A. No.

9 Q. -- a pilot on their way in. Okay.

10 A. The only one is this one that I heard about Jen. That was --
11 now I won't say the only one, but that's one of the ones that's
12 sticking out to my head right now, that Wally accepted and then
13 Jen essentially met up and took it.

14 Q. Okay.

15 A. You know, but I wasn't there, so I just heard it.

16 Q. You're referring to the accident flight?

17 A. Yes.

18 DR. SILVA: Okay. I understand. Okay. Let me pause for one
19 more second. Tom, did you just join the line?

20 MR. LUIPERSBECK: I did.

21 DR. SILVA: Okay. Can you introduce yourself to Valery,
22 please?

23 MR. LUIPERSBECK: Yes. Good afternoon. My name is Tom
24 Luipersbeck. I'm with the FAA, in the Air Transportation
25 Division, Part 135 Operations Policy Branch. We write the

1 policies concerning operators. I'm also the helicopter air
2 ambulance focus team lead at FAA.

3 DR. SILVA: Great.

4 MS. BURKHOLDER: Okay. Thank you.

5 DR. SILVA: Thanks. So I'm -- Valery, I'm going to hand the
6 virtual mic over. Do you need a break or anything? How are you
7 feeling?

8 MS. BURKHOLDER: No, I'm okay. Thank you.

9 DR. SILVA: All right. Paul, do you want to start up?

10 MR. SUFFERN: Yeah.

11 BY MR. SUFFERN:

12 Q. Hi, Valery. I've just got just a couple questions.

13 A. Okay.

14 Q. And appreciate your time this afternoon and this early
15 evening. So they're more just follow-ups to what Sathya was
16 talking about. Did you ever turn down or, see a pilot turn down a
17 flight for weather, and could you give us an example of what that
18 looked like?

19 A. There was a lot of times that storms were getting pretty
20 close and we were amber for weather and shifts, you know,
21 beginning. And once -- I mean, if we would get a call we would
22 just turn it down. But, we wouldn't see the weather maps. It
23 would just be turned down. You know, because essentially, you
24 know, the other pilots -- K.J., we would just go. If it was
25 marginal, we would go. You know, and -- but the other pilots,

1 they would just turn it down. And they would come out and be like
2 nope, sorry, weather is not good. And we would trust them, you
3 know. But with K.J., we took a lot more risks. And I hate that
4 I'm so new. I wish I would have -- now, I wish I would have
5 thought to look at weather when we started our shift at amber, you
6 know, I -- but when you got a call you got a call, and you had to
7 go. So that's my regret. I wish I would have taken the time.

8 Q. And along those lines, and I think you sort of answered this
9 question already -- if you saw the weather and were uncomfortable
10 flying in those conditions, was your voice heard?

11 A. I'm trying to think. It -- so, with K.J. with that last
12 flight that we discussed about, once we voiced abort it was heard,
13 but his actions of continuing to go forward into the snow made us
14 feel like it wasn't heard. Even though he returned back in saying
15 yes, we're aborted, his action of continuing to go into the snow
16 showed us different. There's other flights that I was flying with
17 Joe Mireles, and what happened is essentially the ceilings were
18 coming a little bit lower and our terrain was raising, and I was
19 starting to feel a little funny in my belly and my partner did
20 too, and, you know, we started speaking. And then Joe said you
21 guys okay. And I said I'm feeling hot. And he goes do you want
22 to abort, and I said let's abort. And then we turned around.
23 That was the other time that Joe Mireles heard what we were saying
24 and took the cues of us saying that we were feeling a little off.
25 And then we aborted a flight.

1 MR. SUFFERN: Okay. Thank you. That's all the questions I
2 have, Sathya. And thank you.

3 MS. BURKHOLDER: Thank you.

4 DR. SILVA: Okay. Shaun?

5 MR. WILLIAMS: No, I think you've answered pretty much
6 everything I have. And we do appreciate you taking the time to
7 talk with us here, Valery. So I'll let someone else ask a few
8 questions.

9 DR. SILVA: Thank you. And Shaun?

10 MR. WILLIAMS: Sorry. That was me, Sathya. So John, if you
11 have any questions.

12 DR. SILVA: Yes. That is for you. John, do you have any
13 questions?

14 MR. BRANNEN: No, I don't have any questions.

15 DR. SILVA: Okay. Tim?

16 MR. LUIPERSBECK: No, I don't have any questions. Thank you.

17 DR. SILVA: All right. Dave?

18 MR. GERLACH: I do. I have a couple of questions.

19 BY MR. GERLACH:

20 Q. When you talk about the visibility, both day and night, and
21 what your comfort level is as far as the distance, how do you
22 determine that? And how did you get a feel for it? What's the
23 process you use when you're in the helicopter, kind of looking at
24 visibility?

25 A. So a lot of the times when we were flying to different

1 locations we would ask, just so we can try to get comfortable, and
2 we would, you know, just try to determine and ask the pilot --
3 okay, that cloud cover, what would you consider the height. You
4 know, and -- or we would ask what's our AGL right now, and what's
5 our cloud cover. As well, we would be in flight -- you know, we
6 would ask, okay, what do you -- what is that visibility. And the
7 pilots would constantly, you know, try to train us in regards to
8 what we were looking at.

9 I personally have a moment where K.J. -- again, because it
10 was visibility that was on and off, and we had a helipad that we
11 were going that was a little bit raised, and he goes you see that
12 tower and I said okay. Because on the left side you can see
13 better from the Bell 407 than from the right. So we looked at it
14 and he goes that's tower specifically right now is 3 miles away.
15 So he would do little things like that to kind of give you a
16 guidance. That way you can kind of get your perception as to what
17 would it mean 3, you know, 5 or whichever. And he said that he
18 knew exactly what it was just because it was in his GPS, and we
19 were exactly 3 miles away from that helipad. He said that it --
20 if any pilot tells you that they know exactly what it is, then
21 they're lying. Because it's always just training your eyes on
22 whichever. So with -- you know, that's why when we were flying it
23 was just -- you know, he would say, okay, 3 to 5, 3 to 5, you
24 know, or whichever. So it was just -- we would continuously ask
25 the pilots what we were looking at.

1 Q. So nobody ever discussed, for example, if you're at 1,000
2 feet the horizon is this many miles away and halfway is this many
3 miles, or anything like that, as far as identifying your in-flight
4 visibility? It was always with reference to things on the ground.

5 A. Yeah. Yes. I don't recall anybody telling me about a
6 horizon and what that meant. No.

7 Q. Okay. No, I'm just trying to get a feel for how everybody is
8 trying to judge in-flight visibility.

9 A. Right.

10 Q. And with respect to ceilings, too, how did you guys determine
11 what the ceilings were when you were flying?

12 A. So that -- I don't know if this is correct or not. But what
13 we would ask is what would be our ceilings essentially, because we
14 would fly right below it. And we would ask what's our ceilings,
15 and they would reply back with well, we're right exactly below it,
16 you can see a little bit of the clouds, you know, touching the
17 blades or whichever. And then they would explain to us what our
18 AGL was. So that's kind of how we would, you know, suss it out
19 while in flight.

20 Q. So you --

21 A. I mean, I don't know --

22 Q. What I think you're saying is you would be right at the
23 bottom of the base of the cloud, and the pilot would say --

24 A. Yes.

25 Q. -- the altitude is -- for example, hey, we're at 1,500 feet,

1 the base of the clouds is 1,500.

2 A. Yes.

3 Q. Got you. And your typical low ceiling flights, what would be
4 the lowest that these guys would fly along with the rotor blades
5 at the base of the clouds?

6 A. With my personal experience, I mean, there was a few that we
7 were flying 900, sometimes 800. I mean, that was -- for me, that
8 was quite possibly the lowest that I've experienced. Now, when we
9 were coming out of that, you know, IIMC, and we were trying to go
10 through, you know, the highway and following that back, we were
11 just shy of like maybe 100, 200 feet from, you know, the tallest
12 towers.

13 Q. Got you.

14 A. So that's how we would try to make sure we stayed in the
15 center of, you know, the highway. But yeah, we would just fly and
16 then we would see the cloud right there, and that's when we would
17 go, you know, essentially at like just close to our minimums, and
18 the blades would be touching the clouds and we knew that that's
19 where the ceilings were.

20 Q. And what were your minimums back then?

21 A. So our minimums are 1,000 and 5 during the night and 800 and
22 3.

23 Q. And if you said you were flying at your minimums, would that
24 mean you were flying at 1,000 feet and 3 miles visibility?

25 A. So this is something that is very, very, very new to me. And

1 let me explain. Because once I experienced that IIMC, pilot Wally
2 was telling me that only because our minimums are 800 and 3
3 doesn't mean go at 800 and 3. He was trying to explain to us that
4 we can go if it's 800 ceiling and 10 mile visibility, you know.
5 Or, you know -- or the vice versa. But he was saying at no point
6 at all you should go when both of them are at your minimum.
7 You're asking for trouble. It definitely opened up our eyes,
8 because we've been -- you know, with K.J. we've been doing that.
9 You know, we routinely will take off and it could be just that 800
10 and 3, you know. And so we would just -- I don't know. It was
11 very, very risky. But Wally opened our eyes to say no, just
12 because they're both of them at your minimums you shouldn't ever -
13 - you should never be going. One of them has to be good.

14 Q. Okay. And at night when you guys were flying, determining
15 ceilings of visibility, did you do anything different?

16 A. No. No. Just one person rides without NVGs and the other
17 person does, and it's just constantly just, you know, looking out
18 and looking at the cloud and just seeing, you know, from a little
19 bit further distance if they were getting lower or not. But we
20 would go by the guidance of what our pilot, you know, would be
21 telling us.

22 Q. Got you. Okay. A different -- one last question for you,
23 and this pertains to the shift change of the pilots. When you
24 guys did shift changes, did you find the -- when a flight came --
25 or, a request came in on or about the pilot shift change that you

1 would occasionally have pilots driving up to the pad having not
2 spent any time at the base doing weather and the other risk
3 assessments that they do?

4 A. Yes. Yes. That's very accurate. That's very accurate.
5 They could just meet us over there while we're powering up, and
6 just meet us right there at the helicopter. And then just --

7 Q. Okay.

8 A. -- do a very quick, you know, hey this is what you're going
9 for, and that's it. Not going for, but this is your location and
10 your hospital that you're going to.

11 Q. All right.

12 A. So yeah. Yeah. They would.

13 Q. Would they rely on the nighttime pilot to do anything for
14 them?

15 A. I don't know. That I don't know.

16 MR. GERLACH: Yeah. Got you. Okay. Well, thank you very
17 much. And I appreciate your help and insights. And those are all
18 the questions I have.

19 MS. BURKHOLDER: Thank you.

20 DR. SILVA: Thanks, Dave. Tom, did you have anything?

21 MR. LUIPERSBECK: I do have just a couple.

22 BY MR. LUIPERSBECK:

23 Q. During training -- you know, I'm assuming that your company
24 has medical training or training for you as to operations on the
25 aircraft. I'm hoping so. Was anything ever discussed about that

1 or regarding your input as to, you know, the -- gee, I guess I'm
2 asking are you included in the decision-making process or were you
3 told that you were included in the decision-making process as to
4 whether a flight should go or not?

5 A. It's -- actually, it's very confusing. They would -- doing
6 ground school, they definitely did say, you know, three to go, one
7 to spare, whichever. But ever since I've been employed there, to
8 my last day, there was never -- there was not an inclusion of hey,
9 we got a flight, this is what we're seeing, let's go. It was just
10 ring either the doorbell and everybody runs, you know, or pretty
11 much that we have a flight, and just go. We 100 percent trusted
12 our pilots, you know, once they accepted that. Because we're
13 accepting it.

14 Q. Okay. And my second question is when you were talking about
15 the, you know, pilot showing, you know, the bases of the clouds
16 and what altitude they're at, do you know if -- was he reading
17 that altitude directly off the altimeter or were that correcting
18 for how high they were above the ground? Do you -- was that ever
19 explained to you --

20 A. No.

21 Q. -- any of that --

22 A. Uh-uh. That I have no idea. No, we would just -- we would
23 just simply ask AGL and try to figure out how high we were,
24 because our blades would be touching some of the clouds and, you
25 know, we would just ask okay, what's our AGL. And then we'd try

1 to figure out, okay, that's how high we are, you know. That's as
2 high as we can go.

3 MR. LUIPERSBECK: Well, thank you very much. I have no
4 further questions. No other questions.

5 MS. BURKHOLDER: Thank you.

6 MR. LUIPERSBECK: Thank you.

7 DR. SILVA: Tim, did I already ask you?

8 MR. TAYLOR: No, not on the second time around.

9 DR. SILVA: Oh, okay.

10 MR. BRANNEN: Hey, Sathya --

11 DR. SILVA: Yes.

12 MR. BRANNEN: Sathya, this is John. I fat fingered the hang-
13 up button. That's why I had to call back in.

14 DR. SILVA: Okay. Thank you.

15 MR. BRANNEN: I had questions in regard to CRM training.

16 BY MR. BRANNEN:

17 Q. So, you know, it sounds like CRM with most of the crew --
18 crews that you flew with, you know, for the most part was good,
19 with this one exception, K.J. What type of input did you get
20 during your training as -- in regard to CRM? As far as what role
21 you played in the in-flight decision-making and things like that?

22 A. So it's -- that part is very far from my memory. Because, I
23 mean, that was in March. But I feel that we did have a slide or
24 so -- you know, a PowerPoint on crew resource management. But I
25 couldn't remember. I couldn't recall, truthfully.

1 Q. Okay.

2 A. It's not something that we (indiscernible) at all. It's just
3 we had it in ground school and touched on it again when we had our
4 competencies in December. But our competencies in December
5 essentially turned out to be a massive discussion about how
6 displeased we were with the risks that K.J. was taking, and it
7 kind of trumped over the training that we were supposed to be
8 having. So that turned out to be a meeting of, you know, how --
9 essentially, we were voicing in the meeting that we were
10 displeased, you know, to the safety officer of the company.

11 MR. BRANNEN: Okay. All right. The -- I think that's all
12 I've got.

13 DR. SILVA: Okay. I had --

14 MS. BURKHOLDER: Okay. Thank you.

15 DR. SILVA: -- a few follow-ups, and we'll go around one more
16 time.

17 BY DR. SILVA:

18 Q. But, I wanted to follow up on the -- you mentioned that there
19 was a case where -- I think you said you were flying with Joe --

20 A. Yeah.

21 Q. -- Joe, and he aborted based on your being uncomfortable.
22 How often --

23 A. Yes.

24 Q. -- have you -- has that happened, where you've felt
25 uncomfortable and felt empowered to voice your concerns?

1 A. So in my entire tenure here it was that time with Mireles,
2 and essentially I wasn't the first one to say it.

3 Q. Uh-huh.

4 A. Essentially, with Joe Mireles, the pilot, you know, said --
5 he's the one that voiced out well, what do you think about the
6 ceiling. And then it -- because he said something, then I felt --
7 -- and I told him, I said, my belly is feeling weird, you know.
8 And I said it looks like the terrain is kind of raising and the
9 clouds are going, you know, lower.

10 Q. Uh-huh.

11 A. And then he in return said, okay, let's abort. And that's
12 how the conversation went, very simple.

13 Q. Uh-huh.

14 A. You know, and then we -- as I said, we turned around.

15 Q. Okay.

16 A. And there was another time that I was flying -- I can't
17 remember my partner -- but, it was with pilot John Ersman.

18 Q. Uh-huh.

19 A. And we lifted. We knew that the visibility was a little, you
20 know, on the edge. But the feelings were somewhat okay, until we
21 got to the helipad and lifted and we realized that no, it was not
22 what we were, you know, I guess, sussing out.

23 Q. Uh-huh.

24 A. So all we did, we literally just lifted off and he -- you
25 know, the pilot said no, I don't like this, and then we turned

1 back around.

2 Q. Uh-huh.

3 A. So both of those the pilot had spoken up first.

4 Q. Okay.

5 A. Again, I'm just -- I'm so new --

6 Q. Uh-huh.

7 A. -- that I don't -- I don't know, I -- maybe I have a fear of
8 saying something, because I may get spoken to about, you know, why
9 did I decline, you know, why did I feel bad. And, you know, which
10 obviously, you know -- I got spoken to, you know, because I made
11 pilot, you know, K.J. upset, and he couldn't make the call.

12 Q. Right.

13 A. So maybe that call, you know, kind of set all these different
14 feelings of, okay, do I say something, do I not say something.

15 Q. Uh-huh.

16 A. I'm supposed to trust my pilot, you know, but what if my
17 pilot is the one that's actually making me change my risk thought
18 process because he's taking risks.

19 Q. Uh-huh.

20 A. So --

21 Q. I understand. Are you comfortable telling us why you were
22 dismissed from the company?

23 A. Oh, yeah, no, I'm very comfortable telling you. So after
24 that IIMC event, and everybody was able to talk freely with K.J.
25 and let him know that we're displeased with how he takes, you

1 know, calls and, you know, risks or whichever, I sent a message to
2 my boss Amanda and I said I think it's time for K.J., you know,
3 myself and I to have that conversation we were supposed to have
4 back in -- you know, the day after my sister died.

5 Q. Uh-huh.

6 A. So she said okay. So we went into the office and we closed
7 the door. And because my feelings had, you know, changed and I
8 don't trust what was going to happen, I wanted to essentially
9 record for my own benefit. That way I can listen to it again --
10 you know, the conversation that we had. That way I understood it,
11 removing feelings, you know, removing everything just so I -- that
12 way, I'm really hearing it for what it is --

13 Q. Okay.

14 A. -- in an organic fashion. So what happened is we recorded
15 it. We hashed out a lot of things. I asked him why he kept, you
16 know, writing me up and saying all these different things. And it
17 was a good conversation.

18 Q. Uh-huh.

19 A. What happened is the -- I stopped recording because it was
20 only my conversation. That's it. That's it. What happened is we
21 come out of the office and the air cruiser is still there. And
22 then this is when K.J. started talking about hey, to make you guys
23 feel comfortable what I can do in regards to IMC conditions, I'll
24 bring the aircraft into the clouds on a beautiful sunny day.
25 We'll stay up there so you guys can see what it means to be whited

1 out. And then I'll bring the aircraft down. So all of us --
2 because we're new, we're like, oh, you can do that, perfect, thank
3 you. Well, the next day I come in and pilot Jen was telling
4 everybody that no, that's completely illegal, you're not supposed
5 to do that. And all of us were in shock, because K.J. was saying
6 we could.

7 Q. Uh-huh.

8 A. You know, what happened is when I heard the (indiscernible) I
9 voiced out and I said, oh, man, I may have that on recording. You
10 know, just to be like, man, we can finally show it to him and say
11 no, you can't do this. Like stop putting us through risky
12 behaviors.

13 Q. Uh-huh.

14 A. But no, what happened at the end of my meeting I stopped
15 recording because it was just my meeting.

16 Q. Uh-huh.

17 A. So Amanda calls me several days later, and she asks I heard
18 that you recorded the meeting. And I said yes, I did, it was just
19 for my purpose. And she asked, you know, how do we know it's not
20 going to go anywhere. And I said it's not. I said I'll delete it
21 right now. Literally, it was for me to hear it. And then she
22 told me that it was unethical. And I apologized. I just, you
23 know, I lost a lot of trust. And I needed that for myself. And
24 then it was just a matter of 3 or 4 days, I get removed. And I am
25 being told that it was on the base of something that was reported

1 on me a month ago, that a doctor reported that while I was in-
2 flight that I needed to get advice from a friend on how to take
3 care of my patient. Completely inaccurate, completely bogus
4 information. It is not true. I'm a professional, 15 years. I
5 don't anybody telling me in-flight, you know, how to take care of
6 my patient. Because I also have my partner, you know, to help me.
7 So it was fake. I even asked her where this comes from, and she
8 said that's not up for discussion. And then I -- I never signed
9 my termination letter, because there was a false statement and
10 they had nothing to prove it with.

11 Q. Uh-huh.

12 A. So I just -- you know, again, I feel that because they felt
13 that I recorded that they had to remove me somehow with something.
14 And I've still -- even right now, I've been asking from HR to
15 provide me with the letter or, you know, anything that is proof
16 that I had done that, and they can't provide me with that.

17 Q. Uh-huh. I see.

18 A. So that's how it happened.

19 Q. Okay. And this meeting that happened -- you said there were
20 competencies. Is this -- are these the same meetings that you're
21 talking where K.J. got confronted? How -- what's the timeline on
22 these?

23 A. No. December 4th -- I believe the 3rd and 4th, what we have
24 is called an annual competency.

25 Q. Uh-huh.

1 A. And several -- the director of education came down, and as
2 well as the safety pilot, chief safety pilot, I believe, Joe --

3 Q. Okay.

4 A. -- came down and someone else. And essentially, it's just to
5 kind of update us on different things.

6 Q. Okay.

7 A. And it's essentially -- it turned out to be 15 people in the
8 room finally coming out and telling this chief safety pilot how
9 displeased they were with K.J.

10 Q. Uh-huh.

11 A. Mind you, I kept -- I didn't say anything at all because I've
12 been told to stay quiet and not getting involved.

13 Q. Uh-huh.

14 A. And I even got a call from my boss Amanda, essentially
15 telling me that she was so pleased that I kept quiet and didn't
16 contribute. And when I asked her who said that, she just said I
17 have eyes and I just know that I was pleased with you not saying
18 or speaking a word. So that --

19 Q. Okay.

20 A. -- that also proved that they're happy that I'm not saying
21 anything.

22 Q. Right.

23 A. You know. And she apologized about that, but the -- to me,
24 the other meeting that we're talking about when, you know, the
25 crews also told K.J. that they were displeased was after the IIMC,

1 which was January the 17th or so.

2 Q. Oh, okay. January 17th.

3 A. So it was -- yeah.

4 Q. Okay.

5 A. And either -- I'm almost thinking it was the 14th when we had
6 the event and the 15th is when we had the talk. It's -- my dates
7 are somewhere around there, 14th to 17th. I'd have to look that
8 up.

9 Q. Okay. That's fine. Yeah. If you do have it, feel free to
10 text it to me or call back. Otherwise, we can work with this.

11 A. Okay.

12 Q. The --

13 A. Okay.

14 Q. So when you have -- when the -- you had the competency
15 meeting, who are those 15 people? Are those only clinical staff?

16 A. It was base -- yes, flight medics and flight nurses. Yes.

17 Q. Okay. And were the base clinical managers not involved with
18 this meeting?

19 A. They were not present, no. Either their timeline couldn't
20 make it, you know, whichever, but it's just because they couldn't
21 make it.

22 Q. Uh-huh. Okay. And is this base for only base 14?

23 A. No, this was whoever can make it. There was just 2 days
24 given, the 3rd and the 4th. And it's just whoever had
25 availability to come to either one of those days.

1 Q. Okay. Between --

2 A. The ones on (indiscernible) between.

3 Q. Between those two bases?

4 A. Yes. Both 13 and 14.

5 Q. Yeah. Okay, I got it. Wonderful. So how many times would
6 you say since you were there have -- had a pilot during a shift
7 change just kind of walked up to the aircraft and taken the
8 flight, when they were oncoming?

9 A. Maybe three times, that I've been on shift.

10 Q. Okay.

11 A. Maybe.

12 Q. Three times.

13 A. Three different shifts, yeah.

14 Q. Okay.

15 A. For me, yes.

16 Q. I understand. And can you describe what -- how -- what are
17 the -- what does the NVG usage look like in the aircraft? Who is
18 using them? When are you using them?

19 A. So the pilot always uses them. That's mounted on their
20 helmet.

21 Q. Okay.

22 A. And in the back, it's typically it's the medic on the left
23 side using it. But that's only typically. It's just a matter of
24 rotating back and forth.

25 Q. Uh-huh.

1 A. You know, because, I mean, the nurse may want to see
2 something, I may want to see something. But it is only one person
3 in the back wearing them.

4 Q. Right.

5 A. The other person is just naked eye. It is not mounted. It
6 is just holding it with your hands.

7 Q. Uh-huh.

8 A. And it's got a string, that way at times you can put it
9 around your neck so we just don't, you know, damage it. But it is
10 not mounted in the back.

11 Q. I see. Okay. And when you've flown with Jen, do you recall
12 if she used that consistently at night? Is that something normal?

13 A. Yes. Jen, it was mounted on her helmet. Yes. She always had
14 it with her. Yes.

15 Q. Okay. Have you ever had any cases where you were flying at
16 night with Jen and you noticed she didn't -- she wasn't wearing
17 them?

18 A. No, not at all.

19 Q. Okay.

20 A. No.

21 Q. I understand. And then, regarding the flights where you
22 would assess the ceiling and you were flying kind of at the base
23 of those clouds, are those -- do you recall when you would do
24 that, where you would fly right below the clouds, is that with any
25 pilot in particular? Did -- were all the pilots kind of

1 consistent in flying that way?

2 A. I want to say that was -- yeah, I want to say that was
3 probably, you know, consistent with the various pilots. I can't
4 pinpoint one specific pilot, you know, per se. But there was like
5 (indiscernible), you know, fly right there with the ceiling.

6 Q. Okay.

7 A. But I can't -- that's blurry. I can't pinpoint, you know,
8 who would do that.

9 Q. Okay. Just wondering.

10 A. Yeah.

11 DR. SILVA: Wonderful. I'll go around one more time,
12 quickly. Then I'll let you get on with your day. We really
13 appreciate it.

14 MS. BURKHOLDER: Okay.

15 DR. SILVA: Paul, anything else?

16 MR. SUFFERN: No questions for me. Thank you for your time.

17 MS. BURKHOLDER: Thank you.

18 DR. SILVA: John?

19 MR. BRANNEN: Yeah.

20 BY MR. BRANNEN:

21 Q. In regard to communications -- so, you know, so it's pretty
22 clear that you can hear communications from your OCC. What about,
23 like, if the pilot is in controlled airspace or something like
24 that and needs to be communicating with air traffic control. Can
25 you -- on your headsets in the back, can you hear those

1 conversations or not?

2 A. Oh, absolutely. We can hear all the conversations in the
3 back unless he would have to isolate us because it's too much.
4 And we would be talking about patient stuff in the back and, you
5 know, the pilot would have to listen to all this stuff in the
6 front. Then he could isolate us. But we did have the capability
7 of seeing it on the radio, because it would say ISO. So we knew
8 that he couldn't hear us and we could hear, you know, what he was
9 doing up there. So yes.

10 Q. Okay. Okay. So regarding this inadvertent IMC encounter
11 that you had, do you know -- do you recall if the pilot was in
12 communication with ATC, to your knowledge?

13 A. I want to say that was blurry to me. Because when I actually
14 started paying attention again is when Amanda started saying, you
15 know, pay attention to your instruments and K.J. was saying I'm
16 going to start my standard rate of turn. I don't recall any
17 communications, you know, around that time. It was very fuzzy. I
18 can't recall.

19 MR. BRANNEN: Okay. Okay. All right. That's all I had.

20 MS. BURKHOLDER: Okay.

21 DR. SILVA: Shaun?

22 MR. WILLIAMS: Yeah, I just had -- just want to make sure we
23 have our dates right, in case we try to go back and pull data for
24 these flights, Valery.

25 MS. BURKHOLDER: Okay.

1 BY MR. WILLIAMS:

2 Q. December -- you mentioned December 17th was a flight back
3 from Cleveland. That was the one over the highway. Correct?

4 A. Okay. So I'm looking at my photo right now, because I did
5 send a message to my husband. Okay. That was Monday, January the
6 14th, around 6 p.m. or so.

7 Q. Okay. That's -- so there wasn't one in December. Well,
8 yeah, there was the meeting, though.

9 A. So the IIMC was January 14th.

10 Q. Okay.

11 A. The one that happened with Rachel and I I don't have the date
12 on that one.

13 MR. WILLIAMS: Okay. All right. That's what I needed.
14 That's all I have, Sathya.

15 DR. SILVA: Great. Thanks, Shaun. Dave?

16 MR. GERLACH: Yeah, just one last question.

17 BY MR. GERLACH:

18 Q. Did you ever see any of the or hear any of the pilots call
19 back to your OCC dispatch folks to talk to them about weather or
20 talk to them about the inadvertent IMC or, hey, I'm in bad
21 weather, can you give me headings or altitudes to get me out of
22 this?

23 A. I want to say there was definitely communications with our
24 comms center. I don't recall the details, because we were keeping
25 an eye out on everything. And I know that K.J. was trying to --

1 or, was communicating with Mansfield tower on maybe the
2 possibility of being guided, but he never committed to IFR. So it
3 -- yeah, that was -- it didn't -- the radio traffic is very alien
4 to me, so I know that there were communications with comms and I
5 know there were communications with Mansfield tower.

6 Q. Got you. While in flight, did you ever hear of your comms
7 center calling the pilot and checking in with him about weather,
8 or how things are going?

9 A. No. Because K.J. was communicating back -- or, communicating
10 to comms center saying that he was having 5 mile visibility or he
11 would often say 7 mile visibility. And I know at one point I
12 looked at Amanda, because it looked less than 5 miles. But he was
13 -- I mean, he was making himself look better than what the
14 conditions were. Because we looked at each other and we're like
15 no, that's definitely not 5 miles. That was less than that. So
16 there was --

17 Q. Yeah.

18 A. -- there's certain times to where, you know, I think that in
19 my personal opinion that he felt that he was maybe getting and
20 pushing too much, but he was reporting to comms that it was not as
21 bad as what it was.

22 Q. So how about flying with Jen, though? Did she talk back and
23 forth with the comms center and did they talk to her on a typical
24 flight?

25 A. Yeah. No, Jen -- the thing with Jen is that the flights that

1 we would take with her they were so safe that there wasn't this
2 communication of, you know, pushing the limits. It was so clear
3 on whether we were safe or not, you know. And I didn't have any
4 episodes with Jen that I felt like we shouldn't be here, at all.
5 I didn't have any flights like that with Jen.

6 Q. Okay.

7 A. And that one moment where she was saying her -- you know, it
8 was 9 miles, it was like -- it was beautiful, you know. It was
9 visibility that we felt so comfortable with.

10 Q. Well, just a normal flight, though, did you all stay in
11 contact with your comms center?

12 A. Yes. Yes, we do. Yes.

13 Q. How frequently would you communicate -- would the pilot
14 communicate with the comms center on a normal flight?

15 A. That I couldn't tell you, because I hear traffic and them
16 talking to different area traffic control. So either maybe I
17 toned it out or zoned it out, but I can't answer that
18 appropriately without --

19 Q. I see.

20 A. Like, I'll be guessing if I answer that.

21 Q. Okay.

22 A. I don't know. Yeah.

23 Q. Okay. That's okay. I'm just trying to get a feel for how
24 often the pilot communicates with the comms center, both on normal
25 flights and when, you know, weather and visibility go down.

1 A. Okay.

2 MR. GERLACH: That's all I have. Thank you very much.

3 MS. BURKHOLDER: Thank you.

4 DR. SILVA: Uh-huh. Tom?

5 MR. LUIPERSBECK: Just two questions.

6 BY MR. LUIPERSBECK:

7 Q. Had you ever been on a shift with Jen when she declined a
8 flight due to bad weather?

9 A. Yes. Multiple shifts with her where she's declined because
10 of weather. Absolutely.

11 Q. Okay. And the last one -- and I'm sorry if you've already
12 gone over this. I was unable to get in on the call, when I
13 started. How did the inadvertent IMC turn out? Did -- was he in
14 the clouds, or how did that end up?

15 A. We ended up going into what K.J. called a standard rate of
16 turn of 180 degrees. To me it felt like a long time, but it --
17 what I understand is that we were in the IIMC for about a minute
18 or so, until we came out of it into a town that was just
19 completely clear. It was like the bowl. A bowl of just clear.

20 Q. Uh-huh.

21 A. I mean, it was weird. And then surrounding us was just dense
22 clouds -- dense fog.

23 Q. So you landed near that town, I'm assuming?

24 A. We did not. No. We discussed. We were talking about -- I
25 called out a school and a parking lot. K.J. called out the golden

1 arches of McDonald's. But then he guided us to think that we can
2 make it to Highway 71, following a single car out to that highway,
3 by the guidance as well as from Mansfield tower, until we got to
4 -- and so, we got to the highway and we took the highway the whole
5 way back to base. But we flew in the center of the highway the
6 whole way back.

7 MR. LUIPERSBECK: Okay. Thank you.

8 MS. BURKHOLDER: Thank you.

9 DR. SILVA: Tim, did you have anything else?

10 MR. TAYLOR: Yeah.

11 BY MR. TAYLOR:

12 Q. I want to go back to that -- when you were flying at the base
13 of the clouds. Somebody threw out a number. Do you remember if
14 that was the right number, or what number they said that we're
15 right at the base, we're right here at XY altitude?

16 A. I almost want to say I recall hearing 900, you know, or 1,000
17 or so, because we were right at -- it was daytime, and our
18 minimums are 800. So I think it was 800 -- or, it was -- pardon.
19 It was 900 or 1,000 that we were flying at. So that's why we
20 asked, because normally we fly, you know, 1,200, 1,400. So we
21 felt that it was a little bit lower than normal. So yeah, I
22 believe it was 900 AGL.

23 MR. TAYLOR: Okay. Thank you.

24 MS. BURKHOLDER: Absolutely.

25 DR. SILVA: All right, Valery. Thank you so much for your

1 insight.

2 MS. BURKHOLDER: You're welcome.

3 DR. SILVA: This has been very valuable for us. Do you --

4 MS. BURKHOLDER: Absolutely. Thank you --

5 DR. SILVA: Do you have --

6 MS. BURKHOLDER: -- very much for interviewing.

7 BY DR. SILVA:

8 Q. Yeah. Of course. Is there anything else that you wanted to
9 add? Anything you think we should look into?

10 A. It definitely is -- you know, and I -- K.J. needs to be
11 looked at. I don't understand the preference that he has in this
12 company.

13 Q. Uh-huh.

14 A. Anybody else that would do the things that he would do would
15 not have a position at all.

16 Q. Uh-huh.

17 A. So I don't know how he is able to take all these risks. And,
18 I mean, as you have the letter, the five-page letter from HR, and,
19 I mean, just his hostility, his harassment, you know, and
20 whichever -- and, you know, he even told us that his punishment
21 essentially was going to be online training. You know, it's just
22 -- it's beyond me how someone can have so much (indiscernible),
23 you know, as a team, that this -- as a whole unity, voicing, you
24 know, displeased and displeasure, and for this person to continue
25 being there. I hate to even think that his pressures, you know,

1 in regards to taking flights and being a bully to other pilots --
2 I hate to even think that that was one of the reasons, you know,
3 why we got to this point to where we are today. But, I would
4 definitely -- you know, in the back of my mind that is my own
5 opinion, that is something that is -- the culture is so damaging
6 and so toxic.

7 Q. Uh-huh.

8 A. You know, everybody else there has such beautiful things to
9 say. And, you know, I hate that this happened to Jen because she
10 was the most safest, you know, at our base.

11 Q. Uh-huh.

12 A. So --

13 Q. Yeah.

14 A. I know that right now, like our (indiscernible), she is very
15 displeased and she has been voicing as well a lot of safety
16 issues.

17 Q. Uh-huh.

18 A. And, you know, it's not going anywhere. So she's very
19 aggravated.

20 Q. Uh-huh.

21 A. And right now, the company is preoccupied of getting, you
22 know, everybody back on flights, again, that they're almost like
23 salesmen, you know. They're not worrying about are the crews
24 ready mentally, you know, to take these flights. They are
25 offering flights around, you know, the town, just so they can get

1 comfortable. But it's very salesmen, you know, of okay go. You
2 know, that kind of thing. So I don't know. I don't like the
3 culture. Obviously, you know, the people that were voicing the
4 safety issues in this company, it was myself, (indiscernible), it
5 was Jen. And now I'm no longer there, and sadly enough neither is
6 Jen.

7 Q. Uh-huh.

8 A. And there's no one citing anymore, you know. And I just --
9 I'm really scared for the future.

10 DR. SILVA: Uh-huh. We understand and we're also very sorry
11 for your loss. I know you're going through a lot right now. Not
12 only with the accident but --

13 MS. BURKHOLDER: Right.

14 DR. SILVA: -- everything else that you've got going on.

15 MS. BURKHOLDER: Yeah.

16 DR. SILVA: But we really appreciate the time.

17 MS. BURKHOLDER: Well --

18 DR. SILVA: And you have my (indiscernible). If you want to
19 add anything or want to follow up, don't hesitate. We are here.

20 MS. BURKHOLDER: Okay.

21 DR. SILVA: Again, this has been very helpful. So again,
22 we'll let you get back to your night. Thanks again for your
23 flexibility. But --

24 MS. BURKHOLDER: Okay. Thank you very much.

25 DR. SILVA: Yes. Thank you so much, Valery.

1 MS. BURKHOLDER: Perfect.

2 DR. SILVA: I'll get off the call here.

3 Off the record at 5:37 Central.

4 (Whereupon, at 5:37 p.m. Central Time, the interview was
5 concluded.)

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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD


IN THE MATTER OF: SURVIVAL FLIGHT HELICOPTER CRASH
 NEAR ZALESKI, OHIO
 JANUARY 29, 2019
 Interview of Valery Burkholder

ACCIDENT NO.: CEN19FA072

PLACE: Via Telephone

DATE: February 6, 2019

was held according to the record, and that this is the original,
complete, true and accurate transcript which has been transcribed
to the best of my skill and ability.



Jane Gilliam
Transcriber

RECORD OF CONVERSATION

Ashley Danusers

Via telephone

On 2/14/2019 at 0842 EST

During the conversation, Ms. Danusers stated the following:

She worked at SF Base 3 in Hannibal, MO. She had experience doing helicopter ems for 6 years.

She called regarding an incident that she reported to the NTSB or FAA and CAMES. She described the incident: The day of the incident, the weather was rough – it was overcast and windy. A call came in for a local flight – she couldn't recall where exactly. Her pilot, Bob Mariotti, took the call, went outside, and looked at the weather conditions and wind sock. He declined the flight and in less than 5 minutes received a call from Gary Mercer. He stepped back outside to talk to Gary and came back in stating that Gary wanted them to try the flight. She said "no" and was very angry that Gary had pushed the pilot. She said that it was "not right, and not fair, and puts [them] in danger." She offered to talk to Gary herself if he still had a problem but didn't think she should have to. Bob then called Gary back and said that the crew said no to the flight. She heard Bob's voice was getting loud on the phone. He came back, phone in hand. She had thought he had hung up but instead he handed her the phone to talk to Gary. He said "what is this I hear about you not wanting to fly?" She explained that it's not about her not wanting to fly, it was about not wanting to fly this flight after the pilot had already turned it down twice. She said she didn't appreciate the pressure he was putting on the crew, and that it shouldn't happen even after the pilot had said no once. He said he was not pressuring the pilot to fly. She was in tears by that point and gave Bob the phone back. She had felt emotional about this situation combined with her previous experience with a helicopter accident the year before with a different company. (That accident occurred on March 6, 2015 with Air Methods in Arch, MO. She was the crew for the flight and was waiting on that accident flight pilot to pick them up from the pad.)

She talked to her base manager, Sheila Muller who told her not to go on the flight. Ashley relayed that she didn't go on the flight but that the conversation with the director of operations should never have happened and that him talking to her illustrates that he's putting pressure on the crew. A few days or weeks later, the VP, Andy Arthurs, came out to talk with her and Michael Lucas, who was the other person on shift that day – he was new to flying. Andy had told her that Bob asked Gary what Gary would do in the situation and that's why they had the conversation. She said that regardless of whether that was true, Gary's approach was inappropriate.

She hasn't seen any blow back from this situation and has not received a phone call similar to that one since. She believes that the pilots are safe, but the company (administration and management) is unsafe. She hopes they get held accountable. She described that the pilots were getting inaccurate information during indoctrination training. When asked to describe what she meant, she said that several pilots had told her that the company had told the pilots that the med crews were "out to get you."

She said that there are pilots she's very comfortable with who discuss weather with them, and there are other pilots that just knock on their door when a flight comes in and goes. She described one pilot that was more apt to go out in weather. She believed he was afraid for his job. She described one instance where the med crew had just come back from a flight and a call had come in to go back to that area. The weather was moving in and she told this pilot who had just come on shift, that they had just come from there and the weather was not good. This pilot said that they were going to try it anyway. They took off and Ashley voiced her concerns about the weather. The pilot tried to explain it to her, but she insisted and he listened and turned around. Other pilots are more comfortable speaking up against management.

She believed the complaint she filed was in early spring of 2017 or November of 2016. She filed the incident with the company as well. She believes she got a call back from the NTSB or FAA, but did not hear any follow up from CAMES. She said likely because they were not part of CAMES at that time. When the Ohio bases opened up, people at the company were concerned and wondering what they were doing out there since the Ohio area was already saturated with Helicopter EMS.

Sathya Silva
Human Performance Investigator
National Transportation Safety Board

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

* * * * *

Investigation of: *

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SURVIVAL FLIGHT HELICOPTER CRASH *

NEAR ZALESKI, OHIO * Accident No.: CEN19FA072

JANUARY 29, 2019 *

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* * * * *

Interview of: KELLY KALES

Via Telephone

Thursday,

February 21, 2019

APPEARANCES:

SHAUN WILLIAMS, Investigator in Charge
National Transportation Safety Board

I N T E R V I E W

(12:15 p.m.)

1
2
3 MR. WILLIAMS: Okay. So, I started the tape recorder here at
4 12:15 Central. So, Kelly, I got the -- an email that you had
5 called. Just wanted to kind of hear what you had to say, what's
6 going on and what's on your mind.

7 MR. KALES: Well, I worked for Survival Flight. And I -- I
8 hope my name can kind of stay out of it. But I just want to kind
9 of point you in the right direction of where to look and what to
10 investigate, as far as background.

11 MR. WILLIAMS: So --

12 MR. KALES: I work for them.

13 MR. WILLIAMS: Well --

14 MR. KALES: I'm sorry. Go ahead.

15 MR. WILLIAMS: Yeah, let me stop you right there. We're not
16 able to do confidential. So I hope you'll still talk to me, but
17 we can't offer any confidentiality.

18 MR. KALES: Well, you know what, that's fine. Because I
19 would rather have the people I work with safe --

20 MR. WILLIAMS: Okay.

21 MR. KALES: -- and just, you know -- I mean, if the company
22 comes after me and tries to sue me, then, you know, I'll have this
23 as backup saying it's retaliation for telling the truth.

24 MR. WILLIAMS: Okay. I just wanted to make sure we were, we
25 were good on that. So, go ahead. I'm sorry. I didn't mean to

1 interrupt you there.

2 MR. KALES: No, that's fine. I mean, like I said, I'm -- you
3 know, the company may try and come back at me on this. But, I
4 mean, it's -- you know, it's the truth, so --

5 MR. WILLIAMS: Yeah.

6 MR. KALES: When I was flying for Survival Flight, our pilots
7 would check the weather and if there was any point in the flight
8 pattern -- sure, they would see if they could try and go around
9 any kind of, you know, FAA minimums. You know, if there was a
10 storm -- you know, a storm cloud or something like that, if
11 there's something that can go around and make the trip a little
12 bit longer, just to complete the mission, you know, they would do
13 that. But if there was any question, they would turn down the
14 flight.

15 And the chief pilot of the company, Jack Windes, would call
16 within about 10 minutes and would cuss out our pilots and belittle
17 them, and saying, you know, we need to take these flights, you
18 know. And he would yell so loud into the phone, I mean, you
19 wouldn't even have to have it on speakerphone, but he would yell
20 so loud on the phone that you could hear it, you know, just
21 standing within earshot. Told one pilot, Harry Sowle, that if
22 this base that failed that I was at, that it would be his fault,
23 you know, because he was turning down flights.

24 But, I mean, if the pilots didn't feel they were safe, then
25 as med crews, we relied on our pilots' decisions. I mean, they're

1 old for a reason. They're all, you know, 60, 70 years old, and
2 they didn't get that way for making risky chances. They're all
3 Vietnam pilots. And there's one pilot that was young and, you
4 know, in need of a job. So he would comply, and he kind of scared
5 me because Jack would threaten his job when he would turn down
6 flights. And he had our pilots so scared about turning down
7 flights, they would have to mull it over for a good 5 minutes
8 before they would, you know, accept or turn down a flight. I
9 mean, and it put the entire crew on, you know, high alert. Like,
10 okay, should we be taking this -- if you're taking this long to
11 decide and you're hemming and hawing about it, should we really be
12 taking this flight? If you have any doubts, you know, then we
13 probably shouldn't be doing it. And this happened over and over
14 again.

15 One base meeting, he -- I think it was either November or
16 December -- I think it was November base meeting, you know, he
17 brought up that he had heard the way he addresses the pilots might
18 need to change a little bit. But he knows what he's talking about
19 and he's right in his decisions, meaning pushing us to take
20 flights, is how I took it.

21 I wrote an HR complaint, you know, to, you know, discuss
22 that, among some other things that were going on with the company,
23 because I tried to reach out to corporate and got nowhere with
24 that. So I wrote an HR complaint to get it in writing and get it
25 in the system so there would be a record of it, and also to

1 prevent any kind of retaliation from Jack because of this
2 situation. And I received, you know, some -- what I consider
3 retaliatory text messages wanting to meet me in a place of my
4 choosing. You know, it was just a very unnerving thing.

5 I talked to -- I was at a training situation in Lawton, and
6 one of the training things was about weather and safety. And Joe
7 the pilot, which is the lead safety pilot of the company, was
8 giving us, you know, crew resource management and, you know,
9 weather and how to be safe on a flight. And part of it was -- you
10 know, and I talked to him about this, you know, about pushing for
11 flights. They talked about, you know, safe flight conditions and
12 everything else. And I pulled him aside and I told him I wrote an
13 HR complaint a couple of days ago and asked if he had been read in
14 on it. He says, well, anytime HR gets a complaint like that they
15 always talk to me about it. And this was on a Thursday, and I had
16 submitted the HR complaint on a Monday, and he hadn't heard
17 anything about it, but he said he would keep an eye out for it.

18 So I called him the following Monday and asked if he had seen
19 the complaint yet, the email that I sent. And he said no. And
20 this was later in the day, probably, I don't know, 5 o'clock, 6
21 o'clock or something, and I know HR was already gone from
22 corporate. And, you know, I emailed him a copy of the HR
23 complaint and told him what Jack was doing as far as pushing and
24 bullying our pilots when they would turn down a flight, to the
25 point where Harry, the one that he cussed out real bad, was ready

1 to quit and go back to flying oil rigs in the Gulf for PHI.
2 Because, you know, he said he was too old and he didn't have to
3 put up with it. And so I emailed HR either that night or the next
4 morning -- I think it was the next morning, and I got a response
5 back. And I said, you know, have you had a chance to look over
6 the complaint, have you talked to Joe the pilot, you know, the
7 safety lead. Well, he was in and out of the office yesterday and
8 everything, and, you know, your concerns are being addressed.
9 And, you know, because I has asked Joe, I said did you talk to HR
10 about this at all? And he says no, they haven't sent anything to
11 me.

12 So HR started lying to me about this, saying that they had,
13 you know, talked about this. And at that point I knew that the
14 company didn't have my best interests at hand. They wouldn't give
15 me any indication, any kind of plan to address my concerns about
16 the safety and about the harassment of the pilots, you know, about
17 turning down flights. I understand, you know, it's revenue
18 driven. But, you know, I believe safety comes first. If you
19 don't have a helicopter and you don't have a crew, how are you
20 going to make any money to begin with? You know, better to let it
21 go for one day than to, you know, take a chance and may or may not
22 make it, than, you know, than have a guaranteed failure. So when
23 HR told me, oh, your concerns are being addressed and wouldn't go
24 into any detail about this, you know, that's when I decided, on
25 December 25th, to put in my resignation because I just didn't feel

1 they had my safety or my concerns, you know, in their -- in my
2 best interest.

3 And then I heard about the Columbus crash, and I knew -- I
4 had a bad feeling, you know, because that storm front was coming
5 in with the, you know, the 40, 50 below and the -- you know,
6 rolling into Illinois and Indiana and everything else. You know,
7 it was the day before -- or on the eve of, you know, all that
8 terrible weather. And I thought, you know -- and I woke up to
9 that crash on the news, and I says, you know, I hope that Jack
10 didn't push them into taking the flight.

11 And then you start seeing on the news that two other services
12 turned it down and, you know, and -- I'm still waiting on the, you
13 know, on the NTSB to finish their investigation and everything.
14 But I got to tell you, that's why I had to call. Because I do not
15 want to see any more of my, you know, former co-workers get hurt.
16 I want to see something done. I want to see changes made.
17 Because this is happening way too often, and if Survival Flight is
18 going to be reckless like this because of one or two people
19 pushing, then it needs to be stopped.

20 Now the owner of the company, Chris Millard, excellent guy,
21 stand-up guy. You know, I don't wish anything bad on Survival
22 Flight. But this guy Jack, their chief pilot that they got, from
23 what I've worked with him, has proven reckless, as far as, you
24 know, pushing the pilots. His demeanor and everything else when
25 he was running our base, you know, his -- he had his hands in way

1 too many places, trying to manage a base and be the chief pilot of
2 the company and I think he was distracted and had too much to do
3 and couldn't do it all.

4 MR. WILLIAMS: Okay.

5 MR. KALES: I mean, I don't know what else to say about it.
6 There was another co-worker that I had that wrote a complaint
7 about conditions with management, that also butted heads with Jack
8 and also complained about Jack's treatment of the pilots when they
9 would turn down a flight. And I don't know that he sent it to HR.
10 I know he sent it to Andy Arthurs, the vice president, and Dave
11 Hollis. I'm not exactly sure of his capacity. I know he's one of
12 the higher ups. He was a base manager for Kennett, but one of the
13 higher ups. But, you know, I trust Dave Hollis and I trust Chris
14 Millard, you know, the owner of the company. And I've tried to
15 address my concerns to Dave Hollis and he didn't feel he was in a
16 position to address it, you know, for whatever reason. And I
17 respected his honesty on that.

18 I took it upon myself to, you know, to write this complaint
19 because I didn't feel comfortable, you know, getting pushed into a
20 flight. Now, with the older pilots -- with Eric and Harry and the
21 newest one, Roberto, they were all older gentlemen that have, you
22 know, flew in the wars and have made it and have made safe
23 decisions. But Judd I was a little bit worried about because he
24 is younger and he needed the job. The other three could find a
25 job, and really didn't need it; they could retire if they wanted

1 to or go back to where they came from. So my concern was, you
2 know, Jack pressuring the youngest pilot into taking more risky
3 flights. And I just -- I had to walk away. And --

4 MR. WILLIAMS: So what base were you at, Kelly?

5 MR. KALES: I was in Oklahoma City. And I was based on a
6 Sikorsky S-76.

7 MR. WILLIAMS: And you said you turned in your resignation on
8 December 25th. How long were you at Survival --

9 MR. KALES: And then --

10 MR. WILLIAMS: -- Survival Flight?

11 MR. KALES: I started February 12th. I started ground school
12 February 12th. Our base became active May 5th. I did orientation
13 flights in Batesville; Kennett, Missouri; Russellville, Arkansas.
14 I've flown in Altus, Lawton, and I think that's the only -- I
15 think that's all the bases that I've done. Because I used to fill
16 it at Lawton and Altus from time to time when they were short.

