

WPR22FA068

OPERATIONAL FACTORS

Flight Safety International Personnel Transcripts

June 15, 2023

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of: *

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LEARJET35A, N880Z FATALITY *

IN EL CAJON, CALIFORNIA *

Accident No.: WPR22FA068

ON DECEMBER 27, 2021 *

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Interview of: SHAWN FLEMING, Training Center Evaluator
FlightSafety Tucson

Tucson, Arizona

Monday,
March 28, 2022

APPEARANCES:

WARREN ABRAMS, Investigator
National Transportation Safety Board

JOSH CAWTHRA, Investigator
National Transportation Safety Board

CHARLES SMITH, Attorney
Cantey Hanger Law Firm

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I N T E R V I E W

MR. ABRAMS: I'm Warren Abrams with the National Transportation Safety Board. We're at FlightSafety International -- or FlightSafety Tucson. And we're going to talk with Shawn Fleming today which is -- he is a training center evaluator. And we're going to hear how he interacts with the representatives of Aeromedevac.

And at the table with me, we have --

MR. CAWTHRA: Josh Cawthra, NTSB, the investigator-in-charge.

MR. ABRAMS: Shawn, you're allowed to have someone represent you today. Who is that person today?

MR. FLEMING: It's Charlie Smith.

MR. ABRAMS: All right. Charlie, please introduce yourself.

MR. SMITH: Charlie Smith with Cantey Hanger Law Firm in Dallas.

MR. ABRAMS: Thank you for coming out -- over, Charlie.

MR. SMITH: You bet.

INTERVIEW OF SHAWN FLEMING

BY MR. ABRAMS:

Q. Shawn, we're going to ask a bunch of questions today. There's no right or wrong answer. If you don't know the answer, I don't know isn't acceptable answer. So truthful and honest as you can but if you don't know, you don't know. Just as simple as that.

Q. This isn't going to be long enough that we'll have to take a

1 break but if you ever need to take a break just let us know. So
2 are you ready to get started?

3 A. I'm ready.

4 Q. Shawn, if you will tell us your full name and spell your last
5 name.

6 A. My name is Shawn Robert Fleming, F-l-e-m-i-n-g.

7 Q. And Shawn, who is your -- who do you work for?

8 A. I work for FlightSafety International.

9 Q. What is your position at FlightSafety International?

10 A. I'm a LR Jet ground and flight simulator instructor.

11 Q. How long have you been here?

12 A. I am coming up on 14 years.

13 Q. And you are a training center evaluator?

14 A. I'm a training center evaluator.

15 Q. How long have you been in that position?

16 A. At least 12 years.

17 Q. All within the Lear?

18 A. All within the LR Jet program.

19 Q. How many airplanes are in the LR Jet program?

20 A. Right now, there's the Lear 31 and the Lear 35. They're on
21 the same type, the LR Jet.

22 Q. And are you a current pilot?

23 A. I am.

24 Q. Do you have a current medical?

25 A. Actually, I do not. My medical, because of COVID, it's

1 probably down to a third class right now.

2 Q. Okay, that's fine. I don't need to get into the reasons.
3 Just my way of seeing if you're still flying today.

4 A. Yeah.

5 Q. Give us a reader's digest version from when you started
6 flying to how you got here at FlightSafety.

7 A. Well, I've been flying a long time. I went through the Air
8 Force Academy. I went through pilot training. Flew the B-52 for
9 21 years. Did a lot of things in the B-52. Pretty much every
10 position you could do as a pilot, I did. I spent four years doing
11 flight test out at Edwards where I was the Bomber test director at
12 B-1, B-2, B-52. And went back to Minot and retired out of there
13 to here which is where I grew up.

14 Q. What models of the B-52 did you fly?

15 A. The G and the H.

16 Q. We were visiting the Pima Air and Space Museum. Did you fly
17 any of those G models out there?

18 A. I'm not sure. (Indiscernible) pretty much every H I'm sure
19 I've flown.

20 Q. Been in Barksdale and seen many of those down there.
21 Approximately, how much flight time would you estimate you have?

22 A. About 5,000, just under 5,000 in the B-52. In gliders,
23 probably about 300 and in single-engine light aircraft, maybe 250.

24 Q. Do you have any type ratings?

25 A. I have an LR Jet type rating.

1 Q. How many years have you been -- I think you said that -- 13
2 years here at FlightSafety?

3 A. Fourteen.

4 Q. Fourteen. You came to FlightSafety from the Air Force?

5 A. I retired out of the Air Force and then I came here.

6 Q. Were you (indiscernible) in the Air Force?

7 A. I was.

8 Q. In just the B-52?

9 A. In the B-52.

10 Q. Did you fly anything else in the Air Force other than the B-
11 52? Did you fly the B-1?

12 A. Not officially at Edwards. I did have a few soirees in it.
13 Any flight test center IP could fly with any other flight test
14 center IP. So our combined test force sometimes needed a seat
15 filler.

16 Q. Did you get any B-2 time?

17 A. No. Although they wanted me to do that, it was -- it
18 would've taken me out of my primary duty which was the B-52.

19 Q. Do you do more instructing or more evaluating these days or
20 is it -- how would you -- the relationship between the two,
21 percentage-wise. What do you do more or less of?

22 A. It seems about half and half. And it comes in waves.
23 They'll be a month where I might have 15 checking events. And
24 there might be a month where I have a couple initial lines or
25 several recurrent lines. So I don't know how it would balance out

1 but --

2 Q. How has this month been?

3 A. It's been EASA heavy. And my typical clients, as well.

4 Q. Do you enjoy instructing?

5 A. I do. That's -- people ask me all the time. I get a lot of
6 satisfaction teaching people in the comments I receive.

7 Q. The reason you're here today with us is because you were one
8 of the last TCEs to instruct Mr. Grande from the Aeromedevac
9 Corporation. Do you recall him?

10 A. I've -- as a -- I've seen him probably three or four times.
11 But I do recall the event because a couple weeks later is when the
12 incident happened. Your memory kind of fades. You know, a client
13 will come back. I had you and you're looking for their nametag to
14 see. But when there's a lot of them, you have a short-term memory
15 that is replaced by your current clients.

16 Q. Anything significant stand out in your mind with Mr. Grande?

17 A. No. Other than there's a lot of people that you kind of
18 develop a relationship with. People you would see on the street
19 and say hi to.

20 Q. Sure. Any negative thoughts about him?

21 A. Not that I can think of.

22 Q. Did you -- I believe he had -- you signed off his type
23 rating. Is that correct?

24 A. I'd have to look. Again, you look at the numbers and if I
25 had a photographic memory, I could tell you but --

1 Q. Yeah, it's okay.

2 A. -- somewhere someone could look that up.

3 Q. Yes. Do you teach the ground school portion of an initial
4 student coming through?

5 A. I am not that initial ground school instructor. I'm a
6 recurrent ground school instructor. So if you were to ask -- you
7 asked check rides and instruction, I spend a lot more time in the
8 sim compared to teaching academics. But the only academics I
9 teach are differences and Lear 31 recurrent.

10 Q. Help me understand this relationship. So there are
11 instructors here at FlightSafety that do nothing other than
12 instruct in ground school?

13 A. Correct.

14 Q. Then after they -- an initial student, an initial cadre,
15 captain, copilot (indiscernible) and then they would be passed off
16 to an instructor for the simulator session?

17 A. Correct.

18 Q. Then once they needed to be signed off for the rating ride,
19 they would get a TCE?

20 A. Correct. And it depends on the syllabus that they're
21 enrolled in. So there's a recurrent syllabus and then there's an
22 initial syllabus.

23 Q. Right. Does a TCE training center or evaluator touch that
24 initial -- if you coming through initial training, does a TCE
25 touch that before they get to their rating ride?

1 A. Typically, they don't because they want to have an objective
2 view. There is a quality process that says they cannot instruct
3 any of the last three rides of an initial. So if that happens, it
4 would be the initial procedures trainer where they sit in the sim,
5 they go through all of the startup checklist. Just -- they've
6 been looking at a two-dimensional piece of paper, the cockpit
7 display poster. And now they're actually touching the buttons.
8 So you walk through the checks. And typically, that has been my
9 experience when I've had someone for an initial -- that one event.
10 And then someone else carries them all through for continuity.

11 Q. What are the approved flap settings for landing on the Lear
12 35?

13 A. So on the Lear 35, the normal flap setting for landing is 40
14 degrees full flaps. Full flaps, 40 degrees. Typically, you would
15 make every landing with full flaps. There are a certain set of
16 malfunctions. You could have an electrical malfunction or a
17 hydraulic malfunction or you could land with less than 40 flaps.
18 There is also the case if you are single engine, the maximum flap
19 setting is 20 degrees.

20 Q. I'm flying here into Tucson, it's a VFR day in this little
21 scenario I'm creating. VFR day so we're downwind. We're coming
22 in VFR, tower is controlling this though, but it is VFR outside.
23 And they say, slow to 180 knots. What would you -- flap-wise at
24 180, approximately any flaps out at that point in time? And I
25 realize that's based on your ref speed. And I'm not giving you a

1 ref speed so I'm really kind of handicapping you a little bit
2 there. But any -- at 180, have you got any flaps down?

3 A. You could have a flaps 8. And of course, some Lear 35s have
4 a limitations of when you can go to flaps 20 but less than 200 in
5 all Learns you can go to flaps 8.

6 Q. So we've got 8 degrees of flaps out. They tell us to turn on
7 the base leg. They give us a heading. We turn. And tell the
8 tower you'd like to slow down. And he says, that's approved. And
9 you slow down to 160 on base leg. Tell me your configuration gear
10 and flaps-wise. What would you expect?

