

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: DAVID HARVEY, Pilot

Island Express Helicopters

Island Express Helicopters
Long Beach, CaliforniaThursday,
January 30, 2020

APPEARANCES:

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I N T E R V I E W

MR. SALAZAR: -- investigate the accident N72-Echo-X-ray.

We have myself, Fabian Salazar, investigating the operations side. Dujuan is -- and Sathya are looking into the human factors. Matt Rigsby, with the FAA.

Our investigation is looking for three things: We're looking to find out what happened. We're looking to find out why it happened, and we're looking for recommendations so that it doesn't happen again. We've asked you to come in today because you're the expert and we'd like to learn from you what you know.

The things that we record will be placed on a public docket and they'll be available for the public to read.

You're allowed one representative to accompany you while we do this investigation. Would you tell us who that is?

MR. HARVEY: It would be Don.

MR. SALAZAR: All right, thank you.

The way we're going to do this is we're going to go through basically two rounds of questions. So I'll ask questions, Dujuan will ask questions, et cetera. After that, we'll come back to me. And if there's actually a need for third round, which I hope there's not, we'll go through a third round.

Let us know when you'd like to take a break. If nobody says anything, we'll take a break at about the 45-minute, 1-hour mark, if it goes that long. Okay?

With all that being said, do you have any questions?

1 MR. HARVEY: No.

2 DR. SILVA: Do you just want to have Garret introduce himself
3 for the --

4 MR. SALAZAR: I'm sorry, Garret.

5 MR. DALTON: David, I'm here as director of operations for
6 Island Express Helicopters. I do have knowledge of the aircraft,
7 those involved in the accident and our operations. And that's my
8 role in this, is to ask questions to help the NTSB get information
9 as to our operation and the aircraft.

10 MR. HARVEY: Okay.

11 MR. DALTON: And none of the NTSB/FAA people here have
12 experience in the Sikorsky S-76.

13 MR. HARVEY: Okay. Good to know.

14 INTERVIEW OF DAVID HARVEY

15 BY DR. SALAZAR:

16 Q. All right, I'm going to start of with some general questions.
17 Tell us, please, about your flying history.

18 A. I've been flying over 32, 33 years now. Didn't fly the
19 entire time. I was in banking. But I've been flying as a regular
20 pilot for a living about 20 years now. Started out in a small
21 helicopter, Robinson helicopter, mostly, on a variety of
22 helicopters and a variety of places, a variety of roles. Flown
23 news, EMS, tours, charters. I've flown in Alaska, Hawaii, New
24 York, Los Angeles, San Francisco, Texas, Gulf of Mexico. Got
25 quite a bit of experience in the Sikorsky S-76 and IFR programs,

1 and PHI out at Arctic Air Service, which was up in the Central
2 Coast of California.

3 And now, most recently, I've -- when that latest job went
4 away -- we had a contract with Exxon that was canceled and the
5 company folded, and I ended up working here. I've been here the
6 last 3½ years, flying the AStars and then the Sikorskys.

7 Q. Okay. So you fly both aircraft out of here?

8 A. Correct.

9 Q. Okay. Tell us some of your typical missions with the -- with
10 both aircraft, please.

11 A. Well, the meat and potatoes of our business is pretty much
12 going back and forth to Catalina, for the most part. We do a lot
13 of that, and that's mostly what I've been doing here. But we do
14 charters, of course, pretty much all over California. And it's,
15 you know, Palm Springs or up to Santa Barbara, occasionally
16 further north, even beyond the Bay Area. A majority of the
17 charters are between Santa Barbara and San Diego and Palm Springs
18 area. Not much further, the most part.

19 Q. Okay. The wages here at Island Express, are you comfortable
20 with the wages?

21 A. I am.

22 Q. Okay. And the association with the other pilots, how is
23 that?

24 A. It's good.

25 Q. Okay. Anybody in the company that you don't really get along

1 with? Or do you go along with everybody?

2 A. I had my issues with Ara in the past.

3 Q. Okay.

4 A. Everybody else, I get along just fine.

5 Q. Okay. Are you satisfied with your work compared to other

6 pilots in the company?

7 A. Yes.

8 Q. Okay. So your overall satisfaction with the company?

9 A. That's a different question.

10 Q. Okay. Well, I'm just kind of asking, overall, are you

11 satisfied with being employed here?

12 A. Yeah. I mean, I like it.

13 Q. Okay.

14 A. And I'm here. I'm close to home and like the aircraft.

15 Q. Excellent.

16 A. Company seems to be growing and I want to be part of that. So

17 hoping to be around -- or even before this happened, I was hoping

18 to be around to see improvement and hoping to stay around, again,

19 and see an improvement.

20 Q. Okay. Let's go into training.

21 A. Okay.

22 Q. Okay. Tell us what it took for you, once you got employed,

23 to get to that point where the company was comfortable letting you

24 take off and fly as PIC. What were the training events that you

25 went through?

1 A. Originally, I was hired just for the AStar. Typically you
2 start off in the smaller helicopters. Actually, didn't take too
3 long actually, to get in the Sikorsky since I had more Sikorsky
4 time than even Ara had at the time. He was fairly new to the
5 aircraft.

6 But did the training in the AStar and that went really well,
7 I think -- exceptionally well. Even the company officers said
8 that, you know, because Ara told them how it went. So that was
9 fine. I got in there pretty quick. I mean, I'd hadn't flown the
10 AStar in a long time before that particularly, but I took to it.
11 You know, in a half hour, I was pretty much ready for -- to go.
12 I've got about 11,000 hours of helicopter time now, so it's --

13 Q. While you're at it, about how many hours of AStar? How many
14 76s?

15 A. Over 6,000, almost 7,000 AStar hours. And about, I think
16 about 17-, 1800 hours Sikorsky, something like that.

17 MR. DALTON: Okay, 16 to 18?

18 MR. HARVEY: Yeah.

19 MR. DALTON: Okay.

20 MR. HARVEY: I could find out. I think I have it on my
21 phone, but --

22 MR. DALTON: Just some background, that's a lot.

23 MR. HARVEY: Yeah?

24 MR. DALTON: That's a lot of total time with both airframes,
25 so --

1 BY MR. SALAZAR:

2 Q. Okay. So you came on board. You've got an impressive amount
3 of hours. Ground school training wise to prepare you for flying,
4 can you share with us some of the things that you went through?

5 A. Ground school, this company typically, as lot of companies
6 do, it's online. It's sort of a canned, if you will, program that
7 they pay for that you go online and you take quizzes and answer
8 the questions. And if you get a question wrong, the question
9 keeps coming up until you answer it right. And then at the end of
10 all those, you take a test, which is a subset of all the questions
11 in the quiz, and then you get a grade based on that. I don't know
12 what the passing grade is -- 70 or 80 or whatever it is.

13 But that's how I did most of my ground training as far as the
14 aircraft goes, and company training comes from -- came from Ara,
15 you know, the procedures and all that kind of thing that isn't on
16 the computer. So, I mean, that was what -- it is, what it is. I
17 didn't know what to compare it to. Obviously, whatever he tells
18 you, he tells you, and sometimes when you get out there and start
19 flying and you realize, okay, well, you never told me this and you
20 didn't tell me that. Not safety related things, particularly,
21 but, okay, well, this is how they -- the verbiage for certain
22 things, you know, coming into the Queensway, for example, toward
23 base or whatever it may be. I was like, okay, well, they forgot
24 or whatever it was.

25 And I talked to one of the -- to an engineer about, you know,

1 other pilots would start and then certain things I noticed were
2 left out on that as well. Didn't seem like there was a checklist
3 of things that he went through to particularly make sure that
4 everybody knew everything. It wasn't like an organized -- it was
5 just like whatever kind of came up at the moment.

6 Q. Yeah?

7 A. He did a good job of training. I mean, I didn't have any
8 problem with it at the time. It's just, as time went by, I
9 realized, okay, well, I didn't -- he never told me about that. He
10 told me about the fuel sample or -- for example, or something.

11 Q. Okay. So aside from the organization of it or --

12 A. It was fine. Training was fine, yeah.

13 Q. Got out adequately trained to --

14 A. Yeah, and he seemed knowledgeable and professional, and
15 training was conducted.

16 Q. Okay.

17 A. Yeah.

18 Q. The safety program, who trained you up on the safety program?

19 A. I would imagine Ara, you know, showed me how to use the --
20 you know, we have the PRISM SMS system/program. So he went over
21 that, how to use that. Talking about our minimums and that type
22 of thing.

23 Q. Okay. If you would, walk us through a -- your pre-mission
24 planning program that you have for yourself once you've been told
25 you have a mission. So how soon before a mission are you usually

1 informed, and then after you know you're going to do a mission,
2 what are the steps that you take to complete that mission?

3 A. It can vary greatly. Sometimes you know a week or more ahead
4 what's going to happen. And sometimes you literally find out on
5 the fly. You know, sometimes I'm flying the island and I think
6 I'm done for the day, and they're like, oh, can you go to Santa
7 Barbara and pick somebody up at McGuire? And on occasion that
8 happens and --

9 Q. Okay. Let's entertain one where you've got at least a couple
10 of days advance notice. So what are the steps that you take to
11 get there for that mission?

12 A. I would check the location, find out where I'm going to be
13 landing, make sure I know what's going to be there. Check the
14 weather forecast for the area ahead of time, so I get an idea of
15 what it might be like at that time. Check the route, see what
16 kind of altitudes we're looking at to try to find out the weights
17 I'm going to be carrying so I can figure out how much fuel I need
18 or where I would need to make a fuel stop potentially. See what
19 kind of aircraft I'm going to be flying, the condition of the
20 aircraft, what may be not working in the aircraft, what is
21 working. If -- how long it's going to take.

22 You know, what are the alternate plans I might need to make
23 if things change from the original plan. And then just as --
24 closer and closer to the event, I would just keep updating that
25 original plan and see if something needs to be modified.

1 Q. As far as weather goes, what are you allowed to use to
2 determine weather or to gather your weather to determine if you're
3 going to make the flight or not?

4 A. Well, you need the FAA-approved weather. We use NOAA and
5 other sites. I have an app on my phone that has that information
6 that comes in, so that's typically what I use.