17 MR. WILLIAMS: Okay. And was all that in 2018?

18 MR. KALES: 2018, yes.

19 MR. WILLIAMS: Okay. You mentioned --

20 MR. KALES: Now --

21 MR. WILLIAMS: Oh.

22 MR. KALES: I'm sorry, go ahead.

23 MR. WILLIAMS: I was going to say you mentioned seeing the
24 news and hearing about the -- that this flight had been turned
25 down by other companies. Were you ever aware before you departed

1 if a flight had been turned down?

2 MR. KALES: A lot of times, yes. A lot of times they were --
3 you know, I'm glad you brought that up. A lot of times there were
4 -- you know, our own companies, you know, like Lawton base would
5 turn down a flight. And we would question, okay, so they're 20
6 minutes away from this scene, why did they turn it down and why
7 are they calling us? Now sometimes it was a good reason. Being
8 we had the S-76, we were more or less known as the bariatric
9 barracks. We, you know, didn't have a girth limit. The only
10 thing we had was a weight limit, which was, you know -- our
11 stretcher limit was 600 pounds. So you figure 50 pounds of
12 equipment, our weight limit was maybe 525, 550 pounds for a
13 patient.

14 MR. WILLIAMS: Okay.

15 MR. KALES: So, we're the biggest helicopter in Oklahoma, and
16 if all these 407s and 135s couldn't take these other patients
17 because of girth or weight limits and all that, they would call
18 us. And I can understand that.

19 There's a lot of times that Air Evac out of Stillwater would
20 turn down flights to Ponca City because of weather, and we would
21 end up taking it. And yeah, could we spurt around to the left
22 side -- I guess that's what we did. You know, did we have some
23 cloud and did we fly in rain sometimes? Yeah. You know, but it
24 -- this was early on, you know, when I had trusted the pilots and
25 was still new to this. But as it got further on -- or, yeah,

1 there were times that other flight services had turned it down and
2 a lot of times we knew about it.

3 MR. WILLIAMS: Okay.

4 MR. KALES: And there were times that we took it when other
5 flight services turned them down. And I put my faith in the
6 pilots and, like I said, them being old and having enough smarts
7 and, you know, they didn't get -- they got old for a reason. They
8 didn't take stupid chances. But if they turned down a flight,
9 they did it for a reason.

10 MR. WILLIAMS: Okay.

11 MR. KALES: And that's when Jack would get on the phone and
12 call and, you know, sometimes they would -- he would explain to
13 them -- or, you know, the pilots would explain, well, this is what
14 it was. Other times it would be that he would cuss them out --
15 well, you could have done this or you could have done that.

16 Or looking at the weather report and all that, well, I didn't
17 see that on here. You know, where you could look out the window
18 and all that and, you know, we were on the fourth floor of the --
19 one of the buildings at the hospital. If you couldn't see the
20 ground, you know, we're not going to take off if you can't even
21 see the ground from the building that we're in. And, you know,
22 you can't expect us to take off in that. Even though it doesn't
23 show it on the weather report, at Tinker Air Force base or
24 anything, just because it doesn't show it there, I mean, you know,
25 you got to have common sense and all that when you're sitting at

1 -- where you're at.

2 MR. WILLIAMS: Right. What about -- so what was your
3 position? Were you a paramedic or nurse?

4 MR. KALES: I'm a flight nurse.

5 MR. WILLIAMS: You're a flight nurse. Okay. So did the
6 pilots typically utilize you guys for, like, flight-related
7 duties, you know, departures, look out for us, listen for traffic
8 and look for traffic, anything like that? Or were you guys kind
9 of isolated back there?

10 MR. KALES: They used us for full crew resource management.

11 MR. WILLIAMS: Okay.

12 MR. KALES: We were outside as tail guard, fire watch, you
13 know, helped -- we did -- we assisted with refueling when
14 necessary, battery car jumpstarts. We had, you know, sterile
15 cockpit, you know, 5 minutes before takeoff and, you know, during
16 that takeoff, 5 minutes before landing; acknowledge just enough,
17 you know, where the pilots say, you know, okay, we're coming in,
18 tell them we're clear left and right, call out any obstacles. In
19 addition to our patient care, yes, we would be looking for, you
20 know, any possible aircraft interaction out the windows. If the
21 tower would call in that you have aircraft in the area and they
22 couldn't spot it, he would ask us to look out, and we did. So it
23 was complete crew resource management.

24 MR. WILLIAMS: Okay. So -- I just lost my train of thought
25 there.

1 MR. KALES: I'll tell you, one of the things they taught us
2 at ground school and they stressed, you know, the entire time was
3 "three to go, one to say no." And so, if all three crew members
4 -- pilot, medic and nurse -- if they all three felt comfortable
5 taking the flight, we took it. And we were always told if at any
6 point we changed our mind, if any one person changed their mind
7 and felt that, you know, we should scrub the mission because of
8 weather, you know, something going on with the aircraft, an
9 equipment malfunction, anything that goes on that could
10 jeopardize, you know, the safety of the crew or the patient, we
11 were told to speak up without question, without repercussion, and
12 we would scrub the mission.

13 MR. WILLIAMS: Do you feel like you -- did you ever have to
14 do that? From the med crew aspect of it, did you ever scrub one?

15 MR. KALES: I personally have not.

16 MR. WILLIAMS: Okay. I know it was told in ground school and
17 kind of harped to you guys three to go, one to say no. Did you
18 feel like if you did that would be supported?

19 MR. KALES: You know, I can't really speculate on that.

20 MR. WILLIAMS: Okay.

21 MR. KALES: I mean, later, as time went on, probably not. I
22 can tell you one time we had a call out to OU hospital. We were
23 having problems with the air conditioner. And so me and the medic
24 went out to -- drove out to the hospital to evaluate a patient.
25 And, you know, it was one of those warmer days and everything. I

1 think it was like probably 95 or something during the day. And we
2 were supposed to transport a patient from OU to Dallas. And
3 because of patient logistics and, you know, the medications and
4 everything else that they were on, it took a little bit of
5 logistical planning.

6 So, anyway, we went back -- we drove back to the base. The
7 patient care logistics were handled, and the paramedic and I were
8 ready to take the flight. And they activated us again, and our
9 pilot turned it down because the air conditioner wasn't working
10 and he felt that the patient wouldn't be safe with the air
11 conditioner -- he didn't think we could make the transport because
12 of the air conditioner not working. Now at this time it was
13 probably 1 o'clock, 1:30 in the morning. And, you know, the pilot
14 didn't confer with the medical staff on it before he turned down
15 the flight.

16 And so I called dispatch, which was a recorded line -- and so
17 that conversation you guys will probably get ahold of. And I
18 talked to the pilot and, you know, I feel the pilot made a medical
19 decision which wasn't his place. I told him I felt comfortable
20 taking the patient with the air conditioner not working because
21 the temperature was cool enough at night and if we flew high
22 enough -- you know, I felt comfortable taking the patient. And,
23 of course, Jack called me up and discussed it and I told him my
24 concerns, and he was like, well, you know, you didn't go any
25 further into that, you know, you just let it go. And I said,

1 well, I'm not going to fight. It's three to go, one to say no.
2 He said no, for whatever reason, and I'm not going to argue with
3 it. And I stood on that. And I felt that -- you know, of course,
4 the pilot got his butt chewed over that by Jack. But again, it's
5 three to go, one to say no. He said no, whether it was a right or
6 wrong reason, there should be no repercussion, which was drilled
7 into our head. But yet there was repercussion.

8 That should have been -- you know, should we have taken the
9 flight, I believe we should have. But if one person says no, it
10 should have been an education moment, not a belittling moment to,
11 you know, saying hey, you screwed up and, you know, and chew them
12 a new one. You know, given -- do it as an educational piece.
13 Say, okay, in this situation, you know, if you have a question
14 about it, this would be a medical decision, whatever; it needs to
15 be talked to as a crew -- and we addressed it at the next meeting.
16 You know, it needs to be a complete crew decision instead of one
17 person in another room turning down a flight without addressing
18 the entire crew.

19 But then again, you know, it stands with that three to go,
20 one to say no. He said no, and I stopped it right there. I said,
21 all right, I agree with you, maybe we shouldn't take it. You
22 know, the air conditioner isn't working; you don't feel
23 comfortable with that, fine. And, you know, he tried to throw me
24 under the bus -- and this was the young pilot, you know, that
25 needs his job. And, you know, so he was -- you know, he was ready

1 to throw anyone under the bus, you know, just to protect himself.
2 So that caused a little bit of rivalry. If there was any little
3 thing, you know, that he could get chewed out for, he would pick
4 anyone else to try and throw under the bus for it.

5 MR. WILLIAMS: Okay. Kelly, thank you very much for reaching
6 out. You have provided quite a bit of insight for us into this.
7 So what I'm going to do is I'm going to stop the recording here
8 for a minute.

9 MR. KALES: All right.

10 MR. WILLIAMS: So it is off the record at 12:43 -- 11:43
11 Central.

12 (Whereupon, at 11:43 a.m., the interview was concluded.)
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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD


IN THE MATTER OF: SURVIVAL FLIGHT HELICOPTER CRASH
 NEAR ZALESKI, OHIO
 JANUARY 29, 2019
 Interview of Kelly Kales

ACCIDENT NO.: CEN19FA072

PLACE: Via Telephone

DATE: February 21, 2019

was held according to the record, and that this is the original,
complete, true and accurate transcript which has been transcribed
to the best of my skill and ability.



Jane W. Gilliam
Transcriber

Interviewee: Amanda Wolfe, Clinical Base Manager – SF14

Date: February 1, 2019

Location: Mount Carmel Hospital, Grove City, OH

Time: 1050 EST¹

Participants: Shaun Williams, Sathya Silva, NTSB; David Gerlach, FAA

Introductions were made to Ms. Amanda Wolfe and she was provided with an explanation of why she was being interviewed. During the interview, Ms. Wolfe stated the following:

Ms. Wolfe is the Clinical Manager for Base 14 and has a Bachelor of Science in Nursing. Her duties included staffing, public relations, outreach, clerical work, DEA, and supplies.

She has been in the helicopter EMS industry for about 8 years. She began working for Survival Flight in June of 2018. Her initial training began in June of 2018. She has no aviation experience as a pilot. She was an ICU nurse for 10 years and has also worked for another Helicopter EMS company for 9 years, Careflight, that did IFR flights.

Ms. Wolfe explained the separation between Survival Flight and Viking Aviation and described it as a separation of aviation and medical, but her understanding is that aviation and medical are mixed together. She said that she doesn't get involved in the aviation operational stuff.

Ms. Wolfe discussed the process once a transport request is received by the company. She said a typical request will come into the communication center which is staffed with meteorologists who help dispatch the flights. When a request comes in, the control center contacts the pilot; both the dispatch and pilots evaluate the weather. If the weather is "green"/good, there would be no discussions between the dispatchers and the pilots. However, if the weather is marginal, there would be a discussion. Ms. Wolfe said that dispatch, pilot, or medical could deny the trip. They followed the "3 to go, 1 to say no" philosophy. She noted that if the flight is turned down, the pilot will contact the requesting organization to explain why the flight was turned down. This is usually performed after 2 hours of the turn-down. She was asked if she, herself, had ever turned down a flight due to weather, and she said no.

Ms. Wolfe was asked to discuss the Survival Flight Quick Reference hand-out and how it was created and by whom. She noted that "Robin (Piatt) created it" and they provided it to hospitals and fire departments. However, she said that she didn't think she had handed any of the hand-outs to anyone.

Ms. Wolfe was asked to discuss the context of the weather minimum bulleted item on the handout. She said they limited their weather minimums to the FAA weather minimums whereas

¹ All times will be local time unless otherwise indicated.

other companies have higher limits. She also noted that some companies turn down flights due to crew limitations and call it a weather turn-down to “save face”.

Ms. Wolfe described her colleague, Rachel, as a best friend, nice lady, always got stuff done, loved her job, proud of her work, and great team member. However, she said that she did not know Brad very well. She knew that Brad had flown for SF-13. Typically, they come in for 24 hour shifts but he was doing a 12 hour shift to take over from another crewmember. She knew that this was Rachel’s first flight job.

She also said she knew the pilot very well and described her as a “great pilot,” very meticulous, and the base safety officer. Ms. Wolfe said that her flight hours were reduced so that she could do outreach which reduced her time with the group. However, she said she spent time with Rachel and flew a lot with Jen; noting that Jen picked up a lot of flights.

Jen would provide a more thorough brief. For example, Ms. Wolfe said one thing she really liked about the pilot was she would practice emergency shut-downs with the crew at least once a month. This was not a procedure but she would demonstrate to the medical crew how to shut off the fuel in an emergency.

Ms. Wolfe also described how she found out about the accident and the time after. She was supposed to come in at 10am. She had gotten a call saying that the aircraft had stopped pinging. Specifically, she said that herself and Andy began driving toward where they thought the helicopter had crashed. She noted the weather driving toward the crash site included it being clear and then heavy snow squalls. She didn’t know if that type of weather was normal for the area but had said she hadn’t seen that before.

The company had not taken a lot flights to Holzer Meigs and that was more new. She thought that Medflight was stationed there and they were the go-to company.

Ms. Wolfe’s last contact with the crew was the day before. She recalled a conversation that Jen had with Andy that day about the ridge line in the area of the accident and how far it spanned.

Asked about the time period after a request comes in to when a decision is made, she said sometimes it is fairly quick, and sometimes it takes longer and discussions have to occur. When everything is green, it’s easy and goes quickly. They were told that the flight was all green. They base their decisions on weather at reporting stations. They shoot for a 7-10 minute scene time.

Ms. Wolfe was asked about how the helicopter intercom system and how the radios are configured. She described the intercom system as allowing her to communicate with everyone on the helicopter and also able to hear the pilot ATC communications. However, the system has the ability to turn off radio frequencies. Isolation is available to the pilot. If they are isolated, there is a switch in the back they can use to get the pilots attention that is effective. They have their own comm center in the back. Auxiliary gets busy sometimes and sometimes she turns that

one off. ICS is open all the time. She does not hear any radio altitude or EGPWS calls from her spot on the aircraft.

Ms. Wolfe described their shift work and flight crew shifts. She said the pilots work from 7am to 7pm whereas the medical crew work a 24 hour shift from 10am or 10pm. All of the crew live in a 3 bedroom house when they are on duty.

Ms. Wolfe was asked to describe how the night vision goggles are used during night flight and she said that both the pilot and medical crew use the night vision goggles during night flights. The pilot's NVG was helmet mounted and used at all times at night. They practiced sterile cockpit and all eyes out.

Asked about the Survival Flight relationship with other companies in the areas, she said that they sometimes have disagreements. She stated that MedFlight was their biggest competitor and had "been ugly" to them. One such disagreement was at the Ohio Critical Care meeting where Medflight stated that since the "new guys came to town" people started coming under the rotor while it was running insinuating that Survival flight was hot loading. There was a company in Toledo, Lifeflight, that stood up for Survival flight and vouched that the crew always goes to get the patient and people are never unescorted around a running rotor. They were hot loading with Edina hospital but no longer do that.

Ms. Wolfe discussed how an employee can provide anonymous safety issues via a website or that anyone could bring an issue to Jen as she was very approachable. Jen was briefing and debriefing constantly. She said that she (Amanda) has never raised a safety concern but had reported a case where they were using rock salt on the pads instead of urea.

She had seen a medic refuse a flight once for weather, but never a nurse since she started in June. She had 5 flight nurses and 7 paramedics. Paramedics usually put on the monitor and does airway management. The nurse does everything else. Typically, the medic sits on the left so they can do airway management and the nurse sits on the right in case there is arrest.

They offer the option to take a family member on the flight but reserve the right to refuse.

They do go to scenes but 80% of their flights are interfacility. They also do exercises with local firefighters.

She believed she started at Mt Carmel west on August 1 and they moved to Mt Carmel Grove City in the middle of October.

The accident flight was the 4th or 5th call to Meigs. Jen had flown that route before. They had gone via aircraft to meet with the hospital previously for PR. They only started going to Meigs in the last 1-1.5 months.

The interview concluded at 1137 EST.

Interviewee: Robin Platt Clinical Base Manager – SF13

Date: February 1, 2019

Location: Mount Carmel Hospital, Grove City OH

Time: 1155 EST

Participants: Shaun Williams, Sathya Silva, NTSB; David Gerlach, FAA

Introductions were made to Ms. Robin Piatt and she was provided with an explanation of why she was being interviewed. During the interview, Ms. Piatt stated the following:

Ms. Piatt was a clinical base manager at base SF-13. She had worked previously at AirCare (now AMGH) out west from March/April 2017 through November 2017. The schedule was 2 weeks on and 2 weeks off and was rough on her family so she came home to Ohio. In November of 2017, she worked as an emergency room travel nurse before being hired by Survival flight in February 2018 and attending “ground school” in March 2018. She had a passion to fly and came in to the company as a flight nurse. Around August 2018, she became a base manager after Rick Hosmer, the area manager at the time, split his position into two clinical base manager positions.

This was her first manager position. She said there was no official training to be a manager. During her career, she figured out the type of manager she wanted to be and the type she did not want to be. She said she was sort of considered as the mom for her base. She enjoyed being a manager and tried to keep a very open door. She had no experience as a pilot.

When asked to describe her duties, she said that she managed the base and flew. She would still fly two 24-hour shifts per week. While on her shifts, she would check all equipment on the helicopter, stay proficient with medical procedures and then work on managerial duties. She reported directly to the VP of EMS Operations.

When a call would come in, all three crew would go to the pilot room and check the weather. The nurse and paramedic listen to the pilot talk with dispatch regarding the route and go/no-go decision. The crew discusses any weather moving in. Once the pilot made a determination, they would discuss the weather with the crew. When asked what weather information she would review, she stated that she utilized the HEMS Tool on her phone or laptop. She would click on the dots and look at the ceiling and visibility. She stated that their minimums were 800 ft ceilings and 3 miles visibility during the day and night with NVG’s, but 5 miles at night without NVG’s. She said she would start getting concerned if the ceiling was 1,000 ft and 3-5 miles visibility. She said it depended on where they were going. She was assessing the weather throughout the flight path. She had respect for and trusted the pilots and their decisions.

Once at the aircraft, they would unplug the aircraft, use the start cart, and then do a walk around of the aircraft. The pilot would perform a walk-around prior to getting inside. The nurse and paramedic would each conduct their respective outside duties to aid in the start and each conduct another walk-around to ensure all panels were closed, latches were in the proper position and the

aircraft was safe for flight. During the walk-around, she looks at anything that can open and checks dzus nuts, bolts holding the doors together, checks that the doors are closed, and looks at the engine. She also looks at the front panel of the aircraft and under the bubble. She learned to do this walk around during her orientation flights which she did at an out of state base. She's learned aircraft characteristics during her experience. All three crewmembers did a preflight walk-around. Before start, the pilot would ask if they were ready and they would report "ready right" and "ready left." She said that during lift-off, all eyes were outside and they would help the pilot make sure the aircraft was clear of all obstacles. She stated that patient information would not be given to the pilot. Sometimes the paramedic would ask details about the patient during their 5 minute walk out to the aircraft after the flight was accepted. Usually the details included things like whether the pilot needed an IV, O2, or intubation. They wouldn't know any specifics until enroute when it came over the intercom system. The pilot would find out the patient information once it came over the intercom system in the aircraft.

Ms. Piatt said she had no concerns that she could speak up and cancel a flight due to weather. She referred to it as "3 to go, and 1 to say no." This was described as taking all three crewmembers (flight and medcrew) have to agree the flight is safe to complete, but if any one of those individuals does not feel safe, they can terminate the flight. Ms. Piatt had never turned down a flight due to weather but was aware of an instance when it happened. She recalled a helicopter from base 14 that was being launched from their hangar in Bolten with storms in the distance in the opposite direction of flight. After the aircraft had been started and the nurse and paramedic were finishing their outside duties, the paramedic signaled the pilot to shut-down the aircraft, that he was no longer comfortable with the weather coming in. She did not feel that knowing the patient status affected crew decision making. She had never flown with the accident pilot since she worked in Base 13.

If anyone on the medical crew had a safety concern they would talk to the base clinical manager who would forward the concern up the chain. There was an anonymous email people could use but she does not know where the emails go and had never used it.

When asked what would happen after a weather turndown, she stated that she or the pilot would call the requesting agency/facility about two hours later to thank them for calling and tell them the reason for the turndown. They wanted to wait to allow the requesting agency/facility time to find an alternate option. She has made calls to customers and usually they are very appreciative of receiving a phone call.

In an effort to aid in public relations, she developed a card that was given to fire departments and hospitals outlining some common questions she had received. The goal was to highlight "how can we help you." Item 5 of 7 on this card stated "Our weather minimums are different, if other companies turn down the flight for weather-CALL US. If we can fly to you safely and take the patient safely to another facility... WE WILL." When asked the history of the statement, she stated that she developed this quick reference card for what survival flight offers. The goal was

to help facilitate patient transfers. It was her understanding that they operate to the minimum FAA standard while other companies have raised their minimums, so this allows them to take flights other companies could not. After developing this card, she conferred with Amanda, and with the permission and approval of the VP of EMS Services, Andy, it was sent to Rachel Millard, who was the PR and marketing manager and also the owner's daughter. After that, it was laminated and distributed to facilities.

When asked if there were any changes to the way they would operate at night, Ms. Piatt stated that they added NVG's. There were only 2 pairs on board. The pilot would have one attached to their helmet and there was a loose pair in the back for the nurse and paramedic to share. The paramedic usually sits on the left and starts out with the NVGs since the pilot sits on the right side of the aircraft. After departure the medic and nurse pass the NVGs back and forth. Her routine with the aircraft is structured so she doesn't do her preflight any differently at night.

She stated that she had never flown over the area where the accident occurred.

She was at home when she was notified about the overdue aircraft by a Heath, company pilot. About the same time, she received a text from a medic asking what was going on. She was told that they had lost comms and she began driving south. She called Amanda who was also looking for the aircraft. She began driving towards the last known location which was about 2 hours away but was told to divert to Base 14 and wait there after about 45 minutes. She found out later that highway patrol had found the aircraft.

She has 10 direct reports to her. She has a good relationship with Andy and feels like her employees will bring up anything with her.

Regarding splitting up tasks between the nurse and medic, sometimes they talk about the roles and may split up tasks based on strengths of one versus the other. They can refuse to carry certain patients and do so for cases such as combative patients or imminent births. She has not personally said no to reject a patient.

The majority of the transports they do are interfacility transports.

They practice sterile cockpit and eyes out. The pilots usually brief them on what they're flying and what to look out for. For example, "Mary Rutan" is the highest point in Ohio. The helipad is five blocks from the hospital and it gets windy out there. Another example is in Mansfield there's an unmarked tower they look out for. They know that flying over Bellefontaine Ridge that weather changes.

The crew quarters or base was a doctors office. Everyone helps out with the base. If it's a busy day, they can nap. If the weather is bad and they know they're not going anywhere, shell keep a normal sleep schedule.

Pilots work 12 hour shifts. 7 day hitches with one week off, then another 7 night hitches. The medical team works 24 hour shifts.

Base 13 has not done any exercises with outside organizations like firehouses.

The interview ended at 1250 EST.

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of: *

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SURVIVAL FLIGHT HELICOPTER CRASH *

NEAR ZALESKI, OHIO * Accident No.: CEN19FA072

JANUARY 29, 2019 *

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Interview of: STEPHEN FOSTER

Viking Aviation
Batesville, Arkansas

Thursday,
February 7, 2019

APPEARANCES:

SATHYA SILVA, Ph.D., Human Performance Investigator
National Transportation Safety Board

SHAUN WILLIAMS, Investigator in Charge
National Transportation Safety Board

JOHN BRANNEN, Regional Investigator
National Transportation Safety Board

PAUL SUFFERN, Senior Meteorologist
National Transportation Safety Board

DAVID GERLACH, Aircraft Accident Investigator
Federal Aviation Administration

TOM LUIPERSBECK, Team Lead
Helicopter Air Ambulance Focus Team
Federal Aviation Administration

TIM TAYLOR, Instructor Pilot
Survival Flight

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I N T E R V I E W

(2:10 p.m.)

1
2
3 DR. SILVA: On the record at 2:10. All right, Steve. Well,
4 thank you for agreeing to chat with us.

5 MR. FOSTER: You're welcome.

6 DR. SILVA: Just gone around and met everyone by name. I'm
7 Sathya Silva. I'm a human performance investigator with the NTSB.
8 I work out of headquarters in Washington, D.C. I'll be leading
9 this interview but I'm going to have everyone go around the room
10 and introduce themselves again and their role here with the
11 investigation.

12 MR. FOSTER: Okay.

13 DR. SILVA: All right.

14 MR. SUFFERN: I'm Paul Suffern. I'm a meteorologist
15 investigator with the NTSB.

16 DR. SILVA: Tim for the record.

17 MR. TAYLOR: I'm Tim Taylor. I'm with Survival Flight.

18 MR. BRANNEN: John Brannen with the NTSB. I'm a regional
19 investigator. On this accident, I'll be working ops.

20 MR. WILLIAMS: Shaun Williams. I'm the investigator in
21 charge with the NTSB.

22 MR. GERLACH: And I'm David Gerlach. I'm with the FAA Office
23 of Accident Investigation and Prevention, and I'm an accident
24 investigator.

25 MR. LUIPERSBECK: And my name's Tom Luipersbeck. I'm from

1 headquarters of the FAA. I'm in the Air Transportation Division,
2 135 Operations Branch, and I'm the Helicopter Air Ambulance Focus
3 Team Lead for the FAA.

4 DR. SILVA: All right. Well, now you know who you're talking
5 to. We typically work in a group like this because we need help
6 and then expertise from all rounds.

7 MR. FOSTER: Absolutely.

8 DR. SILVA: So that's why you got such a big audience here.

9 Hopefully you know we are here for safety, as the Safety
10 Board. We are not here to assign any fault, blame, liability, any
11 of that sort. We cannot offer any kind of confidentiality or
12 immunity. What will happen is this recording will get sent for
13 transcription and a copy of that transcription will eventually
14 become part of our public docket when the investigation gets
15 released in about 6 months to a year depending.

16 MR. FOSTER: Okay.

17 DR. SILVA: So that's what you can expect.

18 You are entitled to have somebody sit here with you. Would
19 you like to have a representative?

20 MR. FOSTER: No.

21 DR. SILVA: Okay. If that changes, just let us know.

22 MR. FOSTER: Okay.

23 DR. SILVA: Pretty easy-going.

24 Okay, so format-wise, I will start off with a handful of
25 questions and then we'll go around the room usually twice and make

1 sure everyone has a chance to ask the questions that they may
2 have.

3 MR. FOSTER: Okay.

4 DR. SILVA: And then, at the end, we'll ask you if you have
5 anything else to add or anything else you think we should look
6 into.

7 MR. FOSTER: Sure.

8 DR. SILVA: That's how that will look. Any questions before
9 we start?

10 MR. FOSTER: No, I think we're good.

11 DR. SILVA: Wonderful.

12 INTERVIEW OF STEPHEN FOSTER

13 BY DR. SILVA:

14 Q. Can you spell your name for the record, please?

15 A. Yes. S-T-E-V-E -- or, actually it's S-T-E-P-H-E-N.

16 Q. Okay.

17 A. F-O-S-T-E-R, Foster.

18 Q. All right. And what is your title here?

19 A. I'm an instructor and I'm also a 135 check airman.

20 Q. Do you fly the line also or --

21 A. No, I don't.

22 Q. And where are you based?

23 A. I'm not really based. I'm a -- I work wherever I'm needed or
24 when I'm available. I've got another company and I've also got a
25 flight school. And so, when they have a new group coming in for

1 training, they'll let me know and, if I can, I'll come in and do
2 some instruction. And same way with the 135 check rides.

3 Q. Um-hum, and is that usually done in this area?

4 A. It is. It's done here. Generally, always in Batesville.

5 Q. Um-hum. So where are you traveling from?

6 A. Searcy.

7 Q. Okay.

8 A. So, I'm not too far away.

9 Q. You're not too far. Okay.

10 Can you run through a brief summary of your background and
11 how you got into this position?

12 A. Yes. Back in 2012, I did a little bit of work for Survival
13 Flight. It was owned by a different individual at the time,
14 different company, rather. And I worked for about a year as a
15 relief pilot on the line.

16 And then, at that same time, I had a flight school going at
17 Searcy, helicopters and airplanes. And I'm also a ATP helicopter
18 pilot, also a CFI helicopter pilot with instrument privileges.
19 I'm a commercial instrument-rated CFI airplane pilot. I'm also a
20 commercial rotorcraft, or rotor -- or a -- oh, crap I'm thinking,
21 drawing a blank -- a gyrocopter pilot. And I'm also a designated
22 pilot examiner in helicopters, airplanes and gyrocopters. So
23 that's kind of my background.

24 And then I did a little bit of work in the EMS. And then
25 whenever this company was started in 2015, they asked me if I'd be

1 interested in doing some work for them in terms of training and
2 possibly a 135 check airman. I said I was. So that's kind of how
3 I got started in the business.

4 Q. How many hours do you have, approximately?

5 A. I've got logged -- I've probably got about 11- or 12,000.

6 Q. Okay. Logged.

7 A. But there's a lot of times, you know -- actually, writing
8 hours down isn't as meaningful as when you're trying to build time
9 to get a job, so you just have a tendency not to write them all
10 down. But I've got about 11- or 12,000.

11 Q. Okay. How much experience would you say you have in the 407?

12 A. The 407, I've probably got maybe a couple hundred hours,
13 that's about it.

14 Q. All right. So, given your role here as both an instructor
15 and a 135 check airman, can you discuss what that means in terms
16 of roles and responsibilities?

17 A. I consider it, in terms of the instruction part of it, I feel
18 it's my responsibility is, number one, to make sure that all the
19 criteria that we're supposed to cover with the applicant that's
20 coming in, you know, we cover it thoroughly. And that, on the --
21 you know, there's kind of two parts of training. There's the
22 ground part that we need to go over and there's also the flight
23 part. On the ground part, want to make sure that they're
24 proficient and they're knowledgeable in everything that we're
25 supposed to cover, and that would be my role as an instructor is

1 to make sure that we do that.

2 And while I'm doing that instruction, to also try to evaluate
3 how well they're absorbing that information and how well they're
4 getting it. And if I need to identify some areas of weakness,
5 it's my responsibility to work with that person in that area.

6 And then, the same thing with the flight portion of the
7 instruction. I feel like, generally, there's a set of specific
8 criteria or flight standards that they have to meet. You know,
9 just like as an examiner, there's certain instruction in
10 helicopters. And even though these folks are coming to us and
11 they should already be proficient helicopter pilots -- and that is
12 the case in many cases but that's not always the case. You know,
13 we get people that have some striking weaknesses and it's our
14 responsibility to try to work them to bring them up to the minimum
15 standards, at least to minimum standards they have to meet in
16 order to become employed by Survival Flight. So our job is to
17 work with them, first and foremost identify the areas that they're
18 weak in, and then continue to work with them to try to bring them
19 up so they can meet those standards.

20 And then, you know, there's -- and I think one of those
21 standards is aeronautical decision-making, and that's probably the
22 most difficult standard to actually determine whether or not
23 they're going to be able to do that. So that's one of the things
24 where we -- you know, a lot of the times I've spent a lot of time
25 on, you know, scenario-based training where I try to as much as

1 possible simulate the actual training that they're going to be
2 getting into and then try to measure them against that. So --

3 Q. Can you give us some examples of scenarios that you might use
4 in that case?

5 A. Yeah. You know, a lot of times we'll -- so, we'll be going
6 on cross-country somewhere or going down to Searcy from Batesville
7 to do some training, down that way. And I'll give them a, you
8 know, a question that has something to do with some weather maybe
9 moving in, you know, and how -- what would their thought processes
10 be if they were going toward Searcy and they had a patient aboard
11 the aircraft and how would they handle that situation. Which,
12 they would have a lot of different options available to them. You
13 know, they could, if they had a crew on board and a patient,
14 obviously they could get with the crew and they could talk with
15 someone on the ground, land, hand the patient off.

16 One of the things that we try to avoid doing, of course, is
17 turn around and going back to where we came from, because our job
18 is to try as much as possible to get the patient to a higher level
19 of care. That's not to rule that out as an option, it just means
20 you want to try to move the patient if you can towards the higher
21 level of care. So --

22 Anyway, it causes them to think about what they would do in
23 that particular situation. Or if they have to divert because of
24 weather, you know, give them a scenario about if you're heading to
25 the south and weather is coming in from the southeast, you know,

1 what would you do? How would you -- what would your thought
2 process be about continuing?

3 Q. So aside from turning back, what other options are usually
4 discussed when it comes to continuing a flight or moving a
5 patient?

6 A. Yeah, one of the options could be -- and, of course, the
7 crew, you know, you're going to have to do some crew resource
8 management in there as far as talking. The crew would get
9 together and they would try to determine is there another
10 facility, you know, that would not be in that path that the
11 weather's coming in that you could divert to and still get that
12 patient to a higher level of care. That might be one option.

13 Another option might be, well, we can't continue going
14 forward but there's a hospital over here and you can meet an
15 ambulance over there and you can unload the patient, move them
16 onto the ambulance, and the ambulance can take them the rest of
17 the way.

18 Q. Okay. Do you conduct any inadvertent IMC training?

19 A. Yes.

20 Q. Okay, what does that look like?

21 A. We do the inadvertent -- or I do the inadvertent IMC training
22 at night because we're using the NVGs. And that seems like to be
23 the best opportunity to do it, because what I do is I'll shut the
24 NVGs off so the only thing they've got is they've got their
25 instrument panel in front of them. I just don't tell them when

1 we're going to do it. And when I'm doing the training, I try to
2 do different locations when I do it. That way -- you know, people
3 talk among themselves, and if you do the same thing over and over
4 again, people have a tendency to kind of figure out what's going
5 on. So I may do it at one place one time and someplace else some
6 other time.

7 And generally, what I'll do is I'll just reach up and I'll
8 turn off their NVGs. Then I'll tell you, you just now went
9 inadvertent IMC, now you tell me what your thought process is;
10 what are you going to do?

11 And then they go through the scenario of, okay, this is --
12 you know this is what I'm going to do first or this is what I'm
13 going to second. And then, I will -- they'll, you know, generally
14 get around to calling either the center or approach control or a
15 tower and let them know to clear an emergency, tell them they're
16 inadvertent IMC, roughly where they are, what altitude they're at,
17 how many people are on board, how much fuel they've got on board,
18 and ask for vectors to VMC conditions.

19 As a general rule, not always, but I'll act as the
20 controller, and from -- then we'll go from there, we'll open up
21 the dialogue and I will vector them to give them -- they'll
22 generally also ask for altitudes and headings. I mean, they're
23 going to ask for everything they can get in that situation. And
24 then I'll act as the controller and I'll give them altitudes and
25 headings and direct them into an approach or into an airport.

1 So that's kind of the way that we usually do it.

2 Q. Okay. And what's expected in terms of their process once
3 they go IMC? What are you expecting them to do?

4 A. The first thing is to control the helicopter. You know, fly
5 the helicopter is what's the most important for them to do. If
6 they don't -- number one, they don't panic and they don't lose
7 control of the helicopter and they keep the crew calm. You know,
8 let the crew know what's going on. They're going to know anyway
9 pretty quickly.

10 And then, the next thing they do is they want to make sure
11 that if it's a situation where they're very familiar with the area
12 that they're in and they know the scenario, they fly in all the
13 time, they know that they're at an altitude that they're not going
14 to run into anything, that they're above everything in that area.
15 They know that they just came from VMC, and if they feel
16 comfortable with it and they've got good enough control of the
17 helicopter, if they want to try a very slow and controlled 180-
18 degree turn to get out of it, that might be an option.

19 I'm not saying that that would do that, but that person
20 that's the pilot at that particular time, he knows more about his
21 situation than anybody else does at that time. So that would be a
22 decision that he may want to consider. We're not saying that's
23 something he would do, but he should consider it it.

24 If that's not an option, then first thing he wants to do is
25 try to climb and get some altitude. And he'll climb up to

1 whatever altitude he needs to. Most importantly, controlling the
2 helicopter, and then once he gets that altitude, then he can think
3 about who he wants to talk to.

4 I always suggest to him that no matter when they go on the
5 flight, because we never know when we're going to run into
6 possibly inadvertent IMC, is that they put in a frequency for the
7 nearest control or approach that they would be talking to in the
8 event that they did get into a situation that they needed to
9 contact somebody. That way all they've got to do to is push a
10 button.

11 Because what I've noticed is, is whenever someone goes
12 inadvertent IMC, things get really busy very quickly, and so the
13 less that you have to do and the better you're prepared for it,
14 the better off that you're going to be. So that way all they have
15 to do is reach down and push a button to get the frequency rather
16 than reach down and mess around with the radio. Because it seems
17 like, whenever they start messing with the radio, that's when they
18 get in an unusual attitude.

19 So try to keep it as simple as possible, flip the frequency
20 over, call either control -- or that they would call either
21 control or center or whoever they chose. And they would report
22 that they -- roughly where they are, how many people are on board,
23 how much fuel they've got on board, declare an emergency, and ask
24 for whatever they want. And I would encourage them to ask for the
25 moon, because they're going to try to do everything they can to

1 try to help him at that point.

2 So generally they start out with maybe vectors to VMC
3 conditions and ask for altitudes as well as vectors. If they
4 can't vector them back to VMC, then ask for the nearest approach.
5 You know, because controllers, they don't really know what kind of
6 avionics our pilots have in those helicopters, you know. And so I
7 would encourage them to ask for headings and altitudes so as they
8 can guide them straight back to where they need to be. We do have
9 the equipment in helicopters where we can put the approach in if
10 the pilot has time to do that and that can just add some
11 situational awareness to the approach they'll be flying.

12 Q. So do you both train the inadvertent IMC or -- and is that
13 also an assessment during their check ride?

14 A. Absolutely, absolutely. It's assessed during the check
15 rides. I consider that to be an important part of it.

16 Q. What's grounds for a failure in that category?

17 A. If I had a student that, when he was flying that approach, if
18 he didn't end up at minimums, and he was over 3 to 5 degrees away
19 from the runway heading, I would want that person to have to do
20 some more training. You know, he should be for the most part
21 right at the end of the runway when he finishes that approach
22 enough where he can look up and easily land. That may be a little
23 bit stricter than what's necessary, but for me, I think that's
24 where they need to be to.

25 Q. Have you had to fail anyone on that maneuver?

1 A. I've never not recommended hiring somebody for that maneuver
2 but I have retrained for that maneuver. Done some additional
3 training.

4 Q. How often would that happen --

5 A. Well --

6 Q. -- that you would want retraining?

7 A. Not very often on the check ride, but a lot of -- you know,
8 several times on just the training, of course, the training that
9 we go to, that we have to do additional training. But not very
10 often on a check ride because, obviously, whenever we put someone
11 up for the check ride, we're pretty confident that they're going
12 to be able to pass or else we wouldn't put them up in the first
13 place.

14 Q. So when you say not very often, is that something that you --
15 how many times have you seen that in your time here?

16 A. I think I've -- two or three people, not many.

17 Q. What about overall? Do you have an idea of how many people
18 pass versus fail check ride wise?

19 A. I don't know. I could go back and probably look at my
20 records, but I think that I've had two people that I have
21 recommended that they not get hired because I just didn't think --
22 maybe three -- because I didn't think that they were going to make
23 it.

24 Q. So it sounds like there's tiers to that assessment in terms
25 of not getting hired versus retraining. So what about -- how

1 often would you recommend retraining after a check ride?

2 A. I don't recall if I've ever done a check ride and recommended
3 retraining.

4 Q. Okay.

5 A. I don't think that I have. But as I've said, I think --
6 that's in a 135 check ride. That's not as a DPE check airman.

7 Q. Right.

8 A. A lot of those people don't make it. But, you know, most of
9 the folks that come to us are fairly proficient and they get
10 trained up and they're pretty much ready to go.

11 Q. How many do you typically do? How many check rides do you
12 normally do?

13 A. I think I've done one this year and I've might of done five
14 or six last year.

15 Q. Okay.

16 A. I'm just guessing. If you go back, then I could -- you know,
17 I can find out for exactly. That's about all that I've done.

18 Q. And are those always new hires, are you only doing initial
19 training?

20 A. No, I do both, yeah. Some of them -- some of those would be
21 recurrent. Some of them would be new hires. Probably I've only
22 -- two or three new hires is probably all I did last year.

23 Q. Do you know how many check airman the company has?

24 A. We should have -- now we've got Tim, Joe, myself, Jack, and
25 Gary. So there should be five of us.

1 Q. Do you know if there's any training regarding unforecast --
2 entering unforecasted icing conditions or anything along those
3 lines?

4 A. We don't -- per se, I don't think I've done any training
5 other than we talk about icing, we talk about the different types
6 of icing. But, you know, basically when we're talking about ice,
7 if you start picking up ice, you need to look down on the ground
8 and find a flat spot and land.

9 Q. Okay. So that's the procedure?

10 A. Don't fly in ice. Yeah, don't fly in ice.

11 Q. Okay. Were you involved at all in developing the training
12 program here?

13 A. Not really. I mean, I was involved in the early stages. But
14 for the most part, I think the training pretty much had been set
15 up, and then I think that it's been developed some since then.
16 But I haven't really been involved in it.

17 Q. Do you have this role as a 135 check airman in any other
18 companies? Or have you?

19 A. No, I don't.

20 Q. Okay.

21 A. This is the only company.

22 DR. SILVA: Okay, I'm going to pause for now and hand it
23 over. Paul.

24 BY MR. SUFFERN:

25 Q. Yeah, I just had -- as far as the training things are

1 concerned or check rides or looking at pre-flight weather or
2 weather conditions in flight, what do you look for there during
3 training and check ride?

4 A. Well, obviously, you're looking for -- to make sure that the
5 weather conditions over your route flies is at least going to meet
6 the minimum standards. But I also believe, and I always have --
7 I've had my own personal standards. And so, that's one of the
8 things that I talk about with new hires. You know, what are your
9 personal minimums, you know, what do you feel comfortable with?

10 And are you talking about the different weather sources to go
11 out and look for weather, as well?

12 Q. Is there -- I guess, when they're -- when you're doing
13 training, what options do you provide them as far as resources in
14 there?

15 A. Well, most -- one of the things that we use, that the company
16 uses, is the National Weather Service, that they offer a -- you
17 know, that you can go out and look at it. And most of our pilots,
18 I think, utilize that service. They get trained in all that, you
19 know, as they're going through as far as what to go in and what to
20 look for. And then, as you probably know, most pilots, they also
21 have kind of their own personal preferences that they like to go
22 to. Like this HEMS Tool is one that a lot of pilots are using
23 now.

24 And then some pilots, I know -- you know, one of the things
25 that I used to do when I was flying on the line is when I first

1 went on shift, I'd usually call 1-800-WEATHER BRIEF, and I'd just
2 kind of get a full blown briefing just to kind of give me an idea
3 of what was going on. And, of course, they're all aware of that
4 as a tool, as well. A lot of people now, you know, ForeFlight has
5 become a lot more popular and a lot of people use ForeFlight. And
6 so, I think there's a lot of different weather options.

7 And then we have some good folks -- you know, Joe Lawrence is
8 a meteorologist, you know, and he does a lot of the weather
9 training with the guys and he spends a lot of time with them.

10 He's very knowledgeable, and if -- many times I still even call
11 him if I've got a long flight in an airplane and going to run into
12 weather, I'll call him up and talk to him about it. And I think
13 some of our other pilots do the same. That's kind of what I do.

14 MR. SUFFERN: Okay. That's all I have right now.

15 DR. SILVA: Okay. John?

16 BY MR. BRANNEN:

17 Q. So just so I understand this right, so you will evaluate
18 potential applicants or potential pilots for the company and
19 evaluate their flying abilities and recommend whether they be
20 hired or not?

21 A. That's correct.

22 Q. Okay. And then, so that's one of your roles and then, from
23 there, they would go into the training ride. And any deficiencies
24 you might have seen during their flight with them prior to being
25 hired, that's the point when you were talking about, you would

1 work on bringing any deficiencies up to the minimum standards. Am
2 I understanding that right?

3 A. Well, kind of the way that it works is they come in and it's
4 kind of a -- to the interview process, so that -- they're willing
5 to give them a chance to get through our training program. And
6 that's when I first meet them, you know. And then I start flying
7 with them and then that -- actually, when I first -- if I'm doing
8 any ground school with them, you know, we kind of divide the roles
9 up as instructors and we do different, we cover different segments
10 at different times. But when I start working with them in ground
11 school, that's when I first start trying to evaluate them from a
12 knowledge standpoint if they meet the minimum requirements to
13 become a pilot for Survival Flight.

14 And then as we get into that, then we start moving them into
15 the flight and I continue to evaluate them. As I mentioned
16 earlier, most of these folks, by the time they get here, you know,
17 they've been flying somewhere for a pretty good while. They've
18 been in the military or possibly for another EMS company or, you
19 know, we got a new guy we're flying with and he's starting today,
20 that has been down on the Border Patrol for a good while and
21 former military pilot. So most of them are fairly decent pilots.
22 But some of them might not have any experience in the EMS world
23 and they may just need some of their skills brushed up. Some,
24 specifically -- some of this instrument stuff, because helicopter
25 pilots, as a general rule, don't do a lot of instrument flying.

1 It's just something isn't required.

2 And so, I start evaluating them immediately, and as I did --
3 and I immediately start working with them on areas that they're
4 deficit in right at that point. Whether they're in the oral part
5 or whether they're in the flight part. When I see a problem --
6 you know, like if we go out and we do an autorotation, the guys
7 are truly messing it up, I immediately know, okay, he hadn't been
8 doing any autorotations in a while, we need to work on that. So
9 we start working on that, you know, every time we go out.

10 Or if, you know, inadvertent entry into IMC. If he has a
11 problem with that, we need to start working on that right away,
12 you know. So you kind of figure out where you need to be spending
13 most of your time on these guys to get them up to speed.

14 Does that answer your --

15 Q. Yes.

16 A. Okay, okay.

17 MR. BRANNEN: I can't really think of too much more.

18 MR. WILLIAMS: Just have one.

19 BY MR. WILLIAMS:

20 Q. Are you technically employed by Survival Flight or are you a
21 contract check airman?

22 A. I'm a -- I am -- for Survival Flight, I'm an employee and
23 they pay me a -- if they ask me to come in and I can come in and
24 work, they just pay me a daily rate. So if I don't work, I don't
25 get paid, so -- but if they do pay me, as an employee and they

1 hold out taxes and all that.

2 MR. WILLIAMS: Okay, all right. That's all, I have, Sathya.

3 DR. SILVA: Um-hum. Dave?

4 BY MR. GERLACH

5 Q. Thanks for spending some time with us, giving us these
6 insights. Do you know -- is there any document with the company
7 that might discuss inadvertent IMC?

8 A. The only thing that I know of, and naturally, I will do a,
9 sort of a -- I've got two different segments on a PowerPoint
10 presentation where I go through and I sort of -- it's really, it's
11 kind of prep work to find out if somebody's weak, or what they
12 need, the area to work on for the oral part of the 135 check ride.
13 And I wouldn't say that it's really any information that talks
14 about that, but it is included in that prep work. We talk about
15 it in detail IMC and, you know, what they should do. It's in that
16 PowerPoint presentation.

17 Q. And same thing for inadvertent icing. Any kind of document
18 the company has that addresses that at all?

19 A. Not that I know of. We talk about it and I've got it listed
20 in that same information I just told you about. Offhand I don't
21 know.

22 Q. Gotcha. What is the primary aircraft that you all use for
23 instructing in for the company?

24 A. I can only talk, speak for myself, but I primarily use the
25 206L-3. I think maybe only two or three times have I done

1 anything in N4.

2 Q. Yeah. Why the 206L-3 versus the 407?

3 A. In my particular case, because it's been available more often
4 whenever I was here and involved in the training. So that's the
5 one that I did it in.

6 Q. The fleet is primarily 407s here at Survival Flight?

7 A. Yes.

8 Q. IS there a process of going from the 206 to the 407?

9 A. Yes, there is, and it's what we call -- we call it transition
10 training. So if, you know, by the -- when someone finishes up
11 their training here, it's really is not complete until they've
12 gone through the -- say, if they do their training in the 206,
13 until they go through the 407 transition which is -- which
14 consists of -- it's really a two-part training. Part of it is the
15 ground school or the oral part of it, and then the other part of
16 it is the flight part. So until they've gone through that
17 transition, their training is really not completed.

18 If someone ends up -- you know, let's say they finish up
19 their training here and for whatever reason, the 407 that we're
20 using for training is not available and they go and fly a couple
21 shifts at a 206 base, then, you know, they have to come back
22 through here and get that 407 transition done.

23 Q. Do you have a curriculum for that? Is there a checklist of
24 items that they have to complete?

25 A. Yes.

1 Q. And is that documented here at the company in some way, shape
2 or form?

3 A. It is. It's in a training manual what we have to cover.

4 Q. Gotcha. And is that a ground school class that you teach?
5 The 407?

6 A. You know, I do some of the 407 stuff. I will occasionally do
7 a -- and we all kind of end up doing different things at different
8 times, but I'll do some of the limitations, emergency procedures.
9 I have gone through the entire 407. We've got a PowerPoint
10 presentation that covers each one of those items for the 407 as
11 well as the 206L-4.

12 Q. Gotcha. And the flight side as well?

13 A. And the flight side. And I do -- like I said, I haven't done
14 near as much in the 407 training as I have in 206, but we've got a
15 curriculum that we go through. And generally, you know, what I
16 do, every flight that I go on with somebody, is I try to at least,
17 go through an entire check ride. I go through every maneuver, and
18 then if I run into one of those maneuvers that is causing -- you
19 know, more problematic, then I know that's one that I need to come
20 back and work on more diligently.

21 Q. Is there a form that you use when you do the ground school
22 and you do the flying stuff that you check or anything?

23 A. Yeah. When we get through the -- whether it be the ground
24 part or the flight part, we have a form that we check off showing
25 what we covered.