11 A. On base leg --

12 Q. Yes.

13 A. -- basically, I'm a short base sort of visual. I would
14 expect to be with the gear down, flaps 20, at a minimum of ref
15 plus 20. Anticipating the (indiscernible) full flaps when I know
16 that the landing is assured. You don't want --

17 Q. Okay, so clear, you're on final, four or five miles out. So
18 you're going to have full flaps, flaps 40, gear down. And by the
19 marker at the latest even though we're VFR. Sure. Okay.

20 VFR, does your stabilized approach criteria change if you're
21 VFR versus IFR?

22 A. We teach that all landings should be the same. You should
23 have a stabilized constant descent to a final approach. And if we
24 make every landing look the same whether it's VMC or IMC, at
25 minimums, or clear and a million, if you always make it look the

1 same, it's always going to be the same and you won't get in any
2 bad habits of lowering the (indiscernible) point to land short or
3 long. And we teach to always correct back to that if there's any
4 deviation from that stabilized.

5 Q. You're flying -- you're teaching a non-precision approach.
6 What do you teach as far as the autopilot usage on final?

7 A. We would typically -- and is this an initial client, a
8 recurrent client?

9 Q. All approaches are the same.

10 A. Oh, all approaches are the same.

11 Q. They're all the same, Shawn.

12 A. Well, if you were starting as say, an initial, we would
13 encourage the use of the autopilot, the automation to teach them
14 the automation so they could observe some of the other stuff.
15 When it's a recurrent, they have a requirement when they take the
16 check ride to -- on the non-precision approach. One will be
17 conducted with the autopilot and one will be conducted with the
18 autopilot off. So we make sure they see both.

19 Q. Now, when you say one with autopilot on and one with
20 autopilot off -- so in recurrent, they conduct -- they are
21 presented with two non-precision approaches or --

22 A. Throughout the syllabus they will have more than that.

23 Q. Yes.

24 A. But on the check ride that they'll take, you know, if it's a
25 135 client, 293, 297, or a 6158 client for a Part 91, they still

1 have two non-precision approaches of different types. One will be
2 with the autopilot and one will be without. And I would say in
3 training, they get an equaled mix --

4 Q. Sure.

5 A. -- of autopilot on, autopilot off.

6 Q. I just didn't know they had two non-precision approaches so
7 that's what that was --

8 A. You guys are tough on them.

9 Q. You teach weight and balance in the Lear?

10 A. I do.

11 Q. Do you teach flight planning in the Lear?

12 A. Not as much as say weight and balance but when you say flight
13 planning, that's an inclusive -- we teach takeoff data,
14 performance considerations, weight and balance. But as far as,
15 we're going from here to a destination, on an initial course, they
16 have what's called (indiscernible) orientated flight where they
17 get away from abnormals. Because the syllabus has a whole bunch
18 of abnormals you have to get into.

19 At the very end before the check, we slow things down where
20 we do focus on the flight planning. How much fuel, how much time
21 to climb, how far down range? Subtract that from the total
22 distance, how much distance is it going to take in your descent?
23 Okay, subtract that from your total distance. Now, we've got this
24 much at cruise, at this altitude.

25 We'll go in the QRH, we'll look, we'll see what kind of fuel

1 flow, estimate the amount of fuel, and at the very end we will
2 compare what we had planned with what was there. Because that's a
3 lot of what they're going to do day to day. Hopefully, they don't
4 have engine failures, flat failures, hydraulic failures, every
5 single fire, they would never fly the airplane.

6 Q. We got weight and balance, we got flight planning in there.
7 Briefings. How do you or what do you encourage them to brief as
8 far as -- when you -- they're going to fly a non-precision
9 approach were there anticipating a non-precision approach, what
10 are they going to brief to the other pilot?

11 A. So typically, they would -- we teach kind of an acronym.
12 ABBA. If you start with ATIS, build, brief, and then the approach
13 check. So if you get the ATIS, you have -- you know what the
14 weather is because you'll use that to find out some of your
15 performance factors. You'll know what approach and what runway is
16 in use. Once you've got that, you can build the approach. You
17 can tune the frequencies, set the courses, you can put it into the
18 FMS. Once all that is done, you can brief it.

19 Now, if you have a jet plate, the top inch or so is the
20 briefing strip, it would have the inbound course, the frequencies,
21 the altitude, decision altitude or minimum descent altitude, and
22 the (indiscernible) approach instructions. So we teach them to
23 brief that and anything else that might be unique to this
24 approach. You've got a crosswind, what the weather is. Is it at
25 minimums? Anything else that might be unique about the approach.

1 Q. Sure. In the simulator, do you conduct circling approaches
2 during recurrent?

3 A. We do.

4 Q. How do you set the weather minimum in the simulator? In
5 other words, did you give a 100-foot ceiling or a 100-foot buffer
6 there above the MDA or -- how do you set up the sim weather-wise?

7 A. It's --

8 Q. For a circling approach.

9 A. There is a criteria that goes around somewhere. But the
10 circling approaches for the Part 60 airports, there's not that
11 many of them because they all have to be approved. So typically,
12 we would circle at Memphis or we have a lot of clients that would
13 circle at Anchorage. At Memphis, we typically set the weather at
14 a ceiling of 800 feet and visibility just over three miles. And
15 that is slightly above the minimums printed up on the Jeppesen
16 approach --

17 Q. Do you have a syllabus that has that printed out?

18 A. There is a FAA provided sheet that -- and I'm not sure where
19 that is but -- it says the recommended --

20 Q. Yeah, the (indiscernible) standards. I understand. Yeah,
21 I'm not trying to get into -- I'm trying to get into your personal
22 iPad or something like that. How do you know what to set up for
23 the circling approach at Memphis?

24 A. Based on those, those minimums have not changed from the time
25 I've been here so we've set --

1 Q. You don't go in there with -- you go in there -- do you have
2 an iPad?

3 A. I do.

4 Q. Does --

5 A. And on the Jetview, it has the minimums. And in the lower
6 right-hand portion of the block, it will have the circling
7 minimums. So reference to those --

8 Q. You just know in your mind that it's 800 and three?

9 A. Correct. Because that I believe is the minimums rounded up
10 to the nearest integer 100 plus 100 and then the mileage, I
11 believe it's two and a quarter. I think it's a mile more on the
12 chart.

13 Q. If I'm a new instructor here and I don't know Memphis is 800
14 and three in my brain, what can I reference that FlightSafety has
15 provided me with that says, this is what you set for a circling
16 approach in Memphis?

17 A. There's a sheet but typically, an instructor would have gone
18 through in initial course where they would have been used, a
19 recurrent course. Then they'll have supervised instructions.
20 Well, he'll have seen it several times. But I can go ask -- find
21 that. It's an official prepared -- this is what they should be
22 above the minimums.

23 Q. Yeah, I don't think you and I have connected here with what
24 I'm asking and what you're providing me with. I'm thinking that
25 FlightSafety has got a syllabus.

1 A. We have a syllabus.

2 Q. Within that syllabus, they have what you should -- additives
3 that you should add.

4 A. I don't know that the additives are in the syllabus.

5 Q. Well, not in the student syllabus, but in the instructor
6 syllabus.

7 A. I would have to reference --

8 Q. Do you know what the weather is if you circle in Anchorage?

9 A. I'd have to look at the approach point. Again, it's -- I
10 would initially say it's going to be rounded up to the nearest
11 integer plus 100 and then about a mile above.

12 Q. You got any idea how many pilots you train in a month,
13 approximately?

14 A. If I said a lot --

15 Q. There is no right or wrong answer, so.

16 A. Yeah, there is no right or -- they blend together. An exact
17 number, I'm sure you could wander down to scheduling and -- it's
18 been busy.

19 Q. Do you get all the time off you need?

20 A. That's kind of a loaded question. Sometimes you'd like more.
21 Sometimes it's fun coming into work.

22 Q. I realize in Tucson this is a difficult question to ask but
23 do you teach deicing?

24 A. We do.

25 Q. How would you consider the visual system in the Lear

1 simulator? It's a level C so how would you consider how would you
2 describe the visual?

3 A. It's -- I mean, for simulation, it's pretty good. I wish we
4 would have a wraparound but for the conditions that we do in the
5 syllabus and we do, it's suitable for the intended purpose.

6 Q. I presume you practice missed approaches in the simulator?

7 A. All the time.

8 Q. Once they push the power up to go around and they bring the
9 gear and flaps up -- and I say bring the gear and flaps up. What
10 do they -- what is the initial -- where do they go with the flap
11 setting on the go-around?

12 A. Typically, a go-around, we would initiate. We would train by
13 hitting the takeoff go-around button (indiscernible) whichever it
14 would be. Smoothly adding power and it would be go-around flaps
15 20. So if you were at -- and we're assuming that you at least
16 have a ref.

17 Q. Yes.

18 A. This is not a rejected landing; just a miss. You would
19 slowly increase the pitch, positive rate (indiscernible) pilot
20 flying should command gear up. You would adjust your pitch, you
21 know, adjust the command bars to a desired pitch, probably
22 somewhere between 10 and 15 degrees no sign. You would
23 (indiscernible) in the Lear 35 for plus 30. Pilot monitoring
24 would say, yeah, plus 30, pilot flying should command the flaps
25 up. Then you would adjust the power.

1 Q. Is that pretty much what -- what's right in that manual right
2 there? And I'm pointing to FlightSafety Learjet 35/36 flight or
3 pilot training manual.

4 A. It would be very, very close.

5 Q. It's in very small print over here but it's got the revision
6 number on the side of this manual over here. So you can't read it
7 from there even without your glasses on. But --

8 A. Even with --

9 Q. How does an instructor know there's been a revision changed
10 to these manuals?

11 A. We get -- I'm not sure the exact system but there's a
12 notification that it's been changed. I'm drawing a blank on the
13 list of approved documents that we need to check and compare. But
14 when a new revision, say, to the training manual comes out,
15 everyone basically knows.