7 Q. Okay. The -- so the SMS system that has the risk assessment,
8 can you fill that out at your house or do you have to come in to
9 fill it out?

10 A. You can fill it out at your house and come in on occasion.

11 Q. Okay.

12 A. I can do it on my phone. I can do it on the computer here.

13 Q. Okay.

14 A. You can download those.

15 Q. If the value is elevated, what steps do you take?

16 A. Well, if it's over -- if it's elevated to the point where it
17 needs to be -- to contact management, I would contact Ara or I'd
18 contact Garret and verify that it's okay. We get approval, check
19 on my own minimums, if I think it's going to be okay or not.
20 Sometimes, you know, the company minimums, in many cases, are
21 lower than mine.

22 Q. Okay.

23 A. I mean, I won't go out sometimes. I mean, we can fly in 1-
24 mile visibility, but I won't go 26 miles offshore with 1-mile
25 visibility, personally. So -- and probably most people won't.

1 300 miles and -- I mean, 300 feet and a mile visibility at 26
2 miles between here and there is not going to happen.

3 Q. The GOM authorizes you to go down to 300 feet.

4 A. Correct.

5 Q. I mean, have you ever done that?

6 A. Oh, I've come down to 300 feet. I mean, some days when the
7 fog, where -- just depends on the weather. In certain fog banks,
8 you know, you get a jagged edge and you don't know what's going to
9 happen 10 miles from now because you can't see. In other cases,
10 you -- it's like dead stable. And there's been days when I've
11 flown back and forth to the island at 300 feet all day, and I have
12 no problem with it. I can see the island, I'm 300 feet and I
13 can't see it, I'm comfortable.

14 Q. Okay.

15 A. But when there's days where it's 300 feet here, but I don't
16 know what's out there, you know, I'll go do a weather check and I
17 can see it's lower, I don't even bother because if it's this low
18 here and I know it's lower somewhere else, then (indiscernible).

19 Q. So you go do your weather check, you do your risk assessment,
20 you get approval if it's elevated, and you go out to the aircraft.
21 You have an assistant out there, a flight follower. Do you
22 maintain contact with this guy?

23 A. Well, we're on the Spidertracks, satellite tracking. So
24 typically, if we're on a charter, we're out of radio range. Only
25 when we're right here in the valley can we normally get ahold of

1 them.

2 Q. Okay.

3 A. So, no, we don't try to contact them on the radio.

4 Q. Okay.

5 A. We land, we can contact them. So --

6 Q. Land contact --

7 A. That's the procedure that I've been -- you know, I believe,
8 what we use. And so --

9 Q. Okay. Okay, on to safety in general, not necessarily the SMS
10 program. If you observe something that you see and say, who can
11 you go to, to address that issue?

12 A. I typically go to the chief pilot, the director of operations
13 or, if it's a mechanic/maintenance related, I'll go to the
14 director of maintenance.

15 Q. Okay. Island Expresses has got three S-76s? Do you fly all
16 three?

17 A. We were operating three at the time.

18 Q. You've flown all three of them?

19 A. Yes.

20 Q. Two B models and one A model, right?

21 A. Correct.

22 Q. Tell us about the aircraft, in general terms. What are your
23 thoughts on it? What are its quirks? Just tell -- educate me on
24 an S-76.

25 A. S-76 is probably one of the safest aircraft in the world.

1 It's one of my favorite aircraft. Yeah, ours are a little older
2 than some. The A models is first generation of the 76. It's an
3 older model. It's in pretty good shape. You know, we bought it or
4 the owner bought it, and pretty much got it painted and all. In
5 pretty good shape for its age. And it doesn't have any autopilot
6 or any other real extras or luxury features or anything. It's
7 pretty much a hauler.

8 We use it a lot of times in the summer to bring large
9 quantities of people back and forth and, you know, high speed.
10 And it works. It's very dependable. And occasionally things go
11 wrong with it and -- it does have quite a few systems. All the
12 76s are loaded with enormous amount of systems that really, really
13 the pilot needs to understand very well in order to deal with
14 potential mechanical issues.

15 Sometimes something small is really something big. You think
16 it's something small, but it could be something big and vice
17 versa. Something you think is big, it's like, well, that's
18 nothing. But you have to understand that; otherwise -- I mean,
19 flying is flying. It's a helicopter. It's got a stick and -- but
20 it's when things go wrong that you want somebody who knows how
21 this thing operates and what to do.

22 Q. Okay. So, the A model doesn't have an autopilot.

23 A. No.

24 Q. Does the B model?

25 A. Both B models did have autopilot, yeah.

1 Q. All right. Any challenges from switching from A to B and B
2 back to A?

3 A. I mean, it does it automatically.

4 Q. No, no, no. I'm sorry, let me rephrase that.

5 You got an A model on the ramp. You got a B model on the
6 ramp.

7 A. Oh, you mean the models? Okay.

8 Q. Yeah, you go off on the A model and you go --

9 A. Talking about computers on the --

10 Q. -- on it for a week. And, you know, the next day I've got to
11 jump into the B model.

12 A. Oh, I have no problem with it.

13 Q. Okay. The FMS on the A model and the B, are they the same
14 FMS?

15 A. There's no FMS on the A models, just a GPS.

16 Q. Okay, so it's just the B?

17 A. Correct.

18 Q. Okay. In the two B models, are both of them the same FMS,
19 same (indiscernible)?

20 A. I believe they're both universal. I'm not sure if they're
21 the same models, but they look pretty darn similar. The buttons
22 are in a couple different places, but they're essentially the
23 same.

24 Q. Is the S-76 used just for transporting people? Do you do any
25 other missions in it?

1 A. I believe it's just for people. We don't do cargo,
2 particularly.

3 Q. Okay. I didn't -- I've seen the picture --

4 A. I'm not quite sure what you're asking.

5 Q. Do they both have this nice interior?

6 A. Yeah, the two B models, both have nice leather interior.
7 Different color, but it's the exact same material.

8 Q. So (indiscernible) boxes isn't part of the --

9 A. No.

10 Q. -- mission or --

11 A. Not that I've ever seen.

12 Q. Okay. So let's talk about VIP transport.

13 A. Okay.

14 Q. Do you have any history prior to coming to Island Express
15 transporting VIPs?

16 A. Not to this extent. Occasionally, I mean, I flew in Las
17 Vegas and once in a while we'd get -- do movies once in a while.
18 Even when I was here in Torrance, occasionally we'd take some
19 talent along, but it's pretty rare.

20 Q. Okay. With Island Express, share with us the training that
21 you were given to prepare for moving VIPs according to their
22 standard.

23 A. I mean, nothing in particular. I suppose, making sure that
24 everything's clean and get the water that they want. Make sure
25 the carpet maybe is laid out ahead of time, steps and -- nothing

1 dramatic really, just kind of standard VIP type stuff.

2 Q. Okay. During your course of transporting VIPs, how often do
3 they hop up in the front and engage in conversation? Or how often
4 do they fly with you up front and engage in conversation?

5 A. Occasionally people will ask to go up to the front. And once
6 they're in front, they generally will engage in conversation. I
7 generally frown on it. I try to encourage people to sit in the
8 back because I prefer not to have that distraction myself. If
9 they want to be up there, you know, I've been told that they
10 should be allowed up there because they're paying big bucks.

11 Q. Okay. Okay. When it comes to flying these missions, do you
12 ever feel pressured to complete the missions? And that's pressure
13 from employees or maybe your employer of Island Express. Have you
14 ever had a reservation to fly but you've been encouraged or
15 motivated to fly?

16 A. I don't think so, specifically. I mean, the pilots in
17 general -- I know myself, and I believe most pilots probably
18 pressure themselves more than anybody else. I mean, I've heard of
19 instances where VIPs or companies will pressure you to fly. I've
20 worked for companies where they pressured you to fly, but they
21 never really pressure me to fly here.

22 Q. Okay. How often do you find yourself requesting Special VFR
23 clearances?

24 A. Quite often.

25 Q. Okay. Is it due -- is it the LA fog? Is that still a thing

1 out here or --

2 A. Mostly.

3 Q. Mostly?

4 A. Mostly LA fog.

5 Q. Okay. All right. Let's go into your annual training
6 evaluations in the aircraft. Did you take your check rides from
7 Ara?

8 A. I did.

9 Q. Okay. During your -- any flights with Ara, what was his
10 demeanor like?

11 A. Professional. Seemed to -- we'd typically doing our check
12 rides -- excuse me -- after we do our annual training with
13 EuroSafety, who's a third-party company that does our training,
14 and that's very extensive training where we do everything. And so
15 pretty much after that, you know, I do a check ride with Ara and
16 he says, you know, we can do all that stuff if you want, but if
17 you don't want to, you know, I mean -- and since we typically had
18 just done it, we don't do a lot of that stuff all over again,
19 which I'm comfortable with. You know, it's my choice. He gives
20 me the choice to do all that if I want.

21 Q. So let me clarify that or try and understand better. When
22 you're doing your EuroSafety, they're involved with flying you as
23 well? So you train on (indiscernible) --

24 A. Yeah. We do a ground --

25 Q. Okay.

1 A. -- and then a 2 or 3 -- a 2-day ground school, I believe, and
2 then we go out and fly for --

3 Q. Okay. During those flights, is it just you and the
4 EuroSafety --

5 A. Correct.

6 Q. -- pilot? Ara's not on board?

7 A. That's correct.

8 Q. Okay. And when you're flying with Ara on your check rides,
9 if you fail a maneuver, how is he after you fail a maneuver?

10 A. Well, I haven't failed a maneuver. I can't really speak to
11 that. Sorry.

12 Q. I won't tell, David, if you --

13 A. I never said I'm perfect. I just -- like I said, when you --
14 the maneuvers are fairly limited because we've done them all
15 before, so --

16 Q. Okay. Have you ever gone out on either training or actual
17 IFR flights in either of the S-76s with Ara?

18 A. I've done training, which is part of the check ride. I
19 haven't done any other training other than for the 135.

20 Q. Okay. So for training in the aircraft, do you guys go out,
21 fly basic instruments, fly instrument approaches, practice
22 inadvertent IMC and recovery?