1 Q. Okay. Same for the 206? Same kind of form and everything?

2 A. Yeah.

3 Q. And the 407, you would do the same thing?

4 A. Yeah, we do it for each one.

5 Q. Gotcha. Okay. What do you find as the difficulties
6 transitioning from the L3 to the 407 for most of the people that
7 come in that are just learning how to fly a 407?

8 A. Well, the 407 -- it's kind of interesting because it seems
9 like the way that Survival Flight has it on their -- has them
10 listed, they're almost one and the same, but they're quite a bit
11 different than each other; it's a two different aircraft.

12 It's a different bladed system. The 407 has more power.
13 It's got the FADEC, so it pretty much starts itself. That's a big
14 difference. And it flies somewhat different. But, you know, it's
15 still -- it's a live helicopter and if you're -- you know, if you
16 can fly a live helicopter and you've got a lot of time in a live
17 helicopter, it's not that difficult to transition from one to the
18 other. But there are significant differences in the system of
19 those two helicopters.

20 So I would say that's probably the biggest thing is just
21 learning the systems and the -- and as far as the FADEC system,
22 emergency procedures and things like that in the 407 -- the
23 differences between it and the 206 are probably the biggest
24 things, the biggest hurdle to overcome.

25 You know, once you get used to it, that's what you want to

1 fly. I think it's a -- for the EMS platform, I think it's a
2 better platform for EMS work than the L4. Even though I don't
3 have near as much time in it.

4 Q. Okay. Did you -- I can't remember whether it was mentioned
5 or not, did you fly with Jen at all? Have you done -- did you do
6 check rides with her?

7 A. I did not. I didn't know her.

8 Q. Okay. Gotcha.

9 MR. GERLACH: All right, thank you very much. I don't have
10 any more questions.

11 DR. SILVA: All right. Tom?

12 BY MR. LUIPERSBECK:

13 Q. Yeah, thanks for all that. I did the L model, the 407
14 transition, too, so I --

15 A. You been there?

16 Q. Oh, yeah. And you said you flew for this company, was that
17 after they had -- you know, this company, did you fly here or for
18 the other --

19 A. The other Survival Flight before. That was back in 2012.

20 Q. Yeah, I remember all that. So did you do initial training
21 here and go through all the training program or just start as a
22 check pilot and just --

23 A. When I -- well, I went through the initial training out in
24 Phoenix for the company that I worked for in 2012 for a year. I
25 worked for 1 year as a relief pilot, and then when I came back

1 here, Gary was the check airman and I went through -- he kind of
2 trained me. And then the FAA came in and did a check ride with me
3 to become a check airman.

4 Q. Who did that with the FAA, if you don't mind me asking? Who
5 was the guy --

6 A. Who --

7 Q. Who was it that did the check airman observation?

8 A. I thought the first one was John Boatride (ph.) out of
9 Lubbock, Texas. I don't know if you know John or not.

10 MR. LUIPERSBECK: That's really the only question I had.

11 DR. SILVA: Tim, did you have anything?

12 MR. TAYLOR: No, Sathya. No, ma'am, I don't have anything.

13 BY DR. SILVA:

14 Q. I had a few follow-ups. So it sounds like the 206 and the
15 407 are pretty distinct helicopters from what you're describing.

16 A. They're somewhat different, yeah.

17 Q. Do you -- so, when you do the 407 flight, does that count as
18 a check ride or is that training? Does that make sense? So is it
19 an assessment of the flying skills or is it training? The
20 transition training --

21 A. Oh, the transition?

22 Q. -- of the flight. Um-hum.

23 A. It's training.

24 Q. Okay.

25 A. Yeah. I mean, obviously, you're assessing -- you're always

1 assessing the training skills. I mean, if for some reason, which
2 I can't recall it ever happening, but somebody went from a L4 and
3 then they got in the 407 and it was like the first time they'd
4 ever been in a helicopter, then obviously that would be found out
5 and something would be -- corrective action would be taken.

6 Q. Okay. But officially, paperwork-wise, it's not a check ride?

7 A. Yeah, it's -- it wouldn't be a second check ride for the 407,
8 if that's what you're asking.

9 Q. Yeah, no, that's what I'm asking.

10 In your experience -- my experience isn't on the helicopter
11 side, so would you expect that aircraft or helicopters that are
12 that distinct -- and I realize they have some similarities, too --
13 would you expect them to need a separate check ride? I don't know
14 if this is specific to the Bell series or maybe other aircraft
15 too, but in your experience?

16 A. I don't think that I would say that it's so much different
17 that it would need a separate check ride. But I would say that
18 it's enough different where it definitely needs the additional
19 training. Definitely needs additional training. You couldn't
20 just move someone from a 206 to a 407 and just expect them to read
21 the book or stay at a Holiday Inn Express the night before and
22 jump in and fly it.

23 Q. Do you also train on kind of a company procedural side of
24 things like risk assessment? Things along that line?

25 A. No, I don't.

1 Q. Okay. Who typically teaches those modules?

2 A. Well, I don't know for sure, but I would think it would
3 probably be Joe. Or they may -- yeah, it would probably be Joe.
4 I could be wrong about that and that could be done at the base
5 that they go to. But if I was guessing, I would say probably Joe
6 does that.

7 Q. But you've never done that as part of -- okay. What's your
8 overall impression of Survivor Flight?

9 A. I think that it's a -- I'm kind of in a little bit of a, I'm
10 a little bit in a unique position. I've got a lot of friends in
11 this industry that work for another EMS company. So just
12 listening to them, some of them are DOs or chief pilots for those
13 organizations, and I kind of -- I get a very good perspective of
14 how other people do it as compared to how Survival Flight does it.

15 I think that Survival Flight does a good job. Now, if you
16 would have asked me that back in 2012 when it was just a
17 completely different company, I would have had a different opinion
18 about that. But I think since Chris came in and he bought it, and
19 I think that he's set up -- you know, nobody's perfect, including
20 Survival Flight, but I think that they honestly do the best that
21 they can to try to make Survival Flight as safe as they can make
22 it.

23 I know that anytime that I've felt like I needed to do
24 anything in terms of additional training or whatever, I never got
25 any pushback for it. You take whatever time you need to get that

1 guy either trained or if he doesn't meet the requirements, you
2 know, make that decision. But, so I think they're doing a good
3 job.

4 Q. Have you ever had any kind of safety concerns with them?

5 A. Any safety? No, I wouldn't --

6 Q. Okay.

7 A. I mean, I've had some things. Like maybe I need to -- I
8 remember one time I brought a helicopter, the L4, and they had
9 just got through filling the tail rotor gear box up with oil, they
10 put a little too much in it, and then it has a tendency to spit
11 that -- as you probably know, I can tell by your reaction, it
12 spits it out. And I stopped someplace and the oil was, you know,
13 all over the parking lot. And I was really concerned about that.
14 I shut it down as soon as I got -- I'm not going anywhere.
15 Anyway, they got somebody on it, got it taken care of, and we flew
16 it.

17 Anytime I've had any kind of a question about something that
18 I thought needed to be fixed, they generally would get on it very,
19 very quickly.

20 DR. SILVA: Okay. Paul did you have anything else?

21 MR. SUFFERN: No, no additional questions.

22 DR. SILVA: All right. Nope. John?

23 BY MR. BRANNEN:

24 Q. Yeah, I had a couple here. So let's go back to the flight
25 training, the differences portion for the flight training. Are

1 there -- is it spelled out in the training manual as far as what
2 is covered on that transition for the differences from the 206 to
3 the 407, or is it kind of up to the check airman instructor to --
4 A. I think that it's up to the check airman. I've got to kind
5 of qualify what I'm saying, is I haven't ever done any differences
6 training as far as transitioning somebody in. So you may be
7 asking the wrong person that question. I haven't seen
8 specifically what has to be covered.

9 Now, I have been involved in, as far as sitting in some
10 classes when the differences training is going on. And we go
11 through the module on all the systems: limitations, emergency
12 procedures, the whole nine yards on the L4. But if you're moving
13 into a 407, that same information is gone through except what's
14 specific to the 407 as opposed to the 206. So that's kind of the
15 ground part of it. And I've never been involved in any of the
16 flight part, so I'm not sure that I can answer that question.

17 Q. Okay. That was -- what I was kind of getting at was -- what
18 I was hoping if I could find out was if you had actually done any
19 of the differences portion of it, to find out where that guidance
20 in the curriculum was outlined.

21 A. Yeah, I can kind of only speak to the ground part of it from
22 going through the aircraft system emergency procedures and
23 limitations. I don't know about the flight, but I'm sure -- I
24 mean, I'm not going to guess or speculate. Somebody else will
25 know, though.

1 MR. BRANNEN: Okay. That's all I have.

2 DR. SILVA: All right. Dave?

3 MR. GERLACH: No more questions.

4 UNIDENTIFIED SPEAKER: No, ma'am.

5 DR. SILVA: Okay. Is there anything that you think we should
6 have asked you but we didn't? Anything you think we should look
7 into?

8 MR. FOSTER: I can't think of anything. If I do, well, I'll
9 send you a note.

10 DR. SILVA: Great. We gave you our cards earlier.

11 MR. FOSTER: You did. I've got your cards.

12 DR. SILVA: Okay, so you have our information. Don't
13 hesitate to reach out. We appreciate your time.

14 MR. FOSTER: You're welcome. You all have a good day.

15 DR. SILVA: Thanks. You too. And we're off the record at 3
16 -- 2:57.

17 (Whereupon, at 2:57 p.m., the interview was concluded.)

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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD


IN THE MATTER OF: SURVIVAL FLIGHT HELICOPTER CRASH
NEAR ZALESKI, OHIO
JANUARY 29, 2019
Interview of Stephen Foster

ACCIDENT NO.: CEN19FA072

PLACE: Batesville, Arkansas

DATE: February 7, 2019

was held according to the record, and that this is the original,
complete, true and accurate transcript which has been transcribed
to the best of my skill and ability.



Sara Cochran
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

* * * * *

Investigation of: *

*

SURVIVAL FLIGHT HELICOPTER CRASH *

NEAR ZALESKI, OHIO * Accident No.: CEN19FA072

JANUARY 29, 2019 *

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Interview of: JOSEPH LAWRENCE

Viking Aviation
Batesville, AR

Friday,
February 8, 2019

APPEARANCES:

SATHYA SILVA, Ph.D., Human Performance Investigator
National Transportation Safety Board

SHAUN WILLIAMS, Investigator in Charge
National Transportation Safety Board

PAUL SUFFERN, Air Accident Investigator
National Transportation Safety Board

JOHN BRANNEN, Air Accident Investigator
National Transportation Safety Board

DAVID GERLACH
Federal Aviation Administration

TOM LUIPERSBECK
Federal Aviation Administration

TIM TAYLOR
Survival Flight

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I N T E R V I E W

(9:06 a.m.)

1 DR. SILVA: And we are on the record at 9:06 a.m. Wonderful.

2 So I'll get started, go through our typical spiel, see if you
3 have any questions before we started.

4 MR. LAWRENCE: Sounds good.

5 DR. SILVA: I'm Sathya Silva. I am human performance
6 investigator with the NTSB down at headquarters.

7 MR. LAWRENCE: Okay.

8 DR. SILVA: I'll let everyone go around the room and
9 introduce themselves. We do operate as a group when it comes to
10 investigations like this to get as much expertise as we can.

11 MR. LAWRENCE: Okay.

12 DR. SILVA: So, Paul.

13 MR. SUFFERN: Yes, I'm Paul Suffern. I'm a meteorologist
14 investigator with the NTSB.

15 MR. LAWRENCE: Okay. Cool.

16 DR. SILVA: Tim.

17 MR. TAYLOR: Tim Taylor. I'm with Survival Flight.

18 MR. LAWRENCE: Cool.

19 DR. SILVA: Um-hum.

20 MR. WILLIAMS: Shaun Williams. I'm the investigator in
21 charge with the NTSB.

22 MR. GERLACH: Good morning. David Gerlach. I'm with the FAA
23 Office of Accident Investigation and Prevention, and I'm an
24
25

1 aircraft accident investigator.

2 MR. LAWRENCE: Cool.

3 MR. LUIPERSBECK: My name is Tom Luipersbeck. I'm with the
4 FAA Washington Headquarters, Part 135 Operations Policy Branch.
5 I'm also the Helicopter Air Ambulance Focus Team with the FAA.

6 MR. LAWRENCE: Gotcha. Yes, sir.

7 DR. SILVA: We have one more person on the phone.

8 John, would you like to introduce yourself?

9 MR. BRANNEN: Sure. My name is John Brannen. I am the
10 regional investigator for the NTSB and on this accident I'll be
11 working operations.

12 MR. LAWRENCE: Okay, sir.

13 DR. SILVA: Great. So, that's all of us.

14 MR. LAWRENCE: Okay.

15 DR. SILVA: Hopefully you know that our purpose here is for
16 safety.

17 MR. LAWRENCE: Yes.

18 DR. SILVA: We're not here to assign any fault, blame,
19 liability.

20 MR. LAWRENCE: Okay.

21 DR. SILVA: We can't offer any type of confidentiality or
22 immunity either. Essentially what will happen is this recording
23 will get sent for transcription and a copy of that transcript will
24 become part of our public docket once the investigation gets
25 released maybe 6 months to a year from now.

1 MR. LAWRENCE: Yes, ma'am.

2 DR. SILVA: You are entitled to have someone sit here with
3 you. Would you like a representative?

4 MR. LAWRENCE: No.

5 DR. SILVA: Okay. And if that changes just let us know.
6 We're here to understand what you know.

7 MR. LAWRENCE: Yes.

8 DR. SILVA: So keep in mind that you're the expert for
9 anything that we ask. If you don't know the answer to something
10 "I don't know" is a perfectly good answer. Feel free to ask for
11 clarification if you don't understand a question. Also, if you
12 need a break just be open, we're -- we won't bite.

13 MR. LAWRENCE: Good.

14 DR. SILVA: All right. So, format wise I'll start off with a
15 handful of questions and then we'll go around the room. Usually
16 it ends up being twice before everyone gets their questions
17 answered, and then after all of that we'll give you the
18 opportunity if there's anything we missed or there's anything you
19 want to add.

20 MR. LAWRENCE: Sounds good.

21 DR. SILVA: Okay. Any questions before we start?

22 MR. LAWRENCE: No, ma'am.

23 INTERVIEW OF JOSEPH LAWRENCE

24 BY DR. SILVA:

25 Q. All right. Can you spell your full name for the record,

1 please?

2 A. Of course. Joseph Lawrence. J-O-S-E-P-H; Lee,
3 L-E-E; Lawrence, L-A-W-R-E-N-C-E.

4 Q. Okay. Great. And what is your title here?

5 A. I'm the director of safety and training.

6 Q. And can you run through a summary of your background and how
7 you got to where you are today?

8 A. Yes, I will. I don't know where to start other than, you
9 know, aviation is my passion.

10 Q. Um-hum.

11 A. And I started flying when I was 15 and moved up through the
12 ranks. I was an ag pilot, an ag aviator for my youth years. I
13 enlisted in the Navy on September 11th. I wanted a degree, so I
14 went in the Navy as a weather guesser, a meteorologist, and got my
15 degree in it. And got out of the Navy, and discovered the
16 helicopter world, and got my commercial, and flight instructor,
17 helicopter as well. Down here at with Searcy, Mr. Steve Foster.

18 Q. Um-hum.

19 A. And built my time up through there as flight instructing.
20 And got on with the Air Evac Lifeteam after that. Worked for them
21 for 3 years. Become a base pilot supervisor for them and safety
22 person through Air Evac at the base level. And then meet Mr.
23 Mercer the director of ops here, and he was a good friend of Mr.
24 Steve Foster, and they had mentioned they wanted to put a fixed-
25 wing program in place.

1 Well, I was dual rated and had all the credentials for both.
2 So I helped Survival Flight do the airplane program through
3 validation and getting that program off and going. And so Gary,
4 the director of ops, you know, seen my passion for flight
5 instructing and helping those, and, you know, my meteorology
6 background through safety of that part of it. So he set me in as
7 a flight instructor for him and eventually a check airman here at
8 Survival Flight on the helicopter, or rotorcraft, and then the
9 airplane as well.

10 So, I'm a check pilot instructor on the airplane and
11 helicopter as well. And as we went through, I helped Mr. Mercer
12 as an assistant, you know, with his duties, of course, assigned to
13 me. But mostly I focus on the flight training, and the safety
14 part of Survival Flight.

15 Q. Do you remember when you got hired approximately?

16 A. Yes. October, end of October 2015.

17 Q. Okay.

18 A. Yes, yes.

19 Q. And how long have you been director of safety?

20 A. This is going on a year and a half.

21 Q. Okay.

22 A. 1.5 years.

23 Q. And did you get your director of training duties as well at
24 that time?

25 A. Yes.

1 Q. And how long have you been a check airman here?

2 A. Now that's going on 2 years.

3 Q. Okay.

4 A. I can get you an exact with my records, but I believe it's
5 been 2 years.

6 Q. That's fine. About how much flight time do you have?

7 A. Going on a little over 13,000.

8 Q. Do you have an idea of how much time you might have in the
9 407?

10 A. In a 407? Approaching -- approaching 800 hours; 800 hours
11 407.

12 Q. Can you run through what your duties and responsibilities are
13 here at Survival Flight?

14 A. Yes. Ultimately as we've grown and expanded here, you know,
15 we needed a flight training department, a full-time guy, and so
16 that's the duties assigned to me. It's mostly organizing the
17 training, and for a while, you know, I was the check airman, and
18 now we have included Mr. Taylor here as well now to, you know,
19 expand that role. But mostly that's it, is organizing the
20 training, and now seeing that the training is complete and doing
21 check rides as necessary.

22 Q. Um-hum.

23 A. And the fixed-wing, I do all of the instructing and checking
24 on the fixed-wing, and, of course, the FAA rides with me to do my
25 check pilot.

1 Q. Um-hum.

2 A. And then also I send out the safety bulletins, you know, the
3 different safety topics I would like to share with them throughout
4 the year to post on the safety board. And also receive safety
5 concerns, you know, through emails, phone calls, and that sort of
6 thing, and collect that data as well.

7 Q. Can you describe the safety program here?

8 A. Yes. And with 135 helicopter it's not a required official
9 program, but we put together the safety program to show intent,
10 and to make it -- to collect data if there's something out there
11 that we don't know about.

12 Q. Um-hum.

13 A. Because we got to have a voice. So the safety program is
14 pretty well an open top safety program. If anybody has any, you
15 know, comments or concerns, or things that they want to share,
16 everyone has an open phone number.

17 Q. Um-hum.

18 A. You know, the chief pilot, the director of ops, me, anyone in
19 the company, it's an open top safety program. Also, if somebody
20 wants to solicit things -- you know, of course there's emails at
21 each base that's unsolicited; they can get those to me as well.
22 So, but what I tell them and what -- we have a safety rep at each
23 base that collects that thing at the base level, and then they
24 report to me if there's anything that they want to.

25 So, each month, if there's anything that's on the base

1 level's mind that's not, you know, as significant that needs to be
2 changed, policy and procedures, they are to, you know, come up
3 with solutions themselves and give recommendations.

4 Q. Um-hum.

5 A. But if something that's really on dear to people's heart or
6 that sort of thing, you know, it's an immediate action. They can
7 pick up the phone. And that goes back to our debriefing process,
8 you know, we can write any safety concerns down on that, and if
9 there is more over stuff that they want, they can pick up the
10 phone to any of us.

11 Q. Can you give us some examples of reports you may have had
12 recently?

13 A. Yes. You know, I get a lot of the sidewalk wasn't deiced.

14 Q. Um-hum.

15 A. I get a lot of, well, the air conditioner wasn't cool enough,
16 you know. But those are at the base level I was talking about.
17 But some things, you know, a couple of things that stood out was
18 we had some differences -- our NVG program, night vision goggles.
19 We -- our program set up for the medical folks use them as
20 binoculars, you know, around their neck and not mounted on their
21 helmet. For protection of the NVGs, and also we think it's safer,
22 they can pass back and forth each side of the aircraft for
23 observation.

24 Q. Um-hum.

25 A. And so we had some that says it was safer, you know, to put

1 it on the helmet, and this sort of thing, but that's not what our
2 program knows. So that's one example.

3 Q. Um-hum.

4 A. But that's how our program is written and that's what we
5 believe in.

6 Q. So what was the result of that?

7 A. Yeah. So, you know, I report directly to the director of
8 operations, Mr. Mercer, Gary, and so I bring all these things up
9 to him. And ultimately I work directly for him, and I carry out
10 his philosophy and his, you know, his way of doing things. And so
11 I mention these things to him, and if it's something that he may
12 want to change, then, you know, he allows me to maybe discuss it
13 with him, but that's far as it goes.

14 Q. Okay. Have there been any cases where you think action may
15 be taken, and disagree maybe with how Gary approaches it?

16 A. Well, you know, if it's a big safety, you know, thing to me,
17 of course we would discuss it and things. But so far, no, we
18 haven't.

19 Q. Um-hum. Have you had any safety reports or concerns come
20 your way regarding aircraft operations, or operating in weather,
21 and things along those lines?

22 A. Yes. I have a base that reported to me that one of their
23 pilots were, you know, in their belief was pushing things, the
24 weather, the minimums, and all this. And so when I would research
25 this, the observations and things that I could collect, they were

1 at our, you know, weather minimums. You know, I wasn't there
2 seeing what they see. And what happens a lot of times our medical
3 folks really doesn't see what or know as an experienced aviator
4 what ceilings and visibility may or may not be.

5 So all the data I can go on, because I wasn't there with my
6 own eyes, is the observations in the region and the data going
7 back, and that's what I have to go is those observations. And we
8 know data sparse areas is difficult as well.

9 Q. Um-hum.

10 A. But that's the research I do with that one.

11 Q. So what was the outcome of that?

12 A. And so I told my boss Gary about what I've done and the
13 complaints and all this, and then he had the chief pilot relay the
14 message to make sure we're doing it right and stay within our
15 weather minimums.

16 Q. Do you know what the chief pilot relayed?

17 A. I do not.

18 Q. Okay. So what was the nature, from what your understanding
19 was, of the message that was going to get back to that pilot?

20 A. That we need to be reminded, you know, that our weather
21 minimums are -- these are the day and these at night, and to be
22 sure. But again, all the observations I had that it was at our
23 legal minimums, but we just got to reiterate what we do.

24 Q. So regarding that concern in general, do you have multiple
25 people voice that concern?

1 A. I do. I did. I'm the air medical personnel trainer as well.
2 I forgot that's one other duty I have. So what that is, is it's
3 this program where, you know, it's an FAA approved program where
4 they can give briefings, passenger briefings, shut the door, that
5 sort of simple things, refuel the aircraft, plug in the battery
6 cart, and that stuff. So on the last skills check when I went and
7 did this last -- I think it was November-ish, yes, that was the
8 concern. And then I got an official, you know, email, and then
9 that's what action I took.

10 Q. Okay.

11 A. So yes.

12 Q. So this is a concern that was brought up earlier also?

13 A. Yes.

14 Q. Follow-up question to that but I have lost it. That's fine.
15 We can move on. I'll come back to that.

16 Okay. So you mentioned that you report to Gary. How is that
17 relationship?

18 A. You know, it's good. He and I, we have a long history of
19 aviation background, so it's really -- we're pretty open with each
20 other. It's a pretty good relationship.

21 Q. Are there any challenges working with him?

22 A. Of course. You know we all have those. I'm 40ish years old
23 and he's a, you know, a gentleman of age, right. So there's some
24 age barriers there, but I wouldn't say any major challenges. It's
25 just personalities, you know, age gap.

1 Q. Can you elaborate on what that means to you?

2 A. I don't know. It's like --

3 Q. Examples are good, too.

4 A. I don't know -- oh, for example, we was going to do the EFB
5 program, the iPads.

6 Q. Um-hum.

7 A. You know, at first, he was reluctant, and then I was trying
8 to -- because, you know, technology I think is -- could be
9 enhancement in situational awareness and tools. So we finally got
10 the EFB program and the iPads, and he's like, you know, finally,
11 you know, that's kind of cool. We get all of our manuals on the
12 iPads and this kinds of stuff. But again, insignificant things
13 like that.

14 Q. Okay. Do you have anyone who reports to you?

15 A. Let's see. When Mr. Taylor is in the flight instructor role,
16 he does.

17 Q. Um-hum.

18 A. And then all of my safety reps at the base level do.

19 Q. So what are the responsibilities of the safety reps?

20 A. Okay. It's just real simply keep a safety board of anything
21 that I think, you know, some safety topics that we feel need to go
22 out. They're responsible for that. If there's any safety
23 concerns on the -- like a form that we keep up there, if somebody
24 wants to write down, they collect that data and send.

25 Q. Um-hum.

1 A. They monitor the base level safety level email in case
2 there's anything sent to that and they collect that data for me.

3 Q. Okay. I remember my question. So, sorry for jumping back
4 and forth here.

5 A. That's okay.

6 Q. So after, for the case of -- not pilot who's flying -- or the
7 report of a pilot flying into weather or lower, below minimums, do
8 you know when the chief pilot talked to him about it?

9 A. So this was in November. I'm looking at mid-December.

10 Q. Do you gather any feedback afterwards to see if the --

11 A. Afterwards, Ms. Jennifer was my safety rep there at 14, and
12 she reported back that this particular pilot, you know, did show
13 some initiative and apologized on a positive level to do better.
14 Now we don't know if this is all personality conflicts versus
15 safety. So all we could do is remind them of our rules and
16 regulations.

17 Q. Did you get any feedback regarding any more cases of --

18 A. Since then? No ma'am.

19 Q. Okay. Is there a process in place to report situations where
20 you might have encountered inadvertent IMC or inadvertent icing?
21 Anything like that?

22 A. Yes. We require to do an incident report on all of those.

23 Q. Okay.

24 A. Yes.

25 Q. Have you received any incident reports in the last few

1 months?

2 A. Yes. The only one I've received in the last few was the
3 Dothan, Alabama. One of our pilots run into some inadvertent rain
4 showers that got the visibility down. Was it inadvertent or not
5 don't matter. He treated it as one and a very successful outcome.

6 Q. Um-hum.

7 A. And that's the only incident report or email I've gotten.

8 Q. In your tenure here?

9 A. Right before I started safety and training we had one here.
10 Batesville. Over 2 years ago.

11 Q. Okay.

12 A. But that was the only one official that was told to me.

13 Q. Okay. And anything out of the Ohio bases at all?

14 A. Nothing on email or anything.

15 Q. Okay. And is that coming from your pilots?

16 A. Mostly medical folks. Because they're the one that works
17 with them.

18 Q. Okay. So in this Dothan case, what do you do with that data
19 and how do you treat a case like that?

20 A. So, it's an email and it's class Golf airspace, class G
21 airspace. So, and wasn't any priority handle in all this, and
22 this fellow did a turn back to VFR.

23 Q. Um-hum.

24 A. And so we consult with him, like, look, you know, lessons
25 learned procedure, you know, what happened; how can you prevent it

1 in the future and all this kinds of stuff. That's what we do
2 after those cases.

3 Q. So, in this case, was that reported by the pilot or the
4 medical crew?

5 A. The pilot actually reported to me.

6 Q. Okay. Do you have any fatigue policies as a company?

7 A. For our pilots, you know, we got the 135, 10 hours of rest in
8 24. And then for medical people, our medical personnel we have on
9 our risk assessment, we added personnel and human factors. If we
10 get different fatigue levels, you know, we can increase the risk
11 assessment level. And here recently our fixed-wing folks had been
12 flying, and they were doing 24-hour shifts and they had flown most
13 of that, and they did a safety out of service because they were
14 fatigued. So we do support it if it's necessary.

15 Q. So what happens if they do call out of service with you?

16 A. What the management would like to do is for the base manager
17 to find others to fill in to get that base back into service.

18 Q. Okay.

19 A. But if not, we can't force anybody to fly.

20 Q. Can you tell about inadvertent IMC training?

21 A. Yes. That's one of our focus, and one thing that I hope I
22 bring to the company as a competent, proficient instrument pilot
23 from, you know, fixed-wing, and since I'm a check pilot instructor
24 on our single pilot IFR airplane, I hope I can bring very good
25 insight to our helicopter, you know, pilots.

1 What we discovered is the best training was at night, of
2 course, because IIMC is you've lost all outside reference.

3 Q. Um-hum.

4 A. So, if during NVG training, if we turned the NVGs off and
5 leave them down in their eyesight, I tell you that is the best,
6 you know, view limiting device that you get. And it's more
7 realistic that anything that I've come up and have seen. And so
8 then we do it at nights when we have limited outside cues with the
9 NVGs turned off. Of course, I have, me, as a safety pilot and all
10 that.

11 And we go through, you know, several unusual attitude
12 recoveries. We do that turn around back to VFR several times. I
13 show them a little insight because a lot of rotorcraft people
14 don't have the luxury or the training in real IMC, you know. So,
15 I show them tips and tools of how to make this easy. You know,
16 flying a helicopter in IMC that's not certified for it, or you're
17 proficient and current because, you know -- it's a challenge.

18 So, if we're doing multitasking things, you know, you're
19 setting up for a failure. So I show them vectors to final
20 procedures. I show them some simplistic things to get them back
21 to VFR.

22 Q. Um-hum.

23 A. Another tool that we have is our OCC, you know, return to
24 VFR. We've had a couple of cases where they didn't go IMC, but
25 they were approaching IMC, and our OCC were able to guide them

1 back to a VFR in safe condition. So, we have several things in
2 place, you know. In our risk assessment, you know, it breaks down
3 different -- they are green, amber, amber critical, and red
4 situations for weather, as well, because we get that much
5 oversight of that situation.

6 But far as far double IMC training, yes, it's done mostly at
7 night, view limiting device with the NVGs off, and they have to
8 prove to me that they can get this done.

9 Q. Um-hum. So what are you expecting them to do?

10 A. Expecting them to do? Number one, aircraft control. If
11 they're wiping out the sky and they're losing it, that's not a
12 good deal. Because, as we know in this industry, that's been a
13 big -- a problem for HAA, so that's what we focus on.

14 So I expect them to -- aircraft control, and I expect them to
15 try to find VFR weather, and if they can't do that, you know, we
16 try to do a simplistic -- because it's an emergency procedure at
17 that point. They can do whatever they need to, to get back to VFR
18 or to find a runway. And so we do several different scenarios. I
19 make them do a full approach just for the training and the time
20 involved with that. And then I make them do a vectors to final
21 approach to vector themselves over there and down to a runway. So
22 we do several scenario-based trainings on the IIMC.

23 Also, academics. I'm pretty proud of my PowerPoint
24 presentations and things, and tools that I hope, you know, that I
25 give them.

1 Q. Okay. Is there CRM training?

2 A. Yes, they are.

3 Q. Can you describe that for me?

4 A. You know, CRM the medical people are not considered crew
5 members. They'd be limited to duty time. The FAA calls on air
6 medical personnel AMPS, and so since they are not and we're single
7 pilot, but still they're in there. Their eyes, there are human
8 bodies, and we use their resources with us.

9 Also, part of CRM is we learn to do, you know, simple things
10 like, you know sterile cockpit into LZs and out, you know, we're
11 doing visuals out. We have to do CRM training to work with the
12 NVGs, you know back and forth and how those things operate. We
13 also do CRM in our IIMC training, you know, we say look, you know,
14 if you get a hysterical type pilot the best thing you can do is
15 calm the situation. That's one piece of it.

16 Another CRM is we include the OCC into this. They're an
17 extension of the cockpit and resources out there that we don't
18 have at our fingertips. I consider them part of our crew resource
19 management as well.

20 Q. It sounds like you embed those into your scenarios in your
21 flights.

22 A. Yes, ma'am.

23 Q. Do you have a separate CRM module when it comes to ground
24 training?

25 A. Yes, yes. I have two presentations that I give. One is a

1 basic overview of what's CRM, and then I have another presentation
2 and it gives I think three real-life accidents from the past and
3 what we can learn from those.

4 Q. Um-hum.

5 A. And the AMP people get that, and all pilots get that as well.

6 Q. Is there any formal CRM training for operations or the
7 medical staff?

8 A. For operations?

9 Q. Let's start with operations.

10 A. Like pilots and all that good stuff?

11 Q. Or just specifically for a dispatch or for OCS supporter?

12 A. Yes, yes, there are. That's another story. I forgot about
13 that. I'm the instructor examiner for the OCC people, the OCs,
14 and we started the OCC from scratch, you know, we made it our own,
15 we wrote the training program, we got it approved. Got through
16 that, but yes. The OCC training program is 80 hours. It's 40
17 hours of academics, and 40 hours of on the job, and actually I
18 pull from that training to make it specific for AMP or pilots, or
19 mechanics, or whatever on.

20 So, that's my master trainings, you know, program.

21 Q. Um-hum.

22 A. And I pull from it to do the training on the different
23 subject areas that applies to the pilots, AMP and mechanics.

24 Q. Okay.

25 A. So, yes. They get CRM as well.

1 Q. Is that similar in format to what the pilots get?

2 A. It is.

3 Q. Is that the same or are there any difference in it?

4 A. It's the same.

5 Q. Okay. What about the medical crew?

6 A. Yes. They get the same one, but I put myself in a medical
7 person's point of view from the back. What can you do to assist a
8 pilot? What can you do to gather information of the OCC as well
9 because they have radio communications as well? So, that's how I
10 change that up.

11 Q. Um-hum. And they are also -- it's the same ground module?

12 A. Yes, but the OCC program, you know, has its own modules, but
13 it's the same because it applies to all of us the same. Just a
14 different point of view.

15 Q. Okay. Are medical crews encouraged to voice concerns about
16 safety or weather?

17 A. Yes, and our form 131 debriefing form.

18 Q. Um-hum.

19 A. It's on there. I encourage, we train. Whatever you feel
20 like you want more education on, or a concern from any flight you
21 write that stuff down and we all actually have to sign after each
22 flight. If it's not written down how is a safety person supposed
23 to know, or how is management supposed to know how to improve this
24 if it's not written down?

25 So, that's what that form 131 is for, and if something is so

1 serious on safety that they don't want to fly any more they don't
2 have to. There's actually a box on there to contact their
3 supervisor, and we'll go out of service, and figure this out. So,
4 they have that option.

5 Q. Um-hum. So, who fills out that debriefing form?

6 A. That's the flight crew, pilots, medics, and nurse that comes
7 back from each flight.

8 Q. Okay. So, is there one of them specifically that's turning
9 that in or --

10 A. No. It's kept at the base level.

11 Q. Okay.

12 A. And the safety reps are if there something significant on
13 there, they're supposed to gather that data and get it to me.

14 Q. Okay.

15 A. But if it's so significant after that flight then that would
16 be handled at that moment.

17 Q. Okay.

18 A. Also, we have another debriefing process with the OCC. A
19 pilot can actually do a separate debriefing to the OCC form 130.

20 Q. Um-hum. Okay. So when it comes to actually writing stuff
21 down on this piece of paper who's specific responsibility is that?

22 A. To write it down?

23 Q. Um-hum.

24 A. Is the pilots, the PICs responsibility to make sure the
25 debriefing is done with the air medical personnel.

1 Q. Um-hum. And if there is something that let's say the pilot
2 doesn't recognize as safety critical how is something like that
3 relayed to you?

4 A. Right. Well, that's to the safety rep because if somebody
5 tells them like look on this flight this happened, this happened,
6 they're supposed to get that data to me.

7 Q. So how often are they expected to review those debriefing
8 (indiscernible) forms?

9 A. You know, as needed. Every pilot reviews what happen on the,
10 you know, the previous flights, and every safety rep is a pilot
11 accept one base, which is a mechanic.

12 Q. Um-hum.

13 A. So each day they're reviewed.

14 Q. Okay. By a pilot?

15 A. A pilot.

16 Q. Not necessarily the safety pilot?

17 A. That's right.

18 Q. What kind of training does the medical crew get on weather?
19 Anything?

20 A. On weather not a lot. The way Survival Flight works is the
21 pilot, the PIC makes the determination on weather, you know, and
22 it's his or her responsibility ultimately, but what I share with
23 the medical people is, you know, I tell them and explain to them,
24 I train them, you know, what's the difference between a ceiling.
25 Like visibility may look like from different pictures, and then I

1 give them that double IMC presentation. This is what we do. This
2 is what's going to happen if inadvertent comes up, you know.
3 That's basically about all I give them on the weather.

4 Q. Um-hum. Okay. How did you find out about the accident?

5 A. Gary called me. I was, yes, getting ready to come to work.

6 Q. What did he say?

7 A. Are you up? I'm like yes sir. What's going on? He's like
8 probably nothing good. 14 stopped tracking and that's about all
9 he said.

10 Q. Okay.

11 A. And I came up here.

12 Q. What has been the company response to that since the
13 accident?

14 A. Well, I went to -- supposed to been here Wednesday.
15 Apologized, but I felt like I needed to go there, and you can't
16 prepare for this stuff. You just -- I don't who you are. These
17 are, you know, humans out there. I'm having a hard time because I
18 take my job serious on the safety side. Sorry.

19 Q. It's okay. Take your time.

20 A. But anyway. I think the response is there. We sent a lot of
21 good people out there to help those families, and we did the
22 emergency action plan. We started the event log of what we knew
23 at the moment, and just got through that.

24 Q. Um-hum. Was there any break in terms of flying at all?

25 A. I took it so hard I got out of touch there for a couple of

1 hours. I think -- yes, we give everybody the choice to take a
2 breather. Those bases in Ohio they did go out of service. So
3 yes, they had the choice.

4 DR. SILVA: Okay. All right. I'm going to pass the buck
5 over. Do you need a break?

6 MR. LAWRENCE: I'm good. It won't help.

7 DR. SILVA: Understand. Paul why don't you take over. I'll
8 be right back.

9 MR. LAWRENCE: I'm sorry Tim.

10 MR. TAYLOR: Hey, don't apologize for that. I empathize with
11 exactly what you feel because I been in your exact shoes.

12 MR. LAWRENCE: It's hard.

13 BY MR. SUFFERN:

14 Q. Turning back to a little more static stuff.

15 A. Okay.

16 Q. Could you describe what the OCC training for weather is like?

17 A. Since I come from a little stint in the weather I was proud
18 to make weather 70-80 percent in the OCC, and if you haven't
19 noticed we got a lot of graduates up there, and proud of that, you
20 know, and I think that was the biggest safety tool we have is the
21 weather because guess what we fly in the atmosphere. We fly in
22 the weather. So, we got the -- the weather goes from -- I start
23 from some physics and just what temperature is, the atmosphere is,
24 all the way through dynamics.

25 You know, lows and highs, frontal boundaries, and mostly

1 aviation forecasting, you know, and weather. What flight
2 conditions can you expect with a warm front. What flight
3 condition can you expect with a stable environment, unstable
4 environment. What are some icy potentials, what are severe
5 weather potentials because we got to protect our equipment to you
6 know, and as long as are people was, you know, hail forecasting.
7 You know that's a big one.

8 Severe weather advance. I show them the storm prediction
9 center and all the tools involved. I show them the aviation
10 weather center. I mean this is 40 hours of academics, and then
11 another 40 hours of on the job training that we go through these
12 products. The test was so hard the FAA guy was like this is the
13 hardest test I ever seen in my life, but I took it serious. I
14 thought we needed to know this stuff, and pretty proud of that.

15 Q. When you're doing OCC training for weather do you use real
16 world weather scenarios or accidents --

17 A. I sure do. I share with them, you know, I do a lot of what's
18 it called air disasters. I hate to say that word, but air
19 disasters programs. We watch (indiscernible) applicable to us,
20 you know, I do in my own real-world experience as a freight pilot
21 in the winter time I experienced a lot of winter type weather and
22 icy.

23 And I try to paint them a picture of, you know, this is
24 (indiscernible), this is mixed, this clear ice situation, and I
25 explain it to them. I give all the dynamics of those different

1 procedures. Severe weather, we go through that extensively
2 because that's pretty powerful things like that.

3 Q. As far as the pilot training for weather is it similar?

4 A. It is. I pull the aviation module out and I hope that ya'll
5 hear it's a pretty good deal. I don't know if you have or not.
6 I'm pretty proud of that as well because I start off class was
7 what's the weakest point in our flight training. It's the
8 weather. I believe that. So, that's what I expand on. Look
9 here, this is what cold fronts, wind direction, wind shifts, look
10 for this, look for that in these scenarios.

11 I give them -- I actually sit down at the end of the
12 presentation and I say all right this is the first time that any
13 of your training that somebody is going to sit down and show you
14 what they do on shift. So, I go through all the products that I
15 think is important. I'm not perfect. I make mistakes as well,
16 but what, I've had a little more training than the normal pilot I
17 believe, and so when I sit down and show them these things they're
18 like, man I wish I had known that 20 years ago.

19 So, I think we're doing excellent on the weather training.

20 Q. For the company established weather minimums there for making
21 go, no-go decisions what do you expects pilots, and OCC to weigh
22 for making those decisions?

23 A. You know, it's 800 and 3 in a day. That's the 135.600 rule,
24 weather minimums. But if all around is below that, you're not
25 expected to do that just because it's a one spot. We look at

1 along the route, you know, and destination. We got to have the
2 weather minimums to get there. We do the trending thing, you
3 know. I show them what the 3-day history was on the METARs.
4 What's this thing doing? That's a tool.

5 And there trained to these synoptic situations like for
6 example, if you're on the stable side of a warm front or
7 stationary boundary you expect the ceilings to come down
8 throughout the night, the evening. So, this is the kinds of tools
9 I've been giving them to make a better decision for taking
10 flights, or not flights.

11 Q. So, for making those decisions would you expect them to use
12 mostly like the METARs and TAFs?

13 A. I got you.

14 Q. Do you expect them to weigh --

15 A. We have a couple of tools up. Of course, the METARs and TAFs
16 are on there. The industry uses the HEMS, you know, that's kind
17 of a graphical display of what's going on, and there's thousands
18 of websites out there, but I show them all that the National
19 Weather Service has to offer you know.

20 I used to work for them part-time in Norfolk, Virginia, and
21 they are amazed at what's actually on there.

22 Q. Are there any gaps in your area coverage do you guys fly
23 where you wish you had better weather instruments observations?

24 A. Yes, they are. Everywhere.

25 Q. Could you describe those?

1 A. Well, here in Arkansas between here and Fort Smith that's a
2 long stretch through there. You have one observation at Clinton.
3 Mountain homes out the way. I'm talking about half the state, you
4 know. That's quite an extensive area, and now you got the hills
5 or Arkansas.

6 In Ohio look at what we're looking at up there. Don't we
7 wish we had a reporting station all through there? Yes, we do.
8 So, there's several of those.

9 Q. Is there anything weather wise as a tool that you wish you
10 had available?

11 A. You know, there's some new -- we can't use visible satellite
12 at night, but there's some new satellite data out there that show
13 low clouds and this kinds of things that's coming online and we're
14 exploring. We're going to put those in our training program and
15 show how to people to use this stuff, but mostly not, you know,
16 fog and low cloud tools would be great.

17 MR. SUFFERN: Thanks. That's all my questions for now.

18 DR. SILVA: All right. Shaun.

19 BY MR. WILLIAMS:

20 Q. So, don't worry about moving from Wednesday to today.

21 A. I know.

22 Q. By all means that's completely acceptable.

23 A. Okay.

24 Q. I mean it was more important for you to be there because we
25 can always do this later.

1 A. Okay.

2 Q. So please don't think that's upsetting or anything.

3 A. Thank you.

4 Q. We do have hearts.

5 A. I know. We're all people.

6 Q. So, I want to go back to the pilot, the base reporting the
7 pilot had been pushing weather in that scenario. Did you talk to
8 the pilot about it?

9 A. He called me a little bit about that. I was the OCM. That's
10 another duty. I forgot about that. Operation Control Manager.
11 So, for every 12 hours we have management that answers those
12 decisions that may have a question on, you know, operational
13 questions.

14 So, I was on there and he called, and we were talking through
15 some scenarios, and he said everything right, but now again I
16 wasn't there. He's saying that he was following this, had
17 visibility, it got down, so he did a couple of legs to go around
18 some lower visibility things. I'm like well you know that works,
19 but you don't paint yourself into a corner. That's what gets us
20 some problems.

21 So, he said everything right, and that's kind of where I left
22 it, but then the chief pilot was supposed to went up there and
23 talk to him about all the --

24 Q. So, the pushing of the weather, did it come out? Is this one
25 that they actually go IMC? Do you know?

1 A. I have no email, anything, except when I went up there to the
2 air medical personnel training they were concerned that he would
3 push weather, but as far as that I have no official email or
4 written about it.

5 Q. And you felt that one was in December?

6 A. Yes.

7 Q. Are you aware of an event from January where a pilot from
8 Columbus did go IMC and ended having to fall a highway and work
9 his way down with ATC?

10 A. In January?

11 Q. Yes.

12 A. No.

13 Q. So, when that happens in a situation like that if I
14 understand correctly you would expect an incident or something to
15 become of that?

16 A. Yes, I do.

17 Q. So, what happens if one doesn't get submitted?

18 A. What I don't know, I don't know, and see that's rough. So,
19 now if it happen I got to have an incident report. I got to
20 figure this out and follow it through because it's going to be
21 some training, or other things that's got to happen.

22 Q. Do you ever get push back from Gary as far as implementing
23 new policies?

24 A. His main goal is to take every flight we can, but we can't
25 take them all. You know all of them aren't safe to take, and I

1 can believe that. We can help people in their darkest hour is we
2 can take it. He wants us to do preferred routing. He's been
3 talking about, and that's what we've been sharing on tech rides,
4 and that makes sense too.

5 If you're going to go from point A to point B and it's 1205,
6 or 6 tonight it makes the most sense to get over here on a lighted
7 pathway so we can verify the visibility. I believe that. I've
8 done it myself, but what's in my mind is we all know we have
9 different skill levels in our profession.

10 One person may feel comfortable doing that, or not doing
11 that, and so my one thing I don't think we should push the people
12 that are uncomfortable, or giving them an option to do that, but
13 if they're not comfortable, they're not comfortable, and to me
14 they don't need to take the flight.

15 So, it's hard for me to go from safety, and then, you know,
16 management is like yes we need to take every flight we can, but we
17 can't take them all, but we got to understand the ace of the base
18 like doctors, and there's different skill levels there may have a
19 different comfort level than the next person.

20 So, philosophy and believe is you take every flight that
21 you're comfortable taking. So, it's sometimes management don't
22 understand that, you know, we're here to be in business, but also
23 we're here to be in business tomorrow through safety. So, that's
24 one thing that's on my heart.

25 Q. You talked about the different areas that receive CRM

1 training.

2 A. Yes.

3 Q. Whether it be the OCC, the airmen crew, the pilots. Do you
4 ever do a joint training session where they're all in the room
5 together?

6 A. That's only happened once. That's probably not a bad idea,
7 and but no. What happens I give them the fundamentals here and
8 then they have another checklist at the base level, but I guess
9 they do, but just with one pilot, you know, an experienced pilot
10 that's going to finish their air medical personnel orientation in
11 the aircraft at that level on patient flights, but as far as new
12 hires altogether no.

13 Q. And even -- does everyone come back here for recurrent
14 training?

15 A. They do.

16 Q. Okay.

17 A. Most everybody. We've had a couple that I've taken, but just
18 rare. It's a rare event. Everybody comes here.

19 Q. Just thinking out loud. May be a great opportunity. You
20 have OCC upstairs, and if your air med crew coming through to try
21 and almost sync up those training sessions.

22 A. That is a good idea. It's been on my mind because it's funny
23 because one area of operations never even met the other area, and
24 what better way of figuring this all out is together. I agree
25 with that.

1 Q. I want to talk a little bit about the aircraft training.
2 We've talked about along the safety role, and the weather side. I
3 want to talk a little bit about the aircraft training.

4 A. Okay.

5 Q. What aircraft is primarily used for the training?

6 A. We have an L3 that we lease. It's an L3 Bell 206L3 that we
7 lease. We've refurbished it with the G500 and 650. That's most of
8 our avionics equipment out on the fleet now, and of course with
9 NVGs and thus we refitted it that for the NVG training, and we do
10 that, and then that's our primary aircraft is all around the 206
11 series, and then we do the 407 through difference

12 And the 407 through differences is up to proficiency, you
13 know, we show them every procedure, every emergency procedure
14 that's in the 206 manual in the 407, and the difference is
15 training. That's what it is, but the 206 is our primary.

16 Q. So does that training then count for the 293 for the 407?

17 A. Yes. The 407 up to this point was differences, and so there
18 is no 293, and if you look up the Type certificate on a 206 a 407
19 is on the same sheet.

20 Q. Right.

21 A. And so that's how we do that is through proficiency.

22 Q. So, the regulation. The last line for 293(b) states -- well
23 first let's go back. Airplanes.

24 A. Um-hum.

25 Q. Airplanes for a 293(b) ride. So, the actual proficiency, or

1 competency check is by aircraft type. So, if you do 293(b) and a
2 172 your good in a Piper Arrow .

3 A. There you go.

4 Q. However, the last line states that for type when it refers to
5 helicopters in make and model. So, how does the Type certificate
6 data sheet correlate over to make and model?

7 A. And since it was on there through several, you know, FAA
8 oversights up to this point said yes you're correct, an approved
9 program do it like you're doing it, just through differences. The
10 206 was the 293, and then we just do 407s outside that for
11 orientation and proficiency.

12 Q. Is any of that communication with the FAA for the oversight
13 stuff is any of that documented and out in writing?

14 A. Not that I'm aware of. That was in place when I took on the
15 training role.

16 Q. Okay. So, there was also -- so when you do that differences
17 training --

18 A. Um-hum.

19 Q. Where is that documented?

20 A. Okay.

21 Q. And I've got if you're okay to look at these -- okay.
22 Because otherwise we can pull blank ones out if that's easier for
23 you.

24 A. This is the training document here?

25 Q. Yes.

1 A. Okay. Differences. BHT 407.

2 Q. So, we see over here on this form where -- so we're looking
3 at the form 410. So, the ground training. Look at the ground
4 training.

5 A. Right.

6 Q. And we see the line for differences where it's been received
7 for ground training, and then when you go over to the 411 there's
8 no flight training differences section on here.

9 A. Right. So, through proficiency is this is --

10 Q. So the single line entry on the 407 400 differences. So,
11 that's the only place where it'd be documented that flight
12 training had been received?

13 A. Yes.

14 Q. And do you guys log or keep record of the actual flights that
15 had been done?

16 A. We implemented that here recently. It's 40404 through each
17 flight, but before that it was all to proficiency through each
18 module.

