

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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SIKORSKY S76B HELICOPTER N72EX

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CRASH NEAR CALABASAS, CALIFORNIA,

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ON JANUARY 26, 2020

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Interview of: KURT DEETZ, EMS Line Pilot
 PHI, Inc.

Virtual

Friday,
 February 28, 2020

APPEARANCES:

DUJUAN SEVILLIAN, PhD, Human Performance Investigator
National Transportation Safety Board

FABIAN SALAZAR, Operational Factors Investigator
National Transportation Safety Board

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I N T E R V I E W

(12:01 p.m.)

DR. SEVILLIAN: On the record. 12:01 p.m. Eastern Time.

Kurt, my name is Dajuan Sevillian. I'm a Human Performance Investigator with the National Transportation Safety Board. I appreciate you taking time out of your day to speak with us.

The NTSB's mission is to investigate airplane accidents and come up with safety recommendations for the industry. We're interviewing you today because you're an expert, and we want to understand a little bit more about your background and your interface with Island Express.

MR. DEETZ: Okay.

DR. SEVILLIAN: You're allowed -- as part of this process, you're allowed one representative. Who would you like to represent you today?

MR. DEETZ: I don't know what you mean by that.

DR. SEVILLIAN: So part of the process, you are allowed to have someone that can be with you to go through this interview and --

MR. DEETZ: You mean, like having, like, counsel or something like that?

DR. SEVILLIAN: It's up to you. It can be a personal associate. Doesn't have to be.

MR. DEETZ: No. I'm fine. I mean, here's the thing. I'm only going to answer what -- that I feel is relevant. I'm not

1 going to speculate or incriminate or anything like that. You know
2 what I mean?

3 DR. SEVILLIAN: Right.

4 MR. DEETZ: So if I don't like something in a question, I'm
5 just not going to answer.

6 DR. SEVILLIAN: All right.

7 MR. DEETZ: You know what I mean?

8 MR. SALAZAR: Sounds good. Yeah, very good.

9 DR. SEVILLIAN: And if there is any time there's a question
10 that needs to be repeated, let us know. And if you need a break,
11 that's fine too. Let us know.

12 So as an FYI, this -- the conversation is being recorded, and
13 a transcript will follow that will be part of the public docket in
14 the future. So none of the conversation we have today is
15 confidential. Okay?

16 MR. DEETZ: All right.

17 DR. SEVILLIAN: So with that being said, let's go start with
18 the introductions on the phone. Fabian?

19 MR. SALAZAR: Hey, Kurt. This is Fabian. I'm the guy that
20 called you to set up the interview. I --

21 MR. DEETZ: Right.

22 MR. SALAZAR: -- work for the NTSB, and I'm the Operations
23 Group Chairman. So I'm looking into the operations portion of the
24 accident.

25 MR. DEETZ: Okay.

1 DR. SEVILLIAN: Okay.

2 MR. DEETZ: And then you guys know all about me.

3 DR. SEVILLIAN: So with that being said, let's go ahead and
4 get started.

5 INTERVIEW OF KURT DEETZ

6 BY DR. SEVILLIAN:

7 Q. So, Kurt, for the record, could you please state your first
8 and last name with spelling?

9 A. Sure. K -- Kurt, K-u-r-t, Deetz, D-e-e-t-z.

10 Q. Okay. And what's your position title?

11 A. Right now?

12 Q. Yes.

13 A. Yeah. I'm a EMS pilot, which is a line pilot.

14 Q. Okay. How long have you been an EMS line pilot?

15 A. I've been in this job since -- I want to say October of '19.

16 Q. Okay. Can you give us a brief, aviation, biographical sketch
17 of yourself?

18 A. Sure. I started flying in 1989, you know, in the private,
19 commercial, CFI route. Started flying turbans in, like, '91.
20 Hung on and did all that until about '94. Took some time off up
21 at Inuit (ph.) and that CFI. Then I got back in with Helinet, and
22 then started doing news and VIP stuff, and then wound up moving to
23 Exxon Mobile to fly offshore, and then back to Helinet -- no,
24 sorry -- back to IEX a few years flying Kobe, and then back to
25 Helinet doing organ transplant teams and VIP, and then now working

1 with PHI.

2 Q. And about how many hours do you have total flying?

3 A. I'm getting near 10,000, I think. About mid, mid-nines.

4 Q. Okay. And do you have any hours in this Sikorsky S-76?

5 A. I do, I do. About -- I'm going to say about 1,000. I'd have
6 to look.

7 Q. Oh, that's fine. Just an approximate. You said you worked
8 for Island Express, what -- was it for 2 years did you say?

9 A. Yeah. '15 through '17.

10 Q. Okay. Can you give us a overview of what your -- what you
11 did at Island Express?

12 A. Well, when I got hired, it was exclusively to help out with
13 Kobe and in-demand -- he was still playing, so there was practices
14 and games. And they only had one 76 pilot at the time, so I was
15 hired to help out with that. And in between times, you know, I'd
16 fly the Island stuff, you know, back and forth. I was mainly
17 hired to help out with Kobe, me and the other pilot.

18 Q. Okay. Did you have any other positions at Island Express
19 other than flying?

20 A. I was safety manager for about a year.

21 Q. Okay. Can you tell me a little bit about the safety manager
22 position? What were your roles and responsibilities?

23 A. Well, they didn't -- when I got there, the Director of Ops
24 was managing the safety. And they knew that I had, I had been
25 safety manager at Helinet, and they offered me, and I'm like, eh.

1 So I wound up doing it. And basically it was managing that --
2 PRISM; that's how they ran their SMS. So, you know, just normal
3 safety manager stuff: setting up meetings, doing quarterly
4 meetings, and, you know, proactively managing safety there as best
5 I can -- or could.

6 Q. And as far as the SMS program is concerned, is that something
7 that you worked with the FAA with to develop?

8 A. No. Huh-uh. They relied upon the -- are you guys familiar
9 with PRISM? It's kind of like a, kind of like a plug-and-play
10 platform on the computer. You do all your risk assessments, you
11 know, and file the hazard report and all that stuff. So they had
12 that program that I would manage.

13 Q. And you mentioned risk assessment and hazard report. Can you
14 take us, take us through a scenario where you would fill out a
15 risk assessment?

16 A. Well, it was -- I'm going to quote/unquote, mandatory, prior
17 to every flight. Every flight. Not meaning first flight of the
18 day but every leg that you would have to fill out a risk
19 assessment, see where you were, and then depending on where you
20 fell in number-wise, you would ask them to mitigate it, upper
21 management, or you don't go, or you don't go on the flight.

22 Q. Um-hmm. And then how --

23 A. That was supposed to be done prior to every leg.

24 Q. Okay. Prior to every leg. And as far as -- has there
25 ever -- was there ever a time when you were manager of safety

1 where there were flights that were cancelled as a result of a high
2 risk score?

3 A. Not that I know of, because -- my managing of that was not
4 fully my managing of that. It was upper management influence and
5 manipulation of data that it would never get to a red. It would
6 only get to a mitigation, if you know what I mean.

7 Q. Yeah. Walk me through a situation where -- you said they
8 would manipulate the score. What does that, what does that mean?

9 A. Well, what -- I don't really care. The Director of
10 Operations had a very wide number range. So to get to the red, I
11 mean, it would have to be an apocalyptic type scenario to get to
12 that level. So you would have to have everything checked to get
13 to red. It would always fall under yellow.

14 And that was not something I was able to -- well, I fought
15 for it, but -- and I got some things reduced number-wise, but
16 there was never a time where I managed that we had a red.

17 Q. All right. And you mentioned that you fought for -- what was
18 the -- was it something that --

19 A. That, that the (indiscernible) and the number range needed to
20 be more realistic. You know, you don't put a low -- or high value
21 on something that's really not a massive safe flight issue. Like,
22 I'm sure you know how it works when you apply a value to a
23 question, you know? And once you get to that higher level, then
24 it goes to the red, and then no-go. But the values sometimes are
25 very low that you wouldn't get to that level.