16 Q. Does the training manager know you have updated your manuals
17 to the latest revision?

18 A. Well, most people now do not have the paper manual. It comes
19 in what they call the FlightSafety flight bag. So every time we
20 log into that, it checks the currency and it will synchronize so
21 we always have the most current version. So even without knowing,
22 if we logged onto it on our iPad, it would say a synchronization
23 is required. It would sync and provide the most current version.
24 So if we looked for it, a version change might be something where
25 they fix some typos or they fixed something in one of the other

1 chapters but they have to change the --

2 Q. Revision, sure.

3 A. So what I'm looking at might not have changed but if I open
4 it up on my iPad, under flight bag, it's going to be the most
5 current version.

6 Q. And FlightSafety provides you with the iPad?

7 A. They do.

8 Q. Are they current iPads and up to date for the most part?

9 A. They -- I mean, initially, they were -- they didn't have that
10 much memory and they quickly realized that so when they added
11 Jetview and now we're getting ForeFlight, so I think they made
12 that initial -- wow, it's going to be a big -- let's get the
13 minimum. And then they realized that. I don't know the version
14 but I know on my iPad, where I have Jetview, I have ForeFlight, I
15 have a lot of memory left over.

16 MR. ABRAMS: Okay, good. Shawn, I'm going to pause right
17 there for a moment and give it to Josh. I'm sure he's got some
18 questions that he would like to discuss with you.

19 BY MR. CAWTHRA:

20 Q. So I'm going to go back to circle to land. You mentioned
21 Memphis and Anchorage. Do you recall -- do you -- depending on if
22 you're doing PIC or SIC checks, are you using specific runways for
23 either or the same one for both?

24 A. There are approved circles with approved approaches and
25 approved runways. So if we go to the podium, it will list all of

1 those on the approved circles. At Memphis in the left seat
2 circle, we could go up there and check but it's a Localizer 2-7 or
3 the RNAV 2-7 circle to runway 1-8 right. If you do the -- from a
4 right seat circle and typically, we circle where you can see out
5 the side; you wouldn't circle across cockpit because the visuals
6 wouldn't support that. It would --

7 We do the Localizer or the RNAV, runway 3-6 left. And we
8 circle to runway 9. Both involve about a 90-degree turn to the
9 runway, allowing you to keep the airfield insight throughout the
10 maneuver.

11 Q. So if you degree (indiscernible) 90-degree turns and it's --
12 if I understand right, it's equipment limitations for the sim, not
13 having the visuals to do 180 degrees or more.

14 A. Well, at -- we used to do a circle at Wichita. That was more
15 than 90 degrees. The visuals -- there was -- I'm not sure of the
16 exact reason. There was some portion of the visuals that was not
17 adequate so it was removed from an approved circle.

18 Q. Are these approaches in the sim during training and on a
19 check ride, are they done during daytime or nighttime?

20 A. Pretty much always under nighttime conditions.

21 Q. In regards to the minimums or the -- what you were
22 referencing earlier, the weather you set like in Memphis, you said
23 minimums plus about 100 feet and vis usually a mile just over, you
24 round up and then add a mile, too. Are these weather minimums
25 used in training, as well, or is this just a standard for check

1 rides.

2 A. Well, it would be unfair if you did not show them these
3 minimums. If you gave them VMC conditions and then you set them
4 for what the -- is required on the check ride. You wouldn't have
5 been training them for those conditions. You would never set less
6 than that. Sometimes, you know, if they come off the autopilot or
7 go to the altitude, they go back into IMC and that's a good event
8 because they go amiss.

9 So -- but we try and set it to the realistic conditions of
10 these are the minimums, this is what you could expect at those
11 approaches. In the same sense, where we train IOSes to an RVR of
12 1800 feet, we set the minimums for 1800 feet and that's what it's
13 flown in.

14 MR. CAWTHRA: I think that's all I got, Warren.

15 BY MR. ABRAMS:

16 Q. So there's no additive on that 1800 feet?

17 A. No.

18 Q. You don't set 2,000?

19 A. (No audible response).

20 Q. During training -- we're not in the checking environment --
21 do you train usually in the daytime conditions or nighttime
22 conditions?

23 A. Usually in nighttime conditions but typically, on the first
24 day, especially safe in initial, it is counterproductive when they
25 can't see anything so that they need to have an idea, they need to

1 be able to see the visual flow rates, the rates, the motion, and
2 to see what the runway looks like.

3 You know, you would never train someone -- okay, your first
4 landing is going to be at RVR 1800. It would -- it wouldn't be a
5 good training. You got to -- baby steps. When the weather
6 becomes dusk, it becomes night, the weather comes down as they
7 become comfortable in the cockpit. Safer in initial.

8 Q. Shawn, I want to thank you for your time today. That's all
9 the questions we have. Before Charlie runs out the door, is there
10 anything else you would like to -- or anything else you'd like us
11 to know about anything -- any thoughts on Aeromedevac or anything
12 like that?

13 A. They're one of many companies we train.

14 MR. ABRAMS: Well, I want to thank you, gentlemen. I'm going
15 to stop the recordings at this time.

16 (Whereupon, the interview was concluded.)

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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

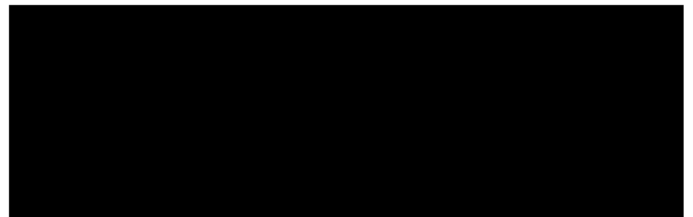
IN THE MATTER OF: LEARJET35A, N880Z FATALITY
 IN EL CAJON, CALIFORNIA
 ON DECEMBER 27, 2021
 Interview of Shawn Fleming

ACCIDENT NO.: WPR22FA068

PLACE: Tucson, Arizona

DATE: March 28, 2022

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.



Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of: *

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LEARJET35A, N880Z FATALITY *

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Interview of: ROB AKINS, Director of Training
FlightSafety Tucson

Tucson, Arizona

Monday,
March 28, 2022

APPEARANCES:

WARREN ABRAMS, Investigator
National Transportation Safety Board

JOSH CAWTHRA, Investigator
National Transportation Safety Board

CHARLES SMITH, Attorney
Cantey Hanger Law Firm

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I N T E R V I E W

MR. ABRAMS: I'm Warren Abrams with the National Transportation Safety Board. We're here today with Rob Akins who is the director of training at FlightSafety Tucson. And we're going to ask him a few questions and interview him about the Aeromedevac accident from El Cajon, California, that happened in late December 2021.

I'm also at the table with --

MR. CAWTHRA: Josh Cawthra, National Transportation Safety Board, investigator-in-charge.

MR. ABRAMS: Josh, and I will be doing the interview, Rob. As part of this interview process, you're allowed to have somebody represent you. Do you have a representative today?

MR. AKINS: I have Charlie.

MR. ABRAMS: Charlie, please introduce yourself.

MR. SMITH: Charlie Smith with Cantey Hanger Law Firm in Dallas, Texas.

MR. ABRAMS: Good. We're glad to have everyone here today.

MR. SMITH: Thank you. Good to be here.

INTERVIEW OF ROB AKINS

BY MR. ABRAMS:

Q. Rob, we kind of -- as this interview kind of unfolds, we kind of get basic to start with. Tell us your full name and spell your last name, please.

A. Robert Francis Akins, II. Last name is A-k-i-n-s.

1 Q. Thank you. Where do you work?

2 A. FlightSafety Tucson.

3 Q. What is your title here at FlightSafety Tucson?

4 A. Director of training.

5 Q. Fill me in. As the director of training, what are your
6 responsibilities here?

7 A. At this center, what it kind of boils down to, majority of
8 what I do is -- you can call it quality control, checking that
9 client training records. So pretty much everyone that comes
10 through the building, I approve their records, make sure they're
11 good to go before they get signed and the record (indiscernible)
12 is issued. That's the bulk of my week but it's also just any
13 random phone call that comes in, instructor questions about
14 training, proficiency. You name it, it comes to my desk.

15 Q. Are you a pilot?

16 A. I am.

17 Q. Are you a current pilot? Do you have a current medical?

18 A. No, I do not.

19 Q. When was the last time you had a current medical?

20 A. That would be -- I think 2013. 2013 is when I started here
21 and I didn't renew around that time.

22 Q. Do you have any -- fill us in on your experience, what you
23 did to be -- to get here to FlightSafety?

24 A. In a nutshell, started flying when I was in high school just
25 because I've always had a passion for flying. Went to Embry-

1 Riddle for college, told all my friends there who were doing
2 professional pilot training they were nuts, why would you want to
3 do that and be gone away from your family. Go about seven, eight,
4 nine years down the road, I wanted to become a professional pilot.
5 So '98, quit my job. Went through ATP. Got all my ratings.
6 Became an instructor for them for about a year.

7 Got hired at the Air Midwest division of Mesa Airlines
8 January 2000. I flew the Beech 1900 for a year. Canada Regional
9 Jet for six years. I left there; I went to a charter company
10 flying the Dornier 328 jet for almost seven years. And then I
11 came here because my wife wanted me to be at home and I want to be
12 at home. I was tired of missing out on the family life.

13 Q. Do you have any type ratings?

14 A. I do.

15 Q. Tell me what type ratings you have.

16 A. Challenger -- I'm sorry. Not Challenger. Canada Air
17 Regional Jet, the CL65. Dornier 328JET, Lear 60, and the LR Jet.

18 Q. You do not have a Lear 35 rating or any (indiscernible) --

19 A. That's the LR Jet. I did -- I've done all my training here
20 in the Lear 31. I did a differences course in the Lear 35
21 probably six or seven years ago. But after flying glass cockpit
22 for so many years, my first venture in the Lear 35, I said, I
23 don't read these very well and I don't know where I am so I'm
24 done.