23 A. We do.

24 Q. Okay. All of those or some of those?

25 A. All of those.

1 Q. Okay. During the inadvertent IMC training, what are the
2 things that Ara's looking for when you're flying and he's
3 evaluating your performance?

4 A. I guess he's looking for -- any check airman would be looking
5 for, make sure you can recover the aircraft and the proper
6 technique. You know, level the aircraft, reduce the climb or
7 descent, whatever you've got going on. And get the aircraft under
8 control in a reasonable amount of time.

9 We don't really do that in the 76, because that's -- I mean,
10 I haven't really done that in a 76, tell you the truth.

11 Q. Is this --

12 A. I've done it in the AStar.

13 Q. In the AStar?

14 A. Yeah.

15 Q. And during that -- after the recovery, when you're back
16 flying the aircraft, do you complete the training with an
17 instrument approach?

18 A. Yes.

19 Q. Okay. Do you practice a non-precision approach and a
20 precision approach or is it just whatever the circumstance -- or
21 how do you determine that?

22 A. We normally have just done a precision approach.

23 Q. Okay. Does the autopilot capture the glide slope in a
24 localized area and you're pretty much hands-free at that time?

25 A. Could be either way.

1 Q. Yep?

2 A. Yeah, sometimes I'll just do it with the autopilot and
3 sometimes I just want to fly it. I want to stay in practice
4 myself because --

5 Q. So, it's -- okay, so it's your choice once you get on the
6 approach whether you want to let the autopilot fly or you want to
7 hand fly?

8 A. Right.

9 Q. Okay. Very good. Are you familiar with -- as far as you
10 know, does Island Express have a local flying area with definable
11 boundaries?

12 A. I believe they do in their OpSpecs, and top of my head, I
13 don't know for sure. Probably say in the Lower 48 states.

14 Q. Okay. Getting back to the weather minimums, you mentioned a
15 need and a way to safely fly at 300 feet going to Catalina. Do
16 you find yourself, with the weather conditions in -- on land to
17 where you're flying at 300 feet, for the same reasons, to complete
18 the mission?

19 A. I would never fly at 300 feet over the land. If I can't fly
20 at 500 feet over the land, I don't fly. Or if it gets to that
21 point, I'll turn back or I'll turn somewhere and land.

22 Q. Would you agree that the GOM, the way it's written, allows
23 you to get down to 300 feet?

24 A. It does allow you to get down there.

25 DR. SEVILLIAN: That's all I have. Thank you.

1 MR. HARVEY: You're welcome.

2 UNIDENTIFIED SPEAKER: You're not done.

3 MR. HARVEY: I thought that was so easy.

4 (Laughter; simultaneous conversation.)

5 DR. SEVILLIAN: Sorry, David. That's just me. I didn't mean
6 to not introduce you.

7 MR. HARVEY: Sounded too final. Okay, here we go.

8 DR. SEVILLIAN: Thanks, David.

9 BY DR. SEVILLIAN:

10 Q. What sorts of hazard reporting tools does the company have?

11 A. They are all, revolve around the PRISM system that we have.

12 Q. And what's the PRISM system entail with the company?

13 A. Well, besides the flight releases that we do every day, check
14 weather and the conditions. If there's a problem or there was an
15 incident or something like that, we can report it on there or you
16 can go on the website, enter the information.

17 Q. And when is that usually conducted? How -- what's the time
18 frame before you take off for the flight?

19 A. Well, if that was something of an issue, I only go in there
20 -- I would put that in soon after there was a problem potentially.
21 I wouldn't put it in, then go fly.

22 MR. DALTON: I think you're confusing two different things.
23 We're using another report on flight --

24 MR. HARVEY: You're talking about flight release. Yeah,
25 flight release is basically when you're, you know, you're checking

1 the conditions for the moment, is it okay to fly. A hazard report
2 would be okay, you know, I found a wrench under the -- on the
3 aircraft deck or something like that.

4 So, and that would really not have anything to do with the
5 particular flight, in general, if I found a wrench, for example.
6 I know I'd put that in there as soon as I saw it or as soon as
7 practical. You know, if I had to go fly, maybe I'd go fly that
8 day and then that night I'll put it in when I'm done. It's not
9 like an emergency that it has to go in, but --

10 BY DR. SEVILLIAN:

11 Q. Have you ever filled out a tool, such as the flight risk
12 assessment analysis tool?

13 A. Yeah, and that's what we do every day.

14 Q. Okay. Can you describe the process on how you would
15 communicate a hazard, if it's a high hazard or --

16 A. As it relates to a flight release?

17 Q. As it relates to -- yeah.

18 A. I would -- they have a numerical value for the different
19 items that you would go through on that. And if it goes over a
20 certain amount, then it would require taking it up with your next
21 -- your boss, you know, Ara or Garret, and that's been changed
22 recently, so it's forwarded to that.

23 But used to be just, you know, if it gets over that certain
24 value, then you talk to him, certain items on the new one. So you
25 have to -- you know, if it's below 500, for example, I think it

1 was, you need to check with them immediately even if that
2 particular value is not going to put you over the limit. But even
3 that one item would be enough to warrant contacting.

4 And I've had to do that since the new one has been out. It's
5 like, well, it's less than 1,000 or 500. We contact him, talk to
6 Garrett and said, it's less than 500 because it might be less than
7 500 here but maybe offshore it's fine. I mean, I can do a Special
8 VFR out of the airport. You know, like I said, some days I fly at
9 300 all day back and forth to the island, it's perfectly safe.
10 But I just need to get out of here, and if it says less than 500
11 contact chief pilot or DO, then that's what I do.

12 Q. And you indicated that you fill out these via the tool. What
13 source of feedback or follow-up do you get if you need to when you
14 fill this out? And how does the company communicate with you once
15 you fill these out?

16 A. Well, if somebody's here, I'll ask them. And one time that
17 it happened, and you just happened to be here when the weather was
18 below -- the ceilings were below 500, which would require me to
19 contact them. So I was thinking, well, I'll just call Ara. I
20 didn't want to wake him up because I know he'd had a charter the
21 night before. But no choice. Normally I follow the line of
22 progression. I hit the chief pilot first and then the DO. But --
23 and then I came downstairs and he was here, Garret was here. So I
24 just asked him. I said, it's below 500; I'm contacting you. Can
25 I fly? Because Queensway is fine, because I got a report from the

1 ramp agents over there and they said, yeah, you can land; it's
2 okay. The weather offshore doesn't look too bad.

3 So you do a weather check at least when you get out there.
4 So, he said, yeah, go ahead and fly out, if it's 400 feet. And
5 sometimes, you know, the weather report says less than 500 here.
6 Well, it's a big airport. You know, if I can see the tower off of
7 Signal Hill, right there, then I know that's 500. That's where I
8 typically fly out anyway, so I have no problem flying Special VFR
9 at 500 feet, you know, going out to our base, which is just right
10 there on the edge -- outside edge of this airspace. And then take
11 a look at the weather from there, see what the possibilities of
12 getting to the island.

13 Q. How often does the company communicate safety-related issues
14 to pilots?

15 A. Whenever something becomes pertinent, I oftentimes get a
16 printout, a sheet that'll come out, and they want us to sign it to
17 verify that we read it and understand, acknowledge what that issue
18 is. Sometimes they have something from the online portion here in
19 hazard reporting.

20 Q. And when you sign that sheet, what sheet is it? What is it
21 called?

22 A. Doesn't really have a name. It's just there might be a
23 safety article or something like that that they think pertains to
24 us, and they'll just have us initial it. Sometimes they put our
25 name with a line and we sign it. Sometimes we just initial it or

1 sign it.

2 Q. And you mentioned earlier the conversation you said you had
3 issues with the accident pilot in the past. What were those
4 issues?

5 A. When I first started, we got along great. You know, I taught
6 him a lot about the aircraft and he got his -- you know, he was
7 new to the aircraft and he took his check ride to be a check
8 airman with me, and made copies of a lot of the training
9 information that I had. And things went well. And over the
10 course time, I made a mistake and he was okay, it seemed like, for
11 a while. And then I'm not quite sure what really transpired after
12 that, but somehow -- I don't know if he misconstrued what I said
13 one time or he misheard me or whatever happened. He was pretty
14 angry, very angry with me and never really got past that.

15 We've actually been working toward -- you know, we've been
16 fairly, you know, fairly professional. And he's -- you know, I
17 was hoping we could recover a better rapport over time. But
18 professionally, we still dealt with each other. I mean, we -- not
19 too many people flying these aircraft, so we talked about whatever
20 issues they may have, and that was fine. But, you know, I wasn't
21 his favorite person, apparently. And as of late, he wasn't my
22 favorite person.

23 Q. So as far as his flying abilities, experience level, how
24 would you describe his abilities compared to another pilot?

25 A. Well, that depends on the other pilot, I guess. I thought he

1 had a very high opinion of himself. He's definitely got a lot of
2 ego. You know, he's very passionate; no doubt about that. And he
3 was a good pilot. From what I heard, before I came, he had a lot
4 of problems originally and -- many years ago. I mean, he's been
5 for 10 years, apparently, or something. Originally, they were
6 going to fire him because he couldn't fly. And other employees
7 convinced them, hey, give him a chance, give him -- let him get
8 better. And he got better. And, you know, he was a good pilot.
9 He was a safe pilot, for the most part. But he did take chances
10 that I wouldn't take it.

11 Q. And so, what were those chances that he would take?

12 A. Weather-related chances or even aircraft related.

13 Q. What specifically in terms of the weather are you referring
14 to?

15 A. Well, he would -- just his personal minimums were lower than
16 mine. As far as you know, like I said, I wouldn't go below 500
17 feet over the land. I wouldn't go below 300 feet over the water.
18 I wouldn't go punching into a cloud. He didn't always abide by
19 those same standards, it seemed like.

20 Q. To your knowledge, did you fly -- did you fly with him often?

21 A. Not very often, no. We're a single pilot operation, so --
22 but I'd see him fly. And I hear there's people that have flown
23 with him. He's told me stories.