1 Q. So you mentioned --

2 A. Know what I'm saying?

3 Q. Yeah. You mentioned that it was developed with PRISM. So
4 who developed the criteria for the numbers -- the numbering
5 scheme?

6 A. It was, at the time, the Director of Operations. He was
7 managing it, which is a massive conflict of interest when you're
8 running SMS.

9 Q. And what were the --

10 A. Massive.

11 Q. From your perspective, conflict of interest, what do you --
12 what does that mean for the Director of Operations to be running
13 it?

14 A. Well, I mean, any SMS that gets installed is a separate
15 entity and is not to be -- no upper management is allowed to be
16 involved in decision making. The safety officer reports directly
17 to the president. So if I'm Director of Operations, and something
18 comes up, well, I can change that. And -- but if you're a safety
19 manager, they report to the direct -- or right to the president.
20 Do you know what I'm saying?

21 Q. Um-hmm.

22 A. But when you have a safety committee, no upper management can
23 be involved. That ruins the whole idea of an SMS.

24 Q. So when was the SMS developed for Island Express?

25 A. I don't know. That was prior to when I got there. They had

1 a safety manual. They had PRISM all in place. They had, like, an
2 ERP. They had all the elements of it, but by no means was it a
3 standalone, like, breathing, living document. Know what I mean?

4 Q. Right. So --

5 A. (Indiscernible) addressing it.

6 Q. So if I had a risk that was a high risk, for example, who
7 would have to sign off to let me take that flight?

8 A. If your numbers fell into a yellow, let's say, and then you
9 would need to mitigate the risk, like, then you would have to get
10 in contact with the DO or the chief pilot. And then I think, I
11 think, maybe if they weren't available, the safety manager. But
12 that's never happened.

13 They were -- those guys were always available. And then they
14 would sit in the tower, what's the problem? All right, let's
15 change that. All right. Well, let's wait. Redo the numbers in
16 an hour. You know what I mean? There would be some consulting.

17 Q. And did --

18 A. Prior to accepting the flight.

19 Q. And did you feel empowered that your decisions were -- that
20 when you made a decision you could bring it up with upper level
21 management?

22 A. You could bring it up. That didn't mean it was going to get
23 done.

24 Q. And why wouldn't it have been done?

25 A. Since the recommendations sometimes cost money. Not a lot of

1 money, but there's, you know, monetary value involved. Or, nah,
2 we're not going to go that route. Because ultimately all the
3 recommendations you make at the safety committee -- like me, I'm
4 telling you all this, and you can be, as a manager or owner, be
5 like, nah, I'm not into it.

6 But at least as a safety committee, we have that on record
7 saying we as a committee recommended this action. Upper
8 management said no to this and this and this and this. So it's on
9 record that, that issue had been brought up or a recommendation
10 had been brought up, but management said no.

11 Q. So give us a --

12 A. And that's how -- that was -- go ahead. Sorry.

13 Q. So give us an example of a situation like that.

14 A. All right, we had a -- like the rampers. There was no, like,
15 how I should load and unload the passengers. There was no
16 communication with them in that I'm on a headset and on a radio,
17 and they're out there loading passengers. And there are a lot
18 sometimes, and if anyone strays away or loses their hat, there was
19 no way for me to pilot and let that ramper know, hey, Jimmy, that
20 lady is running. You know what I mean?

21 Q. Um-hmm.

22 A. And he wasn't looking at me. So we came up with the idea of
23 like those -- it's similar to like (indiscernible), you know, like
24 they have with cars that you plug into the radio, so we could have
25 some communication with the rampers. It became an issue with

1 money. Hang on, sorry. They didn't want to do it, too expensive
2 and this and that.

3 Finally, we got them to do it, but there was no enforcement
4 of it. The rampers hated wearing them. They wore them for maybe
5 a month and then went back to the old ways. So that was all
6 documented, and they didn't want to do it. Money. It was the
7 best thing you -- how can you -- how would you not want to have an
8 increased communication line when you have human beings operating
9 on an aircraft that's running.

10 Q. And when you -- let's go back to the risk assessment -- the
11 flight risk assessment. When you're filling in the flight risk
12 assessment out, you said you fill it out before, before the
13 flight?

14 A. Yeah. You would come in, and that was part of your
15 pre-flight. Whenever you did it in your process, it had to be
16 done and submitted. So when -- if the weather was brilliant and
17 perfect, I would probably do it at the end of my pre-flight, the
18 last thing. Because I'm not -- I already know that, you know -- I
19 can just put in and -- where I'm going, and it's clear and good to
20 go.

21 But if the weather was iffy, I would check all the weather,
22 see if I'm even needing to do a pre-flight right now. It may be
23 crap. I may have a high level -- a high score. I may not have to
24 go anywhere. So each pilot had a different way of doing it, but
25 it needed to be completed prior to the flight.

1 Q. Okay.

2 A. Now, let me just say, that was the policy when I was the
3 safety manager. I don't know what it was now.

4 Q. Right.

5 A. You know what I mean? That was '15 and '17 -- whatever that
6 year I was doing it, that's what it was. That was part of it. I
7 don't know if that carried further, you know, forward after I
8 left.

9 Q. Okay. And switching gears here. Did you ever fly with Ara?

10 A. Yeah. Yes, I have.

11 Q. How -- can you describe his flying abilities?

12 A. I think that's all subjective. I mean, I have a lot more
13 hours than he does -- I have a lot more hours in an aircraft than
14 he does. I'm older. I'm way more conservative. Not that he
15 wasn't conservative. We have -- everyone you fly with always is
16 going to have different styles. You know what I mean? It isn't
17 that mine is better than his or his is better than mine. We just
18 have different styles. But as long as everything is done safely,
19 doesn't really matter.

20 Q. And when you were -- how many times did you fly with him?

21 You said you did not fly with him?

22 A. Oh my god. I mean, I'd say in the 2 years I was there -- he
23 wound up becoming chief pilot and then, I have no idea how, check
24 airman in a 76. So I'm going to say maybe, maybe a few, like,
25 chief pilot, VIPs, and -- I'd say a handful. 10 times.

1 Q. And in those 10 times that you flew with him, were there any
2 situations where you flew in good weather conditions or fair
3 weather conditions?

4 A. Not that -- nothing that I really remember, no. Nothing
5 stands out.

6 Q. Um-hmm. And when you were with Island Express, did you
7 receive IMC training?

8 A. Well, IMC -- I mean, yeah, we have. I mean, our check rides
9 are usually recurrent. We would do under the goggles, unusual
10 attitudes, and we'd do, like, an ILS. But it's not really --
11 (indiscernible) thorough. I mean, goggles, goggles training is
12 kind of silly. It's not really IMC. You know what I mean?

13 Q. Are you saying that is -- and why are you saying that?

14 A. Well, because I've done full sim training and flight safety
15 and in -- and, you know, zero-zero. You're in the clouds. It's a
16 lot different. Even in a simulator, it's a lot different. When
17 you have goggles on, you have a safety -- you know that you're not
18 in IMC. You know what I mean? You know that you have peripheral
19 vision, and -- it's adequate, but it's not -- it doesn't make you
20 proficient to go in the clouds by any means. Once a year?

21 DR. SEVILLIAN: Well, thanks for that overview. That's all
22 the questions I have for right now. I'm going to switch to
23 Fabian.

24 Go ahead, Fabian.

25 MR. SALAZAR: All right. Just a second.

1 BY MR. SALAZAR:

2 Q. All right, Kurt. I'm going to follow-up with a couple of
3 questions that --

4 A. Sure.

5 Q. -- that you already talked with Dujuan about, but I just want
6 a little bit of clarification. When the -- during the risk
7 assessments, a --

8 A. Right.

9 Q. -- a pilot goes into the green, does he have to talk to
10 anybody?

11 A. No, no. Not saying, you know -- all you're doing is applying
12 a value to -- like, hey, in the green, the likelihood of me having
13 anything happen is very, very low. It's given low risk. Yellow,
14 you know, hey, heads up. May be some stuff coming in. What's
15 going on? Weather? Yeah. Red, no way. Very high level of risk.
16 Chances of completing the mission are pretty, pretty close to
17 zero.