25 Q. Who do you report to here at flight safety?

1 A. David Dyke (ph.). He's the center manager.

2 Q. How do you assist David in his work here?

3 A. He helps -- he actually helps me a little bit with the
4 records process, with the quality control. But overall, it's
5 anything and everything to support the center. This location, we
6 used to have an assistant center manager and an assistant director
7 of training. All the assistant positions were removed about two
8 years ago so he and I cover pretty much everything. If he happens
9 to be gone, I kind of take over the helm for the week.

10 Q. Other than the NTSB showing up today, do you have much
11 involvement with the parent company of FlightSafety?

12 A. No.

13 Q. You pretty much -- I don't want to put words in your mouth
14 but am I assuming you pretty much run your own program here
15 without oversight from the other -- from the parent company?

16 A. If I'm understanding.

17 MR. SMITH: I think that -- go ahead and explain that.

18 A. Well, do you mean -- how do you mean by oversight? I just
19 want to make sure I'm understanding what you're asking. You're
20 talking Berkshire Hathaway?

21 Q. No. The FlightSafety corporate office. Do they call you up
22 and email you and how many people are coming through or how come
23 you're not doing this or how come you're doing that? Do you get
24 pushback, do you get direction from your parent company? Not
25 Berkshire Hathaway but FlightSafety, the head office.

1 A. If any of those calls happen, those go to David. That's one
2 nice thing about my job, I don't get those calls. I don't -- I
3 think for a while, he was getting calls. They just want to know
4 how we were doing with reservations and how many people but I
5 don't think we've ever had pushback of not taking enough.

6 Q. How many full flight simulators do you have?

7 A. Today we have six.

8 Q. The why you answer that leads me to believe that you could
9 have more than that or less than that.

10 A. We could have more. So we do have space in the center for
11 potentially up to three more.

12 Q. Full flight?

13 A. Yes, sir.

14 Q. These would be level D simulators?

15 A. I would love a level D simulator.

16 Q. Do you have any level D simulators?

17 A. We do. We have -- hang on. One, two, three. We have four
18 level D -- I'm sorry, five level D and one level C.

19 Q. Which is your level C?

20 A. That's the Lear 35.

21 Q. That's the one we're going to be in. So -- all right. Thank
22 you. Is the Lear 35 sim -- what is the utilization rate of the
23 Lear 35 sim?

24 A. It's one of the busiest in the building. I don't have the
25 actual numbers. I don't track that myself, but I know from

1 looking at the schedule week after week, it is one of the busiest
2 in the building.

3 Q. A sim session -- not the brief and not the debrief -- but how
4 long is the actual simulator session scheduled for?

5 A. For one pilot it would be two hours, for a crew is four
6 hours.

7 Q. I'm a new pilot hypothetically and I come in and want to get
8 my rating in the Lear 35. I may contract -- sign a contract with
9 FlightSafety. How long does it take me from start to finish? I'm
10 a qualified pilot but how long does it take me to get my rating in
11 the Lear 35?

12 A. You do one week of ground school. It's Monday through
13 Friday. Usually on Saturday, we will put you in for two to four
14 hours of -- we call it a sit training so it's supposed to be off
15 motion. Just learn the cockpit procedures, the checklist, where
16 the switches are. You'll get for PIC, six simulators sessions and
17 then the check ride. Usually takes -- depending on who we have
18 available when you're ready for your check ride, two-and-a-half,
19 maybe three weeks.

20 Q. In some of that -- during some of that ground school, do you
21 teach CRM during any of that?

22 A. Yeah.

23 Q. Career source management?

24 A. Yep.

25 Q. Do you teach weight and balance?

1 A. Yes, it is a required subject for every recurrent and every
2 initial, it is required to cover weight and balance.

3 Q. How do you account for different people or different
4 operators -- this is a better way to say it -- how do you account
5 for different operators having different iPads and different
6 programs to run there four-flight or whatever they
7 (indiscernible)? How do you teach all that because there's so
8 many different variables with these electronic flight bags these
9 days.

10 A. So I only teach recurrent ground school on occasion.
11 Generally speaking, if you're Part 91, we have to go with
12 manufacturer because that is the standard. We couldn't have a
13 class of six or eight people and say, well, you do this program,
14 you do that program. We have to find a standard. Because the
15 check rides can be based on manufacturer. So Part 91, that's what
16 we would do. Part 135, FlightSafety has a form called the
17 training summary checklist. On that, it will specify if they want
18 us to use manufacturer for a normal procedure checklist or an
19 operator's, but all of that is spelled out on the training summary
20 checklist as far as how we do it.

21 Generally, the preference is and what most operators -- just
22 thinking through my head of all the records I look at -- most
23 stick with manufacturer to get through initial just because it is
24 a common denominator. It makes it easier to understand. And we
25 will sometimes talk to people if you're on that Ranch Airport in

1 the middle of Idaho and you can't get internet, you need to know
2 how to use manufacturer if you're going to get out of there. So
3 we like to teach manufacturer.

4 Q. Good, thank you. Airlines are going to SMS programs or
5 having SMS. Airports are having them, hospitals or having them.
6 Do you have an SMS program here?

7 A. We do.

8 Q. Is it FAA approved?

9 A. I believe so. In fact, I'm pretty sure because I think
10 FlightSafety was the first in the training business to launch the
11 SMS program.

12 Q. If an instructor has a safety concern, I'm sure there's
13 different protocols to go through. But do you ever get any SMS
14 reports from your instructors?

15 A. We do. So I personally I'm not in charge of SMS for the
16 center. Our director of standards covers that. But there have
17 been times I've had an instructor come to me and they'll have a
18 concern and I'll say put it in SMS, we will run it through the
19 system, we'll run it outside the center if we need to. And the
20 director of standards, like I said, he has the process to run
21 through everything. We usually have -- I think it's a monthly
22 meeting to cover SMS. But yeah, we do like the process, we try to
23 encourage people to use it.

24 Q. Good.

25 A. Now, people are people. That doesn't mean it gets used as

1 much as maybe we'd like to but we do try to encourage it as much
2 as we can.

3 Q. Obviously, Rob, we're here because of the Aeromedevac
4 accident. How were you -- how did you become aware that one of
5 your operators was involved in an accident?

6 A. I can't remember if somebody sent me an email or a text
7 message. Just -- it was either that or I happened to read
8 something on the internet. We did not get any correct contact
9 from them. But honestly, at this point, I can't remember.

10 Q. That's a fine -- I mean, that's a perfectly acceptable
11 answer. If we ask you something that you don't understand or
12 don't remember, that's a perfectly acceptable answer. Staying
13 with Aeromedevac, have you -- have any issues ever arose that have
14 come to your attention with Aeromedevac?

15 A. What do you mean by issues?

16 Q. In their --

17 A. Just to clarify.

18 Q. In their training here at the center, has Aeromedevac ever
19 had any issues?

20 A. I guess, depending upon how you define issues, I would say
21 no. You know, every now and again, somebody might need a little
22 retraining, re-checking on a check ride if we call that an issue.
23 That happens but I don't think it's been outside the norm of any
24 other operator.

25 Q. As a student pilot, I can go through a Part 61 training

1 facility, I can go through a Part 141 training facility. I have
2 options available to me. What does the FAA designate this
3 training center as?

4 A. We are 142.

5 Q. You're a 142 school. Do you see the FAA here very often?

6 A. Several times a year. Yeah, we have -- two of the FTPMs for
7 the center live in the state of Arizona so we will see them every,
8 maybe every month or something like that. I don't always interact
9 with them when they're here. If they're coming to observe
10 somebody do a check ride or if they're coming for the quarterly
11 currency in the sim, I usually don't bump into them.

12 I take it back. Three are in Arizona. I forgot the new guys
13 up in the phoenix area as well. And then, the last one is out of
14 Cleveland but they're doing a little shuffling so he is not going
15 to be coming here anymore. But outside of them, no, it's -- those
16 are the three that we see.

17 MR. CAWTHRA: Let me just interject here. Do you have the
18 semi-annual -- or not semiannual but annual or every other year.
19 Folks command from the --

20 MR. AKINS: Oh, yeah, I wasn't even thinking about that. The
21 annual TCE training type of thing?

22 MR. CAWTHRA: Well, just the guys that check the sims,
23 running the QTG --

24 MR. AKINS: Well, yes, that, too.

25 MR. CAWTHRA: -- checks.

1 MR. AKINS: Yeah, I'm sorry. You talk FAA. My mind is
2 locked on the three guys. But yeah, we do have the once a year
3 that the annual TCE training so FAA will send someone for that.
4 And then, yes, all the sim evals every year. So someone will come
5 in from that.

6 BY MR. ABRAMS:

7 Q. Tell me what TCE stands for.

8 A. Training center evaluator.

9 Q. How many TCEs do you have here?

10 A. I would have to have Jason run the list for me. Top of my
11 head, I don't remember.

12 Q. Any ballpark numbers? Are any of your -- I presume several
13 of your instructors are not TCE.

14 A. Correct, correct. I --

15 Q. And half -- half are TCEs maybe?

16 A. 31/35 program, I think we have -- it's either -- hang on.
17 It's either six or seven who are TCEs and I think we have about
18 the same amount who are not. That program that -- we have more
19 TCEs. The other ones it just depends.

20 Q. How what do you consider your staffing levels here currently?

21 A. As the director of training, I would always love more. I
22 would always love to have more.

23 Q. Does that mean you're short 10, 12, 15, 2?

24 A. Depends on which program and how you run the numbers. Last,
25 you're the official -- the guidance of -- okay, 950 hours a year

1 is what we're supposed to be scheduling a full-time instructor. I
2 know on the 31/35 program, we're doing more than that. We're in
3 the process of trying to slow things down a little bit to give
4 them a little bit of a break. It's just -- it's a very busy
5 program but we are having the same problems as most of our
6 customers trying to find people. It's just -- it's so competitive
7 out there. Yeah.