24 Q. Do you have a sense of -- do you have some highlights from
25 those stories that -- from other pilots?

1 A. They just said he was -- would sometimes take some chances, I
2 guess. Could we take a minute?

3 DR. SEVILLIAN: Sure. Yeah, let's take a minute.

4 Can you go off the record?

5 DR. SILVA: Oh, yes. We're off the record at 12:02.

6 (Off the record at 12:02 p.m.)

7 (On the record at 12:07 p.m.)

8 DR. SILVA: You're on the record at 12:07.

9 BY DR. SEVILLIAN:

10 Q. I had a -- do you -- are you aware, is it -- does the company
11 have a fatigue policy?

12 A. I'm aware of fatigue policy. I've been told if I'm fatigued,
13 take extra time as long as I need to do something.

14 Q. But there's no written down policy about how pilots --

15 A. I believe so.

16 Q. Okay. Have you ever been fatigued and could not take a
17 flight?

18 A. I've been fatigued where -- but I didn't have any extra
19 flights. In the summer, usually, I mean, we can do up to 14 hours
20 a day, and sometimes we do that when we're flying back and forth
21 all day. And I remember the last summer, there was 2 days in an
22 AStar with no air conditioning, and I was going 14 hours straight.
23 And I couldn't have done a third day. I was like -- I was basket
24 case, so that was -- that was all there was. I was like, I'm
25 done. Luckily, I was off the next day. But if it was a third

1 day, I wouldn't have flown. But that's about the only situation
2 that I remember to that extreme.

3 DR. SEVILLIAN: All right. That's all the questions I had
4 for right now.

5 MR. SALAZAR: Okay. Thank you very much.
6 Matt?

7 MR. RIGSBY: David, first of all, just for the record, I am
8 -- I work for the Office of Investigation, so I have no authority.
9 So, as far as regulatory wise --

10 MR. SALAZAR: It's an interesting introduction. Good for
11 you.

12 MR. RIGSBY: I'm not an inspector. I don't -- anything you
13 say is not an admissible thing we have to enforce, you know, or
14 anything like that. So don't be fearing that. But, you know,
15 it's the FAA with the black hat that's (indiscernible) --

16 BY MR. RIGSBY:

17 Q. Are you -- obviously you're IFR rated, right?

18 A. Correct.

19 Q. Are you current?

20 A. No.

21 Q. Okay. How long's it been since you've been current?

22 A. Since I was the last job where we flew IFT on a regular
23 basis.

24 Q. Okay.

25 A. So about 4 years now.

1 Q. How long do you think -- and like, obviously, you're
2 qualified, but to be comfortable flying IFR again, how long do you
3 think it would take you to come up to speed?

4 A. I've been on the training, how many hours a day? I mean, if
5 I was sitting in a sim for a couple of days, and I did all 2-pilot
6 IFR my whole career, so --

7 Q. Okay. About how much --

8 A. It'd be easier to transition into that.

9 Q. Sure.

10 A. Whereas, with a single pilot IFR situation, which I've never
11 done, so --

12 Q. Okay. About how much IFR time do you have?

13 A. Over 200 hours, 225 or something like that -- over 100
14 actual.

15 Q. Okay. You mentioned a couple times about your personal
16 minimums and you've said altitude of 500 feet. What are your --
17 what's visibility? Do you have your own personal visibility
18 minimum?

19 A. Not particularly. I mean, it just sort of depends on the
20 location --

21 Q. Sure.

22 A. -- and the type of visibility, what it might be. I mean, if
23 it's visibility due to fog, then we drop. I mean, that might be a
24 little different than, let's say, smoke where --

25 Q. Okay, right.

1 A. -- we know it's going to be the same all the time. If I can
2 do it now, I know I can do it in 20 miles from now, potentially,
3 so --

4 Q. Okay. So you're not really (indiscernible) --

5 A. You're really couldn't put a finger on an exact number for
6 that.

7 Q. Like you don't -- like half mile or if you want to --

8 A. Yeah, like I said, it depends on the area too, you know.

9 Q. Okay.

10 A. Flying around big buildings, I don't really want to fly
11 around a half-mile visibility. But --

12 Q. Sure.

13 A. -- if I'm flying where I have objects low, I can fly around a
14 half mile if I see boats all over the place, you know, I'll be
15 comfortable, but not going up 26 miles with just water, I'm not
16 comfortable.

17 Q. Sure.

18 A. Just depends on the situation.

19 Q. On your preflight planning, did you -- do you always have the
20 MDA for your entire route? Is that something that you've already
21 committed to as part of your preflight planning? This area, I
22 don't need -- I cannot go below a certain altitude?

23 (Interruption.)

24 BY MR. RIGSBY:

25 Q. But as far as you know, like, it's just for your preflight

1 planning you're going through and you're checking your -- the MDAs
2 for certain -- as you're transitioning from an area?

3 A. That would -- if I know I'm going over mountain or something
4 mountainous, like that, obviously we're going to be climbing
5 higher. And if there's a cloud layer, then --

6 Q. Sure.

7 A. -- we have to calculate that in. Like, well, if a cloud
8 layer's here and the mountain's higher and I have to go through
9 that, I can't go. So like I said, I mean, 500 feet would be a
10 minimum. If they wanted me to try, I would go until I can't go
11 anymore. I've had numerous companies tell me, oh, can you give it
12 a try? Sure, I'll fly -- I'll try anything while I'm in VFR.

13 Q. Right.

14 A. And then sometimes you can't go; you turn back or divert to
15 wherever they want me to divert. They're the company and they
16 want me to go somewhere else, I'll go somewhere else. But if I go
17 and I can make it, great. It's up to them. It's their money,
18 their helicopter.

19 Q. Sure.

20 A. I'll fly it until it's not safe and then I don't fly anymore.

21 Q. All right. I know these -- like the B models have the
22 autopilot. Is there a standard process that the company likes to
23 do or yourself as far as once you take -- do your takeoff,
24 autopilot it the rest of the way or --

25 A. No.

1 Q. You can fly? Okay.

2 A. It's up to us whether we want to use it or not.

3 Q. Okay.

4 A. But Ara never really used the autopilot much when I started,
5 so I never use it. I started using it later because I was using
6 it a lot and every time I flew, I practically used it just because
7 it makes things easier and --

8 MR. DALTON: So I'm a little bit (indiscernible). Do you use
9 the other pilot or not?

10 MR. HARVEY: I do.

11 MR. DALTON: Okay, you do use it?

12 MR. HARVEY: Quite a bit.

13 MR. DALTON: Okay.

14 MR. HARVEY: Every time I fly.

15 MR. DALTON: Okay.

16 BY MR. RIGSBY:

17 Q. Do you know, do the other pilots prefer it or not?

18 A. I do not know.

19 Q. Okay. You're familiar with the -- I'll just call it Los
20 Angeles Basin area?

21 A. Yes.

22 Q. How would you describe the ETC environment?

23 A. Busy.

24 Q. Okay. I think Fabian may have heard this, but on Special
25 VFR, do you -- you use it quite frequently, and is that to get in

1 and out of airports exclusively or is it as you're transitioning
2 airspace?

3 A. Both.

4 Q. Both. How do they do the IIMC training, the inadvertent IMC
5 training? Do you use a hood? Do you use foggles? How --

6 A. Yeah, he's got foggles. I believe Ara had a pair that we put
7 on, and then he would take the controls in typical fashion. Put
8 your head and roll the helicopter, whichever way, and then
9 (indiscernible) the controls and then recover.

10 Q. Okay. Have you ever had a check ride from the POI?

11 A. Have I ever had a check ride?

12 Q. Have you had a check ride from the POI?

13 A. No, that's not --

14 Q. Okay.

15 A. Well, except for his original check airman check ride, which
16 was -- because it was Ara's check ride and my check ride, so --

17 Q. Okay.

18 A. I'm not sure how that works, if it was him giving me the
19 check ride or the POI. POI was giving Ara the check ride. I
20 mean, he was --

21 Q. The POI was observing the check airman.

22 A. Yeah, he was observing the check airman.

23 Q. Okay.

24 A. I'm not sure it counts as a -- I guess, or it counts as the
25 check airman if he passes and doesn't count if he doesn't. I

1 don't know.

2 Q. Right. Counts for check airman, but not --

3 A. Counts for check airman.

4 Q. Right.

5 A. I guess, if he doesn't pass, I guess I don't pass. I don't
6 know really how that works. He can't really give me a check ride.

7 Q. It's not -- they're not checking you, they're checking Ara.
8 Right.

9 A. Well, if they're -- I know he was checking Ara, but he hasn't
10 become a check airman yet, so --

11 Q. Yeah, but he's never given you a 299 check ride. I mean,
12 he's going to come out and --

13 A. No.

14 Q. Okay. Have you had much interaction with the POI?

15 A. Not at all.

16 Q. Okay. Have you seen the POI other than when you did the
17 check airman ride?

18 A. He wasn't even our POI because --

19 Q. Oh, okay.

20 A. -- he had to be qualified in a Sikorsky, and our POI was not.
21 So we had to find someone and ended up getting a guy from
22 Sacramento that's retired. He was just about to retire when he
23 did that, so I believe that was the story.

24 Q. Okay.

25 A. So, yeah, that was first and last time I saw him.

1 Q. Okay. Is there a scale carried in the aircraft like for
2 weighing bags?

3 A. No.

4 Q. Okay. But most of the weight and balance, like when you --
5 when you're planning -- I know one of the brokers is OC. Do they
6 typically give you -- are they accurate generally when they give
7 you a -- you know, you show up at the site and, you know, they
8 have somebody listed on there 180 pounds, and you're looking them
9 going, they're not 180 pounds? I mean, do you have that ability
10 to --

11 A. I have no way of weighing them.

12 Q. Okay.

13 A. Of course, I get a manifest and if I see something that looks
14 ridiculous, I'll question it. And then if I -- and then do the
15 calculation in my head, you know.

16 Q. Sure.

17 A. If it's that close, then I'll actually write it down and do a
18 calculation. But if I see, okay, I got him 100 pounds and he's
19 obviously 250, I'm like, how much fuel do I have? And how heavy
20 am I? And if I think, okay, yeah, the manifest is wrong, but I'm
21 still well within limits, put him on. But if it's not, then I
22 would say -- that hasn't happened, but --

23 Q. Okay. No issue with OC Helicopters or --

24 A. I haven't had all that much interaction with them.

25 Q. Okay. Being single pilot, I thought you said you don't fly

1 that much with the other pilots. Have there been cases where you
2 guys do decide you want to fly together or night flights or
3 something together?