18 Q. So let me just get that --

19 A. So green --

20 Q. So if it's yellow --

21 A. If it's green -- yellow you needed to mitigate. Yellow you
22 needed to contact DO or the chief pilot or -- and I think even the
23 safety manager.

24 Hang on one second, boys.

25 Q. Okay. And on the red, they're not even going to launch, are

1 they?

2 A. All right. Sorry, guys.

3 Q. Okay. You don't have to go, do you?

4 A. No, no, no. That was the mechanic. He wanted to talk to me.

5 Q. Okay. So if you're yellow, you've got to mitigate it, and
6 you're going to contact the DO or the CP, and they'll find out --

7 A. Right. So tell them, and then they would have a discussion:
8 What's going on? What are you numbers? Oh, you have some
9 weather. All right. Well, tell you what -- I mean, this is
10 hypothetical. Hang on for the next weather update; see if that
11 changes. Redo the risk assessment; see where you are.

12 Or maybe a fuel issue. Let's say, well, why don't you go
13 here and here, get the fuel there, then you'll be fine. Oh, yeah,
14 good idea. So all it's telling is that, you know, hey, talk to
15 someone right now.

16 Q. Yeah.

17 A. You need to figure it out. But you are not allowed, under
18 the quote/unquote, SMS, to accept the flight if you're in the
19 yellow without mitigating.

20 Q. All right, hang on. And you mentioned that it's your
21 understanding that a risk assessment is to be done prior to every
22 flight, correct?

23 A. Yes. Yes. And they would harp on that, and that was part of
24 my job, was to manage that. And not only them, it would be the
25 rampers, the people loading and unloading passengers, would have

1 to do their own risk assessment for their part and their, their
2 day. You know, (indiscernible), fog -- all that does is give you
3 a snapshot of what you may be encountering. If it's green, I'm
4 not going to worry about it. Yellow, heads up. Red, I'm not
5 going anywhere.

6 Q. Yeah. Yeah. And you were saying that the numbers were such
7 that it was very hard to get into the red.

8 A. Right. Right. And -- yes, very hard to get into the red.
9 You could have a -- I don't remember any time, not even with my
10 own self, getting in the red. And honestly, I mean, I'm not
11 saying it happened or it didn't happen, if you're getting into the
12 yellow and you're like, ugh, I don't want to call anyone, you can
13 just change it. Just uncheck that box, uncheck that box, and look
14 at me, I'm in the green. You know what I mean?

15 Q. And then if you were in the green, nobody even looked at it.
16 You -- nobody --

17 A. No.

18 Q. -- or your flight path.

19 A. No. It's green. Yeah. So if it was (indiscernible) out and
20 you hadn't (indiscernible) a flight, I'm putting it yellow. I
21 mean, I would, but some people maybe not.

22 Q. Okay. What was your impression of the PRISM software, and
23 then the PRISM software as it was designed by IEX or modified
24 within --

25 A. Yeah, I mean, it's all right. I'm not big on, like,

1 computer-based stuff. I mean, it's fine. But the Director of
2 Operations had access to it, and there was data manipulation by
3 him.

4 Q. Yeah. That's your, that's your -- what I'm seeing is your
5 distaste for, was that management had their fingers in the risk
6 assessment a bit more than they should. Is that right?

7 A. We had a, we had a -- kind of a -- it wasn't an incident. We
8 had an issue happened when a pilot caused some damage to a tail
9 rudder, and all of a sudden, the Director of Ops is in there; he
10 was running the show. And that's not how it works.

11 And he changed my report. I wrote a report, and he changed
12 it. Because he was English, and his writing is way different than
13 mine. He was using words in there that -- I don't use those
14 words. But he was the only one who had access to it. And that
15 has always been a really sore spot with me, and that really --
16 that's just not how it works.

17 Q. Who was the DO at the time?

18 A. Gordy Cox, G-o-r-d-y, Cox.

19 Q. Gordy Cox. Okay. Well, let me see. We'll come back to that
20 one. And this, this upper management being involved as they were
21 with the SMS, did that occur the entire time you were there or
22 did -- were you able to change that --

23 A. No. I changed the culture a tiny bit, but there was
24 always -- it was their decision. And it wasn't just the
25 president. It was the other owners, Josh and Whitney, who would

1 interject. And if you look at the flowchart, the GOM, it's a
2 direct line from safety manager to president, not the owners.
3 They don't -- they understood when they wanted to as long as they
4 were not --

5 Q. As long as they what?

6 A. They were not, they were not -- like, the company I work for
7 now, PHI? The SMS is no joke. I mean, it is real. You know what
8 I mean? It is -- it's no joke. Other companies -- I'm not saying
9 -- well, other companies have it to have it, to say look at us, we
10 have a safety program, when they don't. They do not have a safety
11 program.

12 Q. I see that they have the tools for a safety program.

13 A. Yeah. That doesn't mean anything. You can have an
14 (indiscernible) and it still isn't a mountain. That doesn't mean
15 anything. I'm not badmouthing them. I'm not. They were really
16 nice to me. It's just that it really was a big issue with me with
17 the safety managing. It wasn't real.

18 Q. The safety management wasn't --

19 A. -- weren't heard. And then when I asked for compensation and
20 another issue, I got denied. So they really showed me that they
21 don't really give a shit about it. What you do when you're
22 telling -- oh, yeah. Yeah, we have a safety management system.
23 And what's really ironic, when I left -- do you guys know who the
24 safety manager is now?

25 Q. Yeah, Josh.

1 A. Yeah. He's an owner. How does that work?

2 Q. I thought -- I'm confused. I thought his dad owned the
3 company with --

4 A. Well, they do, but --

5 Q. Okay.

6 A. You can own something and give it to my son.

7 Q. Oh, yeah. Oh, yeah.

8 A. I don't know how that works, because Josh and Whitney really
9 weren't on the GOM, but they were -- I guess you can have a
10 president, and then you have owners? I don't know how all that --
11 all those lines draw.

12 Q. Yeah.

13 A. But my interaction daily was with Whitney and Josh.

14 Q. Yeah.

15 A. And when you have a owner who is a safety manager, that's
16 pretty convenient. It's not how an SMS works. It is not.

17 Q. I see what you're saying.

18 A. Yeah. I mean, I own the company. Oh, that's a safety issue?
19 I don't know what you're talking about. I never saw that. I'm a
20 safety manager.

21 Q. Let me ask you about Josh. How knowledgeable do you believe
22 he was with the SMS program?

23 A. On a scale of 1 to 10, maybe a 3. That guy was the most
24 paranoid, nervous human I've ever met in my life. Like, ah, how
25 do you fly in this weather? Josh, it's 902. Follow the CFR. I

1 mean, if anything, I -- his knowledge of aviation was a minute,
2 but yet he would give his advice, and that was really tough.

3 Q. Yeah. He flew for a while, but then he grounded himself.
4 Are you -- were you aware of all of that?

5 A. Oh, yeah. He got into some bad weather. Flying the islands
6 can be tough, and he got some bad weather. I don't know how bad
7 it was, but he scared the hell out of himself, I guess. What I
8 find really ironic, guys, is that they trained him up for 76. He
9 got scared of his own shadow, but yet they put him in a complex
10 aircraft.

11 Q. Did you ever fly with him in the 76?

12 A. No. Hell no. I would not. But I'd fly with him -- I
13 wouldn't let him fly. But I hadn't flown with him.

14 Q. Yeah. You're bringing up some very, very enlightening --

15 A. See, here's the thing. You guys, you guys are really smart
16 at the NTSB. I think you guys will figure all this out without me
17 saying much more. You know what I mean?