19 Q. Okay. This is the 404 --

20 A. Excuse me. It's another form. 401. Let me try to find one.
21 Here it goes. Here it is. T105. That's what it is.

22 Q. So, then where does this form live? Once it's filled out
23 where does this go?

24 A. In the pilot training records once we implemented it.

25 Q. So, revision 5 dated 9/15/17

1 A. Um-hum.

2 Q. Here we got initial check is in 2018.

3 A. Yes.

4 Q. And we have her entire training manual?

5 A. Yes.

6 Q. Or training records, but this form was not a part of it?

7 A. And probably wasn't done, and all we have there are the
8 aircraft log records, her instructor.

9 Q. So, if we go back pull them other pilots records that form
10 should be in there?

11 A. Yes.

12 Q. Is that done on a recurrent basis? Is that done during
13 initial?

14 A. Just during initial.

15 Q. So, if they do initial 206 training, and they do the
16 differences training when they first get hired after that check
17 rides can all be in the 206?

18 A. Yes.

19 Q. So, do you guys ever put eyes back on the pilot in the 407
20 again?

21 A. What we like to do for example this week we have two
22 recurrents and a new hire, and the new hire will require 407, and
23 if we bunch them up we'll have a 407 available for that, but not
24 every time, and my (indiscernible) is to have an efficient and the
25 best training program we can we need the tools available, and all

1 of our 407s are in line shifts, and we got to take them out of
2 service to do the training, but they don't get out of here unless
3 they're to proficient and safe that, you know, we call, we
4 believe.

5 Yes, I'm concerned that we need to the tools to do this
6 training.

7 Q. Have you brought those concerns up to anyone?

8 A. Yes, and Gary has too.

9 Q. And where do those concerns go?

10 A. We'll it's like we have a spare 206 we traded out with a base
11 to get a 407 for training, but it seems like it's sometimes not a
12 hassle, but it's some works to get that done, but once we get it,
13 you know, we keep it until they're trained to proficient. Yes, a
14 dedicated 407 training would be on my wish list.

15 Q. What's the kind of differences? How do they compare flying
16 the 407 to the 206?

17 A. You know, it's what you call a helicopter. A 206 flies like
18 a 206, and a 407 flies like a 407. Once airborne, you know, the
19 speeds and the emergency procedures are similar and compatible,
20 but what's different is the systems, and that's why we concentrate
21 so much is the systems differences in the two aircraft.

22 Q. Okay. So, as direct of training you oversee the check
23 airmen? Correct?

24 A. Yes.

25 Q. One of those being Mr. Foster?

1 A. Yes, sir.

2 Q. So is -- does he participate in initial and recurrent
3 training?

4 A. Yes. He's part-time and when available. He did all of our
5 instructed check in before I got here, or most of it, and then
6 when I came along, and Mr. Taylor came along he just comes in as
7 needed and part-time.

8 Q. Does he take initial and recurrent training like as a
9 student?

10 A. Yes.

11 Q. And are there records of that? Training records?

12 A. Yes. Yes, he has a pilot training record just like the rest
13 of us.

14 MR. WILLIAMS. Okay. I think that's good for me right now.

15 DR. SILVA: Okay. Dave.

16 BY MR. GERLACH:

17 Q. Incredibly sorry for your loss. I know how that is.

18 A. Thanks man. I don't mean to be upset.

19 Q. No, no. You have every right to be.

20 A. You have to believe it hurts man. Let me tell you how you
21 judge a tech ride. There's two things you got to check on them.
22 Judgment and decision making. How do you evaluate that? You know
23 that's tough. What evaluates it from the person and how they
24 carry themselves throughout the whole process. That's judgment
25 and decision making when they get out here.

1 Every one of my check ride that I say approve my kids can
2 ride with them. I mean it. That's about as strong a statement I
3 know that you can get.

4 Q. Um-hum.

5 A. I can't explain it more than that.

6 Q. Hey, do you want to take a break for a minute? I know I need
7 a potty break.

8 A. Okay. That's fine.

9 DR. SILVA: All right. Let's take 5 minutes. We are off the
10 record at 10:05.

11 (off the record at 10:05 a.m.)

12 (On the record at 10:18 a.m.)

13 DR. SILVA: All right. We are back on the record at 10:18.

14 All right Dave.

15 MR. GERLACH: Thank you, Sathya.

16 BY MR. GERLACH:

17 Q. A couple questions for you? Are you familiar with the CAMTS
18 standards?

19 A. CAMTS?

20 Q. Yes.

21 A. Yes, sir.

22 Q. How does that compare to your company's minimums and
23 standards?

24 A. Let me get my head on here. It's been over a year. We were
25 going through the process of getting that in order and actually

1 going through the CAMTS guidance book we implemented some things
2 that was required in there.

3 Q. Right.

4 A. The post debriefing. That's one of the other reason why the
5 safety kind of program came along because they required it. The
6 weather minimums I don't know because we wasn't going to fudge on
7 that because you don't have to meet every single thing in that
8 program just, you know, the majority of it, but then we had a
9 meeting like we been operating successfully why change to somebody
10 else's standards.

11 So, that's why we kind of put that on hold for now, but I'm
12 not sure how the hospital some require, some don't. We just kind
13 of put on hold for now until we need it.

14 Q. Any other parts of that standard you all find not compatible
15 with the organization?

16 A. Not really. We kind of was doing a lot of it to begin with.

17 Q. Yes.

18 A. And I think on the medical side and I don't know any details,
19 but they revamped a lot of their policies and procedures to
20 comply, and we still do on the medical type things with that, but
21 aviation, you know, we got the safety program, the debriefing, and
22 all this good stuff, and that's about all we changed to try with
23 the CAMTS.

24 Q. When you have a new pilot come into the company do you
25 establish higher weather minimums with them?

1 A. We do not. Gary's belief and our belief is they're
2 commercial pilots coming in and what's strange is Part 91, which
3 this is not, you know, it's half a mile in a day, and a day at
4 night time visibility is a -- a Part 91 private pilot can go fly
5 in and we expect them to be able to do 800 and 3, 1,000 and 3.
6 So, no.

7 Q. Got you. As a flight instructor when you sign off a private
8 pilot do you give them any recommendations? What do you tell
9 them?

10 A. I was like look here, you know, and actually I have a seminar
11 saved about VFR pilots going into IMC stuff and that's a big deal.

12 Q. Right.

13 A. I'll show them now look here if you want to enjoy a lifelong
14 enjoyment out of this you might want to pay attention to this.
15 You got to have personal minimums and go back to that. As a new
16 pilot coming in here a lot of them put their own personal minimums
17 up there.

18 Q. Um-hum.

19 A. Like I'm not going to fly tonight unless it's 1500 or 1800,
20 or whatever, and we have to support that. I mean that's their
21 comfort level.

22 Q. Got you.

23 A. But it's professional aviators. They do that, you know, on
24 themselves on a personal level.

25 Q. So, in dealing with the changing weather minimums is there

1 any special training for scene landings versus landing at your
2 heliports, different hospitals, and that kind of thing?

3 A. Training?

4 Q. Yes.

5 A. You know, here during initial and even recurrent, you know,
6 we have selected LZs out here for scene flights, you know, not
7 unaided and daytime. We do all the scenarios to our -- a couple
8 of LZ practice areas here, and then we do a local orientation, you
9 know, when they get to their areas for the hospital orientation.

10 Q. Yes.

11 A. That's because the first call you get on the job you don't
12 know where you're going to go. It's going to be to a strange lat
13 and long somewhere.

14 Q. Right.

15 A. And so we can't take them to every LZ that they'll ever do,
16 but here in training, you know, we have some pretty challenging
17 LZs we use for training to help to prepare them for anywhere they
18 may go or get called out to.

19 Q. Okay. What would be a challenging LZ for you? Describe that
20 area?

21 A. Yes, and one of them is at Mr. Foster's home place out here.
22 It's going to Huber Springs. It's -- you have pretty high terrain
23 hill on the approach end of it. So, you have to mitigate that.
24 Also, it's in trees, and it's a flight path not very long inside a
25 clearing, and it's a pinnacle. All of it combined.

1 Q. Got you. Hey, we talked about inadvertent IMC. Can you walk
2 me through your company procedure for inadvertent IMC? What do
3 you teach?

4 A. Yes. Right. Number one, avoid it of course.

5 Q. Yes.

6 A. If you keep the visual cues outside, you know, you shouldn't
7 get in it, but if, you know, you're going to get there you know
8 how to slow things down, and if it's in a land and immediate
9 action that's fine too, you know. We would rather be at the gas
10 station side of the road than to deal with that.

11 If you have to do it and you punch in it's a 180 back to VFR.
12 If you're coming on a safe altitude, you know, if that don't work
13 out for you -- if you're on contact with OCC we don't want you
14 doing a lot of distracting things in there, you know, if you could
15 push one button, you know, hey ground help me find VFR.

16 Q. Yes.

17 A. That might be an option., but the last thing we want to do is
18 to be in the national airspace with no clearance and trying to do
19 an approach somewhere, but we end up doing that during training.

20 Q. Got you. Now is the procedure documented anywhere in your
21 company documents?

22 A. It is. Yes, it's in the GOM and it's the one, you know, if
23 VFR didn't work for you, you know, you climb, confess the
24 emergency, and find you somewhere to go.

25 Q. Got you. Okay. And how about entering into weather

1 conditions that are conducive for icing? Do you have something
2 that you teach? Is there also a company policy on that?

3 A. Right. And of course our company policy is of course you
4 don't do it because to have icing visible moisture? Right.

5 Q. Um-hum.

6 A. And visible moisture, mist, fogs, clouds, rain, all that good
7 stuff is conducive to that stuff, and so if you suspect any icing
8 our thing is it's an immediate action. A land, turn around, or do
9 something different right now, you know, and what I train is I
10 show them, again, back to the synoptic situations of where icing
11 conditions are, and maybe some temperature, some moisture involved
12 with it.

13 I show them graphically, you know, from the aviation weather
14 service books up there on the PowerPoint. And so, I cover that
15 pretty intensely because the airplane and fixed wing pilots really
16 go up to that training a lot, and I take a shortened version of
17 that for the helicopter people because we're not supposed to be
18 there in the first place.

19 Q. Yeah. If you had a flight that was visibility along the
20 route, 800 and 5, ceiling 800 and 5 visibility with the potential
21 for icing in the clouds and snow showers, would you consider that
22 a trip that any of your pilots could take?

23 A. I would. If we don't get in it, you know, we shouldn't have
24 icing. But every time in the winter time, low level, we probably
25 would get some kind of icing. We would never fly, you know.

1 Q. Yep.

2 A. But that's correct. I tell them. If we're using, for
3 example, the HEMS tool as our primary tool and you got that icing
4 probability up there, it's going to be blue everywhere.

5 Q. Yeah.

6 A. But the problem is, you read the fine print. It says only
7 applicable in visible moisture.

8 Q. Right.

9 A. So not in clear air. But you are correct. You get it in the
10 wintertime. The temperatures are there and the moisture, you will
11 get icing.

12 Q. Yeah. So given the choices of descending or climbing into
13 the visible moisture with decreasing visibility and lowering
14 ceiling, what would you expect your pilot to do?

15 A. Well, again, first of all, not to get to that point.

16 Q. Right.

17 A. But if they get to that point, us helicopter people don't fly
18 as high as those airplane people.

19 Q. Yeah.

20 A. So I expect a turnaround immediately.

21 Q. Okay. Got you.

22 A. Or I land an emergency -- you know, an immediate action of
23 landing.

24 Q. You talked a little bit earlier about if you encounter these
25 kind of things it's an emergency and the pilot can do whatever he

1 wants to. Can you elaborate on what you would expect him to
2 follow and what he could kind of disregard with regard to an
3 emergency?

4 A. Right. In an emergency, if it's a double IMC, that is an
5 emergency.

6 Q. Okay.

7 A. So I expect them -- aircraft control, take your time. In
8 icing, that's a whole different story of course.

9 Q. Yeah.

10 A. But I want them to get back to VFR.

11 Q. Yeah.

12 A. Because all the success of flying a 180, you know, 3 degrees
13 per second out of this is one thing, but flying 20, 30 minutes is
14 another.

15 Q. Yeah.

16 A. The tense rate, so I expect them to get to VFR.

17 Q. Okay.

18 A. Okay. That's number one. Where was that? Maybe behind me.
19 Hey man, where's VFR, you know, that sort of thing. But
20 disregard, I don't expect them to hit a -- it's an approached
21 procedure to the tee and keep the altitudes. If we're at a
22 minimum safe altitude for that sector, which we do through a
23 preflight planning on the wall, you know, map the orientation on
24 the wall, you could do whatever you need to, to find an airport or
25 get the VFR.

1 Q. Got you. Okay. We've been kind of familiarized with the
2 different types of pilots, safety pilots, check airmen or check
3 pilots and lead pilots. How does the lead pilot fit into your
4 safety program and your organization?

5 A. The lead pilot mostly it's an administrative liaison is all
6 that person is, scheduling, pay and that sort of thing. We
7 sometimes task the lead pilot to ask questions if we have a safety
8 concern, but that's kind of why we put the safety pilot not as a
9 lead pilot. Of course, there's a stop for that and help those who
10 are showing incredible intent to the company, but that can work
11 together. But if the lead pilot may be a safety concern, you
12 know, that safety person doesn't have to -- I'm the guy, safety
13 coordinator.

14 Q. Okay.

15 A. You know, but the lead pilot is mostly an admin role.

16 Q. Okay.

17 A. Yeah.

18 Q. So you wouldn't -- would you expect your lead pilot to be a
19 role model from a safety standpoint --

20 A. Of course.

21 Q. -- or just a line pilot kind of guy?

22 A. You know, that leadership, that hard one, that lead by
23 example thing --

24 Q. Yeah.

25 A. -- that's what we try to instill in our lead pilots.

1 Q. Got you.

2 A. But the oversight, you know, we're guilty of that. I haven't
3 been to each base or management doesn't get to the bases, you
4 know, maybe as often to see them perform.

5 Q. Right. Got you. Litmus test for your safety pilots. Do you
6 -- how do you choose your safety pilots?

7 A. You know, that is someone when they come through the new hire
8 program, you know, they stand out to me.

9 Q. Yeah.

10 A. That's what I do.

11 Q. Got you. So you mentioned an inadvertent IMC would be an
12 emergency, and you also said that if this event occurred, you
13 would expect it to be documented post-flight.

14 A. Yes.

15 Q. Is there any mandatory reporting for anything else FAA-wise
16 if they had an emergency like that?

17 A. Right. So what I do is I collect that I send it to, you
18 know, director of ops, you know, and, you now, verbally, email,
19 whatever he needs to do. And I'm not sure what goes from there,
20 so --

21 Q. Okay.

22 A. I should, but I don't. I hand it to him.

23 Q. Got you. So you would expect the DO to -- if required
24 contact --

25 A. Yes, like POI.

1 Q. -- with the FAA --

2 A. -- and that sort of thing.

3 Q. POI. Got you.

4 A. Yes.

5 Q. All right. I had one other question for you. I just lost my
6 train of thought here. I'll get another chance but thank you.

7 A. Yes, sir.

8 Q. Those are all the questions I have.

9 A. Thank you.

10 Q. For now.

11 BY MR. LUIPERSBECK:

12 Q. Still good?

13 A. Yes, sir.

14 Q. And I kind of may jump around a little bit, but you mentioned
15 the weather and the pilots and expecting them if the minimums are
16 800 and 3 or 1,000 and 3 or 5. You guys use 1,000 and 3 at night,
17 I'm assuming, right?

18 A. Yes, aided.

19 Q. Well, it's either/or.

20 A. That's right. People forget that.

21 Q. Yeah.

22 A. Read this chart. It says or.

23 Q. So if a pilot were to decline a flight when the weather
24 reporting along either side of the route, all the way down, you
25 know, indicated it was, you know, 1,000 and 5 or 800 and 3 during

1 the day, do they get queried about that, or they just take their
2 word for it and say okay?

3 A. The PIC, that's ultimately -- the decision is on them. I
4 hope they don't get questioned.

5 Q. Well, yeah, because I know that it's their final --

6 A. Right.

7 Q. -- but do you know of any instances where they have been
8 queried about it by either OCS people or OCC people or management,
9 pilots?

10 A. And sometimes, you know, if what we seen is the OCC up there,
11 they have a lot of tools. I mean they have been trained pretty
12 good, so -- but they're seeing something for or against a flight,
13 they may say hey, you know, and that's part of the risk
14 mitigation. They kind of work together on that one.

15 Q. Okay. Well, in that example, if they saw something that
16 didn't look good and the pilot was accepting or going to accept
17 the flight, are they empowered to say no, we've got this request
18 and you shouldn't take this?

19 A. No. We reserve that right for them, but if it's something
20 detrimental, they have the permission to call the OCM on duty,
21 okay, be like hey, Joe. We see this squall line between there and
22 there. I don't know what they're thinking about, but I don't know
23 if they should take this or not, and then I would have the final
24 say as a manager of risk oversight.

25 Q. Do you think that entire process of giving the pilot the

1 request and then accepting it and within the reasonable time that
2 they normally lift, within 7 minutes, that that entire process
3 could take place and there was a call that you made, and the pilot
4 be reached again to cancel that flight in that timeframe, in your
5 personal opinion?

6 A. Right. Not really, but that's why we have the amber
7 critical. If the weather is within that 100 feet or a mile of any
8 visibility or ceiling, that amber critical requires my permission
9 anyway for them to go. So they'll call and say hey, I need a
10 weather check on this route.

11 But -- and they are supposed to have the risk assessment and
12 the worksheet to say all right. This come in amber critical and
13 I'll -- you check the weather, and I'll call the OCM and brief
14 them because I'll have the flight release capability then.

15 Q. So the amber critical requires an OCM approval for the flight
16 to go?

17 A. Yes, it does.

18 Q. What is it if it's just an amber. Is there any other
19 concurrence required for that?

20 A. No. An amber is just a weather check, you know, with the
21 pilot. The OCS or CS does not accept a flight. They check with
22 the base and the pilot before they accept it from the customer.

23 Q. Okay.

24 A. That's an amber.

25 Q. So do you -- let me keep up with my stuff here. How many

1 OCMs are there in the company?

2 A. Four.

3 Q. Okay. And they are you --

4 A. Yes.

5 Q. Gary Mercer.

6 A. The chief pilot, Jack Windes, and then Rachel Millard, the
7 OCC manager.

8 Q. Right. So three of them are pilots?

9 A. Yes.

10 Q. Are you, Jack and Gary assigned regular scheduled shifts in
11 the OCC?

12 A. No. No, sir.

13 Q. Is Rachel?

14 A. Yes.

15 Q. Daytime. So who is the OCM at night? Let's say for Rachel
16 because she told us she was doing days. Who's going at night?

17 A. Oh, you're talking about OCS's up there?

18 Q. No, OCM, manager.

19 A. OCM. Yeah, we're scheduled on a, I think, 7 on and 7 off,
20 12-hour shifts during those 7s. And that's how that schedule
21 flows.

22 Q. When you're scheduled on that 7 on, 7 off, are you physically
23 located in the OTC?

24 A. No, sir.

25 Q. Okay.

1 A. We're on call.

2 Q. Okay. And just back to the inadvertent IFC procedure for a
3 minute -- did you say something, John? Could've been the
4 (indiscernible). Does your GOM contain any procedures, you know,
5 or cues for the pilots if you encounter, for example, you're
6 making a collective reduction to reduce your SB during any weather
7 --

8 A. Right.

9 Q. Directives on what they will do then, or is it just slow down
10 and be more careful and slow down and be more careful?

11 A. It is slow down and be careful, but the first indication the
12 visibility is going down, we get back to VFR. We don't continue
13 on in all this. And also, I believe in our NVG section, and
14 that's where most of its been focused, is it gives you some cues
15 and things to look for.

16 Q. Okay. And the NVG thing, that was one of the ones -- not
17 required to be carried on every flight and night only if they're
18 scene flights. Is that what your manual -- is that what you teach
19 in training or --

20 A. No, we teach we want them to have them on at night. But far
21 as aided and unaided, it's different. FAA, you know, says that's
22 not flying with the goggles, so have to log it different. We want
23 them to go in and out of the scenes, you know, in aided and then
24 cross country we want to go for the unaided as much as possible,
25 too, you know, to remember how to fly at nighttime.

1 Q. Do you know how many of the OCS's, aside from you, Jack and
2 Gary, how many there are, how many OCS people, how many people
3 total?

4 A. Upstairs?

5 Q. Yeah.

6 A. Oh boy. I really don't know. I could find out.

7 Q. Do you know if any of them are pilots?

8 A. No. Several of them are aspiring, but no, no pilots.

9 Q. Okay. All right. That's all the questions I have for now.
10 Thank you.

11 A. Thank you, sir.

12 DR. SILVA: Tim?

13 MR. TAYLOR: I don't have any questions.

14 DR. SILVA: All right. John?

15 MR. BRANNEN: I don't think I have anything at this time.

16 DR. SILVA: Okay. Well, I have a list here of follow ups.

17 BY DR. SILVA:

18 Q. Along the lines of Tom's questions here, are you also
19 qualified as an OCS?

20 A. Yes. Initially, I was.

21 Q. Okay.

22 A. Just training.

23 Q. Okay.

24 A. I feel I needed to, yes.

25 Q. Are Jack and Gary also trained as OCS?

1 A. Let's see. Of course Gary is, but Jack is not.

2 Q. And that's not a requirement of being an OCM?

3 A. No.

4 Q. Can you run through what your duties would be as an OCM or
5 what they are?

6 A. Yes. Mostly is to get a brief on the situation of the
7 company for my 12 hours, you know, who's in the hangar, who's got
8 an estimated risk assessment of green or amber for the night. Are
9 there any maintenance issues that's coming up, any personnel
10 issues coming up, any major NOTAMs, you know, that they felt like
11 they want to share with me.

12 And that's kind of what it is, so I get that brief. And as
13 the night goes on, for example, one in our risk assessment that
14 the sheriff's office asked to help look for a person, that's an
15 amber critical type flight release. So they'll have to call me
16 and ask permission to actually go and do that. Or if the weather
17 is within the minimums or this or not, you know.

18 And so I issue the amber criticals after getting that brief,
19 and if there's any out of service for maintenance stuff, I want to
20 know to keep up with what's going on. If somebody goes to the
21 hangar for a weather event, we want to know that, too, and approve
22 it because we try to be in service as best we can, you know, to
23 help folks.

24 But if somebody is taking a disadvantage of us and moving the
25 aircraft or the hangar for comfort or whatever it may be, I want

1 to keep up with all that. And so mostly just the oversight and
2 the management decisions of the 12 hours.

3 Q. How often do you talk to a pilot when you're on shift?

4 A. I'll say on Wednesday, it's mandatory call in to the OCM, and
5 that's just so we can stay in touch with our pilots once a week.

6 Q. Okay.

7 A. And we try to hopefully get through everyone. Like I would
8 say I get 5 to 10 phone calls a night with pilots or --

9 Q. Outside of Wednesdays?

10 A. Yes. Or, you know, if I wanted to share safety stuff or
11 something on my mind, you know, I think the company should be
12 shared, I will call everybody, too, you know, and visit.

13 Q. So outside of those Wednesday calls, what are you talking to
14 pilots about?

15 A. Mostly those decisions that they will help make, you know,
16 amber critical decisions or maintenance. They're out of service
17 for this. Can I help? If they're trying to make flights happen,
18 you know, and trying to come with a plan or duty time plans, I can
19 help assist with that. That's mostly those calls.

20 Q. Okay. So when you get these amber critical decisions, how do
21 you make that decision? What are you looking at? Who are you
22 talking to?

23 A. What I'm doing is I don't have the tools and things that, you
24 know, the OCS has. I'm just really on call as the management
25 during that period, so I really have to assess the situation from

1 the OCS. Like look, Joe, here's the situation.

2 I feel confident that, you know, the weather is improving, or
3 they can make it safely. Well, sure, that's fine. But if they
4 don't and show their concerns like no, wait a minute. Let's look
5 a little deeper, and then I'll say yes or no. And really, that's
6 the only time we trump a pilot's decision is those amber critical
7 flight releases.

8 Q. And when you say you trump their decision, in terms of taking
9 them or not taking them?

10 A. That's correct.

11 Q. Okay.

12 A. Or not taking. They can always decline.

13 Q. Okay.

14 A. But if they want to go, and I have my risk mitigation people
15 in OCS saying I don't know about this, well, that raises a concern
16 to me like maybe there's some more to it that the pilot didn't see
17 during the preflight plan.

18 Q. How often would you say something like that happens?

19 A. Not very often, you know. Most everyone's on the
20 conservative side, you know.

21 Q. So is that something that comes up once a month?

22 A. An amber critical?

23 Q. An amber critical where you as an OCM has had to deny a
24 flight that a pilot may take.

25 A. The only one, as far as weather, I've never done that. The

1 pilots have always declined it and not taken it. But one I've
2 done is like a PR way out of our service area. I've declined one
3 or two of those, but it's not weather.

4 Q. Okay. Have you ever had a conversation with a pilot
5 regarding why they didn't take a flight or going off of route
6 specifically?

7 A. You know, I had to -- if it's everyone's flying in this
8 geographic area and one person's not, be like is there someone
9 else wrong. It may not be weather or whatever, but yes, I've been
10 asked to research a few flights. It turns out they were correct.
11 Their observations didn't support the weather minimums, so that's
12 all they wanted to know, and that was about all it was to it.

13 Q. Okay. Have you ever had any where maybe the pilot wasn't
14 correct?

15 A. Oh, yes. Again, I'm not going to put myself in their shoes
16 at that particular time, but if they're not correct and the
17 observation supported a flight, well, was it right at minimums?
18 It may be beyond their comfort level. So I don't feel like we
19 should push people past their comfort level.

20 Q. Okay. So how does that conversation usually go for a case
21 like --

22 A. Be like hey, this is Joe. Just wondering, been looking
23 around and doing some research. And I'm making an educational
24 point mostly, an instructing point. I was like just kind what you
25 was thinking out there so, you know, we can all learn from it.

1 That's kind of how I'd start that conversation.

2 Q. Okay. You mentioned a risk assessment. Were you -- did you
3 play any part in developing the risk assessment?

4 A. I did. Yes.

5 Q. Can you explain that?

6 A. Yeah. It all goes back to the CAMTS, was trying through
7 there. And CAMTS wanted a tabular format or, you know, an online
8 type thing. And all we had was words, you know, or Form 130 has
9 Areas 1, 2, 3 and 4. And we have an explanation of the areas of
10 concern, 1 through 4, posted.

11 But I felt like and the CAMTS wanted a tabular format, so I
12 developed that to be a quick reference like look. These are some
13 things in our four areas of concern that would be green, amber,
14 amber critical or red. And so, yes, I had a part in that.

15 Q. Okay. So how are -- how is that used within the company?

16 A. Okay. So it's two forms. Really, it's one form. The OCS
17 and the pilot command has the Form 130, and they're supposed to
18 mirror each other because remember, the OCS is given power and
19 responsibility for the flight release for every flight. So the
20 risk assessment and all this preflight planning has to match.

21 It's a team effort here for oversight situations where
22 there's risk management on this. So you come in and you give an
23 estimated risk assessment for the day. This is not a risk
24 assessment for each flight. It's an estimated one.

25 For example, today I could tell you it would be a green top-

1 flight release. Now when the customer calls are constant or an
2 area requests us, since we're estimated to be green for the day
3 and nothing has changed, they'll go ahead and accept that flight
4 and send us -- and dispatch us, page us out and go with it.

5 But if it's within, you know, an amber type of day that I'm
6 going to have to check the weather, you know, because it's going
7 to be marginal today, now that's an estimated amber for the day.
8 So when the customer calls, they don't accept that flight until
9 they check with the pilot.

10 Like hey, Joe, you know, we got a flight over here at this
11 particular place. So what do you think? Well, let me check
12 weather. And so I'll do that and then get back with them, and
13 then they accept it. But when it's really close, it's an amber
14 critical, but that only applies to that particular flight. This
15 estimated risk assessment in our GOM is how we conduct business
16 with our customers.

17 Now when we get a flight request, yeah I'm on amber for the
18 day because I've got to check weather. But now I've really got to
19 have more oversight through an amber critical if the weather is
20 really within -- close to our minimums. And that's when the OCM
21 steps in and makes the final flight release on that one. So
22 that's kind of why we get it. We got different levels of
23 oversight is why we did that.

24 Q. So when are pilots filling out this form and relaying this
25 information?

1 A. Okay. What they'll do is they get on shift, and during a
2 specific time the oncoming OCS or whoever will call each base and
3 check in with them, and they'll fill out the stuff. And you've
4 got your maintenance, too, today, what kind of flight release you
5 request an estimated flight release for the day, how we'll conduct
6 business, any personnel human factors, all this kinds of stuff, so
7 at the beginning of the shift or close to the shift. Yes.

8 Q. Okay. Do pilots fill this out? Do they change this
9 estimated risk assessment at any point?

10 A. Yes. Throughout the day it is our -- that's my
11 responsibility to change this throughout the day, so I start out
12 it's green today. And where'd that come from, right? Now I'm
13 looking, reassessing the weather. Now I can go to an amber at any
14 time.

15 And now when I get a flight and it's really coming down, you
16 know, it's an amber critical kind of flight release from each one
17 of those flights. The other way around, I have some morning fog.
18 It could be an amber type of day. The fog burns off, I could
19 change it to green. Yeah, I can go back and forth to whatever,
20 however many I want.

21 Q. Okay. Is there a requirement to pass along a risk assessment
22 before every flight, or is this kind of something that's on demand
23 as the weather changes?

24 A. Yes. Our Form 130 is our flight release form, and each
25 flight has its own risk assessment. But if it hasn't changed, the

1 previous flight release and risk assessment just comes to the next
2 flight.

3 Q. Okay. So it hasn't changed as in the pilot hasn't called it
4 in?

5 A. That's right.

6 Q. Okay. Got it. Okay. Let's see here. So regarding your
7 expectation for an incident report in the case for a double IMC,
8 for example, is that a requirement for them to file an incident
9 report for --

10 A. Yes. They're told if anything that happens outside the scope
11 of the GOM, you know, that's not a normal procedure, we need to
12 know about it.

13 Q. Okay.

14 A. Yes.

15 Q. Are there any specifics as to what scenarios you require
16 incidents?

17 A. Yes. They're listed in there, you know, if anybody gets
18 hurt, you know, aircraft damage of any kind, you know, a start
19 card or whatever, any of those. Any major significance of
20 debriefing items on the Form 131 I need to know about -- really,
21 it's an open book, just anything you feel like is necessary to let
22 me know about.

23 Q. So you said it was written in there. Where is it written?

24 A. So it's in the safety manual.

25 Q. Okay.

1 A. Let me look here. Reportable hazards, right, death, hospital
2 treatment, illness, acts incident deviation from established laws,
3 regulations, limitations and procedures, performing any employer
4 related duties, an event indicating a deficient or inaccurate
5 operating procedures or safety controls or equipment.

6 We're talking about anything that's important to the NTSB
7 purposes, chemicals, unintentional fire, when an emergency is
8 declared during flight, when priority is requested from ATC.

9 Let's see, and then of course, you know, these are big on the
10 flight control system malfunction structural component, functional
11 failure of engine, case penetration, loss of thrust, spoke fire,
12 in flight fear of electrical systems, hydraulics, fuel leakage,
13 emergency precautionary landing of a single engine aircraft, of
14 course, and that's another one.

15 So if somebody does a precautionary landing, you know, they
16 get a chip light or a cause light or land to prevent double IMC,
17 you know. An OCM is notified of that -- engine flameouts, any
18 rejected takeoff. It's a whole list of safety.

19 Q. Okay. Yeah. And we'll take a look at that.

20 A. Yes, ma'am.

21 Q. How many incident reports have you gotten?

22 A. Oh, not very many. I've got the one from Dolphine. We had a
23 couple of hots -- to our engine hot starts. Those are really in
24 more of a training kind, but it's still an incident. I got a
25 couple of incident reports that were mostly, you know, personnel

1 issues and not safety.

2 And then I've gotten -- and in all those incident reports or
3 emails, if you will, that's -- I don't know if you would classify
4 it as personnel or safety, but I got some information on -- let's
5 see, recommends while on duty, from management.

6 Q. Okay.

7 A. And that's about it.

8 Q. What does that mean, the reprimand? Can you expand on that?

9 A. Yes. Since they were sent to me in email, you know, the --
10 remember, I wasn't there to hear the conversation, but pilots
11 informed me, you know, that they were getting a couple of
12 reprimands from maybe the procedures or from an OCM that they
13 didn't agree with or whatever. But from a safety standpoint, I
14 don't believe in that. You don't reprimand somebody while on
15 shift at early watch, you know, that's a safety violation.

16 Q. So who was it coming from?

17 A. The chief pilot.

18 Q. So how was that addressed?

19 A. So when I hear these and see these incident reports, I tell
20 the director of ops, and then he takes care of it.

21 Q. Okay. Do you get any feedback when it's done?

22 A. I do not.

23 Q. Okay. Do the people who filed the complaint, if it's not
24 done anonymously, do they ever get any feedback about what -- how
25 a situation was handled?

1 A. No, because I don't get any feedback.

2 Q. Okay. How would you rate the culture here?

3 A. The culture here, it's -- before last week, you know, it was
4 pretty good. It's a good deal to be part of what we do, help
5 people. And, you know, I go to the medical training and, of
6 course, they're a little apprehensive in doing anything in
7 aviation. You know, it's a risk business, so they're apprehensive
8 about it.

9 So I try to be the liaison between them and operations, you
10 know. And -- but, you know, as in any helicopter business there's
11 concerns, you know, about safety, maintenance, this, weather
12 minimums and all this. So what I do is I just tell them, you
13 know, we're following the rules and regulations as best, you know,
14 as possible and that sort of thing. Yeah, that's about it.

15 Q. Okay. Do you feel like the pilots are comfortable reporting
16 safety issues to the company?

17 A. No.

18 Q. Can you expand on that?

19 A. Well, if the reports I'm getting of these reprimands on shift
20 and stuff is, you know, accurate, then that's the feedback I get.
21 They're not comfortable.

22 Q. And going back to those reprimands for a second, can you give
23 me an example of a case of what they were reprimanded for?

24 A. Yeah. This -- the last one I got a pilot landed on a
25 hospital, checked the weather at the receiving to transfer and was

1 his data old or new? I don't know. I wasn't there. I'm just
2 going by what I received.

3 And he seen some lower visibilities in there, so he goes and
4 tells the medical folks hey, I think I got some low vis over
5 there, guys. Let me check it again. So they was on the fence
6 about sending -- I don't know all the details about the medical
7 part. But they were on the fence about sending the patient anyway
8 by air, so they went ahead and grounded it.

9 Well, he got a call, pretty harsh words. Why didn't you take
10 this? Why didn't you do that? But in my opinion and assessment,
11 if he saw something, and he needed to look at it, but if he
12 wouldn't have caused concern if he did not see something. But
13 looking at the observations, you know, I didn't see it. But
14 again, I wasn't there. We don't need to be pushing people past
15 their comfort level. If they assessed that, and they're the
16 pilot, they need to have the final say.

17 Q. Is there another example that you were given?

18 A. You know, I went to Oklahoma City and talked to those people,
19 and they were saying they were getting push. It was a new program
20 out there and all this. But I have no official written or
21 anything on that, you know. A lot of times hearsay is third party
22 and all this kinds of stuff.

23 Q. Was that coming also from the chief pilot --

24 A. Yes.

25 Q. -- from your understanding? Okay. Let's see. You mentioned

1 safety boards. What is that?

2 A. It's just a bulletin board where I like to pin up the
3 incident reporting procedure and put up any topics that I think
4 would need to go out and that sort of thing.

5 Q. And that's at each base?

6 A. Yes.

7 Q. Okay. Is there anything else logged on that board?

8 A. Let's see. My phone number and the safety rep phone and the
9 safety email at each base is also posted on there as well.

10 Q. Do pilots have any -- pilots or crew members in general have
11 any -- are given any incentive to fly by the company?

12 A. Oh, for extra beyond their like --

13 Q. Or in general, taking flights. Is there any incentive for
14 performing?

15 A. No.

16 Q. Okay. Let's see.

17 A. Well, hang on. So I think when we started the bases, if they
18 do 30 flights they get a massage chair or something like that. I
19 don't know.

20 Q. Okay.

21 A. I said they're not too busy.

22 Q. What do you know about that massage chair?

23 A. I don't. They never said anymore, and I don't know.

24 Q. Okay.

25 A. I think if you do that, then you get a massage chair, 30

1 flights.

2 Q. Okay, 30 flights in a month?

3 A. Yeah.

4 Q. Okay. Have you ever received any safety concerns on the
5 state of an aircraft or aircraft maintenance?

6 A. On the maintenance, no, not official or anything. There's
7 just some questions because again, we're not mechanics. And when
8 I'm OCM, I was like hey, call your base mechanic and tell him to
9 look at this. And that's kind of where we go from there. We
10 leave Doug, he does an excellent job, I believe, and his team.
11 But no.

12 Q. Okay. We've asked you a lot of detailed questions, but I
13 haven't asked you this overall question.

14 A. Okay.

15 Q. Can you describe the pilot training program from when they
16 walk in the door to leaving and then coming back for a current --

17 A. Oh my goodness. Yeah, well, the first day they get their
18 credentials done. And that's when their training starts, at the
19 first greet. What kind of people are these? Are we going to be
20 able to trust them when we release them out there by themselves?
21 So even though they don't know it, we're building, you know, a
22 relationship to begin with when they first walk in the door.

23 Ms. Cassie and us, we do our credentials, make sure we've got
24 all of our things in order. And then we start with duties and
25 responsibilities of a job and we do a little LZ presentation, like

1 this is what you're going to be doing, you know, an overview. And
2 then of course weather is scheduling. You can't depend on the
3 weather, whether you like it.

4 And then we just do some academic stuff first day and
5 probably give them a study guide on the GOM. We want them to go
6 and learn the things necessary, and then the second day they will
7 do -- probably come in later in the day, do more academics and do
8 a day flying and start them night flying, and then from then on
9 it's all night flying NVGs. So academics in the afternoon and
10 evening flight.

11 Q. So how long does that take?

12 A. We schedule them here for 7 to 9 days is normally the deal
13 because somebody who is not an NVG, a night vision goggle pilot,
14 it takes a while, you know, to transition to that. And at the end
15 of that, it might be another 2, 3 days and the 407 differences.

16 Q. Okay.

17 A. So we've had them up here 10, 12 days.

18 Q. So just so I understand, there's nothing in the morning. Is
19 there anything in the morning?

20 A. Well, that first day they are.

21 Q. Only the first.

22 A. And what we try to do is shift the schedule from like noon to
23 midnight.

24 Q. Okay.

25 A. So we can get afternoon and evening flights.

1 Q. I see. I understand. What about recurrent training? What
2 does that look like?

3 A. Okay. And that's a 3-day event and, you know, recurrent,
4 what's it for is to put out new stuff. It may have been a year --
5 to work on some things that they haven't got to see, double IMC
6 trained, engine failure and all these EPs that they haven't seen
7 since they've been here last.

8 That's the same way. The first day we do credentials again,
9 update their resumes and flight time and since they're one of our
10 line pilots, we may go ahead and start flying that afternoon. And
11 then the next couple of evenings, we get them back proficient in
12 goggles and EPs.

13 Q. So is that annual occurrence?

14 A. It is.

15 Q. Is CRM revisited in recurrence?

16 A. It is. It sure is.

17 Q. Okay.

18 A. Mostly most things that we do during that initial is
19 condensed into that recurrent.

20 Q. Okay.

21 A. And a lot of times we do it together, and it doesn't, you
22 know, and it works out pretty good. We do, you know, our weather
23 presentation, hazmat and systems together. Then we break them
24 out.

25 Q. Okay. Do you know if the OCS personnel have to ask when they

1 receive a call, do they have to ask about prior turndowns of that
2 flight?

3 A. You know, I'm not sure about that. The couple I've talked to
4 here recently said they had been giving that information out, but
5 from the start, Gary wanted us to do our risk assessment for each
6 flight. We don't really care if they've turned down or not.

7 Q. Okay.

8 A. We do our own risk assessment for the flight.

9 Q. Okay. So you don't necessarily take that information every
10 time. Okay. And from what we understand, you flew with Jen for
11 her last check ride. Do you know when that -- do you remember
12 when that was?

13 A. Yeah, it was April 26th, April 27th.

14 Q. Not quite sure.

15 A. Let me get the exact date here.

16 Q. Okay. That's okay. We can find it.

17 A. Okay. Yeah, April 27th.

18 Q. Do you recall how that flight went?

19 A. I do. And this isn't because we're sitting here today. Ask
20 anybody about that little girl. She got in there a little short
21 gal, right. I was making fun of her. Man, you can't even reach
22 the pedals. How are you going to be able to fly this helicopter?

23 So we started off with, you know, I believe in a positive
24 learning environment you all. Good things come from a positive
25 learning environment, I'm telling you. So she giggled all this,

1 rolled the pedals all the way back and I still was poking fun at
2 her.

3 So we got serious then because Tim and Mike had been doing
4 the training that week, and she put up for check ride and so we
5 took off. Man, she did everything just like she was supposed to
6 have done. Nothing stood out. The only thing that stood out was
7 how excellent she was.

8 I actually told her when we landed and shook her, like you
9 can outfly most of these boys around here, very, very high-
10 spirited little gal that could really aviate. I was proud to have
11 her.

12 Q. Do you recall what aircraft that check ride happened?

13 A. It was in 205, I'm sure.

14 Q. Okay.

15 A. Our L3 training bird. Yes.

16 Q. Has Jen, as the safety pilot at 14, ever come to you with
17 concerns?

18 A. Yes. We were talking about this December -- she was the one
19 who wrote that about the other pilot? Yes.

20 Q. Okay.

21 A. And several phone calls, so she was very safety oriented and
22 just really concerned.

23 Q. Do you travel to the different bases at all?

24 A. Unfortunately not as much as I want to. In a perfect world,
25 I like to go do a shift at each base once a month. That would be

1 cool with me, but training and this revision, the other duties as
2 assigned stuff comes along. So I don't get to go as much as I
3 want, no.

4 Q. Have you been to the Ohio bases?

5 A. I went there and did their air medical personnel training at
6 Mount Carmel. I don't know which base that would there.

7 Q. Okay. Do you have any idea how the transition works in terms
8 of opening a base?

9 A. Yes. What we like to do and what we've had success was
10 sending two experienced pilots to a new base and then two new
11 hires that's going to work there to kind of work in and transist
12 (verbatim) together.

13 Q. Okay. All right. Let's see here. I'm almost done. I
14 promise.

15 A. That's all right.

16 Q. So regarding training, how is it evaluated? Like how do you
17 know it's adequate or that it's working?

18 A. They make the -- everybody is supposed to be a commercial --
19 we did a commercial -- I guess it's PTS, practicals testing. And
20 when they meet those standards and perform the EPs by recognition
21 and safely recovery, then that's satisfactory.

22 Q. Is there any process that anyone, not necessarily just
23 pilots, but can anyone give you feedback on it or is there a
24 process for that?

25 A. Feedback on the training?

1 Q. Um-hum.

2 A. We have in a couple classes do surveys, you know, how was
3 this training, areas of improvement. We done that with about four
4 classes. I've done it through AMP classes, and then I think we
5 did it under two pilot training classes in the last 2 years.

6 Q. Okay.

7 A. It's not an every occurrence.

8 Q. It's not, yeah. What's your process for revising training?

9 A. So if we see something that needs to be revised or whatever,
10 you know, of course it's something we -- the director of ops has
11 the responsibility. And sometimes he's the one that directs us to
12 change some things up.

13 Q. Okay.

14 A. But mostly I follow his philosophy, policies and procedures
15 best I can.

16 Q. Um-hum. Let's go back to that incident reporting for a
17 second.

18 A. Okay.

19 Q. Is there time or a time requirement for filing of report
20 after an incident has happened?

21 A. No, I don't give no timeframe.

22 Q. Okay. Is there a time you would expect?

23 A. Yes, within the next 24 hours --

24 Q. Okay.

25 A. -- because a lot of things when it's fresh, you know, the

1 details are like better.

2 Q. Um-hum. But it's not written anywhere?

3 A. No.

4 Q. Okay. Did you write that safety manual?

5 A. I revised it.

6 Q. Okay.

7 A. It was -- the former safety coordinator went on to do other
8 roles, and I took it. And actually, I took the CAMTS guidance and
9 kind of mirrored it in there and made it work, the CAMTS as well.

10 Q. Okay. When was that? Do you recall?

11 A. Oh, my goodness.

12 Q. Do you have it in there?

13 A. I don't.

14 Q. That's okay if you don't. Is this something that has to go
15 through the FAA?

16 A. No, it's not approved.

17 Q. Okay. All right. And then, to follow up on one of Paul's
18 questions here, you mentioned that you check the HEMS tool for
19 weather. What specifically would you be looking for in assessing
20 weather?

21 A. Again, that's just an overview, and that's just a situational
22 awareness tool. And visibility is the big thing, you know.

23 Q. Okay.

24 A. If -- we're all taught here to what the parameters look for
25 radiation, fog, to look for lowering ceilings, synoptic situations

1 and I do it all by wind direction and tools and basic things but
2 mostly visibility things. If they see the IFAR, low IFARS around
3 on that, you know, it's probably not a good idea.

4 Q. Okay.

5 A. In my experience, it's more accurate than that, you know, is
6 the case studies I've done. It's just a tool that we use.

7 Q. Would that icing overlay be useful in that? Is that
8 something --

9 A. See the icing is only valid in visible moisture, the clouds
10 and mist and all this. If the icing probability is there, you
11 know, the algorithms and the programs that say you have icing, you
12 know, at these different levels.

13 Q. Um-hum.

14 A. But the idea is not to be invisible moisture during those
15 conditions.

16 Q. So how do -- yeah.

17 A. And most of our pilots are good about that. I've got some
18 calls as an OCM. It was like hey, Joe, the temperature is 36, 35
19 degrees and there's some rain showers and good visibility, but I
20 don't know about that because it's a potential for icing, you
21 know, aerodynamic cooling and all this. I'm like I agree with
22 you. So they have the final authority, you know, if they want to
23 take the flight or not.

24 Q. So if you have let's say an icing air matter or icing
25 probability in an area, how would you assess whether there's

1 potential for invisible moisture?

2 A. Well, if it's 2,000-foot ceiling, you know, or a 1,500 feet
3 and I'm in the daytime, that icing probability in all that AIRMET
4 is going to be in those clouds. Well, I am relatively sure that
5 I'm going to stay, you know, VFR underneath there and I'm
6 comfortable with I won't be in high ceiling. That's an example.

7 Q. Okay. Is there any other things you would look at? Let's
8 say the reporting stations are sparse or not along the route.

9 A. Right. That's another thing. All you can do on those is
10 take what you got here and what you got there and, you know, take
11 off and landing spot or anything in between, and you're going to
12 look at if it's minus 01, and it's got 400 feet over here, you
13 know, but at the receiving is well VFR, but what's going on
14 between there is what we don't know.

15 That's an area of concern. Is the HEMS tool or whatever
16 painting low IFR, IFR along there? I mean that's a no go in my
17 decision. So that's the kind of scenarios I put out.

18 Q. Okay. You're going to hear me stop talking. We'll go around
19 the room one more time.

20 DR. SILVA: Paul?

21 MR. SUFFERN: I don't have any additional questions.

22 DR. SILVA: Okay. Shaun?

23 BY MR. WILLIAMS:

24 Q. So the -- have you as OCM-- did you ever have any
25 conversations with Jen regarding why she did or did not take a

1 flight?

2 A. Oh, with Jen? No. She seemed to have done everything that
3 she's supposed to have done. And I wasn't the OCM during that
4 period, and you know, here, here and here are the details. You
5 all know more than I do about what or what didn't happen, but not
6 from her before this.

7 Q. We've heard that the board was taken down at 14, the safety
8 board following the accident.

9 A. Really?

10 Q. Did you --

11 A. I didn't know about that.

12 MR. LUIPERSBECK: Can I interject? I think they're talking
13 about the flight board where they track how many flights that
14 you've completed that came down. That's what I heard.

15 MR. LAWRENCE: Got you.

16 MR. SUFFERN: That's all I have.

17 DR. SILVA: Dave?

18 BY MR. GERLACH:

19 Q. Let's go back to teaching a little bit. You talked a little
20 bit about new pilots coming in with no NVG experience.

21 A. That's right.

22 Q. What all do you do with those folks that are new to --

23 A. Yeah. We have a very extensive, you know, academic grounds
24 portion. Mr. Taylor does an excellent job. He's my subject
25 matter expert on that. But anyway, it's actually like allotted

1 and we have material up to 8 hours of academics on everything on
2 the NVG operation, parts and pieces, how these things, mostly the
3 limitation.

4 You know, for every, you know, time in technology and
5 aviation, there's always a pro or a con on these things. We talk
6 about the limitations and how they can get you into another
7 situation. They can push you further down. They can do this.
8 They can do that. So we're going to concentrate on what they
9 could do for you that could be bad, you know, and not use them as
10 a crutch, you know.

11 But then the first flight is just a gee whiz flight, you
12 know. We put them down and see the millions of stars that they
13 never seen before and just normal traffic patterns, normal
14 procedures before we start on -- but after that, they do every
15 procedure, emergency procedure, IMC flights, double IMC, all the
16 stuff with the NVGs because that's the more difficult skill.

17 Q. Got you. About how much time do you think they get at night
18 using NVGs before they're free to go about?

19 A. We like to see 5 hours, 5 to 8 hours.

20 Q. Yeah. Do you think that makes them competent, advanced,
21 senior pilot, Rock Star?

22 A. They're competent to use them or we wouldn't put them up at
23 the check ride, of course.

24 Q. Yeah.

25 A. And what I've seen is some relapse in training or for

1 example, this one pilot comes to mind that I was almost ready to
2 put him up for the check ride. We got out here doing a sea
3 flight, doing a recon and he was totally situationally aware out
4 of it.

5 I'm like, what's going on man, you know. So what that did is
6 that extended our program a little bit more to try to find this
7 kind of stuff. But when they get out of here, they know how to
8 operate. They know how to fly and most importantly scan in and
9 out of the goggles --

10 Q. Um-hum.

11 A. -- and operate them.

12 Q. How about use of the NVGs with respect to the changing
13 weather conditions? It's a beautiful night, moon's out,
14 everything's lit and blooming everywhere versus going down to your
15 lower weather visibilities, low ceilings --

16 A. Does make a difference.

17 Q. -- precipitation. Technically, you could have had all
18 beautiful days to go fly, 5 hours of training.

19 A. That's right.

20 Q. How do you get them ready and train them for those types of
21 environments?

22 A. And that goes back to the limitations, and we have, you know,
23 training aids to show them what it looks like on a decreased moon
24 night. We show them what -- the halos around the lights. We see
25 what, you know, precip type will do for the goggles through

1 pictures and aids, but you're right. We could have a full week
2 of, you know, good flying.