4 A. Occasionally we'll have a charter that requires two pilots.

5 Q. Okay. And in that case, how is PIC determined, if you're
6 doing two pilots --

7 A. Via operations.

8 Q. Via operations. Good. Who in your company has operational
9 control?

10 A. It would be either Ara or Garret, depending on whoever they
11 decide.

12 MR. RIGSBY: Okay. Okay. I'm done.

13 MR. SALAZAR: Thank you. Sathya?

14 BY DR. SILVA:

15 Q. Have you ever encountered inadvertent IMC in your career?

16 A. Yes.

17 Q. Has it been with this company?

18 A. Yeah -- no, not with this company, with a different company.
19 Actually, it wasn't really IMC. It was just really bad.

20 Q. Okay.

21 A. To the point where I was just like 10 feet over the water. I
22 had just gone offshore and just closed in. And I just was
23 watching the water and turning around and --

24 Q. That was going to be my next question, is how you responded.
25 Does the company have any recommendation on escape maneuvers for

1 inadvertent IMC here?

2 A. Not that I know of.

3 Q. So when you went through describing the inadvertent IMC
4 training, you described unusual attitudes. Is there any other
5 component of that that includes an encounter with IMC? Or was
6 that the only maneuver you did for inadvertent IMC?

7 A. I believe that's the only maneuver we did for --

8 Q. Okay. Have you flown the accident mission before from --

9 A. Not that route, no.

10 Q. Not that route? Okay. Have you ever called out sick at this
11 company?

12 A. No.

13 Q. But you mentioned that there was the case where you felt
14 fatigued. If you had decided to call, would you have been
15 comfortable calling fatigued or --

16 A. Yeah.

17 Q. -- declining the flight?

18 A. I mean, comfortable as you can be because I'm not working so
19 I'm not totally comfortable anyway.

20 Q. Would you go back to any repercussions to come your way based
21 on that?

22 A. I'm not sure. It's never happened. I don't know for sure.

23 Q. Okay. Have you heard of anyone else in the company getting
24 feedback or retribution for turning down a client?

25 A. No.

1 Q. Okay. Have you ever terminated a flight in your career once
2 you launched and had to turn around?

3 A. Yeah.

4 Q. Okay. How often did that happen?

5 A. Very rare.

6 Q. Once a year? Less than that?

7 A. About that.

8 Q. Okay. And you mentioned that Special VFRs often, you've
9 encountered that often. How often would you say in the last year
10 or month -- how often do you see that?

11 A. Like I said, a lot of that for us is just getting out to the
12 island to do the -- and the airport. Per year, 25 times, maybe.

13 Q. Okay.

14 A. Would be totally a rough estimate. I --

15 Q. Okay.

16 A. It could be double that.

17 Q. Yeah, that's fine. Now, if there is a Special -- or sorry,
18 if there is less than VFR weather, does that influence your risk
19 assessment at all?

20 A. Oh, I mean, it'll definitely show up on the risk assessment.

21 Q. So are there any special considerations that you have to do
22 for the risk assessment if you're operating Special VFR?

23 A. I don't think it specifically addresses Special VFR in the
24 risk assessment. It gives visibility and ceiling, so not
25 directly.

1 Q. Okay. So when you're given a mission involving actually
2 anyone, whether it's a VIP or not, what information are you given
3 regarding their trip, where they need to be, when they need to be,
4 that kind of thing?

5 A. Usually just the need-to-know type of stuff.

6 Q. What would that be?

7 A. Weights -- not even the name sometimes, just the weights of
8 the individuals, how many, what time I'm picking them up and where
9 we're going.

10 Q. Okay. Do you get --

11 A. And sometimes how long I'm waiting, if I have to wait on
12 them.

13 Q. Do you get any feedback from anywhere regarding when they
14 might need to be at of place, at their destination?

15 A. Yeah, we have an arrival. I mean, typically at the time that
16 they're scheduled to arrive.

17 Q. All right.

18 A. Or, not really. I guess it's pretty much just their
19 departure time and then what they -- they do that on their own.
20 They figure out how much time they're going to need to get there
21 based on our departure time and vice versa, I guess.

22 Q. From your experience, do you know if there's buffer time put
23 into that? Have you felt any pressure to --

24 A. No, I don't feel any pressure at all.

25 Q. -- get off the ground?

1 A. No. Get off whenever we can get off the ground. Try to get
2 as close to the departure time that they've given me as I can,
3 weather permitting. The weather is not good, I don't feel any
4 pressure to get off any earlier than what would be adequate
5 weather.

6 Q. Okay. How do you personally -- what are your strategies for
7 maintaining terrain awareness?

8 A. Look at the terrain.

9 Q. Do you have any other tools that you would use?

10 A. We have a TAWS on the aircraft. I mean, that would be nice.

11 Q. Okay, so you don't have one?

12 A. Yeah, we don't have a lot of extra tools in our aircraft for
13 that type of thing. It would be handy, but --

14 Q. Okay.

15 A. -- it's not required. So it doesn't exist most of the time.

16 Q. Um-hum.

17 A. I have it on my iPad, which I just recently acquired that
18 ability, which I haven't even really touched on the use of that,
19 which I will be be now, but --

20 Q. Okay. So you mentioned that you don't really encourage
21 people to sit up front in the aircraft. What's the company policy
22 on that?

23 A. Well, I initiated -- I don't know if it's an official policy,
24 but when I was here doing, just going back and forth to the
25 island, I sort of talked to management numerous times and stated

1 that it'd be safer if we don't have people in the front on a
2 regular basis. So I believe it's company policy now that -- we
3 have the possibility of taking nine passengers. If we have less
4 than nine passengers, eight or less, they all go to the back.

5 Q. Okay.

6 A. Then I -- you know, first, it was just me doing it and then I
7 think, I believe it's company policy with everybody now, because
8 it just seems like an unnecessary risk. It was too many times
9 I've had somebody in the front -- oh, it's their birthday; oh,
10 it's this; oh, it's -- I would say, I don't care.

11 And then, oh, we're not going to touch anything. Well, you
12 know, they bump the hydraulics. They hit the cyclic. They want
13 to talk to you. It's just all these potential distractions. I've
14 seen everything happen. The seat belt gets between -- around --
15 part of the seat belt gets between the seat and the cyclic. And
16 I've gone to lift up and I see it's jammed over there and I've had
17 to move that several times out of the way. I just don't want to
18 deal with that if I don't have to.

19 If there's a ninth passenger -- okay, I understand business
20 considerations; they want to sell that ninth seat. I can deal
21 with it. But on a regular basis I prefer that to be the last
22 option.

23 Q. So you felt that the company was receptive to your thoughts
24 on that?

25 A. I believe so. I think that's been the policy. Eight or

1 less, they stay in the back.

2 Q. Okay. Do you have any other examples of safety concerns that
3 you've brought to the company and how those were handled?

4 A. Nothing really. Officially, it just -- as I said, you know,
5 my relationship with Ara had been not the greatest. I didn't
6 think there was a whole lot of receptiveness to changing weather
7 minimums or anything like that. I would have preferred --

8 Q. Did you ever bring those to his consideration or is that
9 something you didn't feel comfortable broaching with him?

10 A. I didn't really feel comfortable. Now I guess I'm sorry I
11 didn't, but -- I don't know how it would have gone, but I'm pretty
12 sure it would have gone nowhere, but --

13 Q. Can you give us some examples regarding -- you know, there
14 were challenges with Ara, but in terms of his relationship with
15 weather, can you give some examples of the situations that you
16 recall that he was pushing the limits?

17 A. He did tell me a story one time. I was talking to him about
18 charters and it was times we had not been getting along too well
19 and he pretty much eliminated me from doing charters, mostly just
20 the island. And I said, what's it going to take, okay, can you
21 trust me?

22 And then he went into a story about how he brought some
23 people back from Coachella, Palm Springs. And they were late --
24 very, very late, and ended up coming back at 2 in the morning.
25 They were supposed to go to Van Nuys. Weather was bad, a lot of

1 fog, couldn't get into Van Nuys. Customer was irate, upset. They
2 went to Burbank because they could get in there. Dropped the
3 customer off, got in a taxi. And then he flew back to Long Beach.

4 And he said, okay, got out to Long Beach, thought I could get
5 under the clouds. He had minimum fuel. He had just taken off
6 from Burbank at like now it's 3 or 4 in the morning; after 3 in
7 the morning, at this point, I believe. Minimum fuel and couldn't
8 find a hole. So he decided he was going to go offshore where you
9 know there's no obstacles and descend through the cloud layer to a
10 ceiling, which I think they were reporting 300 or 400 feet at Long
11 Beach. And, obviously, the airport's closed at that point. And
12 he did that. He descended back to Long Beach and landed while he
13 still had a little bit of fuel. And that was -- I guess that was
14 an explanation of why I'm not doing tours because -- is that the
15 expectation?

16 Q. Right.

17 A. So, yeah, if that's what I have to do, well, then I don't
18 want to do charters. I don't want to go fly AStar at 2 in the
19 morning and to descend through fog at 300 feet over the water or
20 anywhere else. I don't see any point to it. I don't know if it
21 was even true. I can't imagine why he'd even do that. He had
22 much more experience, I thought, and wherewithal than to do
23 something like that. He was at an airport. He could have at
24 least gotten fuel.

25 Q. Um-hum. Do you feel like -- so it sounds like you're no

1 longer doing charter, you're not flying charters?

2 A. I do.

3 Q. Okay.

4 A. Well, that's why I said we've been sort of working our way
5 back and, I mean, I flew other VIPs and -- mostly two-pilot, but
6 I've done other, you know, single-pilot stuff for other non-VIPs
7 occasionally, usually when nobody else is available. If Garret or
8 Ara are not available and typically when the weather's been
9 better.