8 Q. Rob, you mentioned a lot of your day is consumed with
9 documentation. A TCE gets out of the sim. How do they document
10 that they have completed the -- applicant or the pilot has
11 successfully completed that day's profile or gone through all
12 those scenarios successfully?

13 A. So if it's training, we have a system called LogBook. It's
14 Internet Explorer based. And you go in and you confirm how much
15 time you spent, how many instrument approaches, takeoffs,
16 landings, whether day or night. And then, there's an entire tab
17 full of items to be graded, make sure everything is graded for the
18 day or for the whole (indiscernible). Then at the end of it,
19 there's an audit -- actually, the whole process there supposed to
20 be running an audit to see what's remaining, what has or hasn't
21 been done. But it's all electronic.

22 Q. Do they do it on a computer, laptop? Is there a computer in
23 a debriefing room they do it in or what is the mechanism that they
24 document this training? How do -- you explained the process.
25 Physically, hardware-wise, how do they do it or where do they do

1 it?

2 A. So it's all done on computer. In the two instructor rooms,
3 we have a total of nine computers that they log into to use.
4 There are a couple of them who are a little more iPad savvy. You
5 can do some of the grading as you go in the sim if you choose to.
6 Now, I haven't taught in the simulator in a few years. I tried it
7 once or twice but to me it was too distracting.

8 So most people we'll do what I was taught. I'll have a
9 printed copy of what my plan is for the day, I make a lot of
10 notes. Then after we debrief, we use that -- use those notes for
11 the debriefing and when you're done over the computer -- log
12 everything you did and trained and -- but it's not in the briefing
13 room, it's in the instructor rooms where the computers are. That
14 way it's -- there's no distraction.

15 Q. Rob, there's no probable cause that's been released on the
16 Aeromedevac accident. So it's kind of hard to have an after-
17 action review since we don't know what happened.

18 A. Right.

19 Q. Did this training center do an audit to make sure everything
20 from Aeromedevac was up to date after the accident?

21 A. Not that I know of. Usually, any time we train them, the
22 standards office is usually checking to look at the paperwork that
23 comes in. Most operators don't update or change the training
24 program or some of the other paperwork we have. So there's not
25 usually much that would be out of date. To be honest, we do have

1 one or two on the European side that we have to nag a little but
2 as far as FAA goes, most of them -- it rarely changes.

3 Q. I'm going to stop right there, Rob, and turn it over to Josh.
4 I may have a few follow-up questions. But thank you for right
5 now.

6 A. Certainly.

7 MR. ABRAMS: Josh?

8 MR. CAWTHRA: I don't have any questions.

9 MR. ABRAMS: All right. Back to me, that was quick. I was
10 expecting about five minutes to gather my thoughts here.

11 MR. SMITH: Sure, take your time.

12 MR. AKINS: Yeah.

13 BY MR. ABRAMS:

14 Q. Rob, As the training center manager, how do you develop
15 training? In other words, on day three of an initial -- not
16 recurrent but for an initial class, the steppingstones and things
17 like that, approach, to -- or building block approach. How do you
18 develop your training modules?

19 A. I personally don't. Now, all the training programs have been
20 there and basically modified over the years. When I started here
21 a little over eight years ago, the approval documents we called
22 Book II. Now, we call them ASC, aircraft specific curriculum.
23 There's a general format that we get from operations in Dallas.
24 If we see anything there we want to rearrange, we have the
25 opportunity to do it. But then that program, once it gets

1 approved, is how we teach. And then, the Part 135 operator
2 programs are based off of that. Transport Canada, the same thing
3 and --

4 Q. Who makes your simulators?

5 A. We do. Well, not we personally here, but FlightSafety --

6 Q. Yes.

7 A. -- we have our own division. Not knowing all the history of
8 who owned whom at what point in time, I don't know if we
9 officially owned ourselves at that point one the 35 was made but
10 it is, I believe, the same company that is building them now.

11 Q. From my past, we called the instructor console the IOS. Do
12 you call it the IOS?

13 A. Yes.

14 Q. Is that standardized throughout most sims?

15 A. Newer ones, yes. Now, one thing we've done here in the last
16 couple years with the 31/35 specifically, just because they're the
17 older machines in the building, we've put new IOSes in them. So
18 now, the 35 and 31 having almost identical IOS that is almost
19 identical to like the Lear 60. So they're all almost the same
20 now. There are little intricacies that differ between them.
21 Maybe one sim has a malfunction program in that we don't have in
22 another one but generally, they're pretty standard. I've only
23 taught here in the 31 and the 60. The 60 has been so long, it is
24 out of my memory. And the 31 I have not been in since we put the
25 new IOS in.

1 Q. If I'm one of your instructors, how do I present -- let me
2 back up. If I'm one of your instructors and I go in the briefing
3 room, what do I have in my hand to present today's syllabus? Do I
4 have an iPad, do I have a computer? What is available to me? Am
5 I going over PowerPoint slides or -- just talk me through a
6 briefing room scenario with the instructor and what did they have
7 physically to teach with?

8 MR. SMITH: You mean just a briefing room? Not classroom?

9 MR. ABRAMS: Yes.

10 A. As far as hardware goes, every instructor has an iPad. Quite
11 a few of them -- and like I said, it's been a couple years for me,
12 but I would sometimes have maybe Jeppesen pulled up on the iPad
13 because we don't have it on the briefing room computer so if I
14 wanted to talk about a specific approach or something, I could
15 have that handy. Every briefing room has a PC in there. We can
16 pull up all the courseware that we need.

17 We each have access to our own folder. Pretty much everybody
18 has a PowerPoint presentation that they'll put together. Okay,
19 here is what we're covering today, here is maybe where we're
20 going, what the weather is. There's a little bit different -- we
21 have a standardized briefing presentation that we've been working
22 on. I know when that idea was first presented to me a couple
23 years ago, I said, no, I love the fact that we can all
24 individualize it and I think it comes across better that way. But
25 whichever way we go, there is a PowerPoint available.

1 Some people will print certain things. When I was doing sim
2 training, I would pull out a couple pages online of the carrier's
3 training program. I would usually print the stall series and
4 maybe a couple other things. Have a hard copy I'd hand to the
5 clients and say, hey, this is you, this is how you're being
6 trained, this is how you're being evaluated so there's no
7 questions. This is your program, has your name at the top.

8 Q. If you do it that way, in other words, you print out the
9 things you print out, and I don't print out the same things, or we
10 concerned about standardization? In other words, are these pilots
11 getting the full benefit of training? In other words, is your way
12 better, is my way better? You got printouts. I don't have
13 printouts.

14 A. I don't know that my way is better. I think for me because
15 I've been in management since I was here about five months working
16 for the company, so I've been a little more concerned about
17 messing up because as a program manager, assistant director of
18 training, director of training, whether I want to admit it or not,
19 everybody kind of looks at me different because I'm in management.

20 So I always try to go above and beyond to make sure nobody
21 says, well, you didn't do this. But all the training carrier
22 programs, they should have a copy as well because it is their
23 approved program. So even they, if they're back home, should have
24 access to it. It's all their program that we're using. I
25 wouldn't say that my way is any better or any worse. There's so

1 few differences. I mean, one only major difference I could think
2 of would be: are you doing stalls the old way as we call it where
3 we did them all at altitude, or have you adopted the new scenario-
4 based where we'll do them in the traffic pattern kind of thing.
5 That's usually a big difference.

6 Q. In the flight safety Learjet 35/36 pilot training manual,
7 you've got three stall scenarios in there. One is a turning stall
8 after takeoff, one is a stall at altitude, and refresh my memory.
9 What is the third stall?

10 A. The landing configuration stall.

11 Q. Yes, thank you. Thank you. Are those the -- what changed?
12 You said the new stall versus the old stall. What was the old and
13 now what's the new?

14 A. After I think it was the Buffalo crash is when we kind of --
15 is when the shift -- now, I wasn't working at FlightSafety yet,
16 but that's when the shift was to more scenario-based. I don't
17 think I was working here. I can't remember all the dates
18 sometimes. But trying to make them scenario-based. Because I
19 mean, all my years at the charter company, at the airline, it's
20 really easy to be up at 15,000 feet and run through all these and
21 bang, bang, bang, you're done.

22 But if you put them in a traffic pattern and the ground is
23 that much closer, it really does kind of add a new little -- a
24 sense of urgency to making sure you're doing things right and
25 doing the correct procedures. So that was the big shift, putting

1 them into the traffic pattern.

2 MR. ABRAMS: Josh?

3 MR. CAWTHRA: I lost it.

4 MR. ABRAMS: Rob, I want to thank you for coming in today.

5 MR. AKINS: Sure.

6 MR. ABRAMS: This completes the interview but I'll ask
7 (indiscernible) say completes. I'll ask one more open-ended
8 question. Is there anything you can think of we should have asked
9 you that we didn't?

10 MR. AKINS: Well, that is open-ended. Not that I can think
11 of. You know, the whole process is -- when I worked at Mesa, we
12 had a plane that crashed and I remember how -- I didn't know
13 either one of those pilots but man, it hit hard. When I moved on
14 to the charter company, there was one night that it was my crew
15 and another crew went and got dinner and the captain had flown for
16 United -- the other captain had flown for United. And we were
17 telling the other four, like, you know, you've got to be careful
18 out there because you may not be in that airplane but man, you
19 feel it and you feel it for a long time.

20 So this is something that hits hard because they're one of
21 our companies. We trained them. And it's -- I hate to say tragic
22 because that almost sounds not accurate enough but yeah,
23 unfortunately, with my position being very high level, I don't get
24 into the intricacies of the Lear 35 and I don't know it very well.
25 I try not to know it at all. Because like I said, the first time

1 I got into that simulator many years ago I thought, okay, where
2 are all the big TV screens with all the information. I'm like,
3 I'll never figure that out. So thankfully, the Lear 31 was closer
4 to Beech 1900. I've always felt a little more at home in there.
5 But yeah, I can't think of anything.