18 Q. Yeah.

19 A. And -- how do I say this?

20 Q. Well, let's continue on, and we'll come --

21 A. Yeah, yeah. Okay. All right.

22 Q. All right. So let's -- did you ever see any examples of the
23 risk assessment not being done by the pilots?

24 A. Yes.

25 Q. Can you expand on that? Was it just a matter of them being

1 in a hurry or was it just -- because of what?

2 A. You either have a culture, or you don't. Things work really
3 well for a while until they don't, until you go back to your old
4 ways. And then it's, oh, shit, sorry, sorry. Tomorrow, tomorrow.
5 Come on. Do it. I'll do it tomorrow. That was it. That's all
6 you could do. I mean, I was guilty of it. Oh, shoot, I forgot.

7 However, we have iPhones. We have iPads. Everyone had PRISM
8 on there. And multiple times I would have to remind pilots, hey,
9 man, do the risk assessment. Oh, yeah, sorry. I understand.
10 We're all human. But again, there's a culture, and then there's
11 not.

12 Q. Yeah. So here's the question --

13 A. And they're like --

14 Q. -- did you see, did -- because of the culture, did you see
15 this risk assessments being missed or skipped excessive -- or, you
16 know, not just every now and then, but it happened a lot?

17 A. Yeah. And when, when it became mandatory, it would happen a
18 lot, and that is just because of that management change. With a
19 management change, you can't go from doing things one way and all
20 of a sudden flipping it, doing it another way, without managing
21 it.

22 So there was a, there's a time period for people to adapt to
23 it, you know? And it just never really caught on. Again, that
24 was in my time. I don't know if it ever caught on. And I would
25 be curious if he did one prior to his flight. That would be an

1 interesting question.

2 Q. Yeah. Well, did you see anybody disciplined for not doing a
3 risk assessment if --

4 A. No. No. Discipline was not -- well, if they liked you, if
5 they liked you, then you maybe had a talking to. If they didn't
6 like you, then you were the redheaded stepchild, you know?

7 Q. Where did you fit?

8 A. I think they liked me; they respected me. I was also the
9 only other guy who could fly Kobe, and they knew that -- you know,
10 they told me the mission, and I never any problem with it. You
11 know what I mean? You don't have to hold my hand. I can -- you
12 know what I mean? Like, it was going to get done, and it was
13 going to get done right. So they -- I think they had respect for
14 me. However, as I became more vocal about things that I saw, I
15 think maybe I was tolerated.

16 Q. You think maybe you were what?

17 A. Tolerated. They were tolerating me. I was the only other
18 guy that could fly the 76.

19 Q. So Ara was --

20 A. With Ara.

21 Q. You and Ara, huh?

22 A. Yeah. And Ara was after me. I mean, I had flown that thing
23 for 2 years prior. And what would he (indiscernible)? Yeah, when
24 the other chief pilot left, Harry, then Ara -- they offered Ara
25 the chief pilot and me safety manager, whatever, on it. And then

1 it was just him and I flying Kobe and Vanessa for 2 years. Just
2 he and I.

3 Q. Okay.

4 A. And there were drips and drabs. And, you know, they got an
5 extra guy, but that was after I left.

6 Q. Was that Garret?

7 A. No. Garret -- no, that was a guy named Eric, E-r-i-c.

8 Q. They've got a guy there by the name of David Harvey.

9 A. Yeah, he flew it as well. But he got reprimanded, and he was
10 no longer able to fly those flights.

11 Q. Do you know about that reprimand?

12 A. I do. And I have no -- do you guys know about it?

13 Q. Say that again.

14 A. I do. But do you know about it?

15 Q. Yeah. As a matter of fact, we interviewed David. I'd like
16 to hear from you any conversation that you and David had.

17 (End of recording Part 1.)

18 (Beginning of recording Part 2.)

19 A. -- in a way that will never, ever happen again. She was
20 fired. And I don't know if it's rightfully so or not; I don't
21 remember. Nothing happened to him. We don't have headsets. We
22 can't talk --

23 Q. Right.

24 A. If you go and give a thumbs up, I'm a pilot. I'm like, all
25 right. She should have shut down, but she didn't. She had the

1 thumbs up from a ramper, (indiscernible). So --

2 Q. Wow. Okay. So she got --

3 A. Yeah, and then -- wow indeed. And it made everyone's heart
4 sink. Like, how did you not see that, that rip in that cover over
5 the drive shaft?

6 Q. Oh, wow. I'm going to have to do some digging on that.

7 A. Now, I don't know, I don't know if it ever got reported.
8 Because -- right? I mean, there has to be a limit on -- net worth
9 of accidents and incidences, the value, like \$25,000 or -- I don't
10 remember how that works. Wouldn't you have to report it?

11 Q. Yeah. Yeah. You would report it, then we would examine
12 photos to look for substantial damage, and then go from there.

13 A. Right. So, obviously, it was never reported.

14 Q. So did the DO or the president ask you to do anything towards
15 investigating that?

16 A. No. The minute it happened, it went through the channels.
17 Whitney and Josh came to Queensway where the helicopters were, and
18 Whitney got out of the car and was talking to me in the parking
19 lot about it. I'm like, all right. So I asked the rampers, hey,
20 I need you to go into PRISM; I need you to write what happened.
21 Oh, no. Gordy already called us. He wants us to write it out on
22 paper. I'm like, no. That's not how we do it. We write it in
23 the PRISM. That is our platform. But he had them write it out
24 on -- like longhand on friggin paper.

25 Q. Who was it that asked them to do that?

1 A. Gordy, the DO. Gordy took over control of this. I had no
2 say. And then we went on the ramp the next day, he and Ara and I,
3 and he's coming up with all these ideas. And not once, even with
4 Ara, not once did he say to me, what are your thoughts? They were
5 coming up with (indiscernible) over the ramp, and here, we'll put
6 this over here, and (indiscernible), you know? I mean, how about
7 having radios? How about saying, hey, Jimmy, we all clear? You
8 know, (indiscernible) right, steps away.

9 Q. All right.

10 A. So I wasn't involved. And then I wrote my report on what
11 happened, and when I went in and looked at it a moment later, it
12 had been manipulated.

13 Q. What was manipulated?

14 A. The wording.

15 Q. Oh, the wording on the written report?

16 A. No. What my account was.

17 Q. Oh.

18 A. And I confronted Gordy on it, and he said no, and I'm like,
19 dude, I don't write like that. I'm not a very good writer. I
20 know how I write; I don't use words like that. I mean, therefore
21 and accordingly and whatever, you know? It wasn't my style. And
22 he denied it, but I don't believe him.

23 And I told him that any time there's an accident or incident,
24 the main person is the safety manager, and it's safety-related.
25 You can be involved, but you're not running it. But I think there

1 was a lot of ego, and there was a lot of feeling as though he
2 needed to be involved somehow. I don't know. He was never there.
3 He lived in Redding, Redding on the base.

4 Q. Kurt, when did Gordy leave?

5 A. He left -- well, when -- I was still -- he was still there
6 when I left. It's whenever Garret got hired. I don't know when
7 Garret -- because I've known Garret forever; I've known him for
8 years. And he left Helinet to go there. So whenever that was. I
9 don't -- I'd say maybe '18? Maybe.

10 Q. Okay. Do you know why he left?

11 A. No. No, I can only speculate. But no, I don't know the real
12 reasons.

13 Q. All right. Let me come back to a few -- did you ever -- I
14 understand the -- your statements on the risk assessment. Did you
15 ever have any overt management pressure to fly the aircraft or to
16 fly a mission?