10 Q. I see. So, when it came to taking charters off your plate,
11 was that coming from you or did Ara propose that?

12 A. He didn't propose it. He just did it.

13 Q. He just did it? Okay.

14 A. Yeah, that's why I was having the talk with him. That's how
15 that conversation came about, because I was like, okay, you know,
16 I've been flying the island forever and I'm getting kind of bored
17 to death.

18 Q. Right.

19 A. I mean, I've got 11,000 hours, 33 years of experience and I'm
20 going back and forth. Like a customer told me one time, it's like
21 you're backing up and down the driveway. I can do it. I'm
22 getting paid. It's a living, but it's not exactly the most
23 exciting thing.

24 Q. Did you feel like it was in a form of punishment for not
25 being willing to take those --

1 A. Seemed like it.

2 Q. -- similar risks? And you mentioned --

3 A. I don't know about punishment, really. I think more maybe
4 lack of trust. He just didn't think I had the ability or
5 something. Or I wouldn't do what needed to be done.

6 Q. Okay.

7 A. I guess -- like I said, the story he told me, I guess, seemed
8 like there was an implication that I need to be able to fly and
9 scud around and get the job done, which, you know, got plenty of
10 (indiscernible). Okay, I'll just go to the island back and forth,
11 a whole bunch of charters, if that's what it takes.

12 Q. Was that in response to a charter that you had done or not
13 completed? Or was there a case that maybe triggered that?

14 A. Yeah, I mean, it was -- I'm not perfect. I made a mistake,
15 so --

16 Q. Well, that actually was my next question, because you
17 mentioned you made a mistake and that his response was eventually
18 that there was some anger involved. I'm just curious what that
19 mistake, what's the nature of that situation?

20 A. Well, there was a -- it was a little fuel situation with an
21 aircraft, with a charter. When I realized that, I brought the
22 aircraft to the airport to get fuel and it was problematic,
23 obviously. And, you know, Ara continued that flight instead of
24 me. But I kind of felt like I was being punished for the rest of
25 my time here since that. And right after that, it was -- didn't

1 seem that bad. Everything was fine. So it seemed like it was
2 something else that happened, which I don't know what happened,
3 maybe 6 months later, that sort of just -- he kind of just turned.

4 I'm not really sure. It got to the point where every little
5 thing that went wrong was my fault, whether it was or not. If it
6 was mechanical, you know, if there was an O-ring that went bad and
7 an engine oil seal, you know, the oil leaked out, well, that was
8 my fault. Kept hearing about that over and over. And he would
9 continually bring up stuff that really wasn't even -- it had
10 nothing to do with me. But I was -- got a lot of that, and so --

11 Q. So that low fuel case, what was your understanding of what
12 you should have done in that situation?

13 A. I should have, obviously, checked the fuel.

14 Q. Okay.

15 A. But there was pressure. It was an error (indiscernible) --
16 DR. SILVA: Okay. I'm going to pause here. Thank you.

17 MR. SALAZAR: Thank you, Sathya.

18 MR. DALTON: I just got a couple of questions.

19 MR. SALAZAR: Okay, Garret.

20 BY MR. DALTON:

21 Q. So I think Sathya asked about the equipment in the aircraft,
22 the terrain awareness system. Is there a radar altimeter in the
23 aircraft?

24 A. Oh, yeah, I forgot about that. There is one.

25 Q. Do you use that and rely on that often?

1 A. Well, for charters, I do, yeah.

2 Q. Okay. You mentioned that your personal policy, whether it's
3 company policy or not, about the eight or less all in the back, if
4 there's a ninth passenger in that 76, do you brief them
5 personally --

6 A. Yes, I do.

7 Q. -- about controls and stuff like that?

8 A. I do.

9 Q. Okay. So minimize the risk?

10 A. Yeah.

11 Q. Okay.

12 A. It also requires an extra time element for me to do that.

13 Q. Okay, and any pressure from the company for that extra minute
14 or two or however long it takes?

15 A. No.

16 Q. Okay. Somebody asked some questions about weight and balance
17 -- I think it was Matt -- and about customers potentially heavier
18 than on the manifest or something like that. Is there anything in
19 our GOM that can help sort of guide you as a pilot? That you
20 don't --

21 A. Probably it is. I can't think of it offhand.

22 Q. In regard to the risk assessment, you mentioned it was
23 changed recently. And this is only because of lead-on questions
24 from that one. Once the change is communicated to you properly,
25 did you feel that you were clear as to what question was being

1 asked?

2 A. It just showed up one morning.

3 Q. Okay.

4 A. Nothing was communicated.

5 Q. Okay. How often do we have pilot meetings?

6 A. Once a month.

7 Q. Okay. I know it's been like 3 or 4 years since you started
8 here, but with regards to your personal training, but when it
9 comes to a new employee, if you were to guesstimate how long
10 before they actually start flying the line -- a week, 2 weeks, 3
11 weeks? Just --

12 A. Yeah, I guess 2 or 3 weeks.

13 MR. DALTON: That's all I have.

14 MR. SALAZAR: Thank you very much.

15 BY MR. SALAZAR:

16 Q. Does the company have any type of reading file to keep these
17 articles and things, these safety documents that you guys are --
18 read to enhance safety? Is there a place where they're kept?

19 A. I don't know.

20 Q. When the question about IMC training came up, you gave a very
21 good explanation of unusual attitude recovery. Did you guys or
22 did you guys ever get into a situation, a training situation,
23 where you're being evaluated or trained, you're flying, and then
24 the instructor makes an announcement of some type that where he
25 says you're IMC, and you put the foggles on and then you start

1 flying basic instruments. Do you ever do that?

2 A. You mean, a surprise?

3 Q. Yes.

4 A. No. There was always -- I mean, there's always a warning, I
5 suppose, hey, we're going to do --

6 Q. Okay.

7 A. You know, like we're going to do IMC now. I'll have -- give
8 me the controls and you can put on the foggles and --

9 Q. Okay. Okay. And so there's a mutual understanding that
10 we're going to do IMC flight.

11 A. That's correct.

12 Q. And at that point, it's not unusual attitude recoveries, but
13 it's basic instrument flying.

14 A. Correct.

15 Q. And you're showing -- you're demonstrating proficiency and
16 manipulating the controls to keep upright?

17 A. Correct. Um-hum.

18 Q. Okay.

19 A. Turns, descents, whatever is normal.

20 Q. Okay. Getting back to the performance of the aircraft, do
21 you -- does the company develop any type of performance planning
22 card where you know -- or you know what your predicted hover power
23 is for OG and IGE?

24 A. Not that I'm aware of, no.

25 Q. Okay. When you pick up a load of passengers and you put them

1 in the aircraft and you're ready to take off, do you bring the
2 aircraft up to an IGE hover and check the power --

3 A. I do.

4 Q. -- and compare it to what you estimated it would have -- what
5 it should take to hover an aircraft that way?

6 A. If it was a question, I do.

7 Q. Okay.

8 A. I mean, and I know there's -- and we're well within the
9 limits, sometimes I'll run it on -- just do a run-on takeoff. Or
10 if I know we have plenty of room and we're very close to the
11 limits sometimes --

12 Q. So if it's questionable if you have IGE power, you're doing
13 rolling takeoff?

14 A. No, not questionable, as I am just stressing the aircraft
15 wise. I mean --

16 Q. Okay.

17 A. I got rolling -- if I got the land, I'll use the land.

18 Q. Okay.

19 A. Make it easier on the aircraft and --

20 Q. Does maintenance require any type of health indicator test
21 for your engines periodically to where you're bringing in a
22 predicted amount of power and then reading your --

23 A. I do power checks.

24 Q. Power checks?

25 A. Whatever the manufacturers -- to my knowledge.

1 Q. Okay. Now you may have answered this already, but I'm just
2 looking for a little bit of clarification. You're concerned about
3 personal minimums. Did you ever talk face-to-face with Ara about
4 this conversation of personal minimums, yours versus his, or
5 anything like that?

6 A. No.

7 Q. Okay. If you don't mind, I'd like to fully understand the
8 circumstances. We don't need names of people in the back, but the
9 one that you talked about that -- where you had a fuel issue and
10 you chose to bring the aircraft back for fuel, would you tell us
11 that event as you remember it happening?

12 A. Okay. I was scheduled with a charter in the morning that I
13 planned for. It was my understanding the aircraft was going to be
14 on the ramp, ready to go at the time I arrived to do the
15 preflight. I arrived, and the aircraft was in the hangar. It was
16 -- had multiple cowlings off of the aircraft. It wasn't ready to
17 go for the -- and we had just talked about, the night before,
18 leaving 1200 pounds of fuel in the aircraft every time so it would
19 be ready to go for a charter at any time.

20 I went in the hangar, tried to preflight as much as I could
21 of it while I was in there, while they were -- maintenance was
22 continuing to work on the aircraft. And then they eventually
23 finished their maintenance, put the cowlings back on, and we began
24 to tow it out to the flight line where I was going to continue my
25 preflight and then take off for the flight.

1 And when I got a call from the vice president saying, we need
2 to move up the departure time by, I think it was a half hour or
3 whatever it was -- it was earlier. They wanted that flight time
4 to be earlier. I was like, okay, I'll do my best. I still need to
5 finish preflight.

6 We brought the aircraft out. They took the tug away, and I
7 continued to preflight, but I failed to check the fuel. And we
8 went to -- I took off and went to John Wayne, which is like a 6-
9 minute flight and you're talking to controllers the whole time,
10 you know, a lot of agents connected to Los Alamitos. And so, they
11 got that -- I'm talking to John Wayne and then I'm landed.

12 So I landed, and I honestly didn't even look at the fuel,
13 didn't check it. I thought it had the 1200 in it, but I never did
14 look at it, and we took off again, heading back to LA. And I got
15 the low fuel light over Los Alamitos and realized that, to get to
16 downtown and back would be pushing it. I didn't want to take a
17 chance. So, at that point, I made the only decision and that was
18 to come back to Long Beach and get more fuel. And that's it.