6 MR. ABRAMS: Well, with that, I'm going to turn the
7 recordings off.

8 (Whereupon, the interview was concluded.)
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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

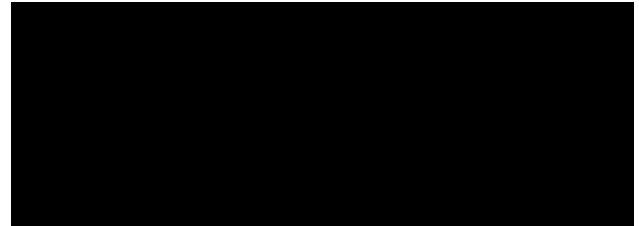
IN THE MATTER OF: LEARJET35A, N880Z FATALITY
 IN EL CAJON, CALIFORNIA
 ON DECEMBER 27, 2021
 Interview of Rob Akins

ACCIDENT NO.: WPR22FA068

PLACE: Tucson, Arizona

DATE: March 28, 2022

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.



Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of: *

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LEARJET35A, N880Z FATALITY *

IN EL CAJON, CALIFORNIA *

Accident No.: WPR22FA068

ON DECEMBER 27, 2021 *

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Interview of: EDWARD FORST, Program Manager
FlightSafety Tucson

Tucson, Arizona

Monday,
March 28, 2022

APPEARANCES:

WARREN ABRAMS, Investigator
National Transportation Safety Board

JOSH CAWTHRA, Investigator
National Transportation Safety Board

CHARLES SMITH, Attorney
Cantey Hanger Law Firm

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I N T E R V I E W

MR. ABRAMS: I'm Warren Abrams with the National Transportation Safety Board. We're here at Flight Training Tucson -- FlightSafety Tucson Training Center which was the training center that Aeromedevac used and still does for their Lear training.

I am joined today at the table with --

MR. CAWTHRA: Josh Cawthra, NTSB, investigator-in-charge.

MR. ABRAMS: And Ed -- you go by Ed or Edward?

MR. FORST: Ed is fine.

MR. ABRAMS: Ed is fine. Good. So Ed, you're allowed to have someone represent today. Who has -- have you decided who you want to represent you?

MR. FORST: Charlie Smith, please.

MR. ABRAMS: Charlie, please introduce yourself.

MR. SMITH: Yes, I'm Charles Smith with Cantey Hanger Law Firm in Dallas, Texas.

MR. ABRAMS: Glad to have you here today, Charlie. Thank you for coming.

MR. SMITH: Thank you.

MR. ABRAMS: Ed, what we're trying to do is trying to figure out what happened in El Cajon, California. Four people tragically lost their lives in late December 2021. And this is just part of the investigation. We are not the FAA, we don't have enforcement action. We just are trying to find out. We are the gatherer of

1 information and we put it all together. That's where you come in
2 to help us with this investigation.

3 Got a laundry list of questions we'll ask but there is no
4 right or wrong answer. You answer the best you can. If you don't
5 know the answer, I don't know is a perfectly acceptable answer.
6 We're not trying to create information that's not there.

7 INTERVIEW OF EDWARD FORST

8 BY MR. ABRAMS:

9 Q. If you would please state your full name and spell your last
10 name.

11 A. My name is Edward Forst. That's F-o-r-s-t.

12 Q. What is your position?

13 A. I am the Learjet program manager at FlightSafety Tucson.

14 Q. As the program manager, what is your -- what are your
15 responsibilities?

16 A. I oversee the training of all the clients and as it applies
17 to their curriculum requirements and the instructors that will
18 take on the task of training and checking them. So my job is to
19 confirm that what their requirements are coming in from the front
20 door and to ensure that they are trained and checked to the
21 company specific requirements and sometimes country specific
22 requirements, and to ensure that the instructors follow through
23 and carry out all of that as it is applied to that specific
24 client.

25 Q. Are you a pilot yourself?

1 A. I am.

2 Q. Are you still a current pilot?

3 A. I am not.

4 Q. When was the last time you had a current medical
5 approximately?

6 A. Five years.

7 Q. Give us the reader's digest version of your flying history
8 and how you progressed through your flying years until you got to
9 FlightSafety.

10 A. I spent 40 years in business aviation. My first 20 years was
11 with the waste management. I flew Learjets and Challengers with
12 waste management. My last 10 years there, I was director of
13 operations there. And I flew everything from a Lear 23, every
14 version of the Lear, all the way through the 55s and Lear 60, and
15 the Challengers. And in the late '90s, the senior founders of the
16 company had stepped on and the company reinvented itself. And I
17 moved on.

18 I was recruited to a very highly thought of family that owned
19 their own businesses in Chicago. And I went to work for them
20 where I flew Gulfstreams. I was their director of aviation
21 they're also. I flew Gulfstreams, and Falcons, and from
22 everything from a G4 to a 7X Falcon. And I was there 20 years
23 also.

24 Q. How long have you been at FlightSafety?

25 A. Four years almost to the day.

1 Q. Congratulations. Did you fly the -- you said you flew the
2 Lear 23 or 24?

3 A. 23, 24, 25, 35s, both versions, all 355s, and a 60. I flew
4 them all.

5 Q. You flew the old CJ610.

6 A. I did.

7 Q. Was it as loud in the cockpit as it was outside?

8 A. No, but it was significant.

9 Q. How many instructors are there -- and when I say instructors,
10 the TCEs and what -- below the evaluators. Is it just an
11 instructor? I'm not sure your nomenclature for these people.

12 A. Yeah, we have about a half dozen TCEs but they're also
13 instructors and a total of about 12 instructors full and part
14 time, a couple of part timers that have fallen into that --

15 Q. How consider the staffing levels?

16 A. You know, COVID was hard on us. But We've adjusted the
17 schedules to accommodate the staffing and it's been busy where we
18 went through a lull in training during the peak of COVID. Now,
19 coming out the backside, we've been real busy. So staffing
20 levels, you could always use more. We Have a couple of openings
21 and finding qualified instructors has been difficult for us. But
22 they maintain the schedules so that no one is actually burning the
23 midnight oil. So it's tough but it's adequate.

24 Q. When a company, corporation, sends in two pilots four --
25 they're current in the Lear, but it's their yearly recurrent

1 training, how long is the footprint for recurrent?

2 A. It's usually three days of sim and three -- three days of
3 ground school for recurrent pilot in three days of sim. Then the
4 fourth day is usually the check ride. That would depend on
5 whether they are Part 91 or Part 135s. The Part 91s are
6 progressive checks so they can be in and out in a three-day
7 period. So it varies but that's usually the footprint.

8 Q. If they're a 135, obviously, it takes a little bit longer to
9 get them through just because of the requirements. What are some
10 of those requirements a 135 operator has?

11 A. A lot of it is company specific. Most of them are the same
12 as any Part 91. They fit our footprint pretty well. Some of them
13 have maybe specific airport requirements or approach requirements
14 like a PRM approach that they may require. But the footprint
15 doesn't vary very much from a Part 91 operator. A lot of times
16 the particular operator may have a specific requirement.

17 We want to see -- maybe Aspen airport trained or something
18 like that. So might add a few extra minutes. Other times they
19 might want to see Right Seat training which could add a few
20 minutes. Typically, the footprint is very close and we can adjust
21 the curriculum to allow for the training so it still fits fairly
22 well within a three-day period without a problem.

23 Q. I'll call it low minimum. Some people call it CAT II. Do
24 most of your operators operate to a CAT II?

25 A. None of them do. Learjets don't fly to a CAT II minimum.

1 MR. CAWTHRA: Interesting question.

2 BY MR. ABRAMS:

3 Q. Shows you what I know. An initial cadre, two pilots, going
4 through both, do -- does the copilot usually get a type rating or
5 is it -- does that vary, only the operator?

6 A. In today's world, if you're Part 135, a copilot will get an
7 SIC type rating As a result and that's basically to cross the
8 border to be able to fly international. That's just a paperwork
9 exercise. Really and truly it is. They'll get the standard 293
10 checks and training. But the training, the ground curriculum is
11 the same for both pilots.

12 However, it will be -- the PIC will be in the left seat and
13 the SIC in the right seat. Many things for the SIC are trained
14 and not graded. So they are expected to be introduced to a
15 certain -- maybe a windshear, something like that. But they're
16 not really graded on it. They're just trained and exposed to it
17 as an SIC to show them. There are a number of items in the
18 training curriculum, are trained but not graded. So the
19 curriculum is a little different for the two seats.

20 Q. For the recording, SIC is second in command. During this
21 initial cadre that's coming through, how long did you say the
22 ground school was?

23 A. It's five days.

24 Q. Five days.

25 A. Basically, it's just considered about 40 hours roughly, round

1 numbers.

2 Q. Do you teach CRM in that ground school?

3 A. We sure do. We sure do.

4 Q. How receptive have the crews been to the CRM module?

5 A. They're -- most of the crews, we review what it's about, talk
6 about the history of CRM and why it evolved. You know, going back
7 to the United Airlines accident where this really evolved and they
8 were very receptive and we bring in personal CRM events that will
9 help relate with that. And we actually ask around class to share
10 those kind of events in the importance and to show that we're a
11 team.

12 I've never had anybody negative to that so very receptive to
13 CRM. It's a success factor, everybody is a team player and we're
14 all about the same thing, successful accomplishment of the
15 mission, and that's the message that we portray. I've never had
16 anyone be -- show any negativity towards that.

17 Q. Pardon me. Weight and balance, is that covered in the ground
18 school portion?

19 A. It is both recurrent and initial, sure is.

20 Q. Give me just a second here. Ed, do you instruct much as
21 the --

22 A. I do. We lost a key member back in January so I've been
23 instructing a little bit more than normal. I actually enjoy
24 instructing a lot. I like the relationship with the clients and I
25 do enjoy it so I have no issues with that. I find it a really

1 perfect balance to instruct. I do instruct initial and recurrent
2 in both sim and ground school. I do.