17 A. Well, some people -- like, I've been doing this forever, and
18 I know, when I'm not flying, I don't care who you are, I'm not
19 flying. So there was a lot of, with me -- like in Long Beach. We
20 were based in Long Beach. And then if we had flights, we'd go to,
21 like, Queensway or (indiscernible). When can you be here? We
22 have a room full of people. When can you be here? Soon as the
23 weather is safe. When do you think? Just wait for the weather
24 update. All right. There was a lot of that.

25 Q. Yeah.

1 A. You know what I mean? There wasn't -- like, you get your ass
2 down here.

3 Q. Yeah.

4 A. But there have been times, and I saw this before I was safety
5 manager, we're not flying, we're not flying. I'll handle it. All
6 right, man.

7 Q. And who often would be that person that would say he would do
8 it?

9 A. There's more than one.

10 Q. Okay. Any of them still there?

11 A. No. No, I don't think so. I don't even know who they have
12 there anymore.

13 Q. Okay. Let's see if I got all my questions asked. What other
14 -- we talked about the problems with the risk assessment and the
15 Safety Management System and the culture of the company.

16 A. Yeah.

17 Q. What other safety concerns do you have with that company, or
18 just concerns in general?

19 A. I've worked for large companies, and some of them will come
20 in and -- even PHI. They want to make money. But they also
21 understand that safety is number one. And we don't fly -- I don't
22 care how much money we make, we're not flying. Why didn't you
23 take a flight? Tell me again. Oh, all right, all right, um-hmm.
24 You're not flying here? All right. Thanks.

25 So they don't really apply -- I'm trying to think of the term

1 for it -- not direct pressure, but more like, well, you need to
2 get there. Not go somewhere else. You need to get there.
3 Uh-huh. Good. You want me to do it safely? You want me to not?
4 So it was never like, you motherfucker, you'd better get out
5 there. There was more that, come on, you know, when? When can
6 you make this happen?

7 One of the guys who are newer -- and I can give you the name
8 of the guy; I have no problem giving you their name -- that he
9 felt the pressure. He was new. He had maybe 1,000 hours. And we
10 talked briefly about this, and we're like, it's too soon, you
11 know, right? They know, but -- you or I knew, but they never
12 seemed too concerned with it. Instead of saying, hey, great call,
13 man. We'll get them next week.

14 Q. Yeah.

15 A. So I don't know. It's not like direct, but it's more
16 insinuated or makes you question it. But I've never, ever, ever
17 had issues with them pushing me because I would push right back.
18 Or with Kobe, he would never, ever -- I've had no interaction with
19 him. He'd be like, hey, man. He never asked, hey, how's the
20 weather? He assumed you're doing your job.

21 Q. Yeah.

22 A. So I hear some people saying that he was pressuring -- he
23 never chatted with them. But what he would do, like, if I was
24 just flying him to a game, I'd fly him to the game -- and I knew I
25 could do it. I would let his people know, whoever we had contact

1 with, hey, I'm not sure about the pickup. I'll let you know. I'd
2 say, I'm not sure if I can get in there for the pickup. And
3 surely 9 o'clock it was 101 downtown. So I'd let my people know,
4 hey, no way. He's going to have to drive. And that was it.

5 Q. Yeah.

6 A. That was it. So he was never -- he had no problem. He
7 understood all those aspects. But --

8 Q. All right. Closing, closing comments on the safety culture
9 of Island Express?

10 A. Well, like I said in the interview, there is real culture,
11 and there is window dressing. And I feel, in my opinion, that
12 they may -- like I said, they're just saying they had a safety
13 program, but it wasn't by any means a real SMS, how it should be
14 run.

15 Q. And while you were there --

16 A. Now, either they didn't want to, or they just didn't
17 understand it.

18 Q. Yeah. Yeah.

19 A. Giving up control on a company that you own is really hard.
20 And micro -- and a lot of micro-managing. A lot. I remember on
21 flights -- like, I remember when I was doing a (indiscernible)
22 Malibu Pass tour, I would get a whooping from the tour manager and
23 Ara. I'm like, guys, I have flown Burbank before. I can do this.
24 You know what I mean?

25 But everyone was covering their ass. I mean, you understand

1 that this person has three legs. Yeah, all right. I'll see that
2 when they get there. Well, fine then. So there was a lot of
3 that.

4 Q. Okay.

5 A. Which -- yeah. And when there was other issues like weather
6 or pushing, and then that's when the, all right, well, let me
7 know. I need to know. Will you be there or not? I need to let
8 them know. And then the tournament (ph.) calls, same thing. I'm
9 like, ah, slow down. I'll let you know.

10 Q. Yeah.

11 A. There was just a lot of cooks in the kitchen. You know what
12 I mean?

13 Q. Um-hmm.

14 A. And everyone wanted to interject their own opinion. Oh,
15 yeah, that was one-five and one-seven. I don't know what -- if
16 that changed or what.

17 Q. Yeah.

18 A. So --

19 Q. Did I ask you why is it that you left? Did I ask you that
20 question? I don't remember the answer.

21 A. I left because we had a difference of opinion on the SMS and
22 compensation for it. I wasn't getting paid. And it wasn't about
23 the money, but all that did was show me if they cared about it
24 truly or not. I wasn't asking for, like, 500 grand. I only asked
25 for, like, a \$10 an hour raise. I think he came back with a

1 dollar. So that's how -- that, to me, showed me how they valued
2 having a safety manager. Hey, I can put my husband in there.
3 Won't cost me a thing.

4 Q. So it was Whitney you were talking to about the --

5 A. Yeah. I can't -- I was having a lot of conferences with
6 Gordy. Gordy was managing it as the DO from Redding. He wasn't
7 there every day; he would come down, make some noise, and then
8 leave maybe once a month. He wasn't involved in the day-to-day by
9 any means. So I had issues with him, and manipulation of the data
10 was the biggest one.

11 And it was a combination of Gordy and them not compensating
12 me for a position that was, I felt, extremely important. And,
13 again, I wasn't asking for the moon. I was asking for like a, you
14 know, a good faith. Yeah. You want me to believe in you and this
15 program, right?

16 Q. Yeah.

17 A. I mean, I recall everyone was compensated and -- like I don't
18 really (indiscernible) pay as a safety manager. Not a lot, but
19 enough for me to be like, yeah, all right, you believe in this.
20 So that -- it was just time for me to leave.

21 I mean, they were really nice to me. I had some great times
22 and it wasn't all bad. But they were just a small company with
23 way too many people managing it that weren't very well versed in
24 aviation on a real level.

25 MR. SALAZAR: Well, Kurt, that's all the questions I have.

1 Thanks for all of that information.

2 Dujuan, back to you, good sir.

3 DR. SEVILLIAN: Okay.

4 BY DR. SEVILLIAN:

5 Q. So can you tell me, when you fill a risk assessment out,
6 if -- so you said you, when you get into the yellow or red, that's
7 basically a no-go without mitigation, right?

8 A. Only the yellow. The red is a hard no-go.

9 Q. Okay.

10 A. There's not even mitigating in red.

11 Q. Okay. So who can approve the mitigation circumstances if you
12 have to have one for yellow?

13 A. So if I was doing it, I got a yellow, I'm like, all right,
14 shit, I need to call the DO. He's not around; I'll call the chief
15 pilot. If they're not around, I think it was safety manager; I'm
16 not sure. But you would have to consult upper management, tell
17 them why you're in the yellow, and tell me, what do you think I
18 should do? Let's figure this out.

19 Q. And how -- what sources would you use to figure it out? Give
20 me an example of a situation.

21 A. Well, you check weather. You always check weather. All
22 right, I'm going from Long Beach to John Wayne. No sign of
23 weather. Does Long Beach have weather? They have weather
24 reporting all the way. Am I marginal? Am I low? Am I -- is it
25 201? You know, get an idea of the weather. And then, question

1 would be, like -- I remember, like, is the ceiling within 100 feet
2 of our weather minimums? You know what I mean? So you would have
3 an idea if the weather is out there from the information you've
4 gathered.