19 Like we told them, I was coming in, wanted to do a quick
20 refuel and -- but it was a VIP and it was -- and Ara happened to
21 be here. He was scheduled to leave to go pick up another aircraft
22 in another state, but he ended up having to do that, finish that
23 charter. So I was wrong place, wrong time, wrong decision, bad --

24 Q. Okay.

25 A. That was it.

1 Q. And was it your decision that Ara take that second leg of
2 that flight?

3 A. No. No. I was hoping I could continue it or, you know, if I
4 thought a little more, I could have probably come up with a better
5 story at the time. Hey, it was so and so, a warning or something
6 like that, and they probably wouldn't have known, you know, but --
7 you know, just to smooth things over, but I didn't, so --

8 Q. And for clarification, do you feel that that was the
9 beginning of the --

10 A. Absolutely.

11 Q. -- relationship as it went bad? And --

12 A. Yeah.

13 Q. -- did you feel like you had to work harder to get back to
14 that same place where you're trusted to fly to VIPs again?

15 A. You know, it's funny because right after that, he took it a
16 lot better than I thought, at first, but somehow it got worse.
17 And, for him -- you know, I had nothing to do with it, but I'm not
18 sure what was going through his mind or mentality or --

19 Q. Well, was there ever any after -- any event afterwards where
20 he called you into his office and you guys sat down and he gave
21 you his feelings on what had occurred?

22 A. Well, I mean, he asked me to explain the situation right
23 after it happened. But after that, there was no real discussion
24 about it.

25 Q. Okay. And you stated that since then you've been getting to

1 the point where you're getting back to the VIP flights and you've
2 just recently been back on the VIP flights. How long have you
3 been flying the VIP flights again?

4 A. I mean, they never totally stopped.

5 Q. Okay.

6 A. It was just very limited. It was pretty much when nobody
7 else was available, when none of the other Sikorsky pilots were
8 available.

9 Q. And now that you --

10 A. And none of the AStar pilots or anybody else is available,
11 but I happened to be there.

12 Q. So there was a notable reduction in your VIP flights?

13 A. Oh, yeah.

14 Q. Okay.

15 A. They're all charters.

16 Q. All right, thank you. Hang on. The -- you fly from the
17 right seat in the S-76.

18 A. Right, correct.

19 Q. So the vacant left seat, actually -- it has flight controls?

20 A. It does.

21 Q. Like collective and pedals?

22 A. Um-hum. Yes.

23 Q. Is there a method or -- can they be removed?

24 A. No, not that I'm aware of. I don't believe so. Not easily,
25 at least.

1 MR. SALAZAR: That's all I have. Dujuan?

2 DR. SEVILLIAN: Yes. Thank you.

3 BY DR. SEVILLIAN:

4 Q. You mentioned earlier that there was a company policy for
5 passengers sitting up front in the helicopter.

6 A. I believe there was.

7 Q. Where was it located? Where was that policy --

8 A. I've never actually seen it written or I don't even know if
9 it was written. But, I mean, I had talked about it and they
10 agreed to it. As far as I know, it was only verbal, but I'm not
11 sure. I don't think it ever made in writing, actually. But we've
12 been pretty much doing that, at least on the island flights. The
13 charter flights, I think, are -- been a different story.

14 Q. So, personal minimums, you mentioned you talked with Ara
15 about personal minimums, but -- oh, you didn't get a chance to
16 talk --

17 A. I did not.

18 Q. -- talk to him about personal minimums. The pilot community
19 here at the company, is there any discussion about personal
20 minimums as a pilot community here at the company?

21 A. Not between the pilot, as far as I know. We make a list.

22 Q. Okay. So the personal minimums are just something that you
23 have internally? How do you assess the personal, your personal
24 minimums with the company minimums? How do you address those?

25 A. It doesn't really require addressing. My personal minimums

1 are not going to change. And, I mean, our company minimums are,
2 everybody knows, are pretty low, you know, 300 miles. I don't
3 think a lot of people are going to go out in 300 and a mile in
4 many situations. I suppose it's nice to have that ability if you
5 need it, but I think most of us wouldn't do that under a lot of
6 circumstances. Depending on the situation, the location, you
7 know, at 300 and a mile and I'm going for 1 mile out or -- you
8 know, if I'm going to the oil rig, which I can see or I know it's
9 a couple miles away. Or if I don't see it, well, I know I'm going
10 to get there versus --

11 Q. From your perspective, how would you describe the safety
12 culture here at the company?

13 A. Could be better.

14 Q. And what do you mean by it could be better?

15 A. Just as it relates to weather. I think the leaders should
16 make an example and, you know, and flying with minimums that low,
17 it's sort of -- kind of an indication to the other pilots that,
18 hey, maybe they're expected to do that or maybe they're not good
19 enough or maybe they would want to push themselves to do something
20 like that. I mean, it's a gray area. You know, everybody's
21 minimums are different. I mean, I have much lower minimums than a
22 lot of pilots that have been here in the past because I just don't
23 -- you know, there have been pilots here that will go if it's less
24 than 500 or 800 or 10 miles visibility.

25 And they're -- you know, I'm not going to push anybody. And

1 it's not a good idea for anybody to push anybody. As far as I
2 know, the company has never even pushed those pilots to do those
3 kind of things. But at some point, when you get down to a
4 minimum, everybody says, well, my minimum's lower than -- okay.
5 But when you're talking about flying over mountains with a mile or
6 two visibility and, you know, ceilings that are potentially, you
7 know, in the mountains, it doesn't seem like the greatest plan.

8 And the minimum's fine, the flying part. But again, it's the
9 when to say no part. You know, okay, I don't mind flying 2 miles
10 if it's flat. You know, I'm in the LA Valley or the San Fernando
11 Valley, flying over Van Nuys or Burbank. It's 1100 in both places
12 and 2 miles visibility. Well, I can keep a decent ceiling. I can
13 keep my 500 feet and I can see where I'm going. I know there's no
14 obstacles there.

15 But when you can't -- when you start to not be able to see
16 where the ground, the terrain starts rising and mountains start
17 coming up on the side and you're getting pinched, at some point
18 you need to make the intelligent decision. I mean, that's why we
19 get paid, so turn around or land. I mean, that's -- and I've done
20 that in my -- done that in the past.

21 Q. So, as a pilot, you make the decision to fly or don't -- or
22 not to fly?

23 A. Or turn around.

24 Q. Or turn around.

25 A. Exactly.

1 Q. So, you also mentioned the term leadership earlier in the
2 company. Who within the company would you expect to set the
3 standard for things like weather minimums, communicating those
4 types of things to the --

5 A. Your direct superior, which would be my chief pilot, would be
6 the most obvious case. It would all pretty much have to trickle
7 down, I think. You know, director of operations and the vice
8 president and the president of the company, the owner of the
9 company. Has to be a corporate mentality from what I -- you know,
10 I've been in other industries and other businesses and everything
11 trickles down. You know, nothing happens at the bottom without
12 the top knowing. And if they don't, then there's really something
13 wrong.

14 Q. So, from your perspective, when Ara was chief pilot, did he
15 ever meet the expectations that you wanted as far as weather
16 minimums, discussing those things? Do you --

17 A. We never discussed weather minimums.

18 Q. Was there any discussion about safety policy while flying?
19 Anything?

20 A. Not that I can recall.

21 DR. SEVILLIAN: That's all the questions I had. Thanks,
22 David.

23 MR. SALAZAR: Thanks, Dujuan. Matt?

24 MR. RIGSBY: Just a couple.

25 BY MR. RIGSBY:

1 Q. Going back to a follow-up on Garret's question with the radio
2 -- radar altimeter, is there an altitude bug that the company
3 has --

4 A. There is.

5 Q. Okay, what is that altitude?

6 A. We're told to keep it at 300.

7 Q. 300? Okay. Is it a light, and is it --

8 A. It's different in different aircraft.

9 Q. Different in different aircraft.

10 A. Some make a noise, some have a light, do both; some do
11 neither.

12 Q. Okay. Do you know -- do you recall what it was on --

13 A. I don't believe there was any indication on the Sikorsky.

14 MR. DALTON: It's on the EFIS. So maybe you can you adjust
15 it on the EFIS. I don't know. It could be a light.

16 MR. HARVEY: Okay, I don't recall even seeing a light on the
17 B model.

18 MR. DALTON: So that -- yeah, so you can adjust it, the
19 bug --

20 MR. RIGSBY: Right, it's a little bug.

21 MR. SWAIM: -- on the EFIS, on the upper screen of the EFIS.
22 And then on the actual altimeter, it'll give you a light.

23 MR. RIGSBY: Then the light? Okay.

24 MR. HARVEY: Problem is, at 300 feet, if you're going into a
25 mountain, it doesn't do you good --

1 MR. RIGSBY: Right.

2 MR. HARVEY: -- especially if you're doing over 100 knots or
3 130 knots.

4 BY MR. RIGSBY:

5 Q. That follows my next question. What's your -- what is a
6 typical cruise speed?

7 A. Well, on Sikorsky, your overall cruise is about 140, more
8 than likely.

9 Q. Okay. Would you do -- is there any guidance for like Special
10 VFR on a cruise speed reduction or --

11 A. There is no guidance from the company.

12 Q. Okay.

13 A. I slow down when --

14 Q. Your personal limit would be --

15 A. -- I need it. When I need to.

16 Q. Right.

17 A. I mean, I know when I saw he already was going around the
18 Valley at 140, that's fine. I don't know if you can see where
19 you're going, it's perfectly fine to do 140 knots. But that's why
20 you don't know what's in front here or you can't see or you're
21 starting to get pinched by clouds or -- I'd be slowing down to 60,
22 80, 100, whatever the conditions warrant.

23 Q. Okay. No weather radar, you said, in either? Correct?

24 A. I believe we had weather radar, but they took it out of one.

25 Q. Okay.

1 A. And it's not going to do much about fog, though. It's pretty
2 much just show you the lightning. And, typically, I'll -- I'd
3 turn it off if there's no you know, convective activity out there.
4 I use the one on my iPad. There is nothing on the aircraft. If
5 there is convective activity, that's pretty functional.

6 Q. Okay. Are you allowed to hold other jobs outside of Island
7 as far as --

8 A. I believe so.

9 Q. -- flying jobs? Okay.

10 A. Probably not charter jobs, but I never asked.

11 Q. Okay.

12 A. Are they (indiscernible)?

13 Q. You got -- do you hold other jobs outside?

14 A. I'm sorry?

15 Q. Do you hold other jobs outside of --

16 A. I do not.

17 Q. Okay. Have you ever had any issues with the maintenance of
18 the aircraft while you're -- you've been here at Island?