3 Q. As an instructor -- and I've been here awhile and I've done a
4 good job so to speak. How do you determine who becomes a TCE?

5 A. Well, that's -- basically, the first objective is the time
6 with the company, getting your two years in, and get some
7 experience, and really show the desire. So you can -- most of the
8 guys I have would be good TCEs. Some of them, we like to groom an
9 extra season or an extra year, but you can see the feedback we get
10 from the clients on their performance. That's a real good
11 barometer for us to see how they are.

12 You can -- the relationship that I have with my instructors
13 in the communication side of it, it really is very apparent who is
14 there not just a train but train to a level where they're going to
15 be checked and they understand the qualifications. They're very
16 good at that. So it's kind of -- I don't want to call it a
17 commonsense approach, but it's very apparent to me and to Rob, my
18 supervisor, the candidates that are out there. We discuss it back
19 and forth between ourselves.

20 Plus an instructor has to be a willing participant, too. Not
21 all of them want to do that, take on that role. So it comes down
22 -- if they don't want to do that, then I wouldn't want to force
23 that on them either.

24 Q. Is there a financial incentive to becoming a --

25 A. There is. You do get so much per check ride. There is -- I

1 wouldn't call it a major financial incentive but there is a
2 financial incentive to do that. I think a lot of instructors in
3 their career find that it would be very interesting to be able to
4 give a check ride or something like that to -- so yeah. But there
5 is a financial incentive to do that also.

6 Q. As the program manager, you've got all these instructors that
7 are under your tutelage. Is there a common complaint that you
8 hear from instructors? And when I say complaint, about maybe some
9 students that have come through, maybe the V1 cut, maybe the
10 visual and the sim is wrong. Is there a common theme out there?

11 A. I wouldn't say there's anything common. The -- honestly, no.
12 There's nothing out there that I would look at as a glaring thing
13 that everyone says, this is a problem. The one -- I will say
14 this, the one common thing that you do here is with some of the
15 lesser-experienced clients coming through, you do hear that the
16 common thing is that we need to schedule more time.

17 It would be nice if we planned that ahead of time
18 (indiscernible) a lot of the lesser experienced guys. But that
19 would be the only common theme I could think of. But as far as
20 anything regarding training equipment and stuff like that, I can
21 honestly say no.

22 Q. With the competition being so steep these days for pilots
23 with the airlines and the regionals and everybody wanting the
24 pilots, how do you -- do you see an increase in lack of
25 proficiency coming through these days? And let me rephrase that.

1 Do you see an increase in lack of experience coming through these
2 days?

3 A. There's -- that's two sides to that. We see guys with a lot
4 of experience, retired airline, retired military, a lot of
5 experience coming through here and we're training in the flight
6 business jets. These guys still have a lot of years left in their
7 career and they want to do that from that side.

8 What we are seeing as far as lack of experience would be the
9 SIC, the second-in-command positions whereas there used to be more
10 criteria about how many hours they could come in with to get their
11 SICs. We're seeing lesser-experienced guys. And it depends on
12 the person. I've seen candidates come through with minimal hours
13 and just be a rock star as a pilot and then -- so it just depends
14 on the particular pilot.

15 So we're seeing lesser-experienced SIC candidates come
16 through here just because of the demand for the middle of the road
17 for the regionals and the airlines. So yeah, we're seeing more of
18 the entry-level lesser-experienced ones coming through. That is a
19 correct statement.

20 Q. This is getting down in the weeds a little bit. But you've
21 been -- since you've been instructing in the sim here lately, non-
22 precision approach, are those usually hand flown or with the
23 autopilot on?

24 A. Oh, we encourage and usually demand the autopilot. It gives
25 you better situational awareness. So I certainly --

1 Q. Is there a preferred procedure on when to disconnect the
2 autopilot?

3 A. When landing is assured and you commit to land. You have a
4 visual and ensure you're stabilized. Then we require them to say,
5 landing and autopilot off. And those kind of things. So on a
6 non-precision approach, when you are on a position to land safely,
7 that's when the autopilot -- prior to that, usually we encourage
8 the autopilot to stay on.

9 Q. You mentioned a keyword there, when you're stabilized. Is
10 there is stabilized approach criteria?

11 A. Well, it -- there is. But we don't -- I mean, specifically,
12 I know the airlines and everything say, you know, so many miles
13 out and everything like that. We encourage that. There's certain
14 approaches like non-precision approaches where you may have to get
15 into a stable position but definitely, that's one of the things
16 that we grade on is decision making. Were you stable, were you in
17 a position to land.

18 So we are very, very much into that. So it can vary on
19 distance and time depending on the type of approach. But
20 absolutely -- we -- that's one of the things that we look at
21 highly and guys -- and sometimes what we'll do is we'll create a
22 situation, a scenario, to see their decision making. If they
23 we'll go in and try to make a landing out of a non-landing
24 situation. So we do that just for training to show them the
25 experience. Absolutely, we do encourage stabilized approaches for

1 sure.

2 Q. Still down in the weeds. With briefing an approach, are
3 there certain -- do you have a guide or list of things that need
4 to be briefed when briefing -- let's call it an ILS approach.

5 A. We have a thing called ABBA around here. So we basically --
6 we build, we brief, and we shoot the approach. So we determine
7 the approach. So typically, what we do, regardless if it's an ILS
8 or what it is, is the pilot monitoring will build the approach in
9 the FMS and go through the setup process and get everything,
10 avionics tuned, and set up and confirmed. And he'll put in the
11 numbers, the minimums and everything like that, set that. And
12 he'll review everything.

13 Then he will -- the captain will relinquish control to him,
14 give him the current status of the aircraft, and then we make them
15 verbalize that out loud. Okay, the aircraft is yours. And then
16 he'll briefly approach out loud to the copilot and confirm
17 everything is set and the course is set and everything like that.

18 So regardless of the approach, but that would be the ILS.
19 Make sure the inbound course is set and the frequency has been
20 turned, identified, things like that. Minimums are set and
21 confirmed. And so that's kind of how it is. And then he'll take
22 control back. And then, you know, they'll move from there.

23 Q. You mentioned ABBA, am I spelling it A-B-B-A?

24 A. Yeah, it's the approach. It's the build it, brief it
25 (indiscernible) it basically is what it is. And that's kind of an

1 acronym that we use around here so --

2 Q. Do you interface with any of -- have you -- have is the key
3 word. Have you interfaced with any of the Aeromedevac pilots as
4 they have come through in the past?

5 A. Probably every single one of them. Yep. I am very familiar
6 with most of the pilots and their DO. And I think it was last
7 year I had a differences course where I had nine of them in a
8 course to teach differences between a 35 and a 55. So yeah, I
9 interface with a lot of them and I'm very much -- very familiar
10 with many of them so yes.

11 Q. It's an opinion answer. But are they average?

12 A. I honestly would like to think them as above average. When I
13 had a room full of people, you can usually tell the culture there
14 whether people don't want to be there. This to me -- the room
15 full of people that I had seemed like a family to me. And I was
16 pretty much impressed by the culture that was there. The people
17 that are there enjoyed being there and want to be there. I
18 honestly -- I don't -- I get the sense that it's a decent place to
19 work. I honestly get that sense.

20 Q. We all stub our toe from time to time going through the
21 simulator whether we need more (indiscernible) or non-precision
22 approach or steep turns or whatever. You pick it, we've all been
23 there, and done that. And need a little -- need maybe an
24 additional date. Does anything stand out with Aeromedevac that --
25 needing additional time?

1 A. Some of their SICs, I will communicate directly with
2 Dick Jones. And not so much the PICs, but their SICs. I will
3 communicate directly with him. He'll communicate how are they
4 doing. And if I see candidates that say, hey, Dick, this is a
5 good candidate. We'd like to have one more day to get them up to
6 speed and Dick is really on board with that always.

7 On the flip side, if I saw somebody that I thought was
8 inadequate and that wasn't going to cut it within not just the
9 timeline but maybe a couple additional days, Dick wants my
10 opinion. And he'll deal with that accordingly. So I have a real
11 good relationship with Dick on the clients that come through here.

12 Q. Overall, how was -- how would you rate your relationship with
13 other DOs and chief pilots from other --

14 A. I think that's paramount with my job. I honestly do.
15 Creating a good working relationship. They need to know that
16 their pilots are in good hands and that I'm looking out for their
17 best interest and that the product that we're turning out is going
18 to work for them in a high level. So I have a pretty good
19 relationship with a number of DOs. I do honestly.

20 MR. ABRAMS: Ed, I'm going to stop right there for the moment
21 and hand it over to Josh. Josh, I'm sure you've got some
22 questions.

23 MR. CAWTHRA: I do.

24 BY MR. CAWTHRA:

25 Q. Did you know Dick Jones prior to coming onboard with

1 FlightSafety?

2 A. No, no, I did not.

3 Q. Warren, were you going to circle -- circling at all?

4 MR. ABRAMS: Go right ahead.

5 Q. As part of initial and recurrent, do you guys instruct or
6 teach circle blind approaches?

7 A. We do instruct and they are seat specific and only certain
8 airports are qualified and they have been approved for that.
9 Typically, myself, I teach Memphis for both because that's usually
10 where the check rides are performed in Memphis. They have the
11 biggest -- so yes, we do. I typically teach runway 27 circle and
12 8 right for the left seaters and runway 36 left circle 9 for right
13 seaters for SICs.

14 Q. What kind of weather do you teach these approaches in?

15 A. Well, I'm a fair-weather guy. You can bring it down to just
16 above minimums if you so choose. A number of our instructors will
17 go above that but to show the constraints, they'll put the weather
18 maybe 100 feet ahead. So it varies instructor by instructor but
19 not much more than 100 feet and maybe an extra mile or so
20 visibility. It would depend on the sim. Sometimes we see -- the
21 55 isn't an option anymore.