5 And then, you know, are you within so many pounds of gross
6 weight? Are you able to carry two-way trips (indiscernible)?
7 These are the things I would try to remember. Have you had 10
8 hours of rest? How many days a week have you worked? The human
9 factors of it as well. All of that.

10 So normally with the weather -- that would be the major one,
11 the weather. Wait for the weather update. Yeah, all right.
12 (Indiscernible) I am.

13 Q. And would there be any circumstances where you thought that
14 you had mitigated it and the -- let's say the other member of
15 management say, I don't agree?

16 A. No. They would never actually -- you would go back and
17 forth. I mean, the PIC, in that regard, can -- is still the final
18 authority. However, if he mitigated it, normally it would be,
19 like I said, wait for the weather to update. Doing it. All
20 right, weather updated. All right, yeah. Woo, I'm green now.
21 Thanks. You know what I mean? It wasn't like, well, I don't
22 agree. I'm going anyway.

23 Q. So when you were at Island Express, was the chief pilot
24 considered upper level management?

25 A. Yes. If you look at the flowchart, they were management.

1 Q. Okay. So what if I'm the chief pilot, and I want to fly from
2 John Wayne to Camarillo, and I fill out a risk assessment, and the
3 risk assessment is in the yellow? Who do I talk to --

4 A. You would call the DO if -- you would call Garret. So you,
5 as a manager, can't mitigate your own -- at that moment, you're a
6 pilot. You're a line pilot. You know what I mean? So you have
7 to then consult with the Director of Operations. You can't
8 mitigate your own. That defeats the whole purpose.

9 Q. Has there ever been a situation where someone has mitigated
10 their own?

11 A. I can't see why there wouldn't be. I don't know of any
12 offhand, but if you want to get the flight done? Yeah. I don't
13 know. The weather was good when I left. Or, ah, I forgot to do
14 one. Damn it. Sorry.

15 Q. And do you --

16 A. And by no means was it a hard -- again, in my time, it wasn't
17 a hard thing where guys were generally -- you know, 98 percent of
18 the time it was really fine.

19 Q. So say you were fatigued, and your duty time is extensive
20 that day. How would you fill out the risk assessment?

21 A. Here's the thing. I had -- and that's funny, I just was
22 talking to a friend about this. I was flying the Island
23 (indiscernible) back and forth. I mean, like, 6 hours of flight
24 time. And they wanted me to do a charter to Palm Springs. That
25 would have put me in Palm Springs on my 14th hour.

1 And you know what Gordy said? You can fly (indiscernible).
2 No, I can't; I need my (indiscernible). Well, that's 91; you can
3 come back 91. You're not 135. You're sending it back 91. I
4 said, no, I'm not doing it. And he pressured me.

5 And the only reason he was telling me that is because he
6 didn't want to do it. He was the only pilot available. And he
7 wound up doing it. (Indiscernible), you know what I mean?
8 (Indiscernible) times out of 14? That's not -- it's a long day.

9 Q. All right. So you ended up, you ended up saying that the --
10 there was sort of a pressure to fly when you were fatigued?

11 A. I hate using the word pressure, but it's more of an
12 assumption or a, hey -- I mean, to me pressure is like, you get
13 out there and you make me money. You know what I mean? It was
14 more like when he said, no, you could do it; just come back 91.
15 Like I'm going to be like, oh, yeah. Cool. I can do it.

16 (Indiscernible) is, I think, illegal, but -- I mean, the
17 pressure wasn't that ramped up, yelling in your face pressure. It
18 was more questioning and really hearing some doubt in your
19 decision. Like I said, the younger guy who I -- who used to fly
20 there had that, that oh my god, wait a minute. Maybe I'm not
21 looking at it right. And he would call me all the time and ask me
22 what I thought.

23 Q. So why did the company doubt decisions? Why was that?

24 A. I don't really know why. I don't know. I would imagine it
25 was simply money. They're not making money on the ground. Like I

1 said, there were multiple people -- if you chartered a flight now,
2 who are you going to call? Josh -- not Josh, Whitney or Laura or
3 maybe Corey (ph.). So what's going on? Well, this and that.
4 We're not going here? No. All right, that's fine. Oh, man. All
5 right. Or what's going on? Oh, yeah. All right, yeah. No, no,
6 no, perfect.

7 Maybe that happened once or twice, but it was more of, like,
8 not (indiscernible) or why can't you do this again? Tell me.
9 Well, from what I see, this. Oh, yeah? Like, what I'm seeing is
10 this. I'm not going.

11 Q. Can you remember the -- what would be the score for a high
12 risk where management would have had to --

13 A. I don't know if the range was like between 90 and 100. I
14 don't remember the scale. But every one of the questions -- you
15 build your own. You write your own questions, and you apply a
16 value to that as you deem it being a high level risk or low level
17 risk or medium level risk. 100 feet of (indiscernible) would get
18 a high number -- or should get a high number.

19 Q. So --

20 A. You want all the negatives to tally up to either the yellow
21 or red. You don't want a low number. Then they're like, oh,
22 (indiscernible) at 100 feet? That's a 1 where it should be like a
23 10, whatever.

24 Q. So you said you write your questions for the risk assessment.
25 What do you mean by that?

1 A. Right. Well, let's say there's 20 questions. You write them
2 all. Like, are you within minimums? Is the aircraft within 10
3 hours of a major (indiscernible)? You, you can write anything.
4 Do you have the proper shoes? Is your breath fresh? You know
5 what I mean? You can write anything in there. You make up your
6 own questions, and then apply a value.

7 Like, Gordy thought it was funny to have one, if you're doing
8 an overnight, that you have a proper pillow. I'm like, why is
9 this even on there? Who cares? You know what I mean? So you can
10 write anything you want in there, apply a value to it, then those
11 numbers add up when you're done with the assessment.

12 Q. Help me understand this. You're saying that you could write
13 the question down. It's not a standard -- these forms are not
14 standard?

15 A. No. They aren't standard. What I'm -- no, no, they're not.
16 The thing about PRISM is you can build -- well, any SMS you build
17 to suit you. Like, here our (indiscernible) are over-water ops,
18 you know, over water. At Island, there are a lot of over-water
19 ops questions.

20 So you build the risk assessment with what questions you
21 want, and then as a manager, you're building that form and the
22 pilots are just filling that out. You're standardizing it to your
23 operations, so every day would be the same. You know what I mean?
24 I made the form. I assembled all the questions, loaded it, and
25 then that would be a risk assessment.

1 Q. So if I'm going -- if I want to fly a route, and I go into
2 PRISM, the form, am I looking at a blank form that I need to write
3 questions on?

4 A. No, no, no, no. It's all there. All the questions are
5 there.

6 Q. So --

7 A. What I'm saying is you make the questions, you and the
8 manager make the form, and then that form is in the computer.
9 When you launch risk assessment, there are all the questions. No,
10 you're not writing your own.

11 Q. How often was that form, when you were there, communicated to
12 pilots?

13 A. Well, I mean, there was -- I mean, they would fill that one
14 out every day. It was just to what was applicable. Like, are you
15 flying in mountainous terrain? No. I'm in the ocean, so it would
16 be a zero. You know what I mean? So all those questions are
17 already written out, and you're just answering them and getting a
18 score.

19 Q. So if I'm -- let's say I'm fatigued, and I'm not safe to fly,
20 and I have a number here, can I still fly?

21 A. If you're in the green, and you're fatigued -- I mean, you
22 have to do a crew time out, man. That's on you. That's on the
23 pilot.

24 Q. Right. But if it's in the risk assessment, and it doesn't
25 get to an elevated score or a high score, I can still fly?

1 A. Absolutely. Under that -- under the risk assessment, yes.
2 But if you're not doing your own self-check, then it's not very
3 smart. If I'm in green, and everything is fine weather-wise, but
4 I'm fatigued, the word "fatigued" isn't going to get you in the
5 red. Weather's good, aircraft's good, blah, blah, blah. I'm
6 (indiscernible), but yet I'm tired. That won't even get you
7 yellow. Everything else is good? Yeah, you're okay.

