

THE PEOPLE OF THE STATE OF NEW YORK  
-- VS. --

Defendant(s)

| <u>INCIDENT LOCATION:</u> |                       | <u>LOCATION OF DEPOSITION:</u> |                   |
|---------------------------|-----------------------|--------------------------------|-------------------|
| STATE OF NEW YORK         | <u>LOCAL CRIMINAL</u> | COURT                          | STATE OF NEW YORK |
| COUNTY OF                 | <u>WASHINGTON</u>     | COUNTY OF                      | <u>WASHINGTON</u> |
| TOWN                      | of <u>ARGYLE</u>      | TOWN                           | of <u>ARGYLE</u>  |

|                             |                             |               |                                 |    |                                         |
|-----------------------------|-----------------------------|---------------|---------------------------------|----|-----------------------------------------|
| On                          | Date<br><u>08/08/2021</u>   | at            | Time Started<br><u>10:07 AM</u> | I, | Full Name:<br><u>STEPHANIE A BARKER</u> |
| Date of Birth               | No. and Street              | C/TN          | State                           |    |                                         |
| <u>                    </u> | <u>                    </u> | <u>ARGYLE</u> | <u>NY</u>                       |    |                                         |

My name is Stephanie A. Barker and I'm speaking with Trooper Zachary Dodge voluntarily on today's date, 08/08/2021, regarding a small aircraft crash in Argyle. I have been a AEMT out of the Argyle EMS for approximately 8 years. Yesterday, 08/07/2021, at approximately 6:00 pm, Argyle EMS was dispatched to a medium aircraft down over by Lick Springs Rd, but did not have a specific address. My partner and I went down Lick Springs Rd in an attempt to locate the crash. Ambulance 2152 located the smoke and advised county that they observed the smoke from Pleasant Valley Rd. We all accessed the scene from Pleasant Valley. It was approximately a half mile walk back to the site where we had to cross water. When I arrived to the scene, I was met by EMS driver, Paul Perkins Sr, and Law Enforcement who advised aircraft was on fire with an obvious Class 17. I then observed for myself the Class 17 and observed the only obvious body part to be a arm at a 90 degree angle due to the fire still going on. He had a watch on. I confirmed the Class 17.

(Penal Law §210.45)

this                      day of

\* This form need be sworn to only when specifically required by the court

X [REDACTED] 8/8/21

TPR: ZACHARY DODGE  
(WITNESS)

[REDACTED] 8-8-21

|            |            |          |
|------------|------------|----------|
| Time Ended | 08/08/2021 | 10:31 AM |
|------------|------------|----------|

(NAME OF PERSON TAKING DEPOSITION)

## NEW YORK STATE POLICE

THE PEOPLE OF THE STATE OF NEW YORK

-- vs.

Defendant(s)

|                                               |                                         |                                       |  |
|-----------------------------------------------|-----------------------------------------|---------------------------------------|--|
| <b><u>INCIDENT LOCATION:</u></b>              |                                         | <b><u>LOCATION OF DEPOSITION:</u></b> |  |
| STATE OF NEW YORK <u>LOCAL CRIMINAL</u> COURT | STATE OF NEW YORK                       |                                       |  |
| COUNTY OF <u>WASHINGTON</u>                   | COUNTY OF <u>WASHINGTON</u>             |                                       |  |
| TOWN <u>          </u> of <u>ARGYLE</u>       | TOWN <u>          </u> of <u>ARGYLE</u> |                                       |  |

|                                 |                                  |                                               |                 |
|---------------------------------|----------------------------------|-----------------------------------------------|-----------------|
| On <u>08/08/2021</u>            | at <u>08:59 AM</u>               | I, <u>DANIEL M MILLER</u> X <u>[REDACTED]</u> |                 |
| Date of Birth <u>[REDACTED]</u> | No. and Street <u>[REDACTED]</u> | CITY <u>ARGYLE</u>                            | State <u>NY</u> |

## State The Following:

On the above date, time and place I Daniel M. Miller am giving Trooper J. Roth with the New York State Police permission to write this supporting deposition. I am providing this supporting deposition voluntarily and of my own free will without coercion. The following is of fact and true to the best of my knowledge.

Yesterday on August 7, 2021 I was on my family's property in the barn building sheds when I heard what sounded like a helicopter flying low. It sounded as though the motor may have not been running correctly almost intermittently. Shortly after I heard an explosion near by towards the back of our property. I could hear sirens and one of the guys I work with and I went out to see where the explosion came from. We saw white smoke coming from above the tree line, that turned black, less than a mile away. When we approached the site it was clear that it was a helicopter crash because there were parts all around and a fire approximately 8 ft. by 8 ft. in size. I saw one body underneath some of the aircraft with the person's a head, hand and a leg visible. My coworker and I could hear firemen walking towards the crash site and started yelling to them in order to direct the first responders to the location and that there was a person there. I then left the scene and helped direct other responders across the property.