3 Q. Your pictures and aids, PowerPoints, here's what it looks
4 like through the goggles when you're looking at the base of the
5 clouds or --

6 A. Mostly the lower visibility. No, the clouds, you know,
7 whatever the moon is outside, you're going to see the base of the
8 clouds a lot of times, but it's the visibility that gets folks.
9 And that's what we concentrate on is that lowering or reducing
10 visibility.

11 Q. Yeah. Do you all have techniques for identifying what the
12 visibility is in-flight?

13 A. We did. And that goes back to this Gary wants to do
14 preferred routing. You're going to cross a dark forest, I mean,
15 with no ground light. Well, there's your rule right there, right,
16 135, whatever so you could have ground surface reference lighting
17 to control the aircraft.

18 Q. Right.

19 A. And so if you don't have that, then you're wrong. So if we
20 follow routes or cities to cities to verify we have visibility,
21 that's what we try to do.

22 Q. Okay.

23 A. So yeah.

24 Q. So you're suggesting that you know the vehicle's position and
25 the distance to an object?

1 A. Yes, that's right. For example, if I say like look, what's
2 the visibility? Well, you know, we have wonderful technology, the
3 650s and the G500s. We have range rings on there to airports.
4 Visibility, you got your visibility marker.

5 Q. Take for instance Jen's flight flying over the forests, that
6 national forest. What would be your expectation for being able to
7 determine visibility in that situation?

8 A. Right. If it was, you know, well above and visibility was
9 there, you should have it. We should have a horizon. But if not,
10 you know, maybe there has to be a path around that, roadways,
11 small towns of cities or lights --

12 Q. Yeah.

13 A. -- before dark, that's what I expect.

14 Q. Okay. Got you. Can you talk about pilots changing schedules
15 a little bit? We've learned that typically your pilots come on at
16 7:00 and go off at 7:00, so nighttime to daytime. Talk a little
17 bit about the overlap, the transition and your expectations of
18 them, arrival, what they're supposed to do.

19 A. Yeah. And what I like to see them do is get there that 20,
20 30 minutes early to get their preflight done and the other pilot
21 there, and they're, you know, turning over things and items they
22 would, too. If you just show up at 7:00 or 6:59, how are you
23 supposed to do preflight planning and risk assessments and all
24 this stuff and take a flight?

25 Well, you can't. that's just too much to do. So as a

1 professional courtesy, they try to do, you know, 20, 30 minutes
2 beforehand or whatever you feel like you can get a preflight, get
3 turned over, get a risk assessment done and a quick check and get
4 this estimated risk assessment for the day done and get to going.

5 Q. And that would mean coming to the base of operations, sitting
6 at the computer --

7 A. Yes.

8 Q. -- and of course going out to the helicopter --

9 A. Yes.

10 Q. -- during preflight.

11 A. Yes.

12 Q. All those kind of things in 30 minutes?

13 A. Yes.

14 Q. What would happen if a flight was to occur at say 6:30?

15 A. Well, the night pilot, you know, we scheduled for 12 and go
16 to 14.

17 Q. Right.

18 A. If it's within, you know, we can make this happen, we can get
19 the patient off at 14 and be out of service down there. That's
20 fine. That's what we want them to do, take care of it right now.
21 I expect a night pilot to take it.

22 Q. Okay. Would there be any circumstances where you would
23 expect the day pilot to take that flight?

24 A. If they're the oncoming?

25 Q. Uh-huh.

1 A. Yes. If it's a long interfacility transfer, you know, that
2 patient's in a hospital, probably stable there hopefully --

3 Q. Yeah.

4 A. -- and they just need them to go to higher level of care
5 somehow, I expect yeah. At that point, if it's really going to be
6 past duty time and things like that and a lot of factors involved,
7 I expect the oncoming to do a risk assessment. Let's get a
8 preflight and get turned over and go.

9 Q. And how would you expect that to occur? So the flight's
10 going to occur at 6:30. They normally come in at 6:30. How do
11 they take that flight? What would be the process?

12 A. Right. See, we don't know in the rotorcraft world. When the
13 phone goes off, that is the incident. We don't have any
14 prescheduled flights usually, that I know of.

15 Q. But the oncoming pilot, what are your expectations of an
16 oncoming pilot that's going to pick up a shift or pick up a flight
17 when they would normally show up and that 6:30 to 7:00 period as
18 they get acquainted with what the heck is going on, right?

19 A. That's right. So -- and it all depends. A day like today,
20 you know, I know what the weather is.

21 Q. Yeah.

22 A. That's fine. Now we're going to the helicopter. That's our
23 big one, our preflight action. And then, of course, the night
24 pilot is there to assist however needed. And then we can make it
25 happen at that point, but if it's marginal or whatever, you got

1 any questions, that preflight plan has to be taking place. I mean
2 that's our PIC responsibility.

3 Q. Yeah. So on a day like Jen's flight with visibilities at 5,
4 low ceilings, would you expect the pilot to go to the base --

5 A. Yes.

6 Q. -- spend time?

7 A. I would.

8 Q. Okay. In preflight, do you expect the pilots to always do a
9 preflight, or could another pilot do the preflight?

10 A. We expect at your shift, it's your responsibility when you
11 sign off for it, for you to do it.

12 Q. Yeah.

13 A. But sometimes, you know, we have a mechanic there doing a
14 daily inspection.

15 Q. Yeah.

16 A. We've had that scenario because what better person can do a
17 preflight than a mechanic, you know?

18 Q. Yeah.

19 A. And it's their ship. But anyway. But to, you know, to help
20 out, but yes, I expect them to do a preflight.

21 Q. Got you. Okay. And we've been talking NVGs again. Is it
22 your expectation that every pilot takes their NVGs with them --

23 A. Yes.

24 Q. -- on a night flight?

25 A. If it's dark, take them.

1 Q. Yeah.

2 A. That's an enhancement tool they, you know, spend a lot of
3 money and time and training on to help out.

4 Q. Got you. One last thing. You talked about people that had
5 personnel issues. Where do you draw the line with the personnel
6 issue and when it becomes a safety issue?

7 A. See, that's tough because my belief is if it's a personnel
8 issue, it's going to distract you. You're not 100 percent to the
9 operation. Now it becomes safety.

10 Q. Right. Got you.

11 A. Yeah.

12 Q. Let's see. Just I think two more questions. What's the
13 hardest part of your job?

14 A. Me?

15 Q. Yeah.

16 A. Not today but last Tuesday.

17 Q. Okay. Never having to deal with that though, what would be
18 the hardest part of your job?

19 A. Hardest part of my job, you train pilots, you expect them to
20 do exactly as they do here, and they get to the base of the
21 assignment and you learn that they deviate a little bit. Like
22 where did that come from? They didn't hear that. They didn't see
23 that.

24 They weren't trained to that. That's frustrating. That's a
25 breach of trust because come on, I trusted you to go out there and

1 carry loved ones around in the middle of the night or day or Metro
2 USA and you're not going to follow what we want you to do?

3 Q. Yeah.

4 A. That bothers me.

5 Q. Got you. And then as a line pilot, what's the most
6 challenging part in your occupation?

7 A. You know, as a line pilot, it's those flights that's
8 marginal. Today, it's easy. When it's, you know, below weather
9 minimums, that's easy. We pay you for those decisions that's
10 between there.

11 Q. Right. Got you.

12 A. That would be the hardest point.

13 Q. Got you. Thank you very much --

14 A. Yes, sir.

15 Q. -- for your candid discussion with us. That's all the
16 questions that I have.

17 A. Okay. Thank you, sir.

18 MR. LUIPERSBECK: Still good for a couple minutes? My turn?

19 MR. GERLACH: Yes, sir.

20 DR. SILVA: Yes, it's your turn.

21 MR. LUIPERSBECK: Thank you.

22 BY MR. LUIPERSBECK:

23 Q. Just a few questions.

24 A. Yes.

25 Q. Earlier on, you were talking about the CAMTS accreditation.

1 A. Yes, sir.

2 Q. You say CAMTS. I say -- Committee for the Accreditation of
3 Air Medical Transport Systems.

4 A. That thing.

5 Q. And you said that when it came to the risk analysis that they
6 wanted a tabular form. Did you mean a numerical as opposed to a
7 color?

8 A. Something like -- yes, I think that's correct.

9 Q. Why do you think that was they prefer that?

10 A. I don't know. Really, I don't know, and at other companies
11 -- we're not other companies -- had this numerical thing, and what
12 we're believing is if you fill in three pages of numbers, did you
13 really assess each of those areas because it's too long and
14 lengthy. You know, and you got lift. Let's go do this. And now
15 filling out two or three pages of, you know, little details,
16 that's why we went with that.

17 Q. So the Form 129, this form, this is the actual form the pilot
18 does at the base?

19 A. That's for a worksheet. The Form 130 is the actual record.
20 That one right there.

21 Q. This log right here.

22 A. Yes. There is a concern 1 through 4 is that worksheet, 1
23 through 4.

24 Q. Okay. So does the pilot actually -- wait a minute. So this
25 is what the pilot fills out?

1 A. That's what the pilot assesses to put on there. That's what
2 the pilot fills out.

3 Q. Where is this form?

4 A. Okay. That form is carried in a binder at the base and on
5 aircraft and at the OCC. They have to mirror each other because
6 we have to agree because on that form is where the flight -- the
7 person giving the flight release is actually located.

8 Q. So this is the worksheet?

9 A. Yes.

10 Q. And this is the record of what the worksheet turns out?

11 A. That's correct. Yes, sir.

12 Q. Okay. Does the pilot send this to the OCC for them to look
13 at to confirm all their answers?

14 A. No.

15 Q. Okay. But this is the worksheet?

16 A. Yes.

17 Q. This is the log?

18 A. That's correct.

19 Q. So just out of curiosity, are you aware of the regulatory
20 requirement for the pilot to sign this form?

21 A. No, sir.

22 Q. Okay. Might want to take a look at 135.617(c), I think.

23 A. But that Form 130 is signed.

24 Q. Just for clarification, the pilot in command must sign the
25 preflight risk analysis worksheet and specify the date and time it

1 was completed.

2 A. Okay.

3 Q. You may want to look into that one. And are you also, just
4 out of curiosity, has anyone ever brought up the regulatory
5 requirement for the OCS person to -- just give me a second --
6 acknowledge in writing, specifying the date and time that the
7 preflight analysis worksheet has been accurately completed in that
8 -- in their -- according to their professional judgment. So
9 there's no sign-on on this.

10 A. Got you. So it sounds like we have the worksheet. We're
11 documenting it there, but that has to be the --

12 Q. And the OCS should look at this to ensure it's complete and
13 accurate in that the flight -- that's discussed later --

14 A. Yes.

15 Q. -- can be conducted safe. Okay. That was one.

16 A. Got you.

17 Q. So those are kind of -- are you familiar with Advisory
18 Circular 120-96A?

19 A. Sounds familiar.

20 Q. Okay. It's titled Operations Control Centers for Helicopter
21 Air Ambulance Operations.

22 A. Yes.

23 Q. Let me just go back here just a second. Backing up a little
24 bit from where we were talking about to pilots getting called, and
25 I'm asking for a personal opinion as a safety manager, not an OCM

1 at this point. Do you think that receiving a call -- a pilot
2 receiving a call and being questioned about his or her decision to
3 decline a flight due to weather might possibly affect future
4 decision-making processes by that pilot?

5 A. Of course.

6 Q. Okay.

7 A. Yes, sir.

8 Q. You mentioned a few minutes ago when asked about the flight
9 declines, declined flights by their operators, not throwing rocks
10 at you --

11 A. Right.

12 Q. -- I just don't really know how to phrase the question any
13 better and you can stop me if I'm not phrasing them good enough.

14 A. Okay.

15 Q. Are you aware that there is a requirement in the preflight
16 risk analysis for that to be documented, a process for determining
17 that?

18 A. For turning down flights?

19 Q. That somebody else has declined the flight.

20 A. Oh yes. It's -- I forgot where. But you're right, and
21 that's a report that we have to -- all have to send in, yes.

22 Q. And it was explained to me upstairs that there's a website
23 called --

24 MR. GERLACH: Weatherturndown.com.

25 MR. LAWRENCE: Yes.

1 MR. LUIPERSBECK: Thank you.

2 MR. LAWRENCE: Yes.

3 BY MR. LUIPERSBECK:

4 Q. Weatherturndown.com. In your professional opinion, do you
5 think that from the time a flight comes in to the communications
6 center upstairs, within that -- the window the pilot is expected
7 to get off that the OCS personnel are actually -- that they could
8 check and see if a flight has been declined.

9 But also, from the time the flight was declined by former or
10 another service that it would be reasonable to expect that that
11 other operator would immediately go in there, input that as a
12 declined flight in time for the next operator called to be able to
13 see it.

14 A. Oh, I see. So if my company turns it down, you're saying do
15 I need to put that on there for the next person?

16 Q. Well, let me clarify.

17 A. Okay.

18 Q. I'm a communications specialist at Air Ambulance Operator B,
19 and Shaun calls Operator A and says can you take the flight, and
20 they decline it and they say no, we can't do it.

21 A. Okay.

22 Q. The operator then dials my number and says to be, Operator B,
23 can you accept the flight. Do you think in real time there would
24 be enough time for Operator A to have input the information that
25 they declined that flight into a computer database for it to be

1 available to me in that -- in that however many minute period of
2 time?

3 A. I wouldn't think so.

4 Q. Okay. So as the safety manager --

5 A. Yes.

6 Q. -- you may want to --

7 A. Yes.

8 Q. -- consider verbally asking requestors. But you do not have
9 -- is there a written policy that you know of in your manuals to
10 establish whether or not a flight has been declined?

11 A. I do not know.

12 Q. Okay. And one last one.

13 A. Yes, sir.

14 Q. One last one. That 30 minutes ahead of time, if the shift is
15 from 0700 to 1900 for the time pilot, but the pilots, are they
16 required to show up 30 minutes early, or is it just kind of you,
17 you know?

18 A. A professional courtesy but no, it's not required. And so,
19 if someone gets there at 7:00 and they get a flight, I mean,
20 they're going to have to be delayed getting off because they've
21 got to do their stuff and their required documents.

22 Q. Conversely, does the company require if that pilot shows up
23 and starts performing preflight duties, checking weather, et
24 cetera for them to record their duty time as having started at
25 6:30 or their assigned duty shift?

1 A. Assigned duty shift.

2 Q. Okay. I don't have anything else.

3 BY DR. SILVA:

4 Q. Actually, I just wanted to clarify that. So if they start at
5 6:30, it does not count as duty? Is that my understanding?

6 A. It should, but we have been putting assigned duty.

7 Q. Assigned duty as the duty time?

8 A. Yes.

9 Q. Okay. I understand.

10 DR. SILVA: Tim?

11 MR. TAYLOR: I don't have any questions.

12 DR. SILVA: John, did you have anything on the phone?

13 MR. BRANNEN: Yeah.

14 BY MR. BRANNEN:

15 Q. In regards to the risk assessment worksheet, I'm sorry. I
16 don't have a copy of yours in front of me. The ones that I am
17 familiar with, you know, we talked about tabular forms with the,
18 you know, number forms for ratings of risk of different
19 categories. Explain to me how your risk assessment worksheet
20 works. I mean, how do they evaluate? You know, what's their
21 process for say weather, assigning an amber critical or an amber,
22 you know? Is there a like hard and fast guideline as far as what
23 constitutes an amber or an amber critical?

24 A. Yes. For example, the weather, I'm reading the top line.
25 Weather above 500 feet of a ceiling or a visibility above 2 miles

1 of any applicable day, night, aided or unaided weather minimums is
2 green.

3 The second one, weather within 500 feet of a ceiling or
4 visibility within 2 miles of any minimum, amber. Weather within 1
5 feet of a ceiling or visibility within 1 statute miles of any
6 applicable day, night, aided or unaided weather minimums, amber
7 critical. And of course, if it's under a weather minimum, it's a
8 red.

9 So when we was developing this, our POI was working close
10 with him. They wanted more oversight when it becomes, you know,
11 right at the minimums. And that's where we developed the amber
12 critical.

13 Q. Okay. And so for other categories in that weather, you know,
14 I assume you have also the, you know, green and amber and red.
15 What would -- give me examples of those other categories, what
16 would constitute an amber?

17 A. Oh, the next one would be aircraft status. And that goes
18 into inspections or do within 5 hours. That's a green. And
19 required inspection is due within 5 hours. We don't want to
20 overfly any inspection AD or whatever that would -- let's see
21 here. A required inspection is due within one hour after
22 completion of the proposed flight as an amber critical.

23 Since we can't overfly things, if it's going to be that
24 close, you know, let's reexamine and look at this. Can we get it
25 done within the right amount of time? We have fuel planning on

1 here, you know. Let's see here.

2 Fuel planning, enough fuel to land at destination within 20
3 to 30 minutes of fuel is amber critical. I'm going to be like,
4 you know, that's pretty close, you know, so I try to give more
5 oversight. Do we need to get fuel? Do we need to put more on?
6 Do we need to do something different?

7 And then the next one is personnel and human factors. And so
8 we go -- we talk about things like the stress and life events.
9 And then we go from green to amber, amber critical, red. And then
10 the last one is the flight top, the job we do.

11 POR flights are green, you know. Interfacility transfers are
12 green. Sea flights are green. The sheriff's as a requested
13 assist looking for missing persons is amber critical. So that's
14 the four different areas of concern on a risk assessment.

15 Q. Okay. And so is there a -- so basically, in any of those
16 categories that are amber critical, it requires an OCM approval.
17 Is that correct?

18 A. That's correct, sir.

19 Q. Okay. What about if you have multiple categories that are
20 amber --

21 A. Okay. If you have one of the highest --

22 Q. -- or amber critical?

23 A. Right. If you have any of the highest risk assessment for
24 each of those four areas determines the total risk assessment, so
25 if we have three greens and one amber, then the total risk

1 assessment's an amber. If you have two ambers and one amber
2 critical, the total risk assessment is amber critical.

3 Q. Okay. If you have two ambers, that would still be just an
4 amber. Correct?

5 A. That's correct.

6 Q. Okay. I don't have any additional questions.

7 DR. SILVA: Shaun, you're up?

8 MR. WILLIAMS: No, I'm okay.

9 DR. SILVA: Oh, you're good. Okay.

10 BY DR. SILVA:

11 Q. What's your favorite thing about working here?

12 A. My favorite thing is in training I like to see the excitement
13 of new people come in. They're so gung ho. It warms your little
14 heart, you know, like this is kind of cool. And, you know, I get
15 to share things that I have done with them, hopefully helps them,
16 but that's it. The excitement of people come here wanting to help
17 people. That's pretty heroic, you know.

18 Q. If there's anything you could change, what would it be?

19 A. Well, we all got that, right? So I like to see some more
20 help in the flight training department personnel.

21 Q. Okay.

22 A. I like to see full-time positions helping me with flight
23 training. I like to see more equipment to use dedicated to flight
24 training.

25 Q. What kind of equipment?

1 A. Helicopters, you know, airframe --

2 Q. Okay. I got it.

3 A. I know it's an expense, but I think it's important. That's
4 what I'd like to see.

5 Q. All right.

6 DR. SILVA: Well, if there's --

7 MR. LUIPERSBECK: I have a follow-on.

8 MR. Williams: Is this is a short one?

9 MR. LUIPERSBECK: Yes.

10 MR. Williams: Okay.

11 BY MR. LUIPERSBECK:

12 Q. In your opinion as the safety manager and as the operations
13 center control manager, would you say that every OCS up there is
14 equally qualified to determine whether a flight can be conducted
15 safely as you or a base pilot?

16 A. Safely, they don't have the aviation experience. What they
17 have is the tools of weather knowledge, what they see in front of
18 them. No, I don't, because they're not real aviators. I don't
19 mean disrespect to them. They're not aviators, but yes.

20 Q. Okay. Thank you.

21 DR. SILVA: All right. Is there anything you think we should
22 look into that we didn't necessarily ask about?

23 MR. LAWRENCE: Not really. No, I don't.

24 DR. SILVA: Well, if you think of anything. You have our
25 contact information. Don't hesitate to reach out. We do really

1 appreciate your help, and we are very sorry for your loss.

2 MR. LAWRENCE: Thank you so much. It's good to meet you all.

3 DR. SILVA: Yes.

4 MR. LAWRENCE: And as for the rest of us, we got to know if
5 we can.

6 DR. SILVA: Yep. That's what we're here for.

7 MR. LAWRENCE: And that's important to me, in my life.

8 DR. SILVA: Yep. We'll do our best to figure it out. Thank
9 you for your help. We are off the record at 11:41.

10 (Whereupon, at 11:41 a.m., the interview was concluded.)

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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD


IN THE MATTER OF: SURVIVAL FLIGHT HELICOPTER CRASH
NEAR ZALESKI, OHIO
JANUARY 29, 2019

ACCIDENT NO.: CEN19FA072

PLACE: Viking Aviation, Batesville, AR

DATE: February 8, 2019

was held according to the record, and that this is the original,
complete, true and accurate transcript which has been transcribed
to the best of my skill and ability.


William Jackson
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

* * * * *

Investigation of: *

SURVIVAL FLIGHT HELICOPTER CRASH *
NEAR ZALESKI, OHIO *
JANUARY 29, 2019 *

* Accident No.: CEN19FA072

* * * * *

Interview of: JACK WINDES

Viking Aviation
Batesville, Arkansas

Friday,
February 8, 2019

APPEARANCES:

SHAUN WILLIAMS, Investigator in Charge
National Transportation Safety Board

SATHYA SILVA, Ph.D., Human Performance Investigator
National Transportation Safety Board

JOHN BRANNEN, Regional Investigator
National Transportation Safety Board

PAUL SUFFERN, Senior Meteorologist
National Transportation Safety Board

DAVID GERLACH, Aircraft Accident Investigator
Federal Aviation Administration

TIM TAYLOR, Instructor Pilot
Survival Flight

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I N T E R V I E W

(1:01 p.m.)

1
2
3 MR. WILLIAMS: So, Jack, thanks for talking with us today.
4 Like I said, my name is Shaun Williams. I'm the investigator in
5 charge with the NTSB.

6 MR. WINDES: Thank you.

7 MR. WILLIAMS: As you're probably aware, independent federal
8 agency. We determine the probable cause of the accidents. We're
9 not a part of the DOT or FAA; we have no regulatory or enforcement
10 powers. Our sole purpose for being here is to find out the facts
11 and circumstances for the accident, why it happened, you know, and
12 what we can do to prevent it from happening again.

13 So the way we run these interviews is in a group setting and
14 we've got everybody here, plus one on the phone. So, we'll kind
15 of let everyone run around -- or, not run around, but introduce
16 themselves. We'll go around --

17 MR. WINDES: Sure.

18 MR. WILLIAMS: -- go around the table here.

19 MR. GERLACH: So, nice to meet you. I am David Gerlach. I'm
20 with the FAA. I am in the Office of Accident Investigation and
21 Prevention and I'm an accident investigator.

22 DR. SILVA: Sathya Silva. I'm a Human Performance
23 investigator with the NTSB.

24 MR. SUFFERN: I'm Paul Suffern. I'm a meteorologist with the
25 NTSB.

1 MS. TAYLOR: I'm Tim Taylor. I'm with Survival Flight.

2 MR. WILLIAMS: John?

3 MR. BRANNEN: This is John Brannen. I'm a regional
4 investigator for the NTSB, and on this accident, I'm working ops.

5 MR. WILLIAMS: Okay. So you good talking with all of us?

6 MR. WINDES: Certainly.

7 MR. WILLIAMS: So the way we do the interview is we'll be
8 using a tape recorder to record the interview. The recording will
9 then be sent out off transcription. That transcript, not the
10 audio portion, will then become a part of the public docket when
11 the accident is released.

12 MR. WINDES: Okay.

13 MR. WILLIAMS: Like, I said, we're here to determine the
14 probable cause and prevent it from happening again. We're not
15 here to assign fault, blame, liability, however, we cannot
16 guarantee any confidentiality or immunity. Like I said, the
17 recording is going to be part of the public docket when the
18 accident is completed.

19 MR. WINDES: Understood.

20 MR. WILLIAMS: The way we run it, everybody has a chance to
21 ask questions. We just kind of go around the room. It's usually
22 about two rounds, and then any follow-ups and --

23 MR. WINDES: Okay.

24 MR. WILLIAMS: -- you're good to go. So please answer all
25 questions to the best of your recollection. If you don't

1 understand something, just say so. I don't know is a perfectly
2 acceptable answer, however, at the same token, if you realize you
3 misspoke or whatever and want to correct your answer, please do
4 so. There's no wrong answers. You're the expert here. We're,
5 you know, trying to get the knowledge from you so we can piece
6 everything together.

7 MR. WINDES: Okay.

8 MR. WILLIAMS: You're entitled to have a representative with
9 you. Is there anybody you want to sit with you or are you good
10 talking with us?

11 MR. WINDES: No. I'm good talking to you.

12 MR. WILLIAMS: Okay. If that changes, feel free to let us
13 know.

14 MR. WINDES: Okay.

15 MR. WILLIAMS: Same thing if you need a break. If you want
16 to step out just to take -- get a breath of fresh air, by all
17 means, you can walk outside and freeze for (indiscernible).

18 MR. WINDES: Okay.

19 MR. WILLIAMS: Do you have any questions for us, for anyone?

20 MR. WINDES: I don't.

21 MR. WILLIAMS: Okay.

22 INTERVIEW OF JACK WINDES

23 BY MR. WILLIAMS:

24 Q. So, if you could for the record, if you could spell your
25 first and last name for us?

1 A. Sure. First name is Jack, J-A-C-K; last name is Windes, W-I-
2 N-D-E-S.

3 Q. What is your position or title with Survival Flight?

4 A. Chief pilot.

5 Q. Can you kind of give us a background, your general overall,
6 like, aviation background, how you got to where you are and --

7 A. Okay. I started flying airplanes when I was 14 years old. I
8 had an interest in aviation, life-long interest, as a child. My
9 father was a pilot. Went to college and got involved with the
10 military through ROTC, went to the Army Flight School upon
11 completion of ROTC at Washington University in St. Louis. Then
12 joined the National Guard as an Apache helicopter pilot and
13 developed most of my time in -- my total flight time, in Apache
14 helicopters. I've done two deployments with them, one in Iraq,
15 one in Afghanistan, and Iraqi and Enduring Freedom missions. Upon
16 completion of my first deployment in Iraq, I was able to build up
17 enough flight hours to get a job at Air Evac Life Team. So I
18 worked for them as a line pilot for 4 years, received my initial
19 introduction into the helicopter air ambulance world with that
20 company.

21 I knew Mr. Mercer previously, before Survival Flight was in
22 existence, as he was an Apache instructor at one of the military
23 bases where I conducted training at, and when he informed me that
24 Survival 1 was going to be going into service in Festus, Missouri,
25 just south of St. Louis, that was about an hour closer to my home.

1 So it was an obvious choice and I went to work for Survival Flight
2 in 2011 and I had been line pilot with them up until 2015, at
3 which point I became the chief pilot, and I've been working as
4 chief pilot ever since then.

5 Q. So what are your duties and responsibilities as chief pilot?

6 A. My primary duty as chief pilot is to really be that interface
7 between the company and the pilot. So base tasks include making
8 sure the schedule is complete; dealing with any friction points
9 with the scheduling, any holes opening, coordinating vacation
10 coverage, things like that; assisting the lead pilots at each base
11 with a myriad of tasks that they have to include reading files,
12 pay issues, things of that nature. I also do training as a check
13 airman, so, when I'm able to and I'm available, I'll do recurrent
14 trainings, new-hire trainings, give check rides as well, and
15 really just be that source of coordination to help synchronize the
16 things that are happening at the base level with each individual
17 pilot, along with the company itself. So --

18 Q. Who do you report to?

19 A. Gary.

20 Q. And Gary is?

21 A. Director of Operations.

22 Q. Director of Ops.

23 A. Yeah. Gary Mercer, yeah.

24 Q. So do you do hiring of pilots?

25 A. I do. I assist. I don't do all of the hiring, but I assist

1 in hiring. So when we, you know, we have applicants that come in,
2 we try to collectively review the resumes and we try to
3 collectively interview pilots and -- you know, if I come across
4 somebody, for example, that, say, I know them from the National
5 Guard maybe in Missouri, then I know them; I have a history with
6 them, I might get their resume and pass it along to Gary and say,
7 hey, here's a potential pilot candidate; what do you think? And
8 then include Gary in that interview process and he will make a
9 decision, generally, collectively, on whether we're going to hire
10 an applicant or not.

11 Sometimes that works just the opposite. Gary will come
12 across an applicant, review his resume, interview him, and then
13 make a decision on his own of whether to hire or not to hire that
14 person. Sometimes that's a collaborative decision; sometimes it's
15 not. It just kind of depends of the circumstances of the
16 individual at the time.

17 Q. What are you looking for in a new applicant or new hire?

18 A. Well, probably one of the first things we're looking for is
19 that they have the minimum amount of experience, you know, they
20 have the minimum flight time and things like that that we require,
21 and then we look at their depth of experience, their, you know,
22 depth of knowledge, what have they been doing, do they -- have
23 they worked for one of the competition, competing companies, do
24 they have HAA experience, is all of their experience doing one
25 particular set of flying; you know, maybe they don't have a wide

1 breadth of experience. So we look at that. We look at what their
2 experience is as far as airframe specific; do they have Bell time,
3 do they have mainly AStar time? So we look at the aircraft that
4 they're comfortable on and that a lot of their training has been
5 done and a lot of their hours have been built in. And then the
6 next thing we do is really just look at, kind of, what their
7 vision is, what their goals are, and see if that -- we think
8 that's something that's going to be nested within helicopter or
9 ambulance work and with the company as well.

10 Q. You mentioned minimum experience in flight time. What are
11 you looking for there?

12 A. 2,000 hours --

13 Q. Do you hire --

14 A. -- with at least 1500 hours in helicopters.

15 Q. Do you hire with less than that?

16 A. Not to my knowledge.

17 Q. You mentioned Bell time versus AStar time. What's the weight
18 on that? Is there --

19 A. Well, obviously, someone that has more time in the aircraft
20 that we fly and that we train in we see is probably going to be
21 someone that we're going to be able to train easier. The training
22 is going to come -- be more natural to them as opposed to maybe
23 somebody that doesn't have any time in Bell Helicopters. They're
24 going to be starting over again as far as learning that airframe.
25 So if we have two applicants that are alike in every way, but one

1 is -- has a lot more time in the aircraft that we operate, we
2 would tend to probably favor that candidate just because it would
3 bring more experience. Their base level of experience and
4 knowledge in the airframe is going to be higher to start than
5 someone that maybe hasn't flown the aircraft before.

6 Q. Were you involved in the hiring of Jen?

7 A. I was not.

8 Q. Are you aware of her experience when she got hired?

9 A. Other than she met the minimum flight requirements -- and
10 that's a presumption. I never looked at her resume or seen what
11 she had as far as flight hours. She was hired at a time when I
12 was standing up the S-76 program, so I was pretty involved in
13 that, so I wasn't able to participate in any of her training or
14 the hiring of her at all. I have -- however, I was able to
15 interface with her quite a bit after the fact, but not so much
16 during the hiring processor, or the training process either.

17 Q. So how is it determined where a pilot goes or what airframe
18 they're on? You mentioned the S-76, and then you've got the 407s.
19 How do you guys determine who's going to be where and --

20 A. Well, generally, they -- when an ad is placed for an
21 applicant, to where we're looking for an applicant, we place those
22 ads based off geography and base location. So most of the time
23 when a pilot candidate comes to us, they already know where they
24 want to go -- they're -- because they're applying for a specific
25 opening in a specific base, specific geographical area. That --

1 for the most part, that's what drives it. Occasionally, we'll get
2 a traveler or somebody who lives out of state, lives away from the
3 -- you know, anywhere close to any of our bases, and they're
4 looking -- they're applying just based off of an opening, and with
5 those folks that are travelers, we, you know, we put them wherever
6 the openings are. For the most part, that works well for them
7 because if they're going to travel, say, from Miami, Florida, it
8 doesn't make a big difference if they go to Oklahoma or whether
9 they go to Ohio, for the most part. So sometimes that comes into
10 effect. But, yeah, that's pretty much it. Then as far as the
11 aircraft goes, most all of our aircraft of the 15 rotary-wing
12 bases, 12 of them are 407s, two of them are L-4s, and one of them
13 is a 76, so --

14 Q. Are all of the pilots trained in -- how do you do the
15 training as far as the aircraft? Is everyone cross-trained so --
16 for the 206 and 407 (indiscernible)?

17 A. Yes, they are, trained in both. The only caveat to that is
18 we have -- so we have two bases in the company that are L -- that
19 are 206s only and not all of those pilots have received 407, the
20 407 transition training. So those pilots -- because when we first
21 started, we ran 206s only and there is not at a 407 at their base
22 and we've never really used a 407 as a spare to back fill one of
23 those aircraft should they need to go down for scheduled
24 maintenance or something. So not all of the pilots in the company
25 are trained in the 407 because of those two bases where there --

1 that are 206 specific, but all of the pilots in the company are
2 trained in 206, if that makes sense.

3 Q. Okay. So you mentioned 15 bases.

4 A. Yes, 15 rotary-wing bases and one fixed-wing base.

5 Q. So how do you spread your time because you're one person?

6 A. Well, you know, I say in touch with everyone. I make myself
7 available 24 hours a day, 7 days a week. Thankfully, I'm not
8 always on duty that much, but I'm available. So, you know, I have
9 strong lead pilots at each base. Like, Tim, for example, is a
10 lead pilot at his base. So the most of the things that come up at
11 a base the lead pilots are able to handle, and if they're not,
12 then they -- usually, they'll collect those issues up, consolidate
13 them, and bring them to me. So we have 71 pilots on the books
14 right now entirely in the company, but I don't always get 71 phone
15 calls a day because of that intermediate level of management that
16 helps, you know, assist with that.

17 You know, I also, for lack of a better term, incorporate
18 battlefield circulation into the management plan. So I try to get
19 out to the bases and get ahead of things, get ahead of any issues.
20 I try to look over the horizon at things that might come up so
21 that they don't turn into problems or crises or things like that.
22 So that's one way in which I try to spread my time out is to be
23 proactive about stuff. Other than that, you know, that's, I mean,
24 that's about the best I can tell you without anything specific.

25 Q. How often do you get to the different bases?

1 A. It varies, it really does. It depends on the -- what's going
2 on in the company. For example, if we have a lot of new-hire
3 training or recurrent training during that timeframe, I might not
4 be out circulating as much. At other times when there's not a lot
5 of training requirements or things like that, I have more
6 opportunity. I don't have a set schedule, but I try to spend -- I
7 try to get to at least two or three bases a month and make a
8 visit. For example, I was Survival 14 in Ohio 2 weeks ago, prior
9 to the crash, and Survival 13; I was there as well. Prior to
10 that, the week prior to that, I was at Survival 5 in Jerseyville,
11 and the week prior to that, I was at Survival 1 in Festus. So
12 it's just a cross-section of the last, I would say, 45 days, but
13 probably closer to 30, you know, I've been able to be at those
14 three basis.

15 Q. So you don't have a -- do you have a specific base or you
16 just kind of move around and go where you need to be?

17 A. Yeah, I move around and go where I need to be and, you know,
18 again, just try to circulate and stay ahead of things, so -- but
19 when I'm -- obviously, when I'm in -- like, when I was in Ohio
20 last week, 2 weeks ago now -- excuse me -- you know, I'm certainly
21 available by phone or email to all of the other bases. So, you
22 know, being -- and I also try to -- I fill in shifts as well. So
23 I work at the bases. I worked a shift in Ohio about 3 weeks ago,
24 worked shifts in Oklahoma about 4 weeks. So I get out as -- part
25 of my circulation is to inject myself into openings in the

1 schedule so that I can see things from the user level when I'm
2 there. I don't always get to do that, but I do it quite a bit.

3 Q. You mentioned the lead pilot. You said you've got a strong
4 lead pilot. What is the role of the lead pilot? What do you see
5 their duties -- what is their position?

6 A. We have a whole list of them in the GOM and I can get that
7 for you and read them specifically if you'd like, or I can just
8 kind of generally summarize.

9 Q. If you'd generally summarize, please?

10 A. So their -- some of the things that are primary tasks for
11 them would be taking care of the schedule, making sure the
12 schedule is coordinated and de-conflicted and that we have
13 coverage at each base. They're also responsible for payroll,
14 ensuring that the payroll is submitted every 2 weeks and that
15 pilots are paid for any overtime that they may do or the shifts
16 that they do at the base. They're also responsible for being an
17 added layer of management and ensuring things are completed, like
18 Part 135 duty logs, that they're complete, up to date, and
19 accurate.

20 They also oversee the reading files at each base. For
21 example, if there's, you know, an acute issue at a hospital maybe
22 where they have a crane up because of whatever and it's not
23 necessarily an FAA NOTAM, that might be something they incorporate
24 into the local reading file. So they manage that product as well.
25 They also interface with the base clinical managers to de-conflict

1 any issues or friction points that may be at the base level and
2 try to deal with them at the lowest level. What am I missing? I
3 think that's pretty much it for the most part. They also
4 interface with the mechanic at a little bit higher level than the
5 baseline pilots do as well just to make sure that if resources or
6 assets need to be coordinate for maintenance that maybe go beyond
7 a line pilot's normal comfort level with, you know, some -- a
8 phone call needs to be made to the director of maintenance or
9 something like that, a lot of times, the lead pilot will be that
10 face and that interface with management as well.

11 Q. So is that a position that's applied for? Is it one that you
12 guys -- how is someone selected to be a lead pilot at a base?

13 A. Generally speaking, you know, it's offered out to pretty much
14 anyone that wants it. I will tell you that that process is
15 somewhat informal. You know, we will socialize that with the
16 pilots on duty, or the pilots that are assigned to that base, and,
17 generally, nobody wants to do it and you'll have one person that
18 says, yeah, I'll do it, I'll be the lead pilot, and from that
19 point, you know, that's generally how they're selected.

20 Occasionally, we'll have someone that comes to us and says, hey,
21 I'd like to be a lead pilot one day; if you ever have an opening,
22 please consider me. So that's pretty much the process, how that
23 works. We don't -- to my knowledge, we don't advertise to the
24 general population outside of the company for lead pilot
25 positions; we really try to fill those from within.

1 Q. There's safety pilots at each base as well?

2 A. Safety representatives, yes.

3 Q. Safety representatives?

4 A. Yeah.

5 Q. What is their role?

6 A. The safety representative is to interface with the -- all the
7 employees at the base to capture any safety issues that need to be
8 fixed or that need to be addressed. The safety representative is
9 responsible for maintaining the safety board at the base, to make
10 sure it is up to date with any, you know, safety issues that maybe
11 have been pushed down from the company. The safety representative
12 is also the one that interfaces with the director of safety to,
13 you know, to get his priorities and his initiatives out to the
14 user level at the base.

15 Q. So if the safety rep gathers safety concerns or safety
16 issues, what's their line from there? Do -- does it get elevated
17 to the lead pilot? Does it come straight to you? If there's an
18 issue with a pilot that's, you know -- there's four pilots at a
19 base. If one of the other pilots says -- tells the safety rep
20 that there's an issue safety wise, would they take that to the
21 lead pilot or do they come straight to you?

22 A. They don't to me. Generally speaking -- and we don't have a
23 lot of precedent to really look at as substantive examples of how
24 we do this because we -- I don't see that we have a lot of those
25 type of issues. How I have seen it in the past though is that,

1 you know, if someone has a safety issue, they'll take it to the
2 safety representative, and usually the safety representative would
3 try to fix it at their level first. If they're unable to, then
4 they would report that to the director of safety at which point
5 it's incumbent upon the director of safety to either try to put a
6 solution in place himself or coordinate with either Gary or myself
7 to do so, and, generally, that would be to Gary. He would -- Joe
8 would, I think, work with Gary and say, hey, this is an issue, how
9 do you want to handle it, that type of thing.

10 Q. Can you think of a specific example or a time when that's
11 happened?

12 A. Well, I know with Survival 14, there was some safety concern
13 with the lead pilot there and I think the way that was handled,
14 based off of timing -- so Jen was the safety representative there
15 and I think that she worked on that issue. And while at the same
16 time -- because, apparently, the director of safety was out there
17 conducting some required training, I think some of those safety
18 concerns were then relayed to him at which point, I think, those
19 went to Gary, and then Gary was working with the medical side for
20 a solution and, you know, working for a resolution on how best to
21 handle that, and, at the same time, sent me out there to try to
22 get my eyes on it to see if there's anything I could glean or see
23 if there's anything that needed an immediate resolution. So
24 that's one example that I can think of. Probably the most recent
25 one was involving Survival 14 and their lead pilot there.

1 Q. So was there an immediate need?

2 A. Not that I seen, no. Now, what I've seen based off my time
3 there was there was a lot of personality conflict and there was a
4 lot of -- not a lot. With some, and I would say probably the
5 minority of employees there, there was some what was mainly
6 personality conflict. There was some perceptions of, you know, I
7 don't like the way you talk to me kind of a thing, you know, it's
8 -- you're a little improper, you're not as understanding as you
9 should be sort of thing, and I think that had kind of manifested
10 itself into a little bit of a, well, you know, if you're acting
11 this here, then when you get in the air, then you may be a safety
12 concern, that sort of thing.

13 So, no, I didn't see an immediate -- need for an immediate
14 fix. I did have a discussion with that pilot and tried to impart
15 some teaching, coaching, and mentoring upon him. From what
16 feedback I did get between that, I know it's had effect. But to
17 my knowledge, the parallel effort that was being worked at Gary's
18 level was to continue to pursue a solution there to -- you know,
19 based off what feedback I provided and the result of, you know,
20 the teaching, coaching, and mentoring that occurred.

21 Q. So that lead pilot, did they remain as lead pilot
22 (indiscernible) base?

23 A. Well, yeah. Yeah, because, again, there was no clear
24 violation of company policy or really nothing that was -- you
25 know, garnered any punitive action or anything like that. We're

1 -- again, we're talking about mainly personality issues and
2 something that not formal -- required formal adjudication. It was
3 more teaching, coaching, mentoring, that kind of thing, you know,
4 play nice with other kind of conversations.

5 Q. Any concerns brought up about inadvertent IMC or pushing
6 weather or anything like that?

7 A. Certainly, yeah. That's what it mainly was. The safety
8 concerns are mainly about their -- that -- are you talking about
9 this particular instance?

10 Q. Yes.

11 A. Yeah.

12 Q. When was that? Like, was it --

13 A. (Indiscernible) a specific date.

14 Q. Was it in December or was it January? Was it 6 months?

15 A. Yeah. Sometime in the last, probably, 6 months. I'm -- I
16 can't give you an exact time. I don't recall for sure.

17 Q. So the weather side of it, how did you verify the weather as
18 far as if they said I think, you know, we pushed weather or went
19 IMC? Kind of walk me through that, I mean, once the investigation
20 -- how did you handle that?

21 A. Well, so when that information made it to me, it was really
22 too far after the fact and there was really no specific dates or
23 times. It was a few weeks ago kind of a thing. It wasn't -- you
24 know, I really didn't -- I didn't -- I wasn't given any actionable
25 this -- on this date, this time, this flight number, you know,

1 this is what we had. In all of the few concerns I heard, they
2 were kind of dated because a lot of those initial concerns were
3 reported back to the director of safety when he was there doing
4 the air medical training and so -- so to answer your question, I
5 didn't, you know, I didn't go back. I talked to the pilot and got
6 his side of what he was seeing as far as sailing visibility,
7 things like that, but that's about the extent of it.

8 Q. Just to make sure I've got it -- I think maybe you brought it
9 up earlier -- you didn't do any training with Jen, is that
10 correct?

11 A. I didn't do any training in regards to flight training or
12 academic instruction here in Batesville. What I did with Jen was
13 spending time with her at the base while she was on duty,
14 discussing scenarios, discussing, you know, what our approach and
15 our philosophy is as a company as far as a lot of different facets
16 of the industry, weather, maintenance, public relations,
17 marketing, interface with air medical crew members, and things
18 like that. So the -- wouldn't call it official training, no, but
19 more, again, kind of teach, coach, and mentoring.

20 Q. What was your overall impression of her?

21 A. My overall impression of Jen, which has really just -- hasn't
22 changed, but if you're referring to my most recent visit with her
23 two Wednesdays ago, my impression of her was that, just basically,
24 she validated and verified my opinion of her as a consummate
25 professional, as a very skilled, a very capable pilot, as an

1 extremely smart person who not only understood the business, but
2 also, you know, understood the approach to, you know, how we do
3 things and why we do what we do. And she really affirmed with me,
4 probably more than anything, that she was a very confident and a
5 very strong personality, someone who wasn't going to be pushed
6 around or someone who wasn't going to be picked on or -- you know,
7 she was a really good person and I would place her, prior to that
8 conversation, as one of the top 10 percent of pilots as far as
9 just overall performance, you know, and overall personality and
10 ability, and capability as well.

11 Q. You mentioned there's -- you mentioned scheduling and we've
12 talked about the different, you know -- that there are different
13 pilots at the base. How is scheduling done? Is it -- I'm talking
14 about the shifts and things.

15 A. Well, the schedule is built essentially from the time the
16 base is opened. The pilots work 12-hour shifts and they work
17 either 7 days -- 7 shifts on and 7 shifts off, or 14 shifts on and
18 14 off. That's the standard model. It's base dependent and part
19 of that has to do with the demographic of the pilot. If we have
20 travelers, they tend to want to work 14 on/14 off to reduce
21 traveling costs and commuting costs. For bases where we have a
22 lot of local pilots that work there, they tend to work sevens.
23 But that's kind of the -- that's the schedule that's developed
24 from the time the base is opened is that either that's 7 on/7 off
25 or 14 on/14 off. And some bases are harbored where two pilots

1 will work 14s opposite each other and two will work sevens
2 opposite each other.

3 So that schedule is developed from the time a base goes into
4 service and then it's filled with the pilots that we have.
5 There's rarely any adjustments as far as -- unless it involves
6 somebody needs to take some time off or we have a pilot that's
7 sick or something like that, then it's really management by
8 exception is what I'm trying to tell you. It's really steady
9 state until there's an issue that's injected into the schedule,
10 like, you know, an illness, you know, a family event, somebody
11 wants to go to the -- watch the Redskins football game over
12 Thanksgiving, something along those lines, and then we manage by
13 exception with getting coverage for that base.

14 Q. What is the shift? Is it -- like, what time? Is it 7:00 to
15 7:00?

16 A. 7:00 a.m. to 7:00 p.m., 7:00 p.m. to 7:00 a.m.

17 Q. So what is the expectation for the pilots during that shift?
18 Is it -- their shift starts at 7:00. Is that when they can first
19 take a flight? Do they --

20 A. So the GOM says that a pilot has to be in the position to
21 accept or deny a flight at shift change at 7:00 a.m. So what the
22 pilots typically do is come in whatever time they need to prior to
23 that in order to make sure that, you know, they're in that
24 position to either accept or decline a flight at shift change.
25 And so, the implication is if you have a shift -- you have a

1 flight that comes in at shift change and you're not in a position
2 to either accept it or deny it, then you would deny that flight;
3 you would turn that flight down. So, for example, if I come in at
4 5 minutes to 7:00 and I haven't had a chance to check weather or
5 to preflight or do anything else and I get a flight, I would
6 either, I would turn that flight down and defer to the pilot
7 that's on duty who's already done those things or, if I had time
8 to do all that stuff, then I would accept it.

9 Q. Would you ever accept it based on the previous pilot's
10 checking of weather, preflight, everything?

11 A. Not checking the weather, no. Preflight, yes. And at that
12 -- essentially, what I would do at that point is make sure the
13 aircraft is air worthy, you know. The pilot -- as long as a pilot
14 has done a preflight and signed that preflight off, then I'm gong
15 to go through and do my visual preflight and -- in the process of
16 taking that flight, and then, you know, maybe at another point,
17 you know, I'm going to do a little bit more thorough preflight.
18 But if the preflight is done and signed off, I'm going to accept
19 it. Weather, I'll always look at weather. A lot of days, a
20 weather check can be really quick though. Like a day like today
21 doesn't take long at all to evaluate whether weather is good for a
22 flight or not.

23 Q. How do you check the weather? Is it --

24 A. So, personally, I'll look at METARs, TAF, and radar, AIRMETS,
25 SIGMETs, in that order. I'll look at current conditions in the

1 area that I'm going to be operating in; I'll look at forecasted
2 conditions in the area that I'm going to be operating in; I'll
3 look at the radar to make sure there's something that might be
4 there that I don't know about or that maybe has developed since
5 the METAR or TAF came out; and then, obviously, I zoom out and
6 look at any AIRMETS or SIGMETs or anything like that.

7 Q. So if you're coming on at a shift change and you're going to
8 take it, is that something where you're going to go straight to
9 the pad or you're going to go to the base first?

10 A. Generally speaking, yeah. The aircraft are, for the most
11 part, are located at the bases. There's a few locations where you
12 don't have to go through the base to get to the aircraft, but,
13 like, for a lot of -- you know, for example, my helmet would
14 probably be in the base and I would want to go to the base to get
15 my helmet, or maybe to go get the goggles or something like that,
16 and that's where I would look at the weather on the pilot computer
17 at the base.

18 Q. Is there a company expectation for tone to skids off for
19 timing?

20 A. There is, yeah.

21 Q. What is that?

22 A. It varies per base based off geography. So -- and I don't
23 know what those exact numbers are; I'd have to go look at them.
24 But for bases where the helicopters sit right outside the door,
25 they're time is obviously not as much as a base that maybe has to

1 drive across the parking lot, go in the hospital, catch the
2 elevator, go up to the fifth floor, then walk across the roof to
3 the helicopter though. Those times are obviously longer. And
4 those times are designated for each base because when the customer
5 calls, we have to -- there is an expectation there that they need
6 to know how long it's going to take us generally to get there
7 because that's going to be the determination of whether, based on
8 patient care, they decide to take that patient by an ambulance or
9 maybe call another air service.

10 Q. So is that written down somewhere, those times?

11 A. If it is, it's kept in the operational control center, yeah.
12 And again, I don't know what they are for each base; I'd have to
13 find out.

14 Q. On a normal shift change -- so 7:00 a.m., they're expected to
15 ready to accept or deny a flight. When the pilots come in early,
16 is that logged down as duty time?

17 A. Generally speaking, no. But, usually, I think the way they
18 do that is if they come in a few minutes early, then they probably
19 leave a few minutes early. So it is and isn't in that it's logged
20 as a total time that they've worked; it's captured in that, but I
21 don't know if they necessarily write down the specific times that
22 they maybe start looking at weather or looking at the aircraft.