8 Q. In your opinion, is that a safe way to --

9 A. No, no, no. Fatigue is a major factor in aviation. When
10 you're flying -- I'm 54. So I was doing it at 52, and there were
11 days where I'd fly the island back and forth. I'd fly my full 8
12 hours, and I was like, whew, that's a lot of flying. And if it
13 was a full day, you're hot too. And you're eating a 45-minute
14 lunch, and the rest of the time -- hot sun, no air conditioning.
15 I mean, I need a minute. Pilots do that, but on many summer days
16 you're flying the island, you can expect to spend 8 hours in that
17 seat in a 13, 14-hour day.

18 Q. All right. So what if I have to -- what if the weather is --
19 let's say the surface winds are greater than 30 knots at an
20 airfield. Can I -- I can still take off with that?

21 A. So let's say everything is great in your risk assessment, and
22 that is the only high number, like 30 knots, whatever. It won't
23 put you in yellow. However, if it exceeded an aircraft
24 limitation, then you couldn't fly. I mean, in as far as that
25 certain parameter for wind direction and speed -- I forget what it

1 is. But if you're not exceeding an aircraft limitation, and that
2 was your only issue, then yeah. Have I flown out in wind to try
3 to land in (indiscernible), and I couldn't, then come back? Yes.

4 Q. Was there ever a discussion, as far as the risk assessment is
5 concerned, about -- you know, you're VFR and you get into IMC
6 conditions while flying en route?

7 A. Well, let me -- I'm sorry. What was the question? I don't
8 understand.

9 Q. Has there ever been a situation where -- on the flight risk
10 assessment tool where you -- looking at the weather, for example,
11 let's say you're VFR and you get into IMC conditions. Was there
12 anything on the risk assessment tool that a pilot could check
13 or --

14 A. Hang on for a second. One sec.

15 (Conversation in the background.)

16 MR. DEETZ: All right, guys. Sorry about that.

17 DR. SEVILLIAN: Welcome back.

18 MR. DEETZ: So the question was when you fill it out in VFR,
19 everything's good, and then encounter IFR? Is that what you're
20 asking?

21 BY DR. SEVILLIAN:

22 Q. Yeah. Was there any risk assessment on a possibility of
23 encountering that?

24 A. Well, I mean, that's what I'm saying about are you within 100
25 foot -- no. It would more be like, again, is visibility within

1 one mile of the company minimums? Yes. All right. I may have
2 some visibility issues. Is the ceiling within 100 feet -- or 200
3 feet; I don't know what it was -- of company minimums? Yes. All
4 right. So now in my head I'm thinking, all right, I'm looking at
5 602.

6 So that's how you're determining whether there may be a
7 possibility of going into IMC by accident. And you can get like a
8 snapshot of what's going on. Is it better sometimes? Yes. Is it
9 worse? Absolutely. You can get out there and be like, all right,
10 this isn't 600. And (indiscernible) 400, and you're like, all
11 right.

12 Q. And are you aware of any situations where pilots had -- you
13 know, they got themselves into IMC conditions?

14 A. Yes.

15 Q. Give us an example of that.

16 A. I can't. I can't. All I know is it was rumored. I never
17 saw it, and I'm not saying who because it's probably multiple
18 pilots. How it works on the island, if the weather's good in Long
19 Beach, and the weather's good in (indiscernible), but there's fog
20 when you get out there -- and when you leave Long Beach you can
21 tell (indiscernible) because you can see the top of it. You know
22 what I mean? It's a shelf. There have been rumors -- again,
23 rumors; I never saw it, I never did it -- that there would be
24 (indiscernible), boom, pop, gone. (Indiscernible) the top now.

25 Q. And when you heard --

1 A. Again, I don't know if that is true. That is what I heard.

2 Q. And when you heard those rumors, were those rumors from
3 company pilots?

4 A. Yes.

5 Q. So with regards to the safety process, did you feel empowered
6 to report that to the company?

7 A. I wasn't -- when I first came onboard I heard about it. I
8 wasn't the safety manager. Should I have reported it? It's all
9 hearsay. Maybe I misunderstood; I didn't witness it. Now, do I
10 know a pilot who has? I do. And will I give you his number? I
11 will. But it's not for me to -- if he wants to tell you the
12 story, then he will. If he doesn't, then he won't.

13 Q. What's the pilot's name?

14 A. His name is Keith Klements.

15 Q. Can you spell that for me?

16 A. I don't know. I think it's K-l-e-m-e-n-t-s maybe.

17 Q. We'll probably ask you for that number or whatever.

18 A. Yeah, I'll give you his number. I don't feel bad about that,
19 giving you his info, because he'll either talk to you or he won't.
20 He's not under oath; there's no obligation. So if he wants to
21 cooperate, it may be helpful.

22 Q. And he was -- and he worked for Island Express?

23 A. Yeah.

24 Q. Okay. And you have Fabian's e-mail, so can you please send
25 that contact information to Fabian, please?

1 A. I do? Do I have it? I may. Shoot me an e-mail again, and
2 then I'll send it back.

3 Q. Okay. The other question I had, you flew VIPs around in the
4 S-76, right?

5 A. Yeah. Um-hmm.

6 Q. Did you ever -- were you ever pressured by a VIP?

7 A. Never. Never. I mean, how it's standard is they get on the
8 aircraft, normally they're not putting on a headset. You just
9 don't. You know what I mean? (Indiscernible) don't want to show
10 up wearing a headset. So it would never be like, why are we
11 turning back?

12 I never had to turn back. I mean, never -- there's only been
13 one flight with Helinet that they told the guy, hey, man, put on
14 your headset when you can because there's no way I can get to Palm
15 Springs. I'm going to San Bernardino. We have a car. And he was
16 like, wow, thank you. That was it. But you don't really interact
17 with them.

18 And honestly, you don't accept a flight you can't finish.
19 L.A. is very predictable weather. It's the easiest place in the
20 world to fly if you know the weather. You know what you can fly
21 in, how it works, and what you can't fly in. And if it's not
22 flyable, then no way, it's not going to happen.

23 Q. And have you ever heard any stories of pilots being pressured
24 from VIPs at Island Express?

25 A. No. Well, I wouldn't call him a VIP. There was a -- I think

1 he works for the island company who manages the island, and he can
2 be a little, like, bitchy. Like, you pick him up at John Wayne,
3 or you're supposed to pick him up at John Wayne, but the weather
4 is bad on the island, and you can't get there, and that would be
5 the call like, when is it going to get better? He needs to get
6 there. Like -- you know?

7 And that's when the younger pilots are like, ah, ah. And
8 there was pressure from that one gentleman to management like,
9 what's going on? Why am I not flying? (Indiscernible).

10 Q. And how were you informed about the accident?

11 A. I was at a (indiscernible) with my son, and I got a text from
12 a cameraman that used to work for Channel 5 in L.A. And he's
13 like, are you in town and are you flying? Like, I'm in town, but
14 I'm not flying. And I just heard of a 76 had crashed, and Helinet
15 and Island are the only ones operating those. So I texted Ara and
16 Garret and the chief pilot at Helinet. Maybe they didn't know
17 yet. This is really -- the news guy knew about it right away.

18 And then I didn't hear from Garret or Ara, then Brian (ph.)
19 at Helinet called me back saying, hey, we just heard. It wasn't
20 ours. And then maybe 5 minutes later I got a text from this guy
21 at Channel 5 with a communication between Ara and Van Nuys tower,
22 and I'm like, oh, man, it's Ara. And then (indiscernible), and
23 then I was worried that the passenger onboard was that, and it
24 was.