**Notice**

(Penal Law §210.45)

In a written instrument, any person who knowingly makes a false statement which such person does not believe to be true has committed a crime under the laws of the state of New York punishable as a Class A Misdemeanor. X [REDACTED]

Affirmed under penalty of perjury

this 08 TH day of AUGUST, 2021

- OR -

\* Subscribed and Sworn to before me

this            day of           

X [REDACTED] 8/8/2021  
(SIGNATURE OF DEPONENT)

[REDACTED]  
(NAME OF PERSON TAKING DEPOSITION)

|                                                 |
|-------------------------------------------------|
| Time Ended<br><u>08/08/2021</u> <u>09:25 AM</u> |
|-------------------------------------------------|

## NEW YORK STATE POLICE

THE PEOPLE OF THE STATE OF NEW YORK

-- vs. --

Defendant(s)

INCIDENT LOCATION:STATE OF NEW YORK LOCAL CRIMINAL COURTCOUNTY OF WASHINGTONTOWN of ARGYLELOCATION OF DEPOSITION:

STATE OF NEW YORK

COUNTY OF WASHINGTONTOWN of ARGYLE

|                                    |                                     |                                          |                    |
|------------------------------------|-------------------------------------|------------------------------------------|--------------------|
| Date<br>On <u>08/08/2021</u>       | at<br><u>09:15 AM</u>               | Full Name:<br>I, <u>ROBERT J PERIARD</u> |                    |
| Date of Birth<br><u>[REDACTED]</u> | No. and Street<br><u>[REDACTED]</u> | C/TN<br><u>ARGYLE</u>                    | State<br><u>NY</u> |

## State The Following:

My name is Robert J. Periard and I'm speaking with Trooper Zachary Dodge voluntarily on today's date, 08/08/2021, regarding a helicopter accident yesterday, 08/07/2021. I reside at [REDACTED] Argyle NY, 12809. Yesterday, at approximately 5:45 pm and 6:00 pm, Margaret Austin and I were on the front porch sitting and enjoying the weather when I heard a helicopter coming. I then observed a helicopter, white in color, come from the Northeast, which was in front of my rental over the field, just before the tree line. I watched the helicopter continue in a southerly direction. The helicopter was not that high in the air, maybe 50-75 ft. I could tell the pilot was having issues as the helicopter could not stay up in the air. It was almost like it was bouncing. I see a lot of aircraft in this area flying around and I have never seen one that low. I then watched the helicopter get just across the tree line or head row and I heard a loud sound from it and watched the propeller just stop. I assume the engine quit. The helicopter then fell straight down and heavy, black smoke was seen coming from the site. I called 911 to report the incident to authorities.

Notice

(Penal Law §210.45)

In a written instrument, any person who knowingly makes a false statement which such person does not believe to be true has committed a crime under the laws of the state of New York punishable as a Class A Misdemeanor.

Affirmed under penalty of perjury

this 08 <sup>TH</sup> day of AUGUST, 2021

- OR -

\* Subscribed and Sworn to before me

this \_\_\_\_\_ day of \_\_\_\_\_

\* This form need be sworn to only when specifically required by the court

(SIGNATURE OF DEPONENT)

TPR. ZACHARY DODGE

(WITNESS)

(NAME OF PERSON TAKING DEPOSITION)

Time Ended  
08/08/2021 09:36 AM

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                    |                  |                    |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|------------------|--------------------|
| RECORD OF <input type="checkbox"/> VISIT <input type="checkbox"/> CONFERENCE OR <input checked="" type="checkbox"/> TELEPHONE CALL                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                    | TIME<br>10:45 am | DATE<br>08/13/2021 |
| NAME (S) OF PERSON (S) CONTACTED OR IN CONFERENCE AND LOCATION<br>Robert J. Periard (Witness)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                    | ROUTING<br>      |                    |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                    | SYMBOL           | INITIALS           |
| [REDACTED]                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                    |                  |                    |
| Interview conducted by FAA Inspector Michael Bush,<br>Albany, NY FSDO                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                    |                  |                    |
| SUBJECT<br>N162KJ Helicopter Accident - 08/07/2021                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                    |                  |                    |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                    |                  |                    |
| DIGEST<br>Below is a narrative of my conversation with Robert J. Periard (Witness):                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                    |                  |                    |
| I live at [REDACTED] Argyle, New York. Last Saturday around 5:50 pm to 6:00 pm                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                    |                  |                    |
| I was sitting on my front porch when a helicopter flew over the property just above the trees at about 50-75 feet from North to South. The helicopter seemed as though it was really having "malfunctions". The engine didn't sound good. From what I hear they were flying to her(Katie's) house. The helicopter was clearly having trouble staying in the air. The helicopter flew over the hedgerow and then just went down. It was going up and down, like "wobbling" in the air. Then I saw the propeller just stop and heard the engine stop. It just dropped straight down then I saw black smoke. He (the pilot) had multiple places to set it down smoothly, but kept on going. |                                    |                  |                    |
| Question - Robert, can you explain which rotor blades (propeller) you saw stop? (provided brief explanation of rotor system on a helicopter).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                    |                  |                    |
| Answer: Yea, I saw the big rotor blades on top just stop. Everything stopped then it fell straight down and saw the black smoke, then called 911.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                    |                  |                    |
| -----End of Conversation -----                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                    |                  |                    |
| CONCLUSION, ACTION TAKEN, OR REQUIRED                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                    |                  |                    |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                    |                  |                    |
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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                    |                  |                    |
| DATE<br>08/13/2021                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | TITLE<br>Aviation Safety Inspector | SIGNATURE        |                    |