23 So, for example, if I start looking at an aircraft at 0645,
24 then when I end my duty day, generally, it's 1845, and then that
25 total time is captured and depicted as 12 hours worked unless, of

1 course, you have to stay over for some reason, you know, if you
2 catch a late flight in your shift or if, you know -- I had a
3 pilot, for example, that stayed over this morning about a half an
4 hour to resolve a computer issue, so that time was annotated on
5 his -- on the flight release log, and the duty as well, as 12.5
6 hours worked from, you know, 07 to -- or from 1900 to 0730.

7 Q. So if I went -- just hypothetically here, if I went and
8 pulled -- like, if we went to go look at your flight duty from the
9 last shift you worked, if you came in at 6:30 and started doing,
10 you know, getting ready to go, would it say 7:00 to 7:00 or would
11 say it 6:30 to --

12 A. Mine would say 7:00 to 7:00.

13 Q. Okay.

14 A. But I never come in at 6:30 though. I would come in maybe 10
15 or 15 minutes early, and then I would, you know, I would start my
16 preflight and weather checks and everything like that. And again,
17 where that, you know, where that comes into play is if I walked in
18 the door at one minute to 7:00 and get a flight request and I
19 don't have -- feel like I have time to do a good whether check,
20 then I would defer to that night pilot to take the flight because
21 they already have and they're on duty. They have situational
22 awareness of the weather and of the aircraft and things like that.
23 So there is no pressure for that pilot that's coming in to hurry
24 up and get in the aircraft and go because we've got a pilot we're
25 paying to be on duty right now. And if a flight comes in a 6:59,

1 when you've got one minute left of your shift, the expectation is
2 that you'll take the flight or turn it down, based on whether
3 you're able to or not.

4 Q. Walk me through the pilot training.

5 A. New hire or --

6 Q. Yeah, start with new hire.

7 A. Okay, so new hire training, a pilot shows up here and,
8 generally, they're given a day and a half, 2 days, of academics.
9 The academic program is everything from some of the FAA webinars
10 that the DPE for Arkansas here teaches to -- we have a pretty
11 robust weather class. We go over some aircraft specific training
12 and things like that. There's just a whole myriad of academics
13 that we teach over that one and a half to 2-day process. After
14 that, then we will start the flight training itself.

15 We tend to start flying days for a few days and then roll
16 into nights and, in the nights, we'll incorporate the night vision
17 goggles. There's night vision goggle academics that's conducted
18 as well at some point in there. And then the academic training is
19 continued with preparation for the oral exam, just a general
20 review of, you know, aerodynamics, airspace, some GOM specific
21 stuff, some human factors stuff, some aeromed, just a, you know,
22 just a whole topic of things, and that preparation is done --
23 again, that's all training done to ensure that the pilots are
24 retaining the training and the academics that they're getting and
25 that they're able to kind of correlate it and apply to the flight

1 instruction that's ongoing. It culminates with an oral exam
2 that's generally anywhere from, I say, on average, 2 hours and a
3 Part 135 check ride that's typically done at night, kind of a most
4 demanding mode type of setting with night division goggles, and
5 that typically lasts an hour to an hour and a half.

6 Q. What aircraft does the -- is used for the check ride?

7 A. For the most part, it's a 206, but we -- when we train folks
8 to go to a 407 base, then they're given the differences training
9 and the 407. And it really -- it's fluid because it depends on
10 assets available. If we -- there have been classes that have
11 through where they've, I think, probably been in the 407 entirely
12 and then maybe got some training in the 206 as an aside. But it
13 really just depends on assets available. But, as a general rule,
14 the 206 is our primary trainer.

15 Q. What about CRM training?

16 A. CRM training is done academically mainly by the director of
17 training, Joe. There is a list of academic topics that we go over
18 with pilots. I can't quote them to you, but we have those and we
19 just incorporate those into the training in the academic side, and
20 sometimes it's done kind of table talk one on one in preparation
21 for a flight. So, for example, if you and I are going to go fly
22 this afternoon, we might sit down and talk about what we're going
23 to and we might try to touch on some of the CRM topics and that,
24 then incorporate those into the flight. So --

25 Q. Does the OCC or med group, do they do this with you? How are

1 -- because when you're in a helicopter and you're on a flight,
2 everybody's part of the crew, right? I mean, the med guys in the
3 back, are they considered part of the group?

4 A. They're not, they're not part of the crew; they're medical
5 personnel.

6 Q. Okay.

7 A. Yeah. They're not flight crew.

8 Q. So do they have any responsibilities during the flight?

9 A. I mean, they obviously have their medical responsibilities as
10 air medical personnel. And then, you know, based of the dynamic
11 of the flight crew, you know, if a pilot wants to incorporate them
12 in something -- you know, for example, if I'm going into Class
13 Bravo airspace and the radios are really busy and the med crew is
14 talking about what we're going to have for lunch, their
15 responsibility may be, hey, guys, the radios are busy; I need you
16 to -- you know, essential communication only. So that might be an
17 example of a responsibility that they may have. Or if I'm on
18 approach somewhere and I'm worried about a homeless guy standing
19 off to the side that I don't know what he's going to do, you know,
20 he just has that look in his eye, I might ask him to keep an eye
21 on him, let me know if it becomes a safety issue or something like
22 that with the approach. But, generally speaking, that's about the
23 extent of it.

24 Q. Do you use them to look out -- I mean, do you ever ask them
25 to watch for traffic outside or anything like that?

1 A. Sometimes. Yeah, sometimes. Most of the time when that
2 situation arises, it's us telling them about the traffic and
3 making them aware so that I know that I see it and, you know, to
4 alleviate any concerns that they have that, you know, we may be on
5 a collision course for a mid-air or something like that. So same
6 thing with obstacles too; if I'm flying in route and there's an
7 antenna I'm going to pass off to the side, a lot of times, I'll
8 let them know, hey, I've got an antenna at 10 o'clock,
9 (indiscernible) factor. Just letting them know that I've seen it
10 to kind of put them at ease so they're not sitting back there
11 wondering, man, I hope he sees this antenna, that kind of thing
12 like that.

13 Q. Do they have any say as to whether or not a flight goes?

14 A. Of course, yeah. We can't go without them. So if for
15 whatever reason they don't want to go on a flight and choose not
16 to, the flight doesn't happen. We've got to have the minimum air
17 medical personnel to conduct the flight.

18 Q. If they're telling you they feel uncomfortable with the
19 weather, they're standing out there on the pad, at that point do
20 you take that into consideration or is it you're going or you're
21 not?

22 A. Of course. No, of course. Yeah, I'll take that into -- they
23 maybe see something I don't. I mean, I'm not a meteorologist, you
24 know, I'm just -- and there's always, you know, there's always the
25 occasion for human error. Maybe I overlooked something. Tell me

1 what your concern is, you know, what are you seeing? And if it's
2 something that is really not a concern to me on the flight, then
3 I'm going to take the time to try to explain to him why that issue
4 is not going to affect us in flight and hopefully educate them and
5 make him -- kind of like the antennas and with the traffic,
6 hopefully, make him feel comfortable so that -- because I don't
7 want him back there, you know, trying to save someone's life and
8 being distracted about the weather, you know, so I feel like it's
9 my job to explain to them why it is or isn't okay to take that
10 flight, and also to just honestly and objectively listen to what
11 their saying because, you know, they -- again, they may see
12 something that I don't. They may have information that I don't
13 have. But, ultimately, if they still don't want to go on the
14 flight, I can't make them, you know. I -- at that point I just
15 have to terminate the flight, you know, turn it down or whatever.

16 Q. What is the OCC? What is their role? How do you see their
17 role and responsibility in a flight taking place?

18 A. Well, the OCC is the interface between the requesting agency
19 and the base or the unit that's going to carry out the flight,
20 execute the flight. They are that entire exchange of information,
21 so they're going to receive that flight request, they're going to
22 process it, and then assign it to the appropriate base. They're
23 then going to ensure administratively that that base is in a
24 position to take that flight or, you know, make sure that
25 everything is right logistically with the crew and, you know,

1 their weather status and everything like that, and then they're
2 going to be providing any additional information that's relevant
3 to the flight, for example, a cord next to the landing zone or a
4 call sign at the ground unit that's going to be landing us at the
5 landing zone. And then if there are any, you know, variances on
6 the flight, it's their job to annotate those as well for -- you
7 know, to ensure that we're, you know -- just identify any
8 efficiencies that we can make in the future.

9 So they do that, and then they're also -- they're duties are
10 ongoing. Once that flight has been dispatched, their job doesn't
11 end. They're still the interface between the customer and the
12 pilot until the pilot has made contact with that customer,
13 especially, like, a scene flight, for example. And then,
14 obviously, their flight tracking, you know, is one of their
15 primary enduring duties as well during a flight, and that process
16 doesn't end until the flight has landed back at base and is
17 successfully completed.

18 And their final duty to really put a period at the end of
19 that flight is to do a debrief with the pilot and the crew to
20 debrief any issues that came up during a flight. And then once
21 they've done that, unless I'm missing something, that's really the
22 end of -- so they're ongoing. They receive the very first call
23 for that flight and they're involved in that flight all the way
24 until it's terminated and the flight has been debriefed with them.

25 Q. So what's their interaction with you as the pilot regarding

1 -- they took the facility notification, hey, we've got a flight,
2 can you accept. At that point, what's the interface between you
3 and them? Kind of, what are you guys discussing until you guys
4 lift off?

5 A. Well, it depends. If a pilot -- it depends on what a pilot
6 is reporting as far as their status. There's four different
7 functional areas that we evaluate and assign a status to and that
8 we are reporting to the OCC. Weather is the simplest one; it's
9 the one that's most often, you know, the genesis of conversation
10 or dialogue. So if I report to the OCC that I'm amber for
11 weather, then when they get a flight request, their protocol is to
12 ask me if I can take the flight. Hey, we have a flight request;
13 can you accept this flight? And then based off my determination
14 of the weather conditions at that time, I would either accept or
15 decline the flight. However, if I report that I'm green for
16 weather, then that ask is more of an assignment. They would call,
17 hey, Survival 1, we have a flight request -- a launch request;
18 Jefferson County requests you launch to this landing zone.

19 So a lot of what they do is dependent on what I report to
20 them as far as my status, and, again, weather is the main one that
21 changes. Occasionally, you know, if an aircraft is less than 5
22 hours from scheduled maintenance, you may report your aircraft as
23 amber. Or if you have a -- you know, if you have something that,
24 you know, that maybe is affecting you in your personnel life where
25 you feel like maybe I need to -- you know, like, if you have a

1 sick child, name -- for example, and say that child is in the
2 hospital and you get a flight request maybe to transfer as a small
3 patient to the hospital, maybe you're going to want to, as a
4 pilot, evaluate this and make sure that your head is in the game
5 before you just take off because of that personal issue that may
6 be affecting you. That doesn't happen very often, but it does,
7 and that's one reason why you could be in that situation where
8 you're being requested to take a flight as opposed to, kind of,
9 told to take a flight, if that makes sense.

10 Q. Do you get told patient information prior to the liftoff?

11 A. No. The med crew gets patient information. It's generic for
12 the most part; you know, you have a 42-year-old male patient, 150
13 kilos, respiratory distress, they're intubated and an IV line is
14 established, they're going to the ICU. That's very typical of
15 information you would get about a patient.

16 Q. So does that come over your ICS? Do you hear that?

17 A. Sometimes. Yeah, sometimes you do. Sometimes you just take
18 the phone and pass it off to the medical crew. Hey, is your med
19 crew there? Yeah. You just hand them the phone and then they get
20 the information like that. Sometimes the OCC calls them directly.
21 I think it just kind of depends on the situation and --

22 Q. What role does the OCC play with your weather determination?

23 A. Well, the pilot on duty is the one that makes the
24 determination of whether to accept or deny the flight, or turn the
25 flight down, based off weather. They really don't unless, you

1 know, on the rare occasion maybe a pilot has a -- is accepting a
2 flight and there's a weather hazard there, and if there is a
3 discrepancy between the meteorologist saying I don't think they
4 knew about --

5 MR. WINDES: Would you fill this up for me, Tim?

6 MR. TAYLOR: Yes, I will.

7 MR. WINDES: I'd appreciate it. Thank you, sir.

8 You know, maybe if there's a weather concern that a pilot
9 doesn't see and the OCC felt like they needed to make sure that
10 that's pilot is aware of that weather concern, then they might
11 provide information about that, but as far as a decision, they
12 don't really play any role at all. And, I mean, I suppose if
13 there was a condition where a pilot was trying to launch and do a,
14 you know, a severe thunderstorm or --

15 I had that happen one time. I had a pilot who was trying to
16 depart and airport into a severe thunderstorm and they had to step
17 and, no, you're not; we're not allowing you to take off, until I
18 could get there and actually ended up terminating that pilot
19 because of a chain of events as far as poor decisions and things
20 like that the made and risky except that it was undue. But that's
21 an example, I guess, where they got involved with the decision to
22 take a flight or to not take a flight.

23 BY MR. WILLIAMS:

24 Q. So they can terminate a flight if they --

25 A. Yes.

1 Q. -- see it?

2 A. Yeah. And I think that would -- the way that would work is
3 they would get the OCM involved and the OCM would then, you know,
4 probably be the primary effort in --

5 MR. WINDES: Thank you, sir.

6 -- you know, terminating that flight.

7 BY MR. WILLIAMS:

8 Q. You talked a little bit about the risk assessment in the four
9 areas. How often is a risk assessment done?

10 A. Beginning of each shift. And then if you get a flight, then
11 it's -- that risk assessment is recalculated for the next flight.

12 Q. What do you do with the risk assessment? So you do it. Is
13 it written anywhere?

14 A. It is.

15 Q. Is it kept anywhere?

16 A. It is.

17 Q. How does --

18 A. It's in the GOM and it outlines the four functional areas.
19 It outlines all of the specific things you're supposed to evaluate
20 for each functional area and it even goes so far as to give some
21 examples of, you know, what you might want to be thinking when
22 you're trying to practically apply what you're reading to the
23 decision you're going to make.

24 We typically, at the bases, we -- that's an excerpt out of
25 the GOM. In fact, I'm going to say at every base that excerpt out

1 of the GOM is printed out and it's placed immediately underneath
2 the actual risk assessment worksheet itself. So maybe it's been a
3 few weeks since you've done one. Maybe you're been on vacation
4 and you're like uh, you have that reference right there readily
5 available. Because we want them to incorporate that into the risk
6 assessment; we want to have that specific information available so
7 that they're making the most accurate, you know, assessment that
8 they can.

9 Q. Can you describe the safety culture of Survival Flight?

10 A. I think safety is, first and foremost, the most important
11 thing in this company and it's the most important thing and
12 probably one of the things that's talked about the most at every
13 single, you know, briefing. You know, anytime we do a briefing
14 with air medical personnel, which is at the beginning of each
15 shift, we incorporate a safety topic, so there are at least two
16 safety topics a day discussed at a base. You know, everybody
17 wants to go home at night and wants to go home after their shift,
18 so there's a lot of discussion and a lot of effort put into making
19 that happen.

20 So, you know, we don't hide behind safety, but, at the same
21 time, we incorporate it into every single thing we do, or we try
22 to, and that's my message to the pilots is that they incorporate
23 safety into every decision they make, into every route of flight,
24 into every altitude. Don't be at an altitude for any other reason
25 other than that's where you want to be, and be there because you know

1 it's going to clear of obstacles, terrain, things like that, maybe
2 birds, (indiscernible) birds, something like that. Incorporate
3 safety in everything you do. Your rate of descent on an approach,
4 you need to incorporate safety into that, you know. You need not
5 put yourself in a position where you're settling with power or
6 something like that. Don't accept a rate of descent because
7 that's what the aircraft gave you when you lowered the collective
8 that much.

9 So, again, we try to incorporate it into every single we do,
10 try to. So I would say that the safety culture is probably one of
11 the most important things and one the things we talk about the
12 most.

13 MR. WILLIAMS. We'll let Sathya go next.

14 BY DR. SILVA:

15 Q. Along those lines, can you describe the safety program that
16 the company has?

17 A. Sure. So the safety program is staffed by the director of
18 safety and training, Joe Lawrence, and then each base has a safety
19 representative. So that's the staffing for it. As far as the
20 process by which safety issues are identified and reported, those,
21 I mean, those can come from any direction. There's no, you know,
22 there's no written rule that says if there's a safety issue it has
23 to be reported through this chain of command. A safety issue can
24 be brought up to anyone at any time, and then the appropriate
25 personnel would be involved into a solution.

1 The -- it's my understanding the director of safety publishes
2 safety topics periodically to each base and that the safety
3 representative from the base will process those and distribute
4 those throughout the entire base itself. That's the process. The
5 more informal process would be -- regarding the safety program is
6 that if there's a safety issue, it's brought up and reported to
7 the appropriate people at the base. And then a lot of times --

8 For example, I was at a base a few years ago and there was a
9 safety issue brought up that somebody was putting the steak knives
10 in the dishwasher with the pointy end up. Clearly, that wasn't an
11 issue that needed proliferated through the entire safety chain of
12 command. The safety representative of the base was able to
13 establish a policy that the steak knives will be placed with the
14 pointy end down so that when you're reaching in to get the spoon,
15 you don't cut yourself. So issues like that are handed at the
16 base level and on the rare occasion that something transcends the
17 base, then it's my understanding it's reported up through the
18 safety representative to the director of safety.

19 Q. Where does it go after the director of safety?

20 A. That I don't know. I -- my presumption is that he works
21 directly with either the director of operations, Mr. Mercer, or
22 maybe even Mr. Miller. I don't know how often he gets involved
23 into the safety issues. That's a presumption. I also presume
24 that the director of safety can handle things at his level as well
25 and put in a fix without really needing to involve anyone else. I

1 think some of that happens too.

2 Q. Have you ever been involved with addressing a safety concern?

3 A. Oh, for sure. Yeah. And when I -- part of my thing that I
4 do when I go out to the bases is to look at safety. I look to
5 make sure that safety boards are kept up to date, that people are
6 talking about safety topics. You know, I go back through the
7 books when the crew has a brief with the pilot at the beginning of
8 every shift and I make sure that there is a safety topic
9 annotated, and if there's not, then I have a discussion with that
10 pilot how come there's not a safety topic annotated. How come --
11 well, we talked about, you know, we talked about bird strikes.
12 Well, how come it's not in the book? Well, I forgot to write it
13 down. So we deal with safety issues in that regard.

14 I had a -- most recently, my safety issue was a pilot from
15 our Survival 14 base had called and said, hey, there's a hospital
16 enterprise in Alabama that wants us to land there on a regular
17 basis to pick up patients, but they don't have a helipad; what
18 they do have is an empty lot on the other side of the parking lot;
19 can we go in there and land? I'm like, well, go do a
20 reconnaissance, a ground recon, make sure it's okay; make sure we
21 have permission. Once you do all that, go in and do an approach
22 to it, land and make sure that, you know, you confirmed everything
23 you've seen on the ground. He did, and all that was fine. Well,
24 it was brought up from another pilot as a safety concern direct to
25 me -- I don't know if the safety representative at the base was

1 included into it, but he said, you know, because of the wires at
2 that -- I really don't think we should go in there at night. We
3 reevaluated it and I said, you know, you're right; that's a safety
4 concern. We don't need to be going in there at night. That's a
5 daytime only landing zone. So that's kind of most recently a
6 safety issue that I got involved in.

7 Q. Did that come directly to you?

8 A. I don't know. It came to me. I don't know if it went to
9 anyone else.

10 Q. I suppose you don't.

11 A. Yeah. Nicely played. Yeah, I don't know. I don't want to
12 tell you that it went to -- it -- I don't know. I just know that
13 it came to me and it was an easy fix and it wasn't something I
14 wanted to -- I didn't want to delay a fix and honoring a -- you
15 know, any kind of bureaucracy or process; I wanted to fix it on
16 the spot. So --

17 Q. In your perspective, what are the most prevalent safety
18 concerns of the crew members?

19 A. When you say crew members, are you talking about the air
20 medical personnel or you talking about pilots or just generally
21 everywhere?

22 Q. General, as everyone. You can split that up, if you would
23 like.

24 A. I really don't know that I could distinguish one particular
25 concern over another because there's just such a wide variety.

1 Because we inject safety into every single thing we do, there's
2 just such a wide variety of things, of topics that come up for
3 safety from, you know, security at a landing zone where the blades
4 are turning and you're loading a patient while the blades are
5 turning to weather to moving the aircraft in and out of the
6 hanger, moving the oxygen cart by yourself, with is a three-tiered
7 oxygen cascade system that's heavy. It's a, you know, safety
8 concerns about doing that by yourself, not having someone with
9 you.

10 Q. So, specifically about weather, what are the concerns that
11 may come up?

12 A. Most recently, I had a concern from a pilot about a flight
13 with potential icing conditions. The freezing level was
14 forecasted from surface to 7,000 feet. There was moisture at 6-
15 to 8,000 the next state over. His safety concern about that was
16 you know, I don't want to get in icing from taking this flight.
17 Because when you looked at METARs, TAF, radar, AIRMETS, SIGMETs,
18 there really wasn't anything that indicated that there was a
19 concern for several hours, you know, after that flight request came
20 in. So that was his safety issue that he brought to me. We
21 talked about icing and, you know -- but that's -- well, that's an
22 example of weather.

23 I think probably where we're going with this is, you know,
24 pilots pushing weather, you know, flying in weather that's either
25 at or below minimums for things like that. That's certainly the

1 concern that I've heard in Ohio. When I was out there 2 weeks
2 ago, I had a couple of medical crew members, air medical
3 personnel, who were concerned that, you know, they might be
4 getting into weather, inadvertent IMC, you know. That was --
5 that's the main concern is that if you're flying in marginal VFR
6 weather, which we do, that, you know, if you're not careful, you
7 could get into an inadvertent IMC situation, and I have heard that
8 and that's always a weather concern. Probably the most
9 predominant weather concern is getting into an inadvertent IMC
10 situation because it's killed more pilots, I think, than anything
11 else as far as rotary wing.

12 Q. So you mentioned -- going back to that specific concern, had
13 you had any issues brought up regarding that specific pilot by
14 other pilots?

15 A. Yes. Yes, I have.

16 Q. How were those --

17 A. Jen was one of them.

18 Q. Okay.

19 A. Yeah. She -- in fact, when I was there 2 weeks ago, she was
20 telling -- we were discussing that. She was concerned that she
21 had heard from some of the medical crew at the base that this
22 particular pilot was a little more apt to be in weather that
23 didn't end successfully on a flight, you know, maybe had to turn
24 around more than any of the other pilots have had to, you know,
25 maybe had to land short more than any other pilots have had to.

1 Q. You mentioned that you talked with the pilot and you got
2 feedback after you talked to him?

3 A. Yes.

4 Q. What kind of feedback was that?

5 A. I just felt like he was a little more receptive to
6 discussions about weather. Maybe he was a little more reserved
7 about, you know, not presuming that we can -- maybe being a little
8 more accepting of their feedback when it came to weather.

9 Q. Where did that come from?

10 A. I heard that from Amanda Wolf, Base Clinical Manager. I
11 heard that from a couple of the paramedics that worked there as
12 well. They had told me that and even -- Jen actually even told me
13 that too. She said that this particular pilot seemed to be maybe
14 a little more paced at making his weather decisions and, you know,
15 maybe putting a little more thought into them, I guess, or -- the
16 main thing was maybe being a little more receptive and listening
17 better when people had a weather concern. That was the feedback I
18 got from Jen.

19 Q. When did you go out to 14? Do you remember the dates?

20 A. I sure do. It was 2 weeks ago tomorrow, and I was 13 the day
21 before that.

22 Q. So you were there for one day?

23 A. I was at 13 for a day and a night, and then 14 for a day and
24 a night.

25 Q. Okay, so 2 weeks ago tomorrow?

1 A. Yeah.

2 Q. Do you have a date on that?

3 A. I do. I can tell you.

4 Q. I can't do math that crosses months.

5 MR. TAYLOR: The 25th.

6 DR. SILVA: The 25th, does that sound right?

7 MR. TAYLOR: That'd be 2 weeks ago. Or, sorry, The 26th;
8 that's 2 weeks ago tomorrow.

9 MR. WINDES: Yeah. I'm sorry. I'm -- my days are off. It
10 was Tuesday and Wednesday, the 22nd and 23rd.

11 BY DR. SILVA:

12 Q. Okay.

13 A. Yeah. I apologize for that. Yeah, the 22nd and 23rd. So,
14 essentially, it was the week before the crash.

15 Q. What do you do when you go out there?

16 A. I visit with whoever is on duty. I visit with the air
17 medical personnel. I visit, absolutely visit with the pilots,
18 just talk, just see how things are going, see if there's any
19 issues, see if -- see what's working see what's going really well
20 that maybe I could duplicate another basis, you know, just listen,
21 try to gain situational awareness as to what's going on there.
22 That's the biggest thing that I do and the most important thing to
23 me when I go out there.

24 I also -- when I'm out there, I try to be a force of quality
25 control. I'll look at the briefing books and make sure that

1 they're keeping up on their paperwork. I'll look at the reading
2 file to make sure people are reading it and initialing it and
3 keeping it up to date. I'll look at their 135 duty logs to make
4 sure those are accurate. I always ask the pilot on duty for his
5 or her medical, and certificate as well. I look at the
6 registration. I look at the log books to make sure that they're
7 keeping up with the paperwork on that end. I look at the
8 aircraft; I preflight the aircraft, generally speaking. I look at
9 the computers to make sure that they're running properly. And it
10 goes on and on. I kind of do a mini ramp check, if you will, just
11 to make sure that everything is the way it's supposed to be, and
12 if I see anything, I make an on-the-spot correction, or if I
13 identify something that requires a bigger solution, then I start
14 working it.

15 That's kind of my list of things to do. But, the biggest
16 thing and the most important thing is to talk to everyone on duty,
17 including the medical crew. And then I always try to meet with
18 the base clinical manager while I'm there to get anything from
19 them that maybe the folks on duty might not be telling me as well.
20 So --

21 Q. Okay.

22 A. And then also -- sorry to interrupt you, but I also try to
23 meet with the mechanics while I'm there and see if there's any
24 personality conflicts with pilots or see if there's any issues
25 that they have that need to be resolved or anything I can do to

1 facilitate making their jobs easier.

2 Q. When you went back 2 weeks ago to 14, is that when you had
3 that conversation with the pilot of concern or was that a previous
4 visit?

5 A. It was after that. Well, I had had a conversation with him
6 prior to that and I had another one with him after that. Yeah.

7 Q. What were the two different conversations about?

8 A. Just about weather and, you know, flying into marginal
9 conditions and how best to work with the air medical personnel
10 about communicating with them about weather and, you know, just
11 trying to really talk about communication. Really, that's what it
12 all boils down to, how better communicate with folks. Maybe some
13 conflict resolution; we talked a little about that. Problem
14 solving; we talked a little bit about that as well. So --

15 Q. Sorry.

16 A. That's okay.

17 Q. I'll send that to voicemail. So then were both conversations
18 the same essentially, or why did you have two different
19 conversations?

20 A. Well, he's a lead pilot there, so I always talk to lead
21 pilots on a regular basis and, you know, just kind of reported
22 back to him what I had seen and what I had heard. You know, I
23 don't really remember specifically. We kind of followed up. I
24 reinforced some good behavior and some things I heard from the
25 base clinical manager that was out there about some things that

1 she thought that was going well, so we discussed that as well
2 additionally.

3 Q. Technology. What? Actually -- have you ever had anyone
4 bring up concerns, any pilots bring up concerns, about other
5 pilots outside of this situation with Jen?

6 A. I'm sure I probably have. Over the years, you mean, or
7 just --

8 Q. Um-hum, yeah. How are those issues typically handled?

9 A. Typically, by me. And I'm not trying to avoid the question,
10 but just, generally speaking, I always try to start with a -- if
11 there's an issue with the pilot, I try to start with a teach,
12 coach, and mentoring approach, try to talk, you know, council. If
13 I feel like I'm not getting the desired effect, there's a little
14 bit more of a formal approach then taken with a write-up with a
15 former counseling and things like that, and then, ultimately, you
16 know, that would culminate with a termination, I guess, if I'm not
17 getting the desired effect.

18 Q. So --

19 A. But I don't do any of that in a vacuum. Anytime I make those
20 big decisions, I always consult, at a minimum, the director of
21 operations on that stuff.

22 Q. So if someone brings up a concern, let's say, about another
23 pilot flying in weather, how do you respond to that reporting
24 pilot?

25 A. Tell him that I'm going to look into it and then I get back

1 to him. And I look into it and try to get to the bottom of what's
2 going on, you know, what was the catalyst for that remark to be
3 made or that complaint or that concern, and then I try to put a
4 fix into place, if one is needed, and then I try to get back with
5 that pilot and let them know that I've taken care of it. I don't
6 just say that I'm going to take care of it; I always try to get
7 back to folks and let them know, hey, this is what I found, this
8 is the explanation that I got, you know, does this make sense,
9 does this -- is it satisfactory from your concern. Most of the
10 time it's, yeah, that makes sense; I get it. Okay, cool; let me
11 know if there's anything else that comes up. That's kind of
12 typically how it works, you know, so --

13 Q. Has the company changed any kind of procedures or training
14 since the accident?

15 A. Not to my knowledge.

16 Q. How much total time do you have?

17 A. Just over 3,000 hours. I think I'm about 3300 hours.

18 Q. All right, I'm going to pass back. Thank you.

19 A. You're welcome. Yes, ma'am.

20 MR. WILLIAMS: Thanks Sathya.

21 Paul?

22 BY MR. SUFFERN:

23 Q. Could you describe how you stay updated on weather during
24 your shift?

25 A. During my shift, is a pilot on duty?

1 Q. Um-hum.

2 A. Certainly. I'm always looking at the approved weather
3 sources, NOAA websites, National Weather Service, things like
4 that, the HEMS Tool, which has now been tested within the NOAA enclave.
5 Those are the primary -- the automated systems that are used. Of
6 course, there's unofficial sources that I look at as well as
7 supplemental -- for supplemental data, maybe something like a sky
8 vector or something like that. And then also, you know, I try to
9 observe meteorological conditions myself by simply looking
10 outside, being outside, noticing wind changes or, you know, drops
11 in ceilings, visibility, just to kind of verify the information
12 that I'm getting is accurate for my area. And I like to watch the
13 Weather Channel.

14 Q. Who doesn't?

15 A. Yeah.

16 Q. What is the most helpful tool out of that toolbox do you
17 think you have?

18 A. METARs, TAFs, radar, AIRMETs, and SIGMETs, all in that order.

19 Q. Have you ever turned down a flight request when you've taken
20 a shift for icy conditions?

21 A. I have.

22 Q. Could you describe that situation?

23 A. Sure. Freezing level is at a level where I'm going to be
24 operating in and the presence of visible moisture. So those two
25 things and icing forecasted I turn that flight down. I can't give

1 you a specific example, but I know through the years because
2 there's not a pilot in this company that's turned more flights
3 down than I have. I can't tell you what that number is, but no
4 one has turned down any more flights down that I have in this
5 company. A function of that is because of how long I've been with
6 them. But I've turned them down for icing before, I know.

7 Q. For making go, no-go decisions with the company-established
8 weather memos, what do you use as your criterial for determining
9 -- making that kind of a decision?

10 A. Well, you know, we have our weather minimums, but that's
11 certainly not where it stops as far as accepting a flight, you
12 know. If it's right at 1,000 and 3, I'm not going to accept that
13 flight and I wouldn't tell anyone else or ask anyone else to
14 accept that flight without having a little bit more depth of
15 knowledge in situational awareness.

16 So, you know, typically, what I tell pilots is if you're
17 going to accept a lower ceiling or a ceiling that's close to our
18 minimums, don't do it unless you have an excessive amount of
19 visibility. Or if you're to accept a flight where the visibility
20 is approaching our minimums, don't do it unless you have an
21 excessive amount of ceiling available to you. And if you are
22 going to accept a flight where the minimums, both ceiling and
23 visibility, are approaching our minimums, then you need to have
24 something going for you, because the weather is not, and that
25 would be preferred routing, maybe a short flight that is a flight

1 that you do a lot or you do very often so you're very familiar
2 with the terrain, the obstacles, the hazards.

3 And then, ultimately, what I'll leave a pilot with, and what
4 left Jen with 2 weeks ago is if there is ever is any doubt, then
5 there is no doubt; don't go. You know, if you really find
6 yourself evaluating weather for an extending period of time, you
7 probably shouldn't take that flight because you're trying to talk
8 yourself into it. If you really have to look that hard to find a
9 way to get it done, you probably shouldn't be doing it.

10 Q. So along those lines, what weather observations do you weigh
11 the most, the METARs and the TAFs?

12 A. Yes, sir. METAR, TAF, radar, those are the three things that
13 I put the most weight in. And then, you know, some secondary bits
14 of information might be wind speed, wind direction, temperature
15 dew point spread, known weather phenomenon in geographical areas,
16 predominant weather. If I know that -- for example, last week,
17 there was a half a foot of snow on the ground in Ohio and we had
18 southerly movement, had kind of warm front pushing through. For 4
19 or 5 days in a row, it was zero-zero. So -- and there was a
20 couple of times it wasn't really forecasted to get that bad, but
21 because I knew the predominant trends, I would incorporate that
22 information into a weather decision as well.

23 Q. Are there any weather gaps in the area that Survival Flight
24 flies in where you wish you had better weather coverage?

25 A. Everywhere.

1 Q. Everywhere?

2 A. Everywhere, yes, sir. And I don't mean to be -- I'm not
3 trying to be coy. I -- we have reporting points that are so
4 spread out that we operate in between them quite often and it
5 leaves up to interpretation and there's a lot where, you know, you
6 maybe look at the HEMS Tool to hope that algorithm will calculate a
7 good solution to what the ceiling and is in that area, but it's
8 not always exact. So we could -- it -- yes, it would be great if
9 we had a wider array of reporting points to refer to, and that's
10 across the entire operating area.

11 Q. Is there anything as far as a weather tool that you would
12 like to see made available to you whether it's software or
13 hardware?

14 A. No, I don't think so. I think, you know, if I have to answer
15 that question, I probably just say an increased amount of
16 reporting stations. You know, I don't -- and I don't know if this
17 is just a feedback question or not, but if there would be a way to
18 replace weather reporting points in areas maybe where we know
19 there's never going to be an airport there, but maybe we could
20 still go out as, you know, as a government entity and put these
21 things out there so we could have more feedback in the areas that
22 aren't covered by METARs, that would be awesome. I think we would
23 -- the industry as a whole would be better off, and so would
24 general aviation, if there was just more information, more
25 reporting points.

1 Q. What do you do tell your pilots as far as providing pilot
2 reports when they're flying for weather observations?

3 A. You know, I really don't. I really don't talk about that a
4 lot, about -- you know, obviously, if there's a mutually
5 supporting base, I tell them, and it's kind of common knowledge,
6 that, you know, if there's a weather phenomenon or a weather issue
7 that you think someone else is going to be flying into and they
8 don't know about, advise them or advise the OCC. But I really
9 don't -- and maybe I should do better at this, but I really don't
10 promote or encourage them to give power-ups to flight watch or to,
11 you know, a flight service station, or even ATC, at all, but I do
12 encourage them to do it within the company though through the OCC
13 on the rare occasion that, you know, two mutually supporting bases
14 are maybe operating in the same area at the same time.

15 Q. That's all the questions I have. Thank you.

16 A. Yes, sir.

17 MR. WILLIAMS: Thanks, Paul.

18 John?

19 MR. BRANNEN: There's not anything I can think of right now.

20 MR. WILLIAMS: Dave?

21 MR. GERLACH: Yeah.

22 BY MR. GERLACH:

23 Q. Now, you mentioned that the company has minimum total times
24 for hiring. It sounds kind of silly, but why do you set an hourly
25 limit and --

1 A. I think there's a few factors that play into that. I think
2 some of those are business decisions driving by insurance rates
3 and things like that. I think some of that is probably the -- and
4 I'm going to speak for him; this is a presumption -- assumption --
5 that the director of operations feels like that's a minimum amount
6 of experience for a pilot to have to be able to transition into
7 this industry or into this position safely. So I think it's
8 probably a combination of those things.

9 Q. Now, I think you said it was a 2,000-hour minimum?

10 A. Yes, sir.

11 Q. In your opinion, is that a lot of hours, not a lot of hours,
12 to be in the aeromedical industry?

13 A. I think it's appropriate.

14 Q. It's appropriate?

15 A. I do.

16 Q. Okay.

17 A. I don't think I would make it a whole lot less --

18 Q. Yeah.

19 A. -- but I wouldn't require much more.

20 Q. Yeah.

21 A. I came into the industry with 1700 hours total time and I
22 learned a lot, you know. And I probably could have used some more
23 time --

24 Q. Yeah.

25 A. -- but, you know, I had a lot of good people around me and,

1 you know, I think that was probably an appropriate amount of
2 flight time to come into the industry at --

3 Q. Yeah.

4 A. -- for me personally.

5 Q. Was it challenging coming into the industry with your
6 background?

7 A. In some regards, yes. With all my time being in Apaches,
8 I've never had crew members or air medical personnel or any
9 passengers or anyone like that. It was just myself and my co-
10 pilot, Gunner, so getting used to communicating to communicating
11 with other people that -- whose lives depended on your ability to
12 fly the aircraft was -- it wasn't difficult, but it just took some
13 getting used to. It was something I had to learn how to do. That
14 part of it was challenging. Going from, you know, a 21,000-pound
15 helicopter, you know, to a 4,000-pound helicopter, at times, is a
16 little challenging because you -- you know, that muscle memory is
17 that you can power out of any situation that you get yourself
18 into. That was a little challenging, working with ground units,
19 finding my way, pilotage, dead reckoning.

20 I mentioned I have been flying airplanes since I was 14. You
21 know, I really didn't navigate any other way than just by looking
22 outside and turning association, things like that. So all of that
23 was really easy for me. The communicating with -- on the radios
24 was really easy for me. Operating in the airspace was easy for
25 me. So there were some things that were challenging about it and

1 others that I think came natural.

2 Q. Yeah. Your pilots that come in at 2,000 hours, do you
3 consider those low-time pilots in your company?

4 A. I -- you know, I really haven't had the occasion to consider
5 that, but I would say yes. Generally speaking, I think a lot of
6 our pilots come in with more time than that and I think I --
7 honestly, with my time, I'm probably one of the lower-time pilots
8 in the company.

9 Q. Yeah.

10 A. You know, we have folks with 7-, 8-, 9-, 10-, 12,000 hours --

11 Q. Right.

12 A. -- that have been flying for as long as I've been alive.

13 So --

14 Q. As the chief pilot, would you treat those pilots any
15 differently? You talk a little bit about teaching, coaching, and
16 mentoring.

17 A. Yes, sir.

18 Q. Do you adjust how you teach, talk, behave, work with those
19 lower-time pilots versus a 17,000-hour pilot?

20 A. No. I try to treat everyone the same. I try to treat
21 everyone with dignity and respect. And I learned a long time ago
22 that, you know, if I'm not learning something from a pilot that
23 I'm flying with or talking to, then I probably don't need to be
24 doing this, and part of that's just, you know, from how I was
25 raised with my dad as a pilot. He basically instilled in me never

1 get -- never think you're too good or -- you know, to learn or
2 anything like that. I will say to you, not to get too off track,
3 but, subconsciously, when I'm around pilots and I don't have a lot
4 of time and a lot of experience, I probably try to -- I'm maybe a
5 little more eager to learn from them because I feel like they have
6 a lot more to teach. But, at the same time though, I always try
7 to learn stuff from pilots when I'm around them regardless of how
8 much time they have or --

9 My daughter is taking flights lessons and -- from an American
10 Airlines instructor pilot. Her instructor is a very accomplished
11 and senior aviator to myself, so when she comes home from her
12 flight lessons, I'm always asking how it went and, you know,
13 trying to learn what's she teaching you; do I know that; no, I
14 don't know that; let me look that up. So to answer your
15 questions, I try not to treat them any differently, but I
16 certainly am eager to learn --

17 Q. Gotcha.

18 A. -- from everyone. So --

19 Q. Across your pilot fleet, do you expect those people with less
20 experience to have different personal limitations than other
21 pilots?

22 A. I don't expect them to, but I'm certainly understanding of
23 it --

24 Q. Yeah.

25 A. -- absolutely. I certainly am. You know, a company policy,

1 an FAA weather minimum, none of that supersedes someone's own
2 individual comfort and skill level, and I'm living proof of that.
3 You know, looking at challenging winds and a 206 with very little
4 time in coming out of an Apache, there's probably some flights
5 I've turned down over the years that maybe a more experienced
6 pilot who has a more -- who has a wider span of comfort level, you
7 know, might have taken. So, yeah, I certainly don't expect them
8 to have -- but I certainly understand it.

9 Q. You talked a little bit about the consummate professional
10 when you were referring to Jen. Did you see her as a role model
11 for the rest of the pilots at the base?

12 A. I didn't really consider that or think about that at that
13 time, but I do; I do consider her a role model in just about every
14 regard.

15 Q. Yeah.

16 A. And she was really good at what she did.

17 Q. Yeah.

18 A. She really was. She was very good pilot.

19 Q. How would you bound that consummate professional pilot, and
20 what's your expectations of the pilots in the -- in your
21 (indiscernible).

22 A. Well, I would say that her professionalism was defined as her
23 ability to communicate with people. She didn't let her own
24 personal opinions affect or determine how she handled her job.
25 She was fair. She was extremely intelligent, so she knew her

1 trade. She knew the things that she was supposed to do
2 academically. So, you know, really, just in ever regard, she,
3 again, she knew how to communicate. She knew how to represent the
4 company. She was a great ambassador. In fact, one of the things
5 I came back from my visit there was -- talking to Mr. Mercer is we
6 need to figure out a way to compensate her to go do marketing for
7 the company because she wanted to. Her base clinical manager 1
8 and 2, you know, wanted to get her out there and interface with
9 the customers because she was very approachable, she was very
10 well-spoken, she was very well educated in regards to, you know,
11 the company and our approach to servicing this industry, and she
12 was just an all-around professional in all of those, you know,
13 measurable areas.

14 Q. Gotcha. With respect to NVGs is that a requirement of your
15 company that, at night, your pilots wear the NVGs all the time?

16 A. Yes.

17 Q. Does that include takeoff, in route, and landing?

18 A. Well, it depends on the conditions, you know. If there's a
19 flight condition where there's, you know, an extreme amount of
20 ground light that's interfering with the goggles, it makes a lot
21 of sense to not be using them; have them available, but maybe not
22 be your primary reference for, you know, for being able to see.
23 When you're in -- I'll tell you, personally speaking, when I'm
24 over high dense -- you know, high population areas over the city
25 and things like that, it's hard to determine position lights and

1 things, and even anti-collision lights. Because there gets to be
2 a lot of confusion with ground lights and things when you're over
3 the city, so, you know, that might be a time where an unaided
4 flight is much more preferred and much more affective than the
5 night vision goggles.

6 Q. Gotcha. What's your expectations of pilots when entering
7 inadvertent IMC? What kind of procedures do you expect them to
8 follow?

9 A. Well, I expect them to announce it so that everyone knows and
10 they themselves accept the fact that they're inadvertent IMC and
11 then transition to instrument flight, roll -- level, turn only,
12 avoid known obstacles, adjust power to climb, power or speed to
13 climb air speed. Maintain control of the aircraft, that's the
14 primary responsibility at that point. Then after that, based off
15 the weather conditions and the situation, it might make the most
16 sense to enter a standard rate turn and go right back out of it.
17 It might make sense to continue that climb and, up to a minimum
18 safe altitude, contact approach, get vectors to VMC, vectors to a
19 final approach, or vectors to, you know, a GPS approach or
20 something like that.

21 Q. Gotcha. And how about an icing encounter, inadvertent icing?
22 What do you expect your pilots to do?

23 A. Exit the icing environment, land as soon as possible, land
24 immediately, you know. And again, that's one those situations
25 where, you know, the pilot in command has to make a decision

1 what's the safest way out of this.

2 Q. Yeah.

3 A. You know, it might be to climb out of it, you know, if
4 there's warm air up top. It might to be just land immediately.

5 Q. Yeah.

6 A. It might be to turn around and get out of it and there's
7 nowhere to land. So the expectation is that they exit that icing
8 environment immediately.

9 Q. Yeah. You talk about your Army background and Army
10 experience flying the Apache. Do you bring some of that into the
11 company? Are there some things that you've picked up in the Army
12 that you'd like to see applied here at Survival Flight?

13 A. Well, I'm sure I subconsciously bring a lot of that with me
14 because that's my frame of reference and my background.

15 Q. Right.

16 A. I can't tell you that there's anything right now that I would
17 like to see incorporated from the military side of the house, you
18 know. I think we have modeled the military in some regards in
19 some aspects of our approach to things, and in others we've went
20 away from it, you know, because it's not the most efficient way or
21 safest way to do things, so -- but, no, sir, I can't point to
22 anything right now that I'd want to incorporate from the military.

23 Q. Yeah. Did you all have similar limitations, visibility,
24 ceilings --

25 A. They were --

1 Q. -- (indiscernible) the Apache?

2 A. They were a little more than what our ceilings and visibility
3 are.

4 Q. Gotcha.

5 A. Yeah. Obviously, you know, each unit that you're in and each
6 facility that you work out of has their local based off of
7 terrain, you know, predominate weather conditions, and things like
8 that. But, generally speaking, the weather that I flew in in the
9 military was higher levels than what we fly in here.

10 Q. Right. When you came here, did you learn in a 206?

11 A. Yes, sir.

12 Q. Was that your first 206 to fly when you came here?

13 A. No, sir, I flew him for 4 years with Air Evac.

14 Q. Oh, that's right; I recall you telling me that. How about
15 the 407?

16 A. Yes, my first time flying it was with Survival Flight.

17 Q. How did they bring you into the 407? What did you do?

18 A. We did some academic instruction. It's been several years
19 ago, but we did some academic instruction, then -- it was kind of
20 a crawl, walk, run, approach, then we did some hands-on. This is
21 what you -- you know, putting hands on the aircraft, this is what
22 you look for pre-flight --

23 Q. Yeah.

24 A. -- pointing out differences, things like that, and then we
25 did flight training, and then that culminated with the check ride.

1 Q. Gotcha. Do you do annual check rides?

2 A. I do, yes.

3 Q. What vehicle do you fly, what aircraft?

4 A. This most recent one I did was in the 407, and then the one
5 before that was a 206.

6 Q. Yeah.

7 A. And then I did a check ride also this past year with the FAA
8 in the S-76 as well --

9 Q. Gotcha.

10 A. -- in May of last year I did one. So I did a check ride in
11 the past year in all three airframes.

12 Q. Is the 206 and 407, are comparable as far as evaluating a
13 pilot?

14 A. Yes, they are. As far as some of the fundamental things,
15 like VMC takeoff, cruise flight, VMC approach, slope landings,
16 quick stops, you know, night tasks, engine failures and altitude,
17 engine failures in a hover, all of those tasks, it's very
18 similar --

19 Q. Yeah.

20 A. -- you know, nearly the same. There are some differences.

21 Q. Yeah.

22 A. But the auto rotations are a little different in the 407.
23 Obviously, it follows a little bit faster. The profile is a
24 little bit different, but, for the most part, they're very
25 comparable, in my opinion.

1 Q. Yeah. When you're evaluating a flight, certainly during the
2 winter, looking at icing conditions, what kind of tools do you use
3 to evaluate your route of flight?

4 A. So when I'm on duty, if I'm going to accept a patient
5 transfer flight --

6 Q. Yeah.

7 A. -- and how do I incorporate icing into that?

8 Q. Um-hum.

9 A. Well, I look at, you know METARs, TAFs, and radar, then I
10 look at SIGMETs and AIRMETs to see if there's anything for icing.
11 I also look at the forecast discussion and -- because there's --
12 sometimes you can glean some things out of there that aren't
13 necessarily depicted.

14 Q. Yeah.

15 A. And so -- and, you know, occasionally, I've looked at --
16 regarding icing and mountain obscurations, I've looked at AIRMETs
17 -- or I've looked at PIREPs. Excuse me.

18 Q. Yeah. What happens when there's nothing like that out there
19 for your route of flight though?

20 A. If there's an icing concern, then I'm going to turn a flight
21 down. If there's none of that that's out there, then I wouldn't
22 have an icing concern --

23 Q. Yeah.

24 A. -- and as long as everything else was acceptable, I would
25 accept the flight.

1 Q. Is there a website that you go to to let you know that
2 there's an icing possibility?

3 A. Just the NOAA and National Weather Service websites --

4 Q. Yeah.

5 A. -- are pretty much it, you know, then the different tabs and,
6 you know, you can navigate to the different maps to see the
7 AIRMETs and SIGMETs and things.

8 Q. Yeah.

9 A. You can -- so I generally just navigate through those --

10 Q. Yeah.

11 A. -- when I'm looking for icing.

12 Q. Gotcha. Okay. Those are all the questions I have. Thank
13 you very much.

14 MR. WILLIAMS: Tim?

15 MR. TAYLOR: I don't have any questions.

16 BY MR. WILLIAMS:

17 Q. So I have a few more and we'll go around here again. So bear
18 with me if I kind of jump around trying to fill in --

19 A. Yes, sir. No problems.

20 Q. -- different things. I take notes as we go and then try to
21 work backwards from there, but...

22 A. Gotcha.

23 Q. When you're deciding whether or not to accept a flight, do
24 you ask if the flight has been previously turned down?

25 A. Sometimes I do. If I know that that flight is coming from an

1 area where I know the competition has a base really, really close
2 to that, I might ask that question because I want to know if maybe
3 they're responding to the same flight when we do multi-ship
4 responses. But, as a general rule, no, I don't ask that, but,
5 occasionally, I will. I've landed on other companies, helipads at
6 their base, to take patients in the past, and so there's a lot of
7 cross-pollination, I guess, and that's an example of it. So
8 sometimes I do just because I want the situational awareness of
9 knowing. If that base did or didn't turn it down, then might be
10 flying right over me or we may be crossing paths. Because that
11 scene is 2 miles from their base and if they're out flying, we
12 might, you know, might get close to each other, so I like to try
13 to develop that situational awareness.

14 Q. If you find out that it's been turned down and you look into
15 whether it's kind of borderline or whatever, does that affect your
16 decision at all, knowing that someone else has turned it down?