19 A. I mean, maintenance is like anything else. It's an ongoing
20 situation. Things break; things don't work as, you know, they'd
21 be expected to. And sometimes they don't fix them as fast as you
22 like, you know. But ultimately, they do the best job they can, I
23 think, with the maintenance department.

24 Q. Okay.

25 A. They keep the aircraft as safe as possible. I wouldn't fly

1 on them if I didn't think they were safe.

2 MR. RIGSBY: Okay. That's all my follow-up.

3 MR. SALAZAR: Thanks, Matt. Sathya?

4 BY DR. SILVA:

5 Q. You mentioned in this low fuel flight that the schedule moved
6 up. Does that happen often that your schedule's moved forward?

7 A. It can.

8 Q. How, again, in the last year --

9 A. As I said after that, I didn't have a whole lot of charters,
10 so I didn't have a lot of experience after that as far as --

11 Q. Is it typically the charters that --

12 A. Yeah.

13 Q. -- that would --

14 A. The other the flights, they never move up. They may make
15 them move back, but --

16 Q. Right.

17 A. -- rarely will they move up.

18 Q. I see. Are the island flights on a schedule or is it on-
19 demand?

20 A. It's sort of a schedule. I mean it's on-demand, but it's
21 subject to change based on volume of people. Sometimes, oh, okay,
22 well, we'll move all these -- people came in early, so instead of
23 on the 9 o'clock flight, we'll put them in the 8 o'clock flight.
24 Really, no factor. We were going to do a flight anyway. Or, I
25 mean, it's -- you know, you're not going to have a flight before

1 8 o'clock, typically. The way they've been doing things now, we
2 have ETW is our, another app that we use, site. And then
3 typically the night before they'll tell us what your first flight
4 is for the next morning. And that's simplified things.

5 When I have to go to the rigs at 7:15, and then I'll know
6 that, so I got to come in early and get the aircraft ready early.
7 I'm not going to come in and say, oh, we need to do the oil rigs
8 at 6 today or something. That doesn't happen.

9 Q. Okay. But generally you get notice --

10 A. You get a heads-up for the island stuff or something to do
11 with that.

12 Q. When was that that flight that you were describing with the
13 low fuel?

14 A. Probably a year ago, year and a half ago, maybe even more.

15 Q. Do you have --

16 MR. DALTON: Before I started.

17 MR. HARVEY: Before he started. How long have you been here?

18 MR. DALTON: A year and a half.

19 MR. HARVEY: Okay. So I guess it's --

20 MR. DALTON: Actually I --

21 MR. HARVEY: -- it's got to be a good, over 2 years, right,
22 before --

23 MR. DALTON: There you go.

24 MR. HARVEY: Yeah, right, there you go. Everything seems
25 sooner, but --

1 BY DR. SILVA:

2 Q. Okay. Do you have any idea, has Ara said anything about his
3 use of the autopilot in that aircraft?

4 A. He -- when I first started, as I said, he told me he doesn't
5 really use that, but I know he's talked to me about it because
6 sometimes I was -- I use it and then sometimes it's had issues
7 because things break.

8 Q. Okay.

9 A. And then he'll use it. See, you know, what I said is right;
10 sometimes it's working and then -- you know, if he has a problem
11 or try to confirm that. So I know he's used it. I know he knows
12 how to use it, obviously. But to the extent that he used it or --
13 I don't know.

14 Q. Going back to the risk assessment, when do you typically fill
15 out the flight risk assessment?

16 A. In the morning. In the morning, as soon as I get to work.

17 Q. Okay.

18 A. Check the weather, fill it out.

19 Q. So if you have multiple flights in a day, do you do multiple
20 flight risk assessments or is there just one?

21 A. Probably not. Normally we just do the one.

22 Q. You do the one for the day. Is there any guidance in terms
23 of how soon before a flight that you would want to do that, to
24 fill out the flight risk assessment?

25 A. I haven't heard any guidance, but I typically do it at home

1 before I come in to work or as soon as I get to work, before I do
2 the flight. Generally, within, you know, a realm of what the
3 weather is right now. Sometimes I'll do it when I know the
4 weather's bad here or I'll put -- I'll do the risk assessment with
5 the weather that I will take off in.

6 So it's like I'm not going to go until it hits this, so I'll
7 just do the risk assessment and say, I'm sitting there until it
8 gets to 500 or whatever the case.

9 Q. Okay. How often have you encountered risk assessments that
10 have to elevate up to management?

11 A. Not very often.

12 Q. So, not --

13 A. Like I said, the way we're doing it now is a little bit
14 different, and we just started doing that fairly recently. So
15 there's a much higher reason for elevating; there's more things on
16 the latest adaptation of the risk assessment that would cause it
17 to be elevated. Like it says it on there, you know, four or five
18 times, this has to go to into a chief pilot or DO, this has to go
19 to chief pilot. Before it was -- never said that. It was just
20 the numbers. It hit that number, then you got go it you to the
21 chief pilot or DO, so --

22 Q. I see. When did the latest -- do you remember when the
23 latest --

24 A. When they changed it?

25 Q. Yeah. Okay.

1 A. A month or two ago? Not long ago.

2 Q. That's okay. If you don't remember, that's fine. I can ask
3 him later.

4 A. It wasn't long. Probably a month, if that.

5 Q. Okay. So you mentioned that there is a flight follower. How
6 would -- how do you use that person?

7 A. It's pretty much just the Spidertracks.

8 Q. Okay. Do you have any contact with them?

9 A. Not required, as far as I know.

10 Q. During, after a flight? Okay.

11 A. I think the procedure manual I've seen says you have to
12 contact them for any reason.

13 Q. Okay. So it's essentially a separate --

14 A. Yeah.

15 Q. It's separate from you. Okay. And then in general, you've
16 done, sounds like, quite a bit of training with Ara. How was it?
17 How is it flying with him in the training capacity?

18 A. It was fine. It was -- you know, I mean, we got along well
19 in the cockpit.

20 DR. SILVA: Okay. Okay, that's all the questions I had,
21 thanks.

22 MR. HARVEY: Can I use the restroom?

23 DR. SILVA: Oh, yes. Yeah.

24 MR. SALAZAR: Yes, break's now.

25 DR. SILVA: Yes, off the -- oh, you okay?

1 MR. HARVEY: Yeah, sorry.

2 DR. SILVA: Off the record at 1:04.

3 (Off the record at 1:04 p.m.)

4 (On the record at 1:06 p.m.)

5 DR. SILVA: On the record at 1:06.

6 BY MR. DALTON:

7 Q. And Sathya had asked it before, of their interaction with you
8 on the flights. When you're flying back and forth to the island,
9 do you check in with the flight follower?

10 A. For the island flights, we check in Magellan.

11 Q. Have you ever forgotten to check in?

12 A. Yeah, once in a while. I think everybody has.

13 Q. And what happens when that happens?

14 A. Well, once in a while, if they're paying attention, they'll
15 call you at some point after that. If not, you make the next
16 call, which is typically Queen's Gate, just before you're about to
17 land -- Queensway or Pebbly if you're going the other way.

18 Q. So there's communication between you and the flight follower?

19 A. Correct. That was, yeah, before I was talking more about the
20 charters.

21 Q. Okay. So let talk about charter now, flight following.

22 A. Okay.

23 Q. Let's just pick a charter. You got to go from here to John
24 Wayne to pick up a client to take to downtown LA Do you
25 communicate with the flight follower before you depart Long Beach?

1 A. To begin with, yeah, before I take off, I call.

2 Q. Okay, and what information do you give them?

3 A. Well, if I don't have the manifest, I usually ask them to
4 email me the manifest.

5 Q. Okay.

6 A. And let them -- let the airport know I'm coming, whatever FBO
7 I'm going to be at, and --

8 Q. Okay. And then you get to John Wayne Airport and you land.
9 Do you communicate with the flight follower?

10 A. I don't always, no. Sometimes I call them.

11 Q. Okay. And then when you depart John Wayne with the passenger
12 and you're going to downtown LA, do you communicate with the
13 flight follower?

14 A. Yes, I usually do.

15 Q. Okay. And then when you get --

16 A. Not always.

17 Q. Not always?

18 A. Not always, no. I mean, not -- I don't know there's a
19 requirement to.

20 MR. DALTON: That's all I have.

21 MR. HARVEY: Okay.

22 MR. SALAZAR: Thank you. I think I just have one last thing
23 for clarity with the accident pilot.

24 BY MR. SALAZAR:

25 Q. Did you, other than him telling you this story of what he had

1 to do to get back on a late night, did you ever personally witness
2 him taking any unnecessary risk with regards to weather or any
3 other activity with the aircraft?

4 A. No.

5 MR. SALAZAR: All right. That's all I have. Dujuan?

6 DR. SEVILLIAN: I do not have any follow-up questions.

7 MR. SALAZAR: Matt?

8 MR. RIGSBY: No, sir.

9 MR. SALAZAR: Sathya?

10 All right, well, that concludes our interview, Dave.

11 MR. HARVEY: I'm out of here before they change their minds.

12 MR. SALAZAR: Oh, I'm sorry. I'm good. That's fine.

13 DR. SILVA: Yeah, you do want to ask --

14 MR. SALAZAR: Is anything -- Dave, is there anything that we
15 didn't ask you that we should have asked you? Or --

16 MR. HARVEY: No.

17 MR. SALAZAR: Okay. Is there anything you feel compelled to
18 tell us?

19 MR. HARVEY: No.

20 MR. SALAZAR: Okay. Well, thank you for your time.

21 MR. HARVEY: All right, thank you.

22 MR. DALTON: Thank you, David.

23 DR. SILVA: And on the -- off the record at 1:09.

24 (Whereupon, at 1:09 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: SIKORSKY S76B HELICOPTER N72EX
 CRASH NEAR CALABASAS, CALIFORNIA,
 ON JANUARY 26, 2020
 Interview of David Harvey

ACCIDENT NO.: DCA20MA059

PLACE: Long Beach, California

DATE: January 30, 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.



Kimberlee S. Kondrat
Transcriber