25 Q. Did you text Ara often?

1 A. No. Once I left there, he texted me once with a photo of
2 him, Keith, and I on some training and like, hey, good times.
3 This was a while ago. And oh, my god, it was like when we were,
4 you know, whatever, whatever. And I saw Ara right in Santa
5 Monica. I was on a charter. He flew in, he gave me a hug, and he
6 was like, I just (indiscernible) freed up, you can work
7 (indiscernible), and whatever. That was it. We never had a real
8 connection once I left.

9 DR. SEVILLIAN: All right. Those are the questions I have
10 for now. Back to Fabian.

11 MR. SALAZAR: All right. I just have one for you, Kurt.

12 MR. DEETZ: Okay.

13 BY MR. SALAZAR:

14 Q. With regards to the risk assessment, if my weather was
15 marginal VFR from -- for the entire route, would that put me in
16 the green, yellow or red?

17 A. Well, it would all depend. Let's say I'm doing one from Long
18 Beach to John Wayne, and there's fog. That would be red -- I mean
19 that would be green. But now I'm going from John Wayne to
20 Camarillo, about to do another one. Because you can't do it based
21 on the entire flight, because some of it's good, some of it may be
22 bad. You know what I mean?

23 Q. Uh-huh.

24 A. You do one for each leg. So now if I do one from John Wayne
25 to Camarillo that was marginal, or I'm in the yellow, I'm going to

1 mitigate. Or, here's the thing, does a pilot -- they kind of know
2 when they're checking weather how it's looking. You know what I
3 mean?

4 Q. Yeah.

5 A. So that's why the risk assessment is done kind of on the
6 side. (Indiscernible) through here, seven over here. I'm fine; I
7 got more than 3 miles. And the only (indiscernible) in the
8 reporting was where they were. But normally you get a
9 (indiscernible) at, like, Van Nuys, Camarillo -- you get the idea
10 of what -- it doesn't change drastically. It can, but normally
11 it's about the same-ish.

12 MR. SALAZAR: All right. Well, that's all I have. Back to
13 you, Dujuan. Thank you, Kurt.

14 MR. DEETZ: All right.

15 DR. SEVILLIAN: All right. And one more thing for you, Kurt.

16 BY DR. SEVILLIAN:

17 Q. So I want to make sure I close the loop on this risk
18 assessment tool.

19 A. Right.

20 Q. It was developed with the SMS program when you were there.

21 A. Um-hmm.

22 Q. When someone gets to yellow, they need to mitigate it.

23 A. Right.

24 Q. If it's at red, it's an automatic no-go.

25 A. No-go, right.

1 Q. And if it's -- and the way these questions were developed on
2 the flight risk assessment tool was the management developed the
3 questions?

4 A. Yeah. I mean, they were already developed when I got there.
5 Gordy had set that up already. I think I changed a few, changed
6 some values, but that was all micromanaged.

7 Q. And I guess the question is when you have -- if you have a
8 risk assessment with several questions, and some of them don't
9 apply to you, but they have -- but there's values that -- there's
10 still values that are in the system. There may not be --

11 A. Well, it's zero. You'd have zero.

12 Q. Zero. Okay. And the way this is -- the way this risk
13 assessment is developed, I think, from our earlier conversation,
14 is you're saying it's very difficult to get to a red.

15 A. From what I remember, it was -- I never saw red. I never,
16 myself, got in the red.

17 Q. So in your opinion, is the risk assessment tool a great tool
18 for the Island Express's Safety Management System?

19 A. No. How they're using it -- again, in my time -- no. No.
20 It is 100 percent, in my opinion, window dressing. And I don't
21 even know if they enforce it anymore. I don't know if it's
22 mandatory. I have no idea how Josh and -- or how he manages it.
23 That would make some nice questions for him.

24 Q. And the FAA Principal Operations Inspector was never involved
25 with the SMS when you were there?

1 A. No. No. I mean, it's not mandatory. FAA doesn't require an
2 SMS. Why companies do it? At least in practice, it looks good.
3 And if you want a contract with, let's say, Shell -- which they
4 have -- for offshore, that rating, you need an SMS.

5 Q. And when you were there at Island Express were there any
6 audits performed by any external agency?

7 A. Yes. There was one, one audit. What it was, was an audit
8 done prior to when I was there. And these were -- they had all
9 these findings. And then I fixed most of the findings, and then
10 he came back and was kind of like, oh, what have you done? Oh, we
11 did this, can't really do this, and that. And, again, they were
12 ignoring me. Whitney and Josh said Ara needs to be in the
13 meeting, and he was in the meeting. I did a safety briefing for
14 the (indiscernible) workers. They made sure Ara was there.

15 Q. And --

16 A. You know how it works.

17 Q. So in closing, how would you rate when you were at Island
18 Express? How -- from a scale of 1 to 10, how would you rate the
19 safety culture when you were there? 10 being the best, 1 being
20 the worst.

21 A. Two and a half to three. But again, in their defense, they
22 went from Gordy doing nothing to me actually running it how it
23 should be run. So it was, again, adopting it, demanding a change
24 of it. It takes a while to move a culture. Doesn't happen
25 overnight. But you have to buy in; management has to buy in.

1 They can't manipulate it. They can't manage it. They can't
2 direct it. They have to say, we have a culture, he's running it,
3 let's go. And that wasn't the case. So that's why.

4 DR. SEVILLIAN: Okay. Well, really appreciate you taking
5 time, Kurt.

6 MR. DEETZ: Sure. Sure.

7 DR. SEVILLIAN: Very informative conversation.

8 MR. DEETZ: Good, good.

9 DR. SEVILLIAN: And we'll get that number from that pilot.
10 He was a S-76 pilot by any chance?

11 MR. DEETZ: No, no. He was a -- he was strictly a
12 (indiscernible) Jet Ranger, Island guy.

13 DR. SEVILLIAN: Okay. Okay.

14 MR. DEETZ: Yeah, no 76. But he was well-liked. He got
15 along great. Super great guy. But he left for his own reasons,
16 and he reminded me of some stories, I'm like, ah-ha. But I'm not
17 at liberty to discuss that. I wasn't there. I wouldn't want to
18 say anything to that. Those were his encounters. Know what I
19 mean?

20 DR. SEVILLIAN: Um-hmm.

21 MR. DEETZ: But on the side, if you guys want to know info
22 about the real operations, I don't know if you've interviewed any
23 of the rampers or the ground personnel, like the guys who are
24 actually loading and picking flights and managing all that. I
25 mean, that may be another avenue of getting a little more insight

1 on culture and how things ran.

2 DR. SEVILLIAN: Okay.

3 MR. DEETZ: And it really wasn't the pilot. It was more the
4 rampers, the guys running the show in Long Beach and on the
5 island.

6 DR. SEVILLIAN: Okay. All right. Well, we will follow-up
7 and get the other pilot's information from you, and --

8 MR. DEETZ: Yeah.

9 DR. SEVILLIAN: -- again, thank you for taking the time.

10 MR. DEETZ: My pleasure, guys. All right. Sounds good.

11 MR. SALAZAR: Thank you so much.

12 MR. DEETZ: Bye, sir.

13 DR. SEVILLIAN: Yeah. Take care, Kurt.

14 Off the record, 1:37 p.m. Eastern.

15 (Whereupon, at 1:37 p.m., the interview was concluded.)

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CERTIFICATE

This is to certify that the attached proceeding before the

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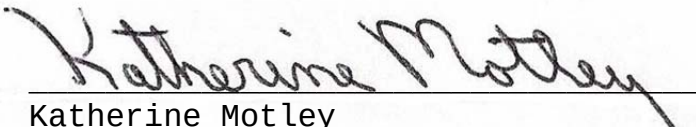
IN THE MATTER OF: SIKORSKY S76B HELICOPTER N72EX
 CRASH NEAR CALABASAS, CALIFORNIA,
 ON JANUARY 26, 2020
 Interview of Kurt Deetz

ACCIDENT NO.: DCA20MA059

PLACE: Virtual

DATE: February 28, 2020

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.


Katherine Motley
Transcriber