17 A. No, zero.

18 Q. The weather minimums at Survival Flight, do you feel -- well,
19 what are they?

20 A. 1,000 and 3; 800 and 3.

21 Q. When is the 1,000 and 3? Is that (indiscernible) night?

22 A. At night. That's night, yeah.

23 Q. And the 800 and 3 is?

24 A. Day.

25 Q. Do you feel they're adequate?

1 A. Adequate as in do I feel like they're good enough to fly in?

2 Yes.

3 Q. Do you --

4 A. Providing -- now, again -- and my caveat to that is kind of
5 -- to expand is the explanation I gave to Paul a little bit, and
6 that's are they good enough just by themselves? It depends on
7 what else happening, you know. If I know that the temperature and
8 dew point are matched, there's no wind, and the predominant, you
9 know, whether has been that we're going to fog up, just because I
10 have the legal minimums, I'm not taking that flight because of all
11 of that other information.

12 So, yes, they are good enough, but they're not a be-all end-
13 all. It's certainly not a, well, we're 800 and 3; let's go. I
14 mean, there are -- just because we're -- and I tell the pilots
15 this all the time. It not only has to be legal, but it has to be
16 safe. I can't just be legal; it has to be legal and safe, and it
17 can't just be safe; it has to be legal. I can go out and if it's,
18 you know, 802 and I want to fly up into that Interstate 55 and I
19 know that I can safely do that, but it's not legal; it's below
20 minimum. So it has to be those two things, legal and safe, and
21 safe is defined, as I said to Paul, by all of the other things
22 that can come into play that may not be just the ceiling and
23 visibility.

24 Q. Does Survival Flight have a flight data-monitoring program?

25 A. We do. So, like the IRIS system which -- and I don't know

1 exactly what all it monitors, but some of the aircraft have
2 cameras that look at the instrument array and I think they record
3 voice and also some of the digital information from the FADEC.
4 And, depending on the different models of the aircraft, I think
5 those systems are a little different, generally standard, but
6 there are some differences here and there.

7 Q. What does the company do with that data?

8 A. I don't know. I don't know the answer to that.

9 Q. Are you familiar with FOQA?

10 A. No.

11 Q. Flight Operations Quality Assurance Program. So, basically,
12 what it does, it takes -- there's a program set up within a
13 company where you take that data and you're comparing it -- you're
14 doing research into it (indiscernible) identified when you can
15 actually gain knowledge from what's being collected onboard.

16 A. I see.

17 Q. Is there -- that's kind of what I'm getting at with the
18 flight data monitoring. Does Survival Flight, do you know, do
19 they do anything with all of that --

20 A. Not to my knowledge --

21 Q. -- data?

22 A. -- no, sir. I've heard that term, but I'm not familiar with
23 it.

24 Q. Okay. Have you gone back -- have you ever pulled any of the
25 data and compared it to weather or done any -- if you heard about

1 a pilot flying low or flying into IMC -- I'm not talking any
2 specific examples, but just in general. If you hear complaints,
3 have you ever gone back and pulled that data and tried to compare
4 it to the weather at the time?

5 A. No, sir. I have -- you mean, like, data out of the aircraft?

6 Q. Yeah, that's transmitted up to OCC.

7 A. No. We have -- now, so I have looked at flight routes on the
8 flight tracking. For example, we had a noise complaint 2 years
9 ago, Quincy, Illinois, and I looked at the flight tracker in
10 relation to where the noise complaint originated from. So I have
11 done that, but that's really the extent of going back and looking
12 at historical data from the aircraft.

13 Q. Just so you're aware, if that's something that you ever want
14 to do, you don't actually have to be on the physical aircraft to
15 do it; it's all transmitted up to OCC.

16 A. Okay.

17 Q. So how were you informed of the accident?

18 A. Mr. Mercer called and told me that we had an aircraft that
19 was -- quit tracking and we didn't know for sure that it had
20 crashed, but there was a high probability that they think that's
21 what happened. Because they weren't able to get communications
22 with them, they quit tracking and all of the above. So that's how
23 I found out. And then the next thing I heard was we had a quick
24 conference call with our vice president in Gary, and maybe one or
25 two other people, and then we kind of confirmed -- it was

1 confirmed at that point. That was the confirmation message during
2 that conference call.

3 Q. So then what actions did you take after -- at that point?

4 A. I really didn't have a hand in anything official at that
5 point as far as the process. I didn't have anyone that I was
6 required to notify. I was in St. Louis at the time, so, really my
7 actions consisted of just packing my bags and getting myself ready
8 to move to wherever the company needed me.

9 MR. WILLIAMS: Sathya?

10 DR. SILVA: I have just a few.

11 BY DR. SILVA:

12 Q. Have you ever received any kind of safety concerns regarding
13 the state of an aircraft or aircraft maintenance?

14 A. I don't know that I would say that I received any safety
15 concerns. Of course, I've had discussions with pilots about, you
16 know, aircraft from time to time.

17 Q. Can you give us an example?

18 A. Yeah, I can. So, like, the S-76, for example, would -- had
19 an issue with the landing gear indicator light, three in the green
20 when the gear is down and locked, and that left bottom light, you
21 could see that there's filaments that should be illuminated, but
22 only one of the filaments was working; the other filament -- so
23 the light was illuminated and there wasn't anything anywhere that
24 said that both of those filaments had to be operable; it just said
25 the light had to either work or not work. So there was some

1 discussion with the pilots that, hey, look, if we're out and that
2 filament burns out, we don't have that indicator that the gear --
3 the left main is down and locked; that's an issue. I remember
4 that, for example, as not really a safety issue so much as a
5 discussion about an aircraft status or a maintenance issue.

6 Q. So what was the outcome of that?

7 A. We replaced the bulb. We just -- we got a second bulb and
8 replaced it.

9 Q. So they didn't take the flight or --

10 A. It wasn't revolving a specific flight; it was just kind of a
11 general, hey, just a heads-up so you know, this is an issue with
12 the aircraft. We haven't really found anything that, you know,
13 that we can action as far as an MEL-able item or anything like
14 that, but we think it could turn into something. So that was an
15 issue, yeah.

16 Q. If you had a flight that encountered inadvertent IMC, would
17 you expect to know about it?

18 A. So are you asking if a flight anywhere across the company --

19 Q. Um-hum.

20 A. So one of -- say, a pilot, one of the pilots at one of the
21 basis? Yes, I would expect to know about that.

22 Q. And how would you expect to find out about that?

23 A. Either the pilot, he or she, reporting it to me directly or
24 by hearing it from the on-duty operational control manager or by
25 Mr. Mercer.

1 Q. So is there a requirement for them to report something like
2 that?

3 A. There's a reasonable expectation, yes, and I don't -- I want
4 to say yes, but I can't quote you the reference of where that
5 requirement is. But it's a reasonable expectation that anything
6 that happens outside of the norm with any flight gets reported to
7 the OCM.

8 Q. So what would happen in that case that you had someone report
9 and inadvertent IMC encounter?

10 A. You know, I would involve the director of operations in that,
11 Mr. Mercer, and see how best to handle that situation. You know,
12 we obviously conduct, you know, an informal investigation into
13 that to see what happened and that may consist of a phone call;
14 that may consist of going to a base and interviewing everyone that
15 was there and, you know, looking at the weather conditions to see
16 how come we didn't see this, how did this happen, and what can we
17 do to prevent it from happening? Is it a system failure? Is it
18 an individual failure? Is it -- is there a climate, a culture
19 that we need to fix or was it somebody that just simply made a
20 mistake and they were tuning a radio and inadvertently cyclic
21 climbed a few hundred feet and entered into it?

22 So that's -- I think that's kind of the process. And,
23 obviously, that would be at the direction of Mr. Mercer as to, you
24 know, how best to handle that, each specific situation. I don't
25 know that there's a, you know, a defined process that if you get

1 -- this gets reported you're going to go through these steps; it's
2 kind of situational dependent.

3 Q. Have you ever been reported about an inadvertent IMC?

4 A. Have I reported to me that someone went? Yes.

5 Q. Um-hum.

6 A. Yes. Yeah.

7 Q. Do you recall how that was handled?

8 A. Yeah. Mr. Mercer had a conversation with that individual,
9 looked into it, and also sent me out there to look at the
10 situation to see, you know, if this was a trend, if this was
11 something that we could see happening again if, you know, if we
12 had a problem, or if this was an isolated event. So I think I'm
13 privy to part of the process, but not necessarily all of it
14 because, you know, a lot of that is stuff that he handles at his
15 level because that's very serious stuff, obviously.

16 Q. So let's say -- another scenario here. When it comes to
17 weather minimums, let's say you have a reporting station that's
18 reporting below minimums, but you have a pilot go outside, or
19 anyone go outside, and see, physically see, higher conditions.
20 Are they still able to take that flight even though a reporting
21 station is (indiscernible)?

22 A. So we've had it happen a couple of times where we have a
23 reporting station that's showing LIFR, but everywhere around it is
24 not only VFR, but severe clear, and that station may be the
25 closest one to the base and I would get a phone call, hey, this

1 airport is showing that they're, you know, zero-zero, but there's
2 not a cloud in the sky; it's VFR everywhere; can I take this
3 flight? Absolutely. As long as you maintain your weather
4 minimums on that flight, you absolutely can.

5 Q. What about in the case that it's maybe less clear; you're not
6 getting necessarily low IFR, but you are getting a report below
7 your minimums, but, again, outside, you have maybe marginal VFR?

8 A. Yeah. Then that's not something that we would interpolate or
9 try to judge from the ground. If we're talking about, you know,
10 trying to determine between marginal VFR and IFR and maybe the
11 reporting point is saying IFR, but you're making the determination
12 that's marginal VFR, then it wouldn't be prudent to accept that
13 flight.

14 Q. Have you ever had a situation like that come up?

15 A. Not that I recall. I had a situation at Survival 2 where
16 they were burning several fields off and the airport itself, which
17 was downwind, was obscured and they were showing IFR. But the
18 route of flight from the base to the point of entry to the scene
19 was not marginal, so, in that instance, we actually had
20 discernible weather. It wasn't just, you know, a spiderweb on the
21 sensor, like in the previous example; we actually had a situation
22 where there was an obscurant over the field, but it had no bearing
23 or impact on the route of flight. So I had that happen once,
24 maybe twice over the years. But, if we're talking about trying to
25 discern between marginal VFR and IFR being reported, you don't

1 take that flight, absolutely not. It's just too fine of a line,
2 you know.

3 Q. All right. That's all I have. Thank you.

4 A. Yes, ma'am.

5 MR. WILLIAMS: Thanks Sathya.

6 Paul?

7 MR. SUFFERN: No questions for me.

8 MR. WILLIAMS: John?

9 MR. BRANNEN: Yeah.

10 BY MR. BRANNEN:

11 Q. So I had a question in regard to risk assessments. So is
12 your expectation that a pilot will perform a new risk assessment
13 for each flight?

14 A. Yes, sir, they should perform one for each flight.

15 Q. Okay, so we've heard that, you know, the common practice is
16 to form a risk assessment as the start of their shift, so are you
17 saying they should either update or evaluate that risk assessment
18 to see if that's still valid or actually do a new risk assessment
19 for each flight?

20 A. Well, when you do the one at the beginning of the shift, it's
21 not complete until you have a flight request. Because part of
22 that risk assessment is to do your preflight planning and evaluate
23 your route of flight, determine your highest obstacle, and things
24 like that, and, obviously, you can't do that at the beginning of
25 the shift until you have that specific flight request and know

1 where you're going. So I'd say probably the more appropriate way
2 to phrase that would be they are to complete their risk assessment
3 when they get that specific flight request. And then, obviously,
4 along with that, if they're saying their weather is the same as
5 what it was when they came on shift, then there's no need to
6 update that. If the weather changes throughout the shift, then
7 that aspect of the risk assessment worksheet needs to be updated.
8 That needs to be kept up to date at all times.

9 Q. Okay, I think that's all I had.

10 MR. WILLIAMS: Okay, thanks.

11 Dave?

12 MR. GERLACH: I don't have any more questions. Thank you.

13 MR. WILLIAMS: Do you have anything else?

14 DR. SILVA: No.

15 MR. WILLIAMS: Tim?

16 MR. TAYLOR: No.

17 BY MR. WILLIAMS:

18 Q. Is there anything we didn't ask, anything that should have?
19 Is there anywhere you can kind of point us to help us understand
20 this thing?

21 A. I mean, I'll tell you the question that I keep asking, and,
22 you know, of all the bases and all the pilots, I think, what I'm
23 asking the most is how could this happen to Jen? And I don't know
24 what happened. I don't know if it was a weather issue, I don't
25 know if it was a mechanical issue, I don't know if she had a

1 health issue, but, you know, with a lot of the discussion that's
2 out there, because conditions, you know, were not clear blue in
3 22, you know, I keep asking myself, you know, of all the pilots
4 that are out there, I just -- I'm very surprised and I can't
5 understand how this happened to her because, again, just 2 weeks
6 ago, you know, she demonstrated to me that -- all of the qualities
7 I've already said, you know. She was not an impressionable
8 person. She was not a meek person; she was very confident. She
9 was very professional.

10 And if this turns out that it was a weather issue, I'm really
11 having a hard time reconciling that in my own mind. It wasn't
12 like she was brand new. It wasn't like she was, you know -- I had
13 had -- I've never had an issue with her, never. She's never been
14 questioned. I've had multiple air medical personnel tell me that
15 she's one of the best pilots they've ever flown with, that they
16 would get on the aircraft with her anytime. So, you know, that's
17 the question I keep asking myself.

18 BY MR. GERLACH:

19 Q. Did you guys go look at the weather after the accident? Did
20 you go, you know, post-crash assess?

21 A. Yeah, we did. Because 40 minutes later and 7 miles away, the
22 competition had an aircraft lifting from a scene flight. I know
23 the pilot. I've a hundred percent confirmed 7 miles and 40
24 minutes. So, you know, if the weather was -- so, yes, we did.

25 Q. What was your take on that weather along that route?

1 A. I didn't look at it immediately following the route, but my
2 take was that it was legal, safe, and well within her abilities.

3 Q. Yeah.

4 A. What I did do, more specifically to your question, is I
5 talked to the night pilot who's the one that actually accepted
6 that flight --

7 Q. Right.

8 A. -- Wally, and I said, Wally, what was the deal with the
9 weather? And he said the weather was good. He's like I accepted
10 the flight. The weather was well above minimums, you know. It
11 was, in his words -- in my words, you know, to paraphrase, safe,
12 legal, and well within everyone's ability. That's why he accepted
13 it originally to begin with. So --

14 Q. But we -- but armchair quarterbacking it, did you find
15 anything when you looked at it that you went, oh --

16 A. No.

17 Q. -- maybe here's a problem (indiscernible) --

18 A. What I did hear about in armchair quarterbacking is that
19 there were snow squalls in area --

20 Q. Yeah.

21 A. -- and I got that from one of my pilots who was driving down
22 there to the crash site minutes after this happened and he said
23 there was bands of snow --

24 Q. Right.

25 A. -- in the area. And I'll be honest with you. I didn't look

1 at the radar because at that time -- and I had this conversation
2 with him hours after the fact, but my question was if there -- if
3 it was snowing that hard in those bands, then how come we didn't
4 see that? How come she didn't see it? How come Wally didn't see
5 it when he accepted the flight?

6 And I don't know if it's just the way the weather is out
7 there, but I'll give you this anecdote. I flew the replacement
8 aircraft out there last week and I stopped in town north of
9 Cincinnati for fuel and I took about an hour -- half hour before
10 dark. I checked the radar, I checked all the stuff I said I
11 checked, and I'll be damned if I wasn't 20 to 25 minutes along
12 that route of flight to Columbus where I got in the snow. I
13 pulled out the iPad. I'm looking at the radar. I pulled out my
14 phone; I'm looking at my phone. There is nothing on the radar,
15 but, yet, here I am flying in snow. And I don't understand that
16 and I don't know what can be done differently with the hardware or
17 software, but that happened to me last week and it was dark. And
18 I could still maintain visibility because it wasn't snowing that
19 hard, but I'm thinking to myself, what if it was snowing harder,
20 you know, where would I be -- where would -- what would I do? And
21 so that's frustrating me a little bit and I struggle with that --

22 Q. Sure.

23 A. -- as to why I'm looking at the radar right now and it's not
24 showing any of the snow that I'm flying in.

25 Q. Understood.

1 A. So, yeah. But armchair quarterbacking it, that's the thing
2 that I've kind of been hung up on a little bit.

3 Q. Yep, yep.

4 MR. WILLIAMS: All right. Well, thank you very much for your
5 time.

6 MR. WINDES: Yes, sir.

7 MR. WILLIAMS: You've got our cards if anything comes up. If
8 you think of anything else, please don't hesitate to reach out to
9 us, even to Tim. He can get it to us and -- yeah, thank you.

10 MR. WINDES: Yes, sir. Thank you all. I appreciate you all
11 being here.

12 MR. WILLIAMS: Okay, we're off the record at 4:02.

13 (Whereupon, at 4:02 p.m., the interview was concluded.)
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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD



IN THE MATTER OF: SURVIVAL FLIGHT HELICOPTER CRASH
 NEAR ZALESKI, OHIO
 JANUARY 29, 2019
 Interview of Jack Windes

ACCIDENT NO.: CEN19FA072

PLACE: Batesville, Arkansas

DATE: February 8, 2019

was held according to the record, and that this is the original,
complete, true and accurate transcript which has been transcribed
to the best of my skill and ability.

Karen M. Galvez
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

* * * * *

Investigation of: *

*

SURVIVAL FLIGHT HELICOPTER CRASH *

NEAR ZALESKI, OHIO * Accident No.: CEN19FA072

JANUARY 29, 2019 *

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Interview of: GARY MERCER

Viking Aviation
Batesville, Arkansas

Friday,
February 8, 2019

APPEARANCES:

SHAUN WILLIAMS, Investigator in Charge
National Transportation Safety Board

SATHYA SILVA, Ph.D., Human Performance Investigator
National Transportation Safety Board

JOHN BRANNEN, Regional Investigator
National Transportation Safety Board

PAUL SUFFERN, Senior Meteorologist
National Transportation Safety Board

DAVID GERLACH, Aircraft Accident Investigator
Federal Aviation Administration

TIM TAYLOR, Instructor Pilot
Survival Flight

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I N T E R V I E W

(3:29 p.m.)

1 MR. WILLIAMS: So we're on the record at 3:29.

2
3 So, Gary, thanks for taking the time to talk to us. As you
4 know, my name's Shaun Williams, NTSB investigator in charge on the
5 accident.
6

7 We're -- NTSB, federal agency, independent, charged with
8 determining the probable cause of transportation accidents. We're
9 not a part of the DOT or FAA. We have no regulatory or
10 enforcement powers. Our goal here is just to find out what
11 happened, why it happened, and how we can prevent it from
12 happening again. Nobody wants to be in that situation.

13 So the way we do our interviews is a group setting. I'll
14 start off and then we'll kind of go around the room. Everybody
15 will have a chance to ask questions. Usually it's about two
16 rounds, nothing too painful, and then that should be it.

17 So you've met me. We'll kind of go around the room, let
18 everybody introduce themselves. We've got one on the phone here
19 as well. So we'll start with Dave.

20 MR. GERLACH: David Gerlach, Federal Aviation Administration,
21 Office of Accident Investigation and Prevention. I am an accident
22 investigator.

23 DR. SILVA: Sathya Silva, human performance with the NTSB.

24 MR. SUFFERN: Paul Suffern, meteorologist with the NTSB,

25 MR. TAYLOR: Tim Taylor, Survival Flight.

1 MR. WILLIAMS: And John?

2 MR. BRANNEN: John Brannen, NTSB regional investigator,
3 working ops on this one.

4 MR. WILLIAMS: So, Gary, like I mentioned before, we're using
5 a tape recorder to record the interviews. The audio will then be
6 sent off for transcription, with the transcript being a part of
7 the public docket when the investigation is released, not the
8 audio portion of it.

9 MR. MERCER: Okay.

10 MR. WILLIAMS: Like I said before, the purpose of our
11 investigation is just safety. We want to try to prevent this from
12 happening again. We're not here to assign fault, blame or
13 liability. It's all just part of the fact-finding phase. We
14 cannot, however, offer any guarantee of confidentiality or
15 immunity. It's going to be part of the public docket later.

16 Please answer all the questions to the best of your
17 recollection. If you don't know something, "I don't know" is a
18 perfectly acceptable answer. Try to do what you can. If you
19 don't understand a question, ask to have it repeated. The same
20 token, if you misspeak or want to correct an earlier thing, please
21 do so. We want the most correct, most accurate version as
22 possible.

23 You're entitled to have somebody with you. You okay talking
24 with us?

25 MR. MERCER: I'm fine.

1 MR. WILLIAMS: Okay. So do you have any questions before we
2 get going?

3 MR. MERCER: Nope. I'm good.

4 INTERVIEW OF GARY MERCER

5 BY MR. WILLIAMS:

6 Q. So can you just spell your first and last name for us,
7 please?

8 A. Gary, G-a-r-y, Mercer, M-e-r-c-e-r.

9 Q. And what is your title?

10 A. I'm the director of operations for Viking Aviation, LLC.

11 Q. So give me a little bit about your background, how you got to
12 where you are today.

13 A. Depends on how far back you want to go.

14 Q. CliffsNotes version.

15 A. CliffsNotes version. Sometime into this week, it'll be 50
16 years that I've been flying. From there, we started with this
17 particular operation approximately 9 years ago in Missouri with
18 turning the three aircraft. And then slowing it built, turned to
19 -- I was operating the aircraft and me in the director of
20 operations role most of that time. And then a little over 4 years
21 ago we started on our own and that's where we are right now.
22 We've grown those from the 3 to the 15 that there are now.

23 Q. So what about your flying background?

24 A. Army aviator, ATP holder. Done a lot of different things, a
25 lot of 135 stuff, 133 stuff. And then 22 years in the military,

1 which I retired from the military as an instructor pilot in both
2 the Black Hawk and Apache aircraft.

3 Q. Okay. So what are your normal duties and responsibilities as
4 director of operations?

5 A. Well, I'm responsible for the show, the whole kit and
6 kaboodle of it, meaning that the OCC is my responsibility and the
7 pilots are my -- trainings are my responsibility. Other people
8 take care of those individual daily basis things, but I have the
9 overall responsibility to make sure that we're successful. And
10 success is doing our job every day and doing it safely.

11 Q. So what is or describe to me a day in the life of Gary, the
12 DO.

13 A. It varies day to day. There are times I may be the
14 operational control manager. There may be times where I'm
15 participating in training as a ground instructor. I may be -- it
16 all varies. But I work from home a lot, and taking phone calls.
17 I make sure that I'm available 24/7 for anybody that has a
18 problem. And, fortunately, that has not been very often. But I'm
19 also kind of a subject matter expert in the aircraft. And so,
20 from time to time when people have trouble, they'll call me to
21 facilitate hopefully getting things going.

22 Q. So where is home?

23 A. Chandler, Arizona. The company started there. We moved the
24 aircraft, the single aircraft, and moved to Missouri, like I said,
25 9 years ago. And then the commute started and -- some years after

1 that. Our billing office is still there and that's where my
2 residence has always been, so --

3 Q. How much time do you spend here in Little Rock?

4 A. Oh, at least 50 percent of the time, sometimes more.

5 Q. So you mentioned the company started in Arizona. What's the
6 history of the company? How did it go from one ship to the
7 operation that you have now?

8 A. Some folks got together, decided they knew enough about the
9 operation to start a helicopter air ambulance company in Arizona.
10 And the company -- I was working as a contractor at the time. And
11 they contacted me, if I would be interested in being the director
12 of operations for this little thing they were starting.

13 And so they started with one helicopter in Sun City, in
14 northwest Phoenix. It went along for a period of time, and I
15 don't remember how long, like maybe a year, 18 months, something
16 like that. And there was a business problem with one of the
17 partners and it became obvious that they needed to move the
18 company. And so they took that asset into a hospital in Festus,
19 Missouri.

20 And the Arizona pilots kept going and we slowly converted to
21 Missouri pilots, and I was still based in Arizona. And then we
22 had an opportunity to put another aircraft in Kennett, Missouri,
23 and then a third aircraft, finally, in Hannibal, Missouri. Then
24 that went on for a period of time and then the helicopter owner of
25 SI (ph.) decided that he would sell to the current owner of this

1 company. And when that happened, there was some issues with
2 moving its certificate and a bunch of things that took place.

3 So by this time, I had left the company. And the current
4 owner of this -- of Survival Flight or Viking, asked if I could
5 help him obtain another certificate because working with the
6 aviation guy was becoming difficult. And I said, well, all right.
7 And in the process, the simplest way to do it was to acquire
8 another business. And there was a business became available here
9 in Arkansas, and that's how it ended up here. We then converted
10 that certificate, an airplane certificate, to a helicopter
11 certificate in October of '14. And then acquired three aircraft.
12 And then arranged to have all the pilots trained, and then we
13 moved everything over from those -- the three vendor aircraft,
14 other three aircraft that the company operates.

15 On the first of December 2014, shortly thereafter, a month
16 later, we put our first 407 in service. And then we've grown
17 slowly after that, three, four aircraft a year since then.

18 We still have the original three L4s we started with, and all
19 the other acquisitions have been 407s with the exception of an
20 S-76 that we operate in Oklahoma City. We also have a PC-12 on
21 the certificate.

22 Q. Okay. So how many total aircraft do you have now, then?

23 A. Twelve 407s, three L4s, an S-76 and a PC-12.

24 Q. About how many pilots?

25 A. Just short of 70. We have some part-time people. You've met

1 one of them, Steve Foster. There are some people who are -- we've
2 got a couple of part-time airplane pilots. But it's about 70,
3 close to 70.

4 Q. Okay. So are you the primary point of contact with the FAA?

5 A. Yes.

6 Q. Can you describe the relationship with the POI?

7 A. We have a good relationship. We can communicate. He'll have
8 taskers that'll come down and we'll take care of them. He's been
9 -- we've had issues of complying, you know, making sure that we
10 were dotting the I's properly and crossing the T's, and we've
11 worked through that.

12 And then SAS -- or not SAS -- yeah, SAS, the compliance
13 thing, because we're HAA, we end up, like, apparently getting more
14 of those taskers, so we end up working that a lot. When we've
15 made changes, we're required to do them. Recently, as -- the 600
16 series has now kind of -- there's no more things coming, but, you
17 know, HTAWS was required and the recording devices were required.
18 As that's come into place, we worked through that and to be in
19 compliance with the FARs in the time that it needed to happen.

20 Q. How often do you see the POI down here?

21 A. Oh, once a month, at least, probably more. On the phone,
22 more often.

23 Q. So I want to talk a little bit about operational control.
24 How is that performed?

25 A. Well, it's my responsibility, and it's delegated down to some

1 other folks. And it's -- that's the big picture. And then under
2 the -- as soon as we went over nine, we were required to have an
3 operation control center. And when we did that, we were still in
4 Phoenix. So the operational control center was here -- excuse me
5 -- was there, and then we then opened up the operational control
6 center here. We had both centers working simultaneously. We
7 needed to find out if this one would be stable enough with the
8 communications, with the internet, with all the other things, to
9 see if we could do it. Because we knew we were stable enough in
10 Phoenix. Found out that it was.

11 And we had backup plans to where if one went down we could
12 come up with the other one, just -- so we can always stay
13 available 24/7. And then it's turned in -- and that OCC, all the
14 hardware is still there. It's in the room. It's still there
15 available. We just don't have anybody there manning it.

16 And then -- we're a 24/7 operation. There's always somebody
17 in the OCC. There's always somebody to answer the phone. There's
18 always -- there's a manger available in case an OCS has a problem
19 or an issue or something that requires OCM control. For example,
20 an amber critical or a flight release, for example.

21 And then it just -- it evolved. So there's always somebody
22 monitoring and there's always somebody -- in other words, when
23 someone -- you're not allowed to move the aircraft without telling
24 somebody. And so they get permission to move the aircraft from
25 the hangar to the hospital. They get permission to go back in --

1 say there's weather coming. All right, you got to go -- okay,
2 that's fine. Every -- all those movements are known. And that
3 establishes operational control.

4 And then when a flight comes up, someone needs a higher level
5 of medical care, they go through the process of making that
6 happen. Alert the pilot. If the weather and all the conditions
7 allow, then it may be an automatic launch. Maybe you call him up
8 and say, here, you're going there.

9 If there's something that needs to be mitigated in the
10 meantime -- for example, the flight release is an amber for
11 weather. An amber weather release or a flight release usually
12 means that before a pilot will accept a flight, that he's checked
13 the weather and the weather is appropriate to take the flight.

14 And then once that happens, then all the processes go through
15 there and the risk assessment is completed. There will be a
16 decision to launch. Then the flight will be monitored from there.

17 And then it's closed out. We'll give a flight number, and
18 that's how they will record that particular event, and then it
19 goes from there. Then -- a movement, we'll give it -- potentially
20 will be given a flight number, too, in order to make sure that
21 everything has been accounted for. Because the end of year report
22 that I gave you, it has all those, you know, movements, the
23 repositions, how many of each one that we do.

24 Q. So you mentioned managers or I think kind of hinted at the
25 operations control manager, the OCM.

1 A. Um-hum.

2 Q. How many are there?

3 A. Four.

4 Q. There's four. And who are those four?

5 A. Myself, Jack Windes -- and they're by position. Myself, Jack
6 Windes, Joe Lawrence, and Rachel Millard.

7 Q. So then they have -- are they delegated operational control?

8 A. Yes.

9 Q. So as a requirement for operational control you have to be --
10 you qualify through training and experience and expertise.

11 A. Correct. And it appears in the GOM that -- they are named in
12 the GOM specifically as available for operational control
13 managers. In order to do that, it has to be either by experience
14 and title, however of those. If we were to become larger, then
15 we'd do as other people would do, and then take somebody based
16 upon experience, training, and then we could give them operational
17 control, train them. A lot of people do pilots, retired pilots,
18 somebody who has the background.

19 Q. Okay. So the OCM, they would be contacted if there was an
20 issue with weather; is that what you said? Or if there was an
21 amber -- when do they get called?

22 A. Anytime that -- there are specific items that require an OCM
23 approval. An amber critical is one of them. And that means that
24 they're very close to a weather minimum. And then when that
25 happens, then the OCM has to agree to it. If it's an amber

1 release, which is higher weather minimums, then that's functional,
2 but -- it's not toward the point that a manager has to get
3 involved. And then green, there's no -- for weather, there's no
4 issues.

5 Where it also will happen is if it's a flight that's other
6 than what we normally do. If it's a non-medical flight and the
7 sheriff of Sharp County calls us, says we're missing a 3-year-old,
8 would you please come out and look, he'll call an operational
9 control -- or call and say, hey, we would like to do this flight.
10 And that's where the mitigation takes place. All right, this
11 flight can take place if it's in daytime and it can't be below 300
12 feet. And that's -- we're going to put limitations. Nighttime
13 not below 500 feet and that -- because it's something we don't do.

14 Anything that occurs in the organization that's an
15 expectation of us doing something, but it's not what we normally
16 do so it's not potentially a trained through item. So when
17 trained through, the mitigation can apply. Without that, you'd
18 have to put a limitation of some sort assuming one -- people do
19 odd -- odd things can happen if they don't understand what the
20 limitations are.

21 Q. Okay. So of the four OCMs, you're a pilot and have the
22 aviation background; Jack is clearly a pilot with the aviation
23 background; Joe is clearly a pilot with the aviation background.
24 So how -- Rachel was the fourth one. So kind of walk me through
25 her training or experience to be able to hold that operational

1 control portion of it.

2 A. She's been around the company since its inception in various
3 capacities. The biller, but she's also worked in -- before it was
4 the OCC, when it was coms. She's been there, been there, and then
5 as we came along and it -- she took over the OCC as the
6 supervisor. Then she had to function as an OCS. She had to
7 function through all of the manners that took place. She has the
8 background. And she also has the ability to know who -- what are
9 -- if there's a resource that she needs in order to make a
10 decision, she knows how to accomplish it. Meaning if it's a
11 maintenance problem, she knows who to call. If it's become an
12 operational problem that she's not sure of, she knows who to call.
13 So she is the person there to make the decision based upon
14 everything that she's seen, to -- okay, do we need to go further
15 with this? Do we need to stop it? Who else do I need to get
16 involved? I could have a problem -- as the OCM, I could have a
17 problem and it'd be a maintenance issue that, I mean -- okay, I'll
18 make sure I get ahold of the maintenance manager, who's not an OCM
19 because of other, you know, of the other duties.

20 But her background was enough, and we wrote in her resume and
21 her job title as operational control manger enough keys to show
22 that she was capable of operational control.

23 Q. Okay. So the OCC as a whole, how does that -- what is their
24 role in the operation?

25 A. I can get you out a book. (Laughter)

1 And that's part of this -- you know, the basic function is
2 they're the interface between the people who need our services and
3 our services. They answer the phone that everyone knows to call
4 if you need us, be it 911 call center or fire department or
5 whatever. Then if it meets the criteria, it's something we can
6 do, then they start going through their process, okay, who, what,
7 when, where, how, whatever, if it's appropriate. Then -- it'll
8 usually be taken by a CS and may then go -- communications
9 specialist -- and then it can go to an operational control
10 specialist. Then they'll start notifying the crew.

11 Once the crew is notified, the flight comes up, and then they
12 monitor the flight from the time it departs until the time --
13 until they put the aircraft to bed. And then they're involved,
14 you know, while they're in the hospital, while they're -- wherever
15 it is, until they're back at home base, they're involved.

16 Q. What is their role with releasing the flight as far as
17 weather?

18 A. They -- we have several of them that are meteorologists, so
19 they have some -- they're an asset by which they could assist and
20 monitor weather. But it's the pilot's responsibility to monitor
21 weather, the pilot's responsibility to decide upon the weather.
22 So the pilot's going to have -- prior to the flight, hopefully, be
23 aware of the weather. Say, it's a green day and they get a call,
24 and off they go. If it's not, then the pilot will then interpret
25 the weather as best they can, decide if -- okay, weather's

1 trending up or down, if it's within limitations, and then, okay, I
2 accept the flight.

3 Flights are not accepted as far as the pilot's concerned with
4 any medical knowledge. It's purely a flight. So there's never
5 pressure placed upon the pilot "the baby's going to die if you
6 don't go." That never happens.

7 Then once that process goes through and it's been agreed to
8 that the flight is capable of being taken, and it -- okay, we're
9 launching, we'll go. Then patient information will follow after
10 that. But it won't -- it's not allowed to influence the decision
11 whether or not to go. It's just a flight. It doesn't matter how
12 critical or how less critical. It's just what it is.

13 Back when it was one person, we were one helicopter and one
14 person, it was a pretty close-knit operation.

15 Q. So how are those folks supervised, the ones with operational
16 control, be it the OCS or Jack, Joe or Rachel? How are they
17 supervised with their operational control duties?

18 A. As far as -- they show up to work. They have duty
19 limitations, time-off limitations. It is so -- well, you might
20 end up -- I don't think it's ever end up where they've never
21 gotten a phone call, but you can end up with, especially at
22 nighttime, maybe not a phone call or 17. And all the lines are
23 recorded, their performance is recorded. If there's a problem,
24 then it can come back the other way.

25 But as far as supervision goes, the function of their job is

1 how it works, and there's always, you know, there's always the
2 flow and there's always available -- and so people -- they're
3 limited access. Not anyone can go up to them because it's
4 important that they stay separate.

5 Now what will happen is, at the beginning of whoever is the
6 operational control manager, at the beginning of their duty time,
7 the OCS on duty will then brief up that OCM. And say, all right,
8 here's what's happened, here's what's happening, and this is TFRs,
9 all this mess. And then from that goes to weather conditions, how
10 it goes from there, and this is what's going to be -- what you're
11 looking for at the period of time that you're the OCM that the
12 OCSes are going to be dealing with during your duty time, the time
13 that you're the OCM.

14 So if it's expectations that it's just great weather
15 everywhere, that's what it's going to -- otherwise there could be
16 some considerations. For bad weather, okay, we may be looking at
17 having to do -- getting aircraft hangared, that sort of thing.

18 Q. Do the OCSes have the authority to cancel or turn down a
19 flight?

20 A. Sure, if it doesn't meet the criteria by which we work. I
21 mean, they're not going to take a rescue that doesn't work. If
22 it's a 911 center calling to transport a patient and it meets with
23 our criteria, there's no reason for them to cancel. But if it's
24 something that we don't do, they may -- they could contact the OCM
25 to see if there was something unusual, but I can't imagine

1 something that they would get called for that would be a
2 cancelable item unless -- say, everybody was red for some reason,
3 I mean, there was a hurricane. Yeah, sure, we can't do it.

4 So if we can do it and it's something that we do, then
5 they'll accept. Doesn't mean it'll happen, but we'll start moving
6 the process.

7 The thing that comes up that's a bit different is law
8 enforcement. They want -- an issue and there's -- it's a --
9 there's shots being -- no, uh-uh, we don't participate in that
10 kind of -- now, we'll haul a prisoner, yes, with a guard, with all
11 the rest of it. But to go into an active shooter scene, no, we
12 won't -- no, we don't do that. We won't accept the flight. And
13 that's where we're at. But --

14 Q. Yeah. Is the decision to launch or turn down, is that a
15 joint decision between the OCC and the pilot, or is it solely up
16 to the pilot? Like the pilot's an amber and so the OCC calls him
17 up.

18 A. If the -- if the question is, does the pilot -- is the pilot
19 accepting a flight that the OCC, the OCS sees differently?

20 Q. Yes.

21 A. Yes. They will bring -- "Okay, do you see this?" It happens
22 rarely, if ever, that I know of, because -- let me put in a
23 different perspective so this will make more sense.

24 We do amber critical -- I'm not sure the count, 20, 30 maybe,
25 ever. We were just talking earlier today about amber critical

1 because we got two guys going through recurrent. And I said, so
2 what do you think about amber critical, to the pilot. And he
3 says, not much; don't use it. I said, yeah, I know. I said, it's
4 a local flying area. And he goes, I'm not going to use it. I
5 said, yep, I know.

6 So this lower weather minimums, because of where they are,
7 it's not -- and as far as this pilot's concerned, he can't -- he's
8 not interested; there's too many obstacles. And I said, I
9 understand that. It's been that way for 9 years. I get it. I've
10 never tried to get you guys a local flying area for St. Louis
11 because nobody will use it. They just -- nobody will take a
12 flight at that weather minimum.

13 Other places, when we were in Phoenix, we had a local flying
14 area because the weather was a little different and the obstacles
15 were not as interesting as they are around for those guys in St.
16 Louis. Because you've got some big stuff up there, and to go
17 cruising around there at 800 and 2, not interested. And I don't
18 blame him. I wouldn't require it.

19 We talked about doing a local flying area in Columbus.
20 Thought about it, and still not convinced. I don't think many
21 people would use it and it's a lot to do. It's a lot, a lot of
22 trouble to go to for something that I don't think people will take
23 advantage of.

24 Q. So what do you mean by local flying area? Because I'm not --

25 A. Okay. What it says within the rules, we can come up with an

1 area that does not exceed 50 miles in width, or 50 miles in length
2 this way. And we have to be very specific. There has to be a
3 test administered and people have to really understand the pieces
4 that are involved in this local area. So someone comes in from
5 out of town, they don't get to use it. They have to know -- they
6 have to take the test, have to know the area.

7 So the minimum weather requirements for daytime, non-
8 mountainous, is 800 and 3. Local is 800 and 2. So you get a
9 mile. And I don't remember the others at night because -- one
10 reason I don't remember is we don't use it. And so the idea was
11 that because you're intimately familiar with the local area, that
12 a reduced visibility -- not a reduced ceiling, but a reduced
13 visibility is applicable. And we chose not to do it.

14 And from a practical point of view, the same with amber
15 critical, most people are not -- I did an amber critical just a
16 few days ago. And the weather was 900 and forever. I mean, he
17 could probably see to Birmingham from where he was. And I
18 understood it. I mean, crystal clear. It was extremely stable
19 ceiling and nothing was going to change for a long period of time.
20 I got an amber critical. But there's a chance as things get in
21 dynamic -- no, if it's not trending up, no. There's not --
22 there's no point in it. The flight will be turned down.

23 When we start this, I tell everybody we train that there's
24 only one thing they owe me, and that is they go home at the end of
25 their shift. However, I want them to accept every flight that

1 they can accept, turn down the ones you should accept. So you
2 tell me that you can't fly because of the weather, because you see
3 some trending, it stands. That's the end of it.

4 In all the times that we've done this, I've asked, that I
5 remember, one pilot -- not to take a flight, didn't ask him to do
6 that, asked him to check weather. And the reason I asked him to
7 check weather, I said, here's what I'm looking at and here's what
8 you're looking at. What I'm seeing is really VFR. What you're
9 telling me is less than minimums. How do we get there? Tell me
10 so that I can understand what your decision-making process is and
11 then we can help you make that decision-making process. So --

12 Q. Okay. What was the outcome of that one? Did he go?

13 A. No. It went really downhill. The nurse got involved. And
14 the nurse got irate that I was forcing the pilot into making a
15 different weather decision. And I said that is not what I asked,
16 that is not what I said, that is not what I told, nothing like
17 that. She didn't want to hear it. And she -- the flight did not
18 go because she viewed me as putting undue pressure on the pilot.
19 And I went, it doesn't work that way; I did not tell him to fly.
20 I asked him to check weather, and there's big difference there.

21 Q. When was that?

22 A. Eighteen months ago, maybe.

23 Q. Was that in one of the -- which base?

24 A. Hannibal 3.

25 Q. Hannibal.

1 A. The nurse is still there.

2 Q. So when you're looking for pilots, what are you looking for?

3 A. It's a complex little issue. There's three legs to the job:
4 the job, the aircraft, and the area. So if someone already has
5 helicopter ambulance experience, that may or not be a plus
6 depending on where they came from. If they know the aircraft, if
7 they're current on the aircraft, that's a plus. And then if
8 they're -- the area that they're going to, they're familiar with.

9 Now, if we hire somebody off the street and they meet our
10 minimum -- they meet our requirements for flight time, they meet
11 our requirements for having a commercial ticket and instrument --
12 I had a guy who applied for a job just the other day. He had
13 everything. I mean, he had all the whistles and bells; he had
14 everything, except didn't have an instrument ticket. He would
15 have been a great hire, but -- I said, please call me when you get
16 an instrument ticket because it's a requirement for the job.

17 But we'll put out an ad or we'll do it through word of mouth.
18 The pilot in question, she was -- she found out about -- one of
19 our pilots knew her or knew someone who knew her, and they came to
20 us from word of mouth.

21 And then we'll interview them on the phone, over the phone.
22 We'll do a little background. And then we'll start the process.
23 Drug test them. And then start trainer.

24 And the real issue with our line of work is -- the pilot
25 ability is one thing, but the hardest thing about the job is them

1 getting along with the people they work with. And once people
2 understand that, that the job -- the flying part of it, sure, but
3 the other part, dealing with people and interfacing is somewhat
4 more complex. It doesn't fit for everybody. And go through the
5 process.

6 Q. What kind of balance are you looking for?

7 A. Try to get 2,000 hours, but we'll take 1500 hours of time
8 depending upon what their experience was. And that's a -- we
9 don't -- we're not a CAMTS member, but that the CAMTS minimums.

10 Q. The 1500?

11 A. Yeah. If they show some experience in what you're doing.
12 What they're to do is get like ex-military guys who've -- you
13 know, they've seen combat, they've seen all the rest of it and
14 that, but they don't have the 2,000 hours. And that gets them in
15 the door. But most everybody's at least 2,000 hours.

16 And require -- well, they have to have unaided nighttime, and
17 then it goes from there. When we were an unaided program -- we've
18 only been an aided program for a little over a year.

19 UNIDENTIFIED SPEAKER: November.

20 MR. MERCER: Yeah. So prior to that, we were an unaided
21 program. But having NVG time is helpful, not necessary, but it's
22 helpful.

23 We've had some luck with helicopter pilots who've come from
24 other companies, HAA company. And we've had problems with people
25 who come from other companies. Because the perception of the

1 rules and the perception of how we do things vary. And we have
2 our means by which we try to take care of things and sometimes
3 folks have trouble adapting to that. So --

4 BY MR. WILLIAMS:

5 Q. How are the pilots trained?

6 A. Well, we come in -- bring them in, take them through ground,
7 at least a day of ground. And then we start putting them in the
8 aircraft. And depending upon scheduling and how many instructors
9 are there, but -- it's a rotational process of training. And
10 depends on what aircraft's available on any given day.

11 We had a trainer rebuild for us -- because we started the
12 company with these three L4s and then two 407s after that. We
13 tried to come up with a standard this is how our aircraft should
14 look, a standard avionics package. And that turned into, over
15 time, a Garmin 500 display, two GPSs, and those GPSs went to 650.
16 So we -- our trainer has a Garmin 500, it has a Garmin 650, and
17 that's -- we'll use that, a DL3, because it's a dedicated trainer.
18 Nobody can take it anywhere; it's here.

19 There's times we've had to delay training because we didn't
20 have an aircraft available. I've got a pilot out there right now
21 that I would really love to put into a 407, but we've not had a
22 407 available for him to train in. And 76 had maintenance,
23 another aircraft had maintenance, so our two spares were gone.
24 And it came time to finish his training and there's no 407. So I
25 -- we got two L4 bases, so he's been working an L4 base for now

1 for a while, until we can get a 407.

2 I will not put anyone in a 407 unless they've been trained.
3 And the training process is the same for the 407 as it is for the
4 L model. They have to do all the maneuvers, and they have to do
5 all the maneuvers successfully. And so, again, because we've not
6 had the asset, an unusual event -- because we don't have a spare
7 76. We just have one. So when it goes down, we have to give them
8 another aircraft. And because of the complexity of the bigger
9 aircraft, those maintenance cycles can take a little longer. And
10 so that's what happened, the aircraft is down a little bit longer,
11 so the spare -- we sent them a spare aircraft. We had -- another
12 maintenance event took place. Our other aircraft they would have
13 used for a trainer, the spare aircraft is now gone. So all I can
14 do is train a guy in the aircraft that we've got, put him to work
15 in a base that'll work there, and then live up to my promise of
16 making him a 407 pilot when the asset becomes available.

17 And then tragedy happens and the spare's not here.

18 Q. Who's responsible for training the pilots?

19 A. Me. Joe, Joe's the director of training. Joe does the
20 schedules. Joe puts together how that will occur. But Tim's also
21 involved. You met Steve; he's involved. And then -- and Jack
22 will train. And then whoever happens to be available, we'll put
23 them in the group to put together a class, make it happen.

24 Tim does it, works for us the most as a dedicated trainer.
25 And then -- Steve does some check rides for us, and Joe does check

1 rides. You know, they rotate that duty around. Tim's been a --
2 hasn't been a check airman that long. Those two guys have been a
3 check airman for at least 2 years, because we just did their
4 revalidation.

5 Q. Okay. So you mentioned one of the hardest things being
6 interface, dealing with people. How do you work to overcome that?

7 A. We have a CRM class. We try to do CRM while they're in
8 training. A lot of mentoring. And then when they get to the
9 base, work with them at the base. We'll have them shadow --
10 they'll be there a couple days ahead of time, flow them into it.

11 The problem is, too, the medical crew. You could have new
12 people in the medical crew, too. So it's a matter of them
13 learning to work -- you can bake this cake a lot, a bunch of
14 different ways. You can take three people and, depending upon how
15 you mix them, you can have remarkable success or not as much
16 success. And some people flourish working -- someone shows up and
17 they're very assertive as a pilot and that can be taken as they're
18 too assertive or it can be taken that they're pilot in command.
19 It depends on how the inflection is. You know, if you feel like
20 you're -- you're that guy or not that guy.

21 But the whole goal is for them to feel safe, the whole goal
22 for them to understand what happens. Because everybody wants it
23 to be a success. Everybody wants to make it happen. And it's a
24 lot to do with, in a short period of time, and make every -- they
25 all work together. They're in the back and they're busy. They're

1 in the back and they're busy. The pilot's got his job to do, too.
2 And it all has to function together.

3 Q. So do you -- in your vision, is -- are all three folks on
4 that machine part of a crew?

5 A. Oh, you don't want to go down that road. (Laughs) The
6 problem is we can't call them crew, call them as you would, FAA
7 crew. Meaning because we can't put any duty time limitations on
8 them.

9 Q. Right.

10 A. Okay. So what they're going to do is they're going to
11 participate, and they're going to participate as best they can.
12 But part of the problem is, depending on what phase of flight
13 they're in, their duties as what you meant as a crew member go,
14 may go away. Once you -- once that patient's on board, it may
15 take all of their time. And so the pilot has to be able to
16 comport himself as he were a single pilot in that time, because he
17 will in fact be a single pilot.

18 Now in the critical phases of flight, yes, they can devote
19 some time to you, and they can help you clear an obstacle for
20 takeoff, they can help you clear an obstacle for landing. But as
21 far as traffic avoidance goes, if they're -- if it's serious back
22 there, they got to pay -- that's their job. But they're also
23 there and they will help you as much as they can.

24 And it's a team effort. The pilot is helping them get their
25 job completed by getting the patient to where they need to go.

1 The crew -- people in the back -- because it's really hard not to
2 call them that, because it's a partnership. No one wants --
3 everyone wants to succeed. And so the people in the back, anytime
4 they can help, by all means help is taken.

5 There's a set of goggles back there that are night. It's
6 required by the STC there be a second set of eyes back there so
7 they can go into a confined area.

8 And we have some great partnerships. There's been some
9 people that are just rock solid and it flourishes and works, and
10 other people are not as -- I want to say maybe a little more
11 introspective. And it, you know, varies from place to place. But
12 the pilot needs to be able to do his duties and they need to help
13 out whenever they can help out to facilitate the pilot and the
14 flight the best way possible.

15 Q. What's the company's approach to managing safety?

16 A. Say it again now.

17 Q. The company's approach to safety?

18 A. Well, I started the SMS program about a year and -- a little
19 longer than that. I don't remember the time frame now. It's not
20 mandated and not required, but decided we'd put it into place to
21 slowly roll it in to see if it worked. And the idea of safety
22 from my perspective is safety should enhance what we do. Safety
23 should make it, whatever the process is, better, not limiting, but
24 better. If a limit needs to come from a safety perspective, it's
25 to help the operation, because if it's not limited then you're

1 suspecting a negative outcome.

2 When we did it, we -- the guy that helped the most, put it
3 together, has since left. But the idea was to have a safety
4 representative at each base that was a Viking -- a pilot, or
5 potentially a mechanic, and then run it from an SMS point of view.
6 And then the medical side were willing -- they were able to
7 participate, but they would not be on the -- a safety driver.
8 Because this was an aviation-driven program with them
9 participating but not -- not exactly as visitors, but as
10 participate; they could bring anything they wanted to.

11 And we've done -- like any safety program, some people take
12 it and want to do more with it than it was designed to do. We
13 don't -- it's primarily an aviation safety program, but in that
14 there's building security and there's other things just because it
15 was something that needed to happen.

16 And the safety program varies from base to base. Sometimes
17 it's very robust, other times people are not as willing to
18 participate. It's really personality driven. If you've got a
19 strong safety person there, it functions a little better than
20 somebody who's not as interested.

21 Part of the problem is who are you going to safety with?
22 You're only going to -- you will see your -- another person as
23 they come on or they go off. To get everybody together and where
24 you could kind of talk the safety thing, you know, once a month --
25 if something comes up that needs to be addressed as a safety

1 issue, it needs to happen right now. And the chance of getting
2 everybody together and cogitating about it, so --

3 Someone will come up with something, they'll go to Joe with
4 it, whatever that is. And then we'll try to resolve it as soon as
5 possible. I want them to come to me. If they have a safety
6 issue, you've got my number, call me; let's fix it right now. If
7 it's something that has to happen, something that we need to fix,
8 it's got -- let's do it. Let's do it right now. Resolve it.
9 Don't leave it.

10 But if there's -- and I don't remember the silly ones. I
11 don't remember those. We've had problems in the past, and I've
12 directed the safety guys to come up with -- okay, you got to write
13 me a report, you got to tell me what happened here. An engine got
14 a hot circuit. Okay, you at your level, you tell me what
15 happened, and then we'll come up with a resolution.

16 I've told this to the safety guy at every one of the bases.
17 And actually, it wasn't a hot circuit, it was another electrical
18 issue. And I said, all right, okay, is that what you want to do
19 as your fix? Okay, because then I'm going to input my one.
20 Because what happened with the alt should never happen, should
21 never ever happen and will never happen again. Right? Yes. Oh,
22 by the way, it shouldn't have happened in the first place.

23 Some people had a job to do and got out of sequence. And
24 they -- and so someone assumed that this guy did this and someone
25 assumed this guy did that. So all we have to do is what we're

1 supposed to do, correct? Yes, but we'll add something to it now.
2 We'll add a marker to where the pilot can also be involved too.
3 And go, okay. And that's fixed. Something that's never happened
4 before and never happened since. And it's -- we got it fixed and
5 we got it taken care of.

6 But that's what needs to happen. That's where the safety
7 program is -- it's just a means to communicate. Now if you want
8 to belittle it, if you want to take and talk about whatever
9 someone is -- they want to talk about, all right. Meaning I just
10 need to talk about something, kind of like I am right now,
11 rattling on.

12 But real issues, something that can honestly affect us as a
13 program, I want to know right now. I don't want to wait. It is
14 something we need to address and needs to happen right now.

15 Q. So have there been safety concerns brought up to you about
16 pilots?

17 A. Yes. Yes.

18 Q. Can you give me an example of one of those and how it was
19 handled?

20 A. I had a safety concern brought up to me about a pilot who the
21 crew -- the people in the back, were concerned because he didn't
22 seem to be able to manipulate the GPS, didn't seem to know what he
23 was -- where he was going. Which is really odd, because he and I
24 had had a long conversation about how he knew everything there was
25 to know about this. And -- okay. And as we were bringing it up

1 to him, he got very offended and he quit. Okay. That was a
2 medical crew's concern about somebody operating a GPS and, for
3 whatever reason known only to him, that was offensive and he left.
4 No notice. Left that day. That's one.

5 We've had problems with -- we had a problem with a guy who
6 had difficulty dealing with airspace and caused himself some
7 problems. The crew complained about it and we went through and we
8 trained him. And it was brought to our attention externally and
9 we worked through it.

10 Where you're going with this, I would assume, is do we listen
11 to them? By all means. If there's a perceived problem, sure.
12 We'll listen to anybody who's got a problem. It'll usually come
13 up at the base level. And they'll take it either to their base
14 manager or they may take it to the lead pilot or however that
15 works.

16 But nobody wants conflicts, nobody wants derision, nobody
17 wants it not be successful. So, generally speaking, if there is a
18 problem with a pilot or if there's a problem -- it works the other
19 way. You can have a problem with somebody in the back, and we've
20 had that happen, where somebody wouldn't adhere to the policy --
21 they wouldn't maintain sterile cockpit or whatever. And we
22 resolved that.

23 Q. What about issues -- inadvertent IMCs, when a pilot goes --
24 somebody brings it up from the back, what happens in that kind of
25 a case? Do you guys track when there's inadvertent IMC

1 encounters?

2 A. If I know about it, I do, yes. If someone brings it to my
3 attention. The last -- I'm trying to remember the last time
4 anybody brought one to my attention. It doesn't happen that often
5 that I know.

6 I had one -- eh, let me think. I had one here not too -- but
7 this has been a couple years ago maybe. And the crew was --
8 brought -- you know, they told one of the pilots, and basically
9 the pilot told -- then he contacted me. Then I talked to the
10 offending pilot. I said, okay, what happened? We'll work through
11 it. And I said, that can never happen again. Meaning the means
12 by which they got into inadvertent IMC.

13 And the reason they got into inadvertent IMC was doing
14 something that I did not allow them to do, and they were using a
15 piece of a equipment that was not allowed to be used, an iPad.
16 And -- I see another section come up on a windshield, and you're
17 terminated. That's just not how it works here. It's not allowed.
18 It's not authorized. It does not happen. We're clear? Yes.
19 Yes, sir.

20 Q. So when that takes place and you take care of the situation,
21 handle it, does any feedback go down to the person that maybe
22 brought it to your attention?

23 A. Yes. They'll know right off. Yes. Yeah. We'll say, look,
24 it shouldn't have happened in the first place, this is how we'll
25 work it. But it happens within their community, how it took

1 place, the -- anyway.

2 Q. Okay. So while we're talking about safety and the SMS, you
3 guys have the Outerlink Global Solutions, the IRIS system,
4 installed on the aircraft which records a lot of different
5 parameters. Are you using that data in some sort of flight data
6 monitoring program? What are you doing with all that collected
7 data?

8 A. We're going to. The means by which to download it, we're in
9 the process of figuring that out, how we can collect it. And then
10 when it was originally proposed and we put in our first device,
11 and the company came out and they downloaded for us to show what
12 parameters were exceeded, they've been -- we've done it a bit to
13 see if anything has been -- any exceedances. Not found many.

14 But after this event, I'm -- I'm not sure what we will do
15 with it because the whole purpose of it was not what this is. The
16 whole purpose of that monitoring was to make sure -- we have a
17 company policy that we cruise the 407 between 80 and 85 percent
18 torque. And the question was, at his base, were they doing that?
19 And they went -- downloaded the IRIS, came back, yes, they were.
20 So we have used it for that. Especially when you're getting
21 unusual maintenance events, you know, where you're seeing a lot of
22 wear, accelerated wear. And so, okay, is the aircraft being rode
23 too hard? Yeah, we've done that.

24 What we'll do with that data, I don't know. I mean, as long
25 as people are operating within the criteria parameters which we've

1 established, that's it. As far as -- like track data, I'm not
2 sure. I think it's, after the fact, is very helpful, you know.
3 But that's also sent up there, so --

4 The 1-second pings on the IRIS is -- I mean, that is a lot of
5 information. They've downloaded the audio files, and I don't know
6 how long it took. It's long to download an audio file, and then I
7 don't know what you'll do with it. Unless you are going to look
8 for something that, okay, from this time to this time, what
9 happened here? Yes, then that would be useful.

10 Q. Have you guys downloaded audio files before?

11 A. They have been. I haven't heard them.

12 Q. What you get all from that, is it within the cabin or are you
13 just getting engine parameters?

14 A. The microphone is somewhere here. I haven't heard them. But
15 it should -- it's supposed to be able to hear -- I don't know that
16 you hear voice, but you ought to be able to hear an engine out,
17 that kind of thing. It will record ambient noise. It's not the
18 CVR. It'll record ambient noise within the cockpit. I haven't
19 heard it, but they've -- we could go down and listen to it right
20 now if Doug was there.

21 I understand that the whole purpose of the device, by
22 regulation, was lat-long, altitude, airspeed, heading. That's it.
23 The IRIS system is much more robust. Now if you read on to what
24 they talk about, they would really like that to happen, but the
25 minimum requirements were that, and -- we haven't had it that

1 long. I mean, it's just been, what, 6, 7, 8 months that we've had
2 it all in there and we're now, let's see what we can do with this
3 bag of tools.

4 Q. Okay.

5 A. It's the radio that's been -- because it has no limitations
6 as far as towers goes, it is a lot better.

7 MR. WILLIAMS: Okay. Well, I've been talking for about an
8 hour, so -- we've been talking for about an hour. So I'm going to
9 let Sathya talk for a little bit. Okay.

10 BY DR. SILVA:

11 Q. Can you describe your previous 135 experience?

12 A. Sure. First time I was 135, first ship I took was 1977. I
13 went to work for a company that I worked for, for 10 years.
14 Started as a line pilot, left as the director of operations.

15 Q. What company was that?

16 A. Called Air Services International.

17 Q. Air Services --

18 A. In Scottsdale.

19 Q. Okay.

20 A. And when I went to work for them they had 95 aircraft, and
21 when I left them they had none. And I had little to do with that.
22 But anyway. The owner decided to retire.

23 From there, I went to -- went back to the military, and then
24 while there I worked some part-time gigs for the operator that we
25 were talking about. And then when I retired, I continued on as a

1 director of operations for another company. Then went to where we
2 are now. So I've been a DO at three different companies, and 135
3 for about -- well, whatever those years are.

4 Q. Can you list what your responsibilities are as DO from your
5 perspective?

6 A. Well, there's a whole bunch of things. I can go get the
7 list.

8 Q. Well, from your perspective.

9 A. Maintain -- make sure that everything's maintained properly.
10 Make sure that we have someone that's taking care of the records,
11 making sure that someone is -- the duty times, the pilot records,
12 the training records. And then make sure that once that's done,
13 that the training is accomplished.

14 But as far as my hands on stuff, it's mainly supervision,
15 mainly oversight. Because there's people to do those things that
16 in my list of things in the GOM to do, someone else is taking care
17 of a large portion of those. But my position is just really to
18 make sure that all of those things are accomplished that needs to
19 happen. So --

20 Q. You mentioned oversight. How is it that you oversee the
21 operation?

22 A. Record review.

23 Q. Okay.

24 A. I'll pick up a flight record and make sure everything's
25 there. We're getting ready to have a drug inspection program. So

1 I'll get with the person that does the drug program. Okay. Where
2 are we here, where are we there, what are we doing?

3 The question was asked today, we're going to need to move an
4 aircraft around. All right. So I'll make sure that the people
5 involved in that movement -- there's a beginning and an end, and I
6 should be the guy that has the overall view of -- I know what
7 maintenance is doing because I'm informed, I know what's happening
8 in the OCC because that's what -- and then I know a general area
9 of what the varied bases are doing. So when we need a pilot here,
10 when we need -- I need to go hire some more pilots for over here,
11 if we're going to have expansion or if we're going to change an
12 aircraft type, that kind of thing. So, and I meet with the owner.

13 Q. So when it comes to assessing whether individual flights are
14 being conducted per the GOM, is there way that you oversee that
15 kind of operation to ensure compliance?

16 A. On an individual flight basis, it would probably -- if there
17 was a problem, yes, if something were to come up, either a
18 diversion, a maintenance issue would come up. But the average
19 flight, as long as it was successful and there was no -- nothing
20 to cause a notice, probably not. Everything flows, and as it
21 flows it's within the parameters, that's what the expectation is.

22 Q. Okay. Who is it you report to?

23 A. The managing member of the company.

24 Q. And who is that?

25 A. Chris Millard.

1 Q. How is that relationship?

2 A. We're good friends, work together. He gives me a bad time
3 and I give him a bad time.

4 Q. How often do you communicate?

5 A. Daily.

6 Q. How much of a hand would you say that he has in operating the
7 company?

8 A. In what regard? His --

9 Q. Daily -- yeah.

10 A. By the minute. He's as involved as any human being can be.
11 He knows the pulse.

12 Q. And how is that? How does he get that information?

13 A. Because he's here.

14 Q. What is he watching?

15 A. Because he's here.

16 Q. Okay.

17 A. He knows the OCC manager really well, ever since birth.

18 Q. So is he on -- you said he comes here to base --

19 A. That's his office --

20 Q. Okay.

21 A. -- next door.

22 Q. I understand. Who is your POI at the FAA?

23 A. Nicholas Cusimano.

24 Q. How long has he been your POI?

25 A. Almost since we started. We started -- I know when the

1 change came. I want to think it was like early '15.

2 Q. Okay.

3 A. That we went from Heather Mitschler (ph.) to him.

4 Q. What would you say your responsibilities are when you're
5 acting as an OCM?

6 A. General -- again, we're back now to the oversight thing, and
7 as long as everything's functional -- but where an OCM facilitates
8 is if it's something out of the ordinary. Again, amber critical,
9 a request for something we don't normally do; the baby's lost in
10 Sharp County, for example, can we come help. Okay. What are the
11 criteria? Sure. Yes, we can go do that. Shots fired over here,
12 can we go? No. Those sort of things, to make sure that we stay
13 within the confines of what we do.

14 Because there's some things we can do that we're not going to
15 get paid for; we know that. But there's some of the things that
16 the outcome is nowhere near likely to happen. I mean, we're not
17 going to be able to do that, we don't have the -- we don't have
18 it. We can't -- we don't have a flare, we don't have all those
19 things to go find that person in the middle of the night. And
20 that's when you may have to say, look, we can't help; we'll
21 decline.

22 And you put the person that's being asked, you take them out
23 of the game so they're not embarrassed, they're not put into the
24 deal where they have to say no. My boss said no. Because it's
25 sometimes hard to tell, give people bad news.

1 Q. So let's say that a flight is amber critical for weather.

2 How would you make a decision as an OCM whether to --

3 A. I'll tell you what happened last time, the last time I did
4 one, which was just a few days ago. Okay. What's the weather?
5 The weather's 900. What's the visibility? Indefinite. Is it
6 stable? Yes. Is it going to stay stable? Yes. Trending,
7 anything -- if it trends anything, it's going to trend up. Okay.
8 Amber critical, done. If it's -- I have yet to be asked for an
9 amber critical and turned one down.

10 Q. Okay.

11 A. Because every -- when they come to you, they should already
12 have their ducks in a row. Nobody's out there, you know, shooting
13 from the hip and is going, I want an amber critical, what do you
14 think? No, they already know.

15 Q. Okay. Does the company provide any incentives for completing
16 flights or taking flights?

17 A. Nope. And the company provides no disincentives either.

18 Q. Okay. Can you describe the safety issues that have been
19 brought to your attention in the last 3 or 4 months?

20 A. First of all, I'm 69 years old, and remembering something for
21 3 months that was not particularly -- that's why I write it down.

22 Q. Okay.

23 A. I can go and try and recover --

24 Q. That's fine, from what you recall.

25 A. I don't. That's what I'm getting at.

1 Q. Okay. Have there been any concerns brought up the line from
2 Base 14 specifically?

3 A. Ah. Okay. Yeah, there's been some issues, yes. Part of the
4 issue is, in my view, we have a pilot who is a special individual.
5 He's a disabled individual. His interface with people sometimes
6 has been a little rough. He's a little rough. He's not quite the
7 -- he's not a house cat. He's an outside cat. And he's -- and
8 that's been a problem for him.

9 I think he's attempted to overcompensate a little bit. I
10 think he tries a little too hard, and I've brought that to the
11 attention of the chief pilot. And I've sent the chief pilot there
12 to work that because I need him calmed down. I think he's a -- as
13 a human being, I think he's a great human being. But I also think
14 that he may have something to prove because of his disability.

15 He came to us because he had been hired by two other
16 companies and had gone through the hiring process, and passed the
17 check ride as far as I know. And then someone within management
18 found out he was disabled and they unemployed him twice. And when
19 he came to work for us, his disability didn't matter; couldn't
20 care less. You got a medical and you can do the job, I'm not
21 going to hold your disability against you.

22 So he's flourished with us. He tries really, really hard,
23 because we've supported his disability and support his efforts to
24 try and do what he wants to do. And in doing so, I think he may
25 have become too impassioned. He really wants to make it work.

1 And so, I've sent Jack there to say, look, calm down, and we
2 need to be -- most of the problems we had with him were
3 interpersonal. You cannot talk to people quite that gruff; they
4 don't get it. And -- at least that was the genesis of it all.

5 Then there's some other issues where he knows the local area
6 really well, and what he perceives as being a non-issue weather
7 wise and perceives -- where it could be different from someone
8 else. Well, I could talk to it and say most, those guys won't
9 take anything that's -- say, it's 1200 feet, maybe the least
10 they'll take, because -- you know. This guy knows Columbus like
11 the back of his hand. So for him to take an 800 and 3 legal limit
12 flight wouldn't surprise me in the very least because he knows
13 where every, you know, where every zig and every zag is. Somebody
14 who's not familiar with the area would not be nearly as
15 comfortable. Well, he's out there taking a flight that they
16 turned down. Yeah, I can see where that would -- and being as
17 gregarious as he can be, yeah, I can see that. And we tried to
18 tone it down.

19 Q. So what were the safety concerns that were brought up
20 regarding that individual?

21 A. Well, everybody keeps dancing around a -- after the fact, I
22 find out -- inadvertent IMC thing, but they dealt with. But
23 safety things, it was the fact that he was aggressive in that he
24 was taking flights that people -- successfully -- that people
25 thought that -- that someone else had turned down and that he was

1 too aggressive about it. And -- but that's all. And that was
2 dealt with.

3 There was no weather issues, there was no this and no that.
4 It all came back to his interpersonal things, his communications
5 with the crew, his -- you know, and his means by which to pair
6 them all, to include them all together to where it was a little
7 more harmonious, as opposed to this. And that's -- and again, I'm
8 not -- I've been there, but when this issue came up, I
9 specifically sent the chief pilot there to resolve it. And he
10 came back and told me he had.

11 Q. You mentioned inadvertent IMC, and you found out about that
12 later?

13 A. Um-hum.

14 Q. How much later?

15 A. I don't remember. Sometime after the fact.

16 Q. Okay. Was that aspect addressed?

17 A. Yes.

18 Q. How was it addressed?

19 A. Had the chief pilot go back and talk to him about it.

20 Q. Okay.

21 A. And from that -- where I found out about it was, I talked to
22 the crew in the back or at least the nurse in the back about it
23 and what happened. And she said it was unusual in that when the
24 -- nobody thought weather was an issue and all of a sudden weather
25 became an issue. And then it was handled properly and they got

1 out of it and then everything was okay. But she didn't feel upset
2 that someone was pushing it because the onset was fairly sudden
3 and they were not expecting it. The weather had turned quicker
4 than they thought, and he responded to it properly. Turned around
5 and got out of it.

6 Q. Okay. When it comes to inadvertent IMC, what do you expect
7 a pilot to do in that case?

8 A. Okay. I'm real -- I don't expect inadvertent IMC. Here's
9 what I want them to do. When we opened up this base, I took every
10 pilot and I showed them, when the weather is of concern, I think
11 it's appropriate for you to fly this route. That way you know
12 what the visibility is.

13 My favorite story to tell -- this happened at the Kennett
14 base, and this was not too long after we opened up. And the pilot
15 said flying from Kennett to St. Louis over the Mark Twain National
16 Forest is a very unHINGING -- we're unaided at the time; it's dark
17 -- and he goes, I don't -- this makes me uncomfortable. I said,
18 yeah, me too. It made me uncomfortable, that's why I wouldn't do
19 it. He said, what would you do? I said, I'd take take I-55.
20 Well, that's further. I said, I don't care.

21 Because I know that if I take I-55 from Kennett, Missouri to
22 St. Louis, Missouri, I know what 3 miles visibility is; I know
23 what 5 miles visibility is; I know I can do that. And guess what?
24 On the way to St. Louis, if I have a chip light, I have anything
25 that causes me to have to put that aircraft on the ground in the

1 middle of the Mark Twain and I have to give an ambulance a lat-
2 long and how to come find me, that's not going to be very
3 successful. But if I tell them at Exit 137 on I-55 come and get
4 this patient, we're successful.

5 So the pilot does the flight. To his credit, calls me and
6 said, coach, that was the quickest flight I've ever made to St.
7 Louis in the middle of the night because I wasn't worried. He
8 said it took a little longer but it was a whole lot quicker
9 because I wasn't sitting there being concerned.

10 So what I want them to do is, I want them always to select a
11 route or an area that which they maintain VFR. It is impossible
12 to go inadvertent IMC if the weather's 1,000 and 3. It can't
13 happen. You only go IMC, double IMC if it's less than that.
14 Well, if it's at night -- by the way, the incident we're talking
15 about happened in the daytime. I don't know how that happened.

16 But as long as you can see out there and as long as you have
17 a marker out in front of you, it is very difficult to go double
18 IMC. I've been doing this nigh on to 50 years, once in my life
19 have I gone inadvertent IMC, and it was my fault.

20 I'm a firm believer we maintain VFR because we're a VFR-only
21 program. You maintain VFR as your duty. You maintain VFR all the
22 time. If you can't maintain VFR -- if it happens and you look out
23 there and instead of seeing three X's ahead you can only see one
24 and it's sudden, you return to VFR, if that's possible; retrace
25 your steps because you know where you just came from. If that's

1 not possible, you land the aircraft.

2 But to go punching into the national airspace uninvited in an
3 aircraft that's not IFR, does not have IFR capability is not what
4 we want to do. We have the whistles and bells, we have the
5 equipment. But the aircraft's nowhere stable enough, and it's not
6 authorized. It's not something we do. A helicopter by it's --
7 the way it's equipped, is not to be used purposefully IFR. So
8 then stay VFR. And be proactive about it. Don't let it sneak up
9 on you. Don't -- and that's why the weather minimum. If you
10 don't like the weather minimums, don't go. If you don't like what
11 the weather is, don't go. And you will retain your position.

12 And the owner of the company -- it's a family business. He
13 wants to stay in business. I want to continue doing this until I
14 decide to retire, whenever that is. We need to be in business
15 tomorrow and the only way that's going to happen is if
16 everything's successful the day before. So to arbitrarily push
17 your weather unnecessarily is not a requirement here. We don't
18 want that.

19 Now, what will happen is we will try to fly to those minimums
20 or as close as somebody feels comfortable, and that's all it is.
21 That's all we're going to try to do is the best job we can do
22 within the parameters we can do. And you will never be asked to
23 do anything other than that.

24 Q. And I think Shaun might have asked this already, but
25 regarding a case of inadvertent IMC, is there a way that you will

1 get notification of that? Do you expect to know about it if it
2 happens?

3 A. Someone within management should know about it. It's really
4 hard for them to keep a secret. Usually the chief pilot would
5 hear about it before I do. And if he resolves it, he resolves it.
6 I want to know. And because it needs to be not a -- it's not a
7 repeatable offense. In other words, to have somebody just, it
8 happened often, that can't happen. That means either we have a
9 person who doesn't understand or trained, or for whatever reason.
10 It can't happen. And it doesn't happen that often that it's a
11 major concern of mine. It just -- it doesn't. We've had people
12 -- we have people here who have never been double IMC since
13 they've worked for us. I mean, bunches of -- most of them. So --

14 Q. Have you had any reports about double IMC in the last month
15 or so, recently?

16 A. Well, I think the one that -- the one they're talking about,
17 the one in Ohio, was about a month ago, thereabouts, a little less
18 than a month ago, I think. Sometime in January.

19 Q. Sometime in January?

20 A. Yeah.

21 Q. How much total time do you have?

22 A. A little over 24,000 hours.

23 DR. SILVA: All right. I'm going to pass the buck. Thank
24 you.

25 MR. WILLIAMS: Thanks, Sathya.

1 Paul.

2 BY MR. SUFFERN:

3 Q. Yeah, as far as the company-established weather minimums,
4 what kind of weather do you expect pilots to use as far as making
5 the go/no-go decisions or --

6 A. We don't have company-established weather minimums. We have
7 FAA-established weather minimums that we adhere to. And whatever
8 is -- however close to those they want to do them. We don't make
9 it up. It's made up for us.

10 Q. So as far as weather, what do you expect them to -- do you
11 expect them to check any particular thing, like a METAR or
12 anything like that?

13 A. Yeah. They're going to check anything that's -- a lot of
14 guys like the HEMS Tool, see what, you know, see what destination
15 weather is, see what the weather looks like. But, you know, some
16 of the places that they go to, there's not a lot of reporting
17 facilities and -- yeah, but they -- yes.

18 MR. SUFFERN: That's the only question I had. Thank you.

19 MR. MERCER: You bet.

20 MR. SUFFERN: Thanks.

21 MR. MERCER: Can we do this more?

22 (Laughter)

23 MR. WILLIAMS: John.

24 MR. BRANNEN: I don't have anything right now.

25 MR. WILLIAMS: Okay. Thanks.

1 Dave.

2 BY MR. GERLACH:

3 Q. You said the company doesn't have established weather
4 minimums. Do you have anything in the GOM on weather minimums?

5 A. The weather minimums are not established by us. They're
6 established by the FAA.

7 Q. Okay. But are they your weather minimums that your pilots
8 have to fly?

9 A. Yes.

10 Q. Okay.

11 A. Well, see, what you guys did --

12 Q. We wrote it and you adopted it. Right?

13 A. Yeah, but here's what happened. Back in the day --

14 Q. Yeah.

15 A. -- the question may have been a little more germane when the
16 weather minimums were in the op specs.

17 Q. Right.

18 A. Okay?

19 Q. Yup.

20 A. When that happened, okay, this is a little different
21 conversation.

22 Q. Yeah.

23 A. You guys changed that. You made it regulatory.

24 Q. Yes.

25 A. So I don't get to play with regulations; you guys do.

1 Q. You could change them, though. You could raise them.

2 A. Certainly.

3 Q. Right?

4 A. Well, we can't -- but, see, you didn't say weather maximums,
5 you said weather minimums.

6 Q. Right.

7 A. Right. So we will not make them any lower than what you
8 allow us to make them.

9 Q. Yeah. Do you guys -- you're familiar with the CAMTS
10 accredited program?

11 A. Very familiar.

12 Q. Yeah. Any interest in adopting those standards for your
13 company?

14 A. As far as operation of ground ambulance or what? I mean,
15 they have this many standards.

16 Q. As it would apply to your aviation organization.

17 A. Like just culture?

18 Q. Okay.

19 A. No.

20 Q. Well, there's a whole bunch of standards there.

21 A. Exactly. We looked at it. We looked at it. And we are more
22 in line with CAMTS than we're not, by far.

23 Q. Yeah.

24 A. Most of the stuff that you see we have was in preparation to
25 do CAMTS.

1 Q. Okay.

2 A. And we decided not to. But our minimums are equivalent to
3 their, to what -- as they comport them. So --

4 Q. Yeah.

5 A. But the problem with CAMTS, in my view, besides it being an
6 Air Methods run program, in my view -- only my view, it's their
7 program; it's tied to them. We are a little different from them.
8 And again -- well, never mind. It's a tender subject.

9 Q. You're different from them in what kind of ways?

10 A. We're nowhere near that size.

11 Q. Okay.

12 A. We're nowhere near that scope.

13 Q. Yeah.

14 A. Up until very recently we were -- until we got the 76, our --
15 we were this way. We were very specific. The 76 changed that a
16 little bit. But our goal was to narrow, narrow, narrow, where
17 they're a lot broader. They -- multiple different aircrafts,
18 multiple -- so we tried to focus here. We're exclusively hospital
19 based, but hospitalpartnered, in that we're not paid by them.
20 And so, our business model is a bit different and that's just the
21 way it works for us.

22 Q. Yeah. You said your business model is different. Do you see
23 your missions and how you do your missions different from other
24 HAA organizations?

25 A. Our primary concern, truly, is patient care, as a company.

1 Okay. How -- that's the Survival Flight part of it. The Viking
2 Aviation, the 135 part, is we facilitate their means by which to
3 become -- to do patient care, to take that patient to a higher
4 level of care. And we're community based. We're all part of
5 that. And the -- we're very concerned on the Survival Flight side
6 about patient care. We have good clinicians. We have the rest of
7 it.

8 How the rest of the people do, I can't talk to that. I'm not
9 saying they don't care. But we try to play within the rules. We
10 try to play within the confines of how we should comport ourselves
11 properly, and I -- hopefully we try it and do it every day we can.

12 We have been asked, not exclusively, but a lot of places
13 we've gone we've been asked to come because of the reputation,
14 because of our desire to be part of their community and our desire
15 to support their needs.

16 Q. Do you think that your weather minimums being FAA
17 limitations, does that afford you more flights than other
18 operators?

19 A. We have been told that other folks have decided to raise
20 their weather minimums, that the -- whatever the group is that --
21 I remember there's four letters of the various groups -- had
22 decided to raise theirs to 1500 and 5.

23 Q. Yeah.

24 A. And -- okay. Fine. Whatever you want to do. The difference
25 there is that's the mountain minimums. All right. Well, if you

1 want to fly the mountain minimums in non-mountainous conditions,
2 that's fine. Your business. I'm not playing.

3 We just need people to understand that when we do this, we do
4 it at rules by which you have applied to us, no less. And
5 sometimes that gets a little out of hand and -- as you've seen by
6 the flier. When you showed me the flier, that's the first time I
7 had seen it. And -- that's the very first time I'd seen it. I
8 didn't know it existed.

9 So, if that's the question, does playing by the rules afford
10 us a business opportunity over other people, I can't speak to
11 that. They're the ones deciding that, not us. All we're -- all I
12 would want to say in that flier is that we fly to the minimum --
13 we fly no less than the weather minimums we're allowed to fly by
14 the agency that regulates us. That's what I would say.

15 Q. Gotcha. Okay. We have established minimum weather minimums
16 for ceiling and visibility. Do you expect pilots to have their
17 own personal weather minimums or --

18 A. Oh, yeah. They do.

19 Q. Yeah. And --

20 A. And I would, too, if I were them.

21 Q. Yeah.

22 A. And the reason being is the first time I show up to -- I'm
23 not sure I want to go back flying line, but if things were to
24 occur and I did, and I showed up at Columbus, my weather minimums
25 for day flight would not be 800 and 3. I'm not used to it.

1 Q. Yeah.

2 A. What I would expect, over time, as you became more familiar
3 with local weather patterns, with everything -- and you can say
4 this is in day that I can go to 1,000 and 5; this works for me. I
5 got that. But there may be days where it's 2500 and 5. There may
6 be days where it's 2,000 and whatever.

7 Q. Yeah.

8 A. Because if you don't feel -- I cannot force you as a pilot to
9 go fly at that low of weather minimum and you not want to go. To
10 what end? We're not looking at success. You need to know that
11 you can make it and, you know, I can't put that kind of question
12 in your mind because it complicates things way too much. And
13 guess what? Most of the time people are going to turn -- I
14 couldn't make it anyway. Well, then, good, let's not do that.
15 Let's do what you can know you can do the flight in.

16 Q. Yeah. Is that a philosophy that you all instill during
17 training, establish your own weather minimums and --

18 A. It's simply said, as I said before, take every flight you can
19 take and turn down the ones you should.

20 Q. Okay.

21 A. And what that is, it may be today your weather minimums may
22 change. It may be today you're tired, today you could be
23 something -- not having whatever, and I don't feel comfortable
24 taking this flight because it is that close.

25 Q. Yeah.

1 A. I want some -- go ahead. We have to have a positive outcome.
2 Now, it can't be frivolous. It can't be unnecessary. Is it
3 just because I don't feel good -- no, that's not the right word.
4 Just because I don't want to go. No. There needs to be an honest
5 effort made. And if you look at this honestly and say I can't go
6 because I'm concerned the weather may -- it looks like the weather
7 to me may turn down, I'm good. We're done. Move on. Otherwise,
8 the negative outcome is nothing that any of us would ever want to
9 have.

10 Q. Gotcha.

11 A. So -- I'm -- I've never terminated a pilot for turning down a
12 flight. Ever. Terminated pilots, but I've never terminated --
13 for me, here's what you get fired for if you work for me: Lie to
14 me; gone. Burn up an engine and be honest about it and work
15 through it, and I'll keep you. You just cost \$110,000. You lie,
16 I can't use you because now what you've done is you've put the
17 people behind you at risk. You've potentially done something in
18 the aircraft and I can't use you. I demand your honesty. And
19 that means if you feel like you -- if you honestly can't go take
20 the flight, I won't question you. Move on. That's it.

21 Q. Gotcha.

22 MR. GERLACH: I don't think I have any more questions. So
23 thank you very much.

24 MR. WILLIAMS: Tim.

25 MR. TAYLOR: I don't have any questions.

1 MR. WILLIAMS: Okay. I have a few more I wanted to talk
2 about here. And it's not going to be another hour, don't worry.

3 (Laughter)

4 MR. WILLIAMS: It's not going to be another hour.

5 BY MR. WILLIAMS:

6 Q. So when this flight departed, the accident flight, it was
7 during a shift change. The pilot from the previous shift had
8 accepted the flight originally and the -- Jen came on and she took
9 the flight. What are your expectations or how do you see, how
10 should that transition or -- how should that have taken place?

11 A. In order for her to have taken the flight, she should have
12 had access to all information possible. Weather should have been
13 checked. The flight should have been -- and then to give four
14 greens, that should happen. If you're not able to -- when you
15 show up to work, if you have not completed the items required for
16 you to take that flight, then the flight goes to the pilot before
17 you; you do not take the flight. If that's the question.

18 Q. Okay -- there was one right there. So I'm sure it'll come to
19 me.

20 A. How about this? How about would -- how about the question
21 was, who would you have rather had taken the flight? I'd rather
22 the night pilot had taken the flight. That's what I would have
23 preferred. If I had known about it, I would have said the night
24 pilot needs to take the flight.

25 The fact she accepted the flight, nobody's going to try to

1 deny her. We're not there to look over shoulders to see how much
2 was done, to see whatever was done. But someone was already
3 there, someone was already in place, someone who still had 2 hours
4 of duty time left. I would have preferred that pilot to have
5 taken the flight. And I would not have preferred that particular
6 decision to be made in the haste that it was -- appeared to be
7 made in.

8 I think, 20/20 hindsight, knowing who she was and knowing how
9 she worked, I believe she thought she had it under control. I
10 think she looked at the weather and thought the weather was good
11 enough, that everything was together. She preflighted the
12 aircraft not that long before. I think she had -- I think she
13 thought she had it all in the bag. And you all, hopefully, will
14 find out what happened, what that was.

15 But if you're going to ask me as the director of operations
16 what should have happened on that flight, I would have preferred
17 the night pilot have taken it.

18 Q. So with that said, have there been any policy changes or
19 other guidance issued to pilots at all, flights coming during
20 shift change?

21 A. Not yet. Because there shouldn't need to be. It says in the
22 GOM that you should be ready to take -- you need to be ready to
23 take the flight in order to take the flight. And I don't -- in my
24 mind, it would appear that she was not as ready to take that
25 flight as should have been.

1 Okay. So we can come back -- it's like a lot of other
2 incidents that occur over time, because it happens to us all the
3 time. The solution to this particular problem is follow the
4 checklist, whatever that problem is. The \$100,000 engine burn-up.
5 If he had followed the checklist, this wouldn't have been a
6 problem. If he had followed the checklist, this wouldn't have
7 been a problem. If you follow the rules, this wouldn't be a
8 problem.

9 So what needs to happen, what will happen, is we'll go back
10 and say, look, this is what has to happen. And all it is -- what
11 it's turned out to be is convenience. Okay, I want to help this
12 guy out. But there was no need to help the guy out. And it has
13 happened so many times where we have -- that night person has
14 taken the flight and ended up someplace not at home. They've
15 ended up at receiving. Okay. So here goes a car to them. So
16 then here comes whatever, and we put that person crew rest, and
17 then we're out of service for a couple hours in order for
18 everything to adjust on the way around.

19 That happens all the time. That happens in Ohio. It has
20 happened in Ohio several times. It happens every other place.
21 And it is expected, it is required of you, you operate the
22 aircraft properly every time.

23 And I am disappointed that the flight happened the way it
24 happened. I can kind of understand a pretty neat, wonderful
25 person trying to do a job and trying to get it done. And I got

1 it, I can make it happen, I can make it work. But it was never a
2 requirement. It was never a demand. It was never -- nobody --
3 no, we've already got the guy there, he's paid. Wally's there.
4 Have a nice flight, Wally; see you when you get back. End of
5 story. If that's the question.

6 The prime directive is you have to go home. You have to go
7 home. If you did not, we are not successful. And I've been doing
8 this too many years to not believe that.

9 In my history of doing this business, this is the very first
10 time I've ever had to deal with a fatality on the commercial side.
11 I've dealt with a bunch on the military side, but this is the
12 first time I've ever had to deal with a fatality, of all those
13 companies I've worked for, all those other people I've ever been
14 around.

15 I choose to believe that the reason that is the case is
16 because I've worked for some pretty neat companies, pretty neat
17 people -- pretty accomplished, pretty professional people. You
18 make it work and you do the right thing. Our company motto is "Do
19 the right thing always." But that's -- it's meant, it's not just
20 words. And that's what I expect. I expect people to do their job
21 properly.

22 We do that -- if you follow the checklist, if you do
23 everything as you should do, we should always have a positive
24 outcome every time, all the time. And we don't, and we have a
25 negative outcome. Almost always, it's because someone has chosen

1 not to do the right thing. It's because someone's chosen not to
2 follow policy, someone's not -- chose not to do our procedure as
3 required.

4 Not 100 percent. There could be a little serendipity out
5 there -- excuse me -- had some real bad luck. But whenever we
6 burn up an engine, yeah. Oops. Whenever you put a FADEC to
7 manual and fly. Oops. So we have all these procedures and we go
8 in -- right now, there's buttons that if you're going to push on
9 the helicopter, you got to get my permission to push. And all it
10 takes to do it is do this. I mean, there is -- there's not a
11 guard there. There's nothing. You just push the button and we're
12 there. And you have to get my permission. Why? Because somebody
13 almost had a problem.

14 So we'll start putting those things in -- we'll start
15 stacking it up a little tighter and tighter and tighter for you,
16 to where, you know, we can make it all happen. And then a guy
17 will call me and say can I do FADEC manual check? I said, are you
18 at idle? And he says, yes, sir. I said okay. All right. We'll
19 continue on.

20 So the expectation is -- is that okay? No, it's not. It's
21 written down. It's meant. It's not just arbitrary. And -- I
22 never wanted to go through this. Ever. So --

23 MR. WILLIAMS: Sathya.

24 BY DR. SILVA:

25 Q. You mentioned just culture during the questions that Dave

1 asked. Can you expand on what that means to you and whether it --
2 A. Not much, because it's a CAMTS thing. It's their attempt to
3 make, I would assume, everything less -- I tried -- people have
4 tried to explain it to me. I'm not sure how it works. But create
5 an environment by which everyone felt more equal in the decision-
6 making process.

7 And the thing that I -- the problem I have with CAMTS as far
8 as how they come at it is they're asking people without the skill
9 set to make decisions that they really don't understand, aviation
10 decisions. So, you know -- he's going to smile here in about 10
11 seconds.

12 So then what I want to do is, I want to have the pilot go and
13 give them advice on how to intubate a patient. And we're not
14 going to do that. Well, that's true. So you're going to ask --
15 now, that doesn't mean that if you look outside and you see
16 weather you don't like as a passenger and you don't want to go, do
17 you have to go? Nobody's saying that.

18 What I am saying is that people spend some fair amount of
19 time and effort to become a meteorologist, to become a pilot, to
20 become whatever. And someone walks in without any of those skill
21 sets and now they have an equal place at the table to make those
22 decisions. I struggle with that. Because there's other
23 occupations occurring during the same deal, and nobody gets a say
24 in those because it's inappropriate.

25 I don't want a pilot doing an intubation, not trained to. I

1 don't want a nurse making a weather decision because she's not
2 trained to. But you walk -- you watch a flight take place, and
3 you watch as that pilot gets ready to take off, and you watch the
4 phones come out. And what they're favorite weather app is,
5 they're going, you know -- okay, I got it. You're concerned about
6 your safety, me too. But I need you to feel safe with the person
7 that we put with you. That person is a professional. That person
8 is doing the right job. The person's doing the right thing. And
9 that's our just culture.

10 Q. Totally different track here. Who keeps track of pilot duty,
11 duty time?

12 A. They do.

13 Q. The pilots do?

14 A. Well, they have to record it. We come at it a little
15 differently than some, in that the -- our instructions to the
16 pilot as far as duty time is a little (indiscernible) duty time.
17 What we say to them is, in any 24-hour period, you must have 10
18 hours of consecutive rest. Out of that, the duty time comes.

19 Q. Um-hum.

20 A. Okay? But if you show up -- when you show up is not as
21 important as the fact you're looking 10 hours behind you, and
22 during that duty period, as it comes forward, that 10 hours still
23 remains. So in any 24-hour period, you have to have 10 hours off.

24 Now, that's recorded. They have a duty log, and that's
25 recorded and that's sent into here and that's kept for a period of

1 time, a year.

2 Q. So when they record their duty, is it usually 7 to 7, or do
3 they put in specific times that they might arrive?

4 A. It depends on when they show. All right. If they walk in
5 the base and they sign in, that's the time they'll likely to play.
6 But they may come in early. They may have to come in early
7 because there's another flight. So what should be recorded, as
8 long as the travel's not -- or is only local in nature, whenever
9 they show up to work, that time should be recorded, and when they
10 depart, that time should happen. The issue was where it's not
11 that big a deal either way. Because their duty period is a 12-
12 hour duty period. They can work 14. So if they show up 15
13 minutes early, okay.

14 Now where it becomes an issue is if that night pilot has to
15 take a flight and that's where he gets stuck. Because now the
16 guys come in and he's there. He's eating up his 14 hours, and so
17 he ends up at destination and someone has to go, picks him up.

18 But the real key is not how long they worked, is have they
19 had the 10 hours off, as it slides, okay, (indiscernible) as it
20 moves along.

21 Q. So if the pilot comes in 30 minutes before the shift to
22 properly hand off and get ready, does their duty start at 6:30 or
23 would it start when they're scheduled to be off -- on, at 7?

24 A. How did that come -- were they required to be there? Yes, it
25 starts when they're there. If they showed up because they want to

1 show up, if they've showed up to say hi, they showed up to have a
2 cup of coffee and they're not on duty -- but things happen. But
3 they're -- yes, they write down when they should have been there.
4 And that time will only vary by a few minutes. But they should
5 put down when they got there.

6 Q. Okay. And just regarding assessment of weather, what --
7 let's say -- I know you haven't flown the line in a while, but if
8 you look kind of in that Ohio area, there are AIRMETS covering it
9 usually. What -- is there any difference in terms of assessing
10 the weather if there is an icing AIRMET?

11 A. Well, it depends -- partially depends on what an icing AIRMET
12 -- what the scope of the icing AIRMET is. If it's at 10,000 --

13 Q. So let's say it was from the surface.

14 A. The surface. Ah, that's a whole different deal. Okay.
15 There's some criteria by which it has to happen for that to be
16 germane to the issue. You have to have all of that and you have
17 to have visible. We cannot operate in icing conditions. We
18 cannot operate in known icing conditions. And if you're out there
19 and it's surface and there's visible, you're not going anywhere.
20 It's that simple.

21 Q. So how would you make an assessment on just physical moisture
22 before you depart?

23 A. You'll have reflectivity on the radar that'll show up.
24 You'll see moisture on the radar.

25 Q. Okay. Are there any limitations to the radar?

1 A. Sure. It depends on the type of radar, et cetera. But
2 understand we've been --

3 Q. In your coverage area.

4 A. Yeah. Understand what we've been doing the last 9 years,
5 we've been in this kind of stuff. Icing has never been an issue
6 because the same people who won't fly at 800/3, ain't going to fly
7 in icing either. And nobody's going to wander out there with the
8 possibility if there's freezing rain or whatever somewhere within
9 the forecast. No. It does not happen. I can -- now, getting ice
10 on a pad because it happened in the middle of the night and nobody
11 saw it coming, yes. Moving -- hey, we got to get this thing in
12 the hangar right now because it's coming, that, yeah. Move along,
13 get there, yes. And then we've left the helicopter sit -- you
14 know, it looks like an icicle sitting on a pad because before they
15 could get to the hangar the weather came along.

16 But as far as flying in icing conditions, I'm not sure the
17 concern because it doesn't happen. It's one of those things where
18 it's a chapter 1 limitation, thou shalt not. Thou shalt not fly
19 that helicopter in icing conditions. We're pretty serious about
20 it. So -- it doesn't do ice well.

21 DR. SILVA: Okay. That's all I had.

22 MR. WILLIAMS: Thanks.

23 Paul.

24 MR. SUFFERN: No more questions.

25 MR. WILLIAMS: John. John, are you --

1 MR. BRANNEN: Sorry. Sorry. I couldn't get it off mute.

2 No, I don't have anything.

3 MR. WILLIAMS: Okay. Dave.

4 BY MR. GERLACH:

5 Q. Have you ever had a helicopter in icing before? Any 206, 407
6 icing? What did they do? Where do you start to see ice on the
7 aircraft and --

8 A. In my situation?

9 Q. Yeah.

10 A. I didn't see ice. Where it started manifesting was in the
11 rotor system.

12 Q. Yeah.

13 A. And it was dissimilar shedding.

14 Q. Say that again.

15 A. Dissimilar shedding.

16 Q. Okay. So you started to --

17 A. Oh, man, it was pretty --

18 Q. -- beat you up pretty good?

19 A. And I went, what the hell is this? Exited.

20 Q. Okay.

21 A. It was kind of an advection fog with icing.

22 Q. Yeah.

23 A. And I was chasing a bunch of horses, gathering horses for the
24 BLM. And the horses ran into fog; them rascals. So I went in the
25 fog to go get them. And I chose that that wasn't a really a good

1 idea.

2 Q. Yeah.

3 A. Now, UH1, yes. Other aircraft, yes. But in all my years of
4 doing this, I don't play with ice and I don't expect anybody else
5 to either.

6 Q. Gotcha.

7 A. It's not a good thing.

8 Q. Yeah.

9 A. All my years in the military, you want to make somebody
10 nervous -- and we had aircraft that had deicing capability but it
11 wasn't reliable.

12 Q. Yeah.

13 A. And go punching in with -- in ice is --

14 Q. Gotcha. Do you share your experiences like this with the --

15 A. I'm notorious for telling stories.

16 Q. I know all pilots do this, but I just wanted to --

17 A. I'm notorious for stories. I teach by story.

18 Q. Yeah.

19 A. Because I think that it has application. And some people
20 have heard my stories more than once.

21 Q. Right. Given the choice of a potential icing encounter or
22 going too low -- in other words, your choice is to climb up into
23 the clouds, pick up icing, take no visibility --

24 A. It's not a choice.

25 Q. It's not a very good choice, right? But, you know, as

1 visibility goes down and ceilings go down --

2 A. Okay. Here's the deal. That question that you're posing me,
3 is an airplane guy question. Let me explain --

4 Q. I understand. I understand.

5 A. Let me explain why.

6 Q. Yeah.

7 A. Helicopter guy, I land.

8 Q. Right.

9 A. Helicopter guy, I take myself out of that situation.
10 Helicopter guy, I stop. You don't have that option.

11 Q. Right.

12 A. Okay? I am not going into the cloud as an option.

13 Q. Yeah. Gotcha.

14 A. Because it's not an option for me. Because the aircraft --
15 I've been there. Okay. I have -- not a lot, but a fair amount of
16 single pilot IFR time with an aircraft that can (indiscernible).
17 I got no problem with flying IFR if I've got the right whistles
18 and bells.

19 Q. Right.

20 A. But very little -- very few helicopters that I know of can go
21 enter, successfully, icing conditions and come out on the other
22 end. We stay the hell and gone away from that. My rule, put it
23 on the ground and be done with it.

24 Q. Yeah.

25 A. No one here who has ever worked for us, has ever been given a

1 bad time -- they may be teased, but they've never been given a bad
2 time for landing short. Okay. The option is kamikaze, no.

3 Q. Yeah.

4 A. If you go along and you've done your best and you got lied to
5 -- the meteorologists, you know how they are.

6 Q. Right.

7 A. And then if it turns out to be something other than what it
8 is, put it on the ground, as an option. Turn around and reverse
9 course, as an option. But to continue on arbitrarily into it,
10 never -- never request, never desire, and nothing that we ever
11 want to do.

12 Q. Yeah. Is this philosophy something that's shared in your
13 ground schools and --

14 A. Yes, sir.

15 Q. And beat it into them with a --

16 A. Sure. But you don't have to.

17 Q. Yeah.

18 A. Helicopters and ice are things that they're -- nobody wants
19 to play.

20 Q. Right.

21 A. And so when it comes up and you say, well, I'm going to go
22 ice -- who? Well, why are you on the ground? Now, we have had
23 problems where someone has had a ice forecast and it is -- the sky
24 is blue or there are stars. And you call them up and say, really?
25 What's the problem? Well, there's icing. Hmm. There's ice

1 forecast, but in order to do this you have to have visible
2 moisture, right? Oh, yeah, I forgot about that. Okay, yeah,
3 yeah; I'm good, I'm good. If the conditions aren't there, just
4 because it's cold is not a reason not to fly.

5 Q. Yeah.

6 A. But if the conditions are there that would allow for ice, no,
7 no, I don't want to play.

8 Q. Gotcha.

9 A. And I tell -- well, I mean -- I don't, I don't -- in my
10 culture, it's not a subject of conversation because it's not
11 something that happens. We don't do it. It's -- now you guys,
12 you guys get in that crap and -- but you have all the whistles and
13 bells and it all falls off and all the rest of it. We don't got
14 that.

15 MR. GERLACH: I have no more questions. Thank you very much.

16 MR. WILLIAMS: Tim.

17 MR. TAYLOR: I have no questions.

18 MR. WILLIAMS: Gary, thanks for taking the time to talk to
19 us. We do appreciate it.

20 MR. MERCER: No problem.

21 MR. WILLIAMS: You've got my card, you've got my number, if
22 anything else comes up, please don't hesitate to reach out, call
23 and let me know.

24 So we are off the record at 5:26.

25 (Whereupon, at 5:26 p.m., the interview was concluded.)

CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD



IN THE MATTER OF: SURVIVAL FLIGHT HELICOPTER CRASH
 NEAR ZALESKI, OHIO
 JANUARY 29, 2019
 Interview of Gary Mercer

ACCIDENT NO.: CEN19FA072

PLACE: Batesville, Arkansas

DATE: February 8, 2019

was held according to the record, and that this is the original,
complete, true and accurate transcript which has been transcribed
to the best of my skill and ability.

Kay Maurer/
Transcriber