22 But we used to see -- give that an extra mile because the
23 visibility wasn't quite as visual and it wasn't quite as good.
24 But typically, we'll go with the three miles and 100 feet above
25 minimums just to show the constraints that they're operating

1 within.

2 Q. Is it's during nighttime or daytime?

3 A. Well, we do it typically during nighttime. We do a lot of
4 nighttime operations in here. It's easier in this two-dimensional
5 world to see the lighting and identify the runways than sometimes
6 in the daytime. It's a simulator. But typically, we do it in the
7 nighttime but I have also done it in the daytime. And there's no
8 specific requirement. I like to do them night, I think it's
9 easier to identify the runways at night in some of those big
10 airport environments. But we can go either way with that.

11 MR. CAWTHRA: That's all for now.

12 MR. ABRAMS: Ed, I've got two templates over here. I'll put
13 it up on my computer and you've gone through both of them so we're
14 rapidly coming to a close here.

15 MR. FORST: Okay.

16 MR. ABRAMS: We don't know the cause of the accident. We
17 know it was tragic. And can you think of anything that can help
18 us with this investigation?

19 MR. FORST: You know, You can be an armchair quarterback a
20 lot and I don't choose to do that. In my entire history, I can't
21 wait for the NTSB report to come out to tell us how it happened.
22 And that's my honest opinion.

23 I don't know what anybody was experiencing the cockpit at
24 that point and I wouldn't want to even hasten a guess, what their
25 judgment was and what they used for criteria. I wouldn't want to

1 go there so honestly, I know how we train and I'm comfortable, I'm
2 extremely comfortable with how we train pilots to do those
3 approaches. That's pretty much all I can add to that. Yeah.

4 MR. CAWTHRA: That's it.

5 MR. ABRAMS: Ed, I'm going to turn the recordings off and
6 thank you for your time today.

7 (Whereupon, the interview was concluded.)
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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

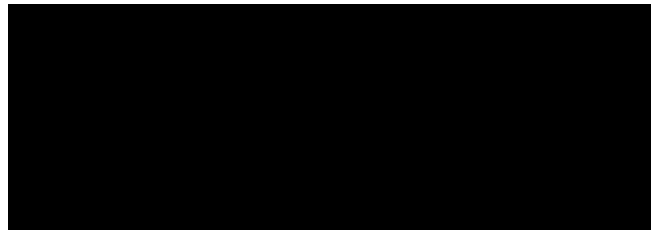
IN THE MATTER OF: LEARJET35A, N880Z FATALITY
 IN EL CAJON, CALIFORNIA
 ON DECEMBER 27, 2021
 Interview of Edward Forst

ACCIDENT NO.: WPR22FA068

PLACE: Tucson, Arizona

DATE: March 28, 2022

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.



Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of: *

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LEARJET35A, N880Z FATALITY *

IN EL CAJON, CALIFORNIA *

Accident No.: WPR22FA068

ON DECEMBER 27, 2021 *

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Interview of: KIM JENSEN, Instructor
FlightSafety Tucson

Tucson, Arizona

Monday,
March 28, 2022

APPEARANCES:

WARREN ABRAMS, Investigator
National Transportation Safety Board

JOSH CAWTHRA, Investigator
National Transportation Safety Board

CHARLES SMITH, Attorney
Cantey Hanger Law Firm

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I N T E R V I E W

MR. ABRAMS: Good afternoon, everyone. I'm Warren Abrams, air safety investigator with the National Transportation Safety Board. We are at FlightSafety International in Tucson, Arizona. We're going to talk with Kim Jensen today. And see what insights he has with the Learjet accident in El Cajon, California.

With me at the table today is --

MR. CAWTHRA: Josh Cawthra, NTSB, investigator-in-charge.

MR. ABRAMS: And Kim, you're allowed to have someone represent you today. Do you -- who is going to represent you today?

MR. JENSEN: Charlie, this gentleman on my right side here.

MR. ABRAMS: Charlie, will you introduce yourself, please?

MR. SMITH: Charlie Smith, Cantey and Hanger in Dallas, Texas.

MR. ABRAMS: Good deal. Thank you, Charlie for coming out and being with us today.

MR. SMITH: You bet.

INTERVIEW OF KIM JENSEN

BY MR. ABRAMS:

Q. Kim, there's no right or wrong answers today. We've got a lot of questions and if you don't know the answer, when you say, I don't know, that is a perfectly legitimate answer. We just -- truthful, best of your knowledge. And -- but if you don't know, you don't know.

- 1 A. Okay.
- 2 Q. That's okay.
- 3 A. Okay.
- 4 Q. Let's -- that's a good introduction. Let's get it started.
- 5 If you will state your full name and spell your last name, please.
- 6 A. Kim A. Jensen, J-e-n-s-e-n.
- 7 Q. Good. Kim, tell us what your title is here at FlightSafety.
- 8 A. Instructor, examiner.
- 9 Q. Do they give you, as an examiner, does -- do you have a
- 10 little initials to go with that? Something like TCE.
- 11 A. Oh, yeah, TCE. Yeah. And also SFI and SFE, as well.
- 12 Q. Good.
- 13 A. Oh, so --
- 14 Q. Tell us what those are then.
- 15 A. Okay. With the European agency, EASA, I'm not only FAA TCE
- 16 but an EASA instructor and examiner.
- 17 Q. Very good. How long have you worked here at FlightSafety?
- 18 A. Be six years in May.
- 19 Q. Are you a current pilot? Do you have a medical --
- 20 A. No, sir. I'm not. I do not have a medical.
- 21 Q. Have you flown previously?
- 22 A. Yes, sir.
- 23 Q. What have you flown as a pilot?
- 24 A. Oh, my gosh.
- 25 Q. Let me rephrase.

1 A. How far back do you want me to go?

2 Q. Let me rephrase it. Give us a reader's digest version of
3 your flying history from the point you pick up until you get hired
4 with FlightSafety.

5 A. I'll make it short. Start back in 1972 flying Cherokees and
6 Cessnas. I've flown pretty much all type of simulators and
7 Cessnas and Pipers. And got into twin engines. A lot of Cessnas,
8 Pipers, as well. Turbines, King Airs, King Air 90s, King Air
9 200s. Westwind and Falcon 2000. And then that leads me up to
10 this point her.

11 Q. 1124 Westwind, 11 --

12 A. Yes, sir. 1124. Um-hum. I flew that for about five years
13 and I flew Falcon 2000 for about 12 years.

14 Q. Where -- what location in the country did you fly the
15 Westwind and the Falcon.

16 A. Denver. Well, Denver on the Westwind and Oklahoma City for
17 the Falcon.

18 Q. How long ago did you fly? I mean, when was your last flight
19 as a pilot?

20 A. February of 2016.

21 Q. Are you a CFI, a certified flight instructor?

22 A. I was. It expired about a year ago. Only for the fact
23 because of COVID. I just let it go because it's not required. I
24 kept maintaining it and so no validation in keeping it but yes,
25 sir, I was.

1 Q. We'll cut to the chase -- and did you know the accident
2 pilots from Aeromedevac?

3 A. I did I know them?

4 Q. Yes.

5 A. I mean, explain how -- I mean --

6 Q. You worked with the first officer.

7 A. Yes, sir.

8 Q. You were the last one here at FlightSafety to sign him off as
9 the --

10 A. That's correct.

11 Q. -- evaluator.

12 A. That's correct.

13 Q. Do you recall him?

14 A. You know what? I do not. When I heard about this accident,
15 I actually had to look -- the names, I could not draw the faces
16 with the names. We see a lot of people here.

17 Q. Yeah.

18 A. So I actually had to think about who it was. Now, Doug, the
19 captain, I remember him. I don't remember George but I remember
20 Doug more because I remember having him the last couple years or
21 so as a client. And he was always nervous but very, very
22 energetic, and just a nice personality. So I do remember him.

23 Q. But George --

24 A. I do not.

25 Q. Okay.

1 A. No. Matter of fact, when I first heard of the names, I
2 couldn't -- first of all, when I first heard it, I didn't even
3 realize that I was the last one that touched his check ride. But
4 -- and I couldn't draw a face with the name.

5 Q. Well, that is why you are here today because --

6 A. Um-hum. I understand.

7 Q. -- you were the last one that touched him here at
8 FlightSafety. Do you teach ground school here?

9 A. Just in the 31. Not the 35.

10 Q. Why not? Why the difference? I mean why don't -- is there a
11 big difference in the ground school in the 31 and the 35?

12 A. There is a considerable difference. Yes. There is.

13 Q. Have You ever had the FAA come watch you, observe you teach
14 ground school?

15 A. No, sir. I -- no.

16 Q. That's a good answer. You can stop.

17 A. I --

18 Q. You can stop there. Charlie is over there saying, stop,
19 stop, stop.

20 MR. SMITH: Stop, stop, stop. Yes.

21 A. I know.

22 Q. Don't dig a hole over here. Anyway, when you're -- how often
23 do you have to renew your training center, evaluator certificate?

24 A. Every year.

25 Q. Every year?

1 A. Um-hum.

2 Q. How do you renew that?

3 A. (Indiscernible) with the FAA, well, it's changed just
4 recently in the last couple years. But FAA, matter of fact, he
5 has come out two to three months ago and observe giving a check
6 ride. And that's how it's renewed.

7 Q. It -- a check ride is okay. Not a rating ride. I mean,
8 just --

9 A. Well, it's all of the above. He actually gives you one with
10 Part 135 clients. Then there is also one for renewing your ATP
11 and your type rides.

12 Q. Sure. When you teach a non-precision approach, do you
13 encourage the use of the autopilot or have it hand flown?

14 A. Autopilot.

15 Q. When do you require that they disconnect the autopilot on a
16 non-precision approach?

17 A. When they're in position for a normal landing, when they're
18 in position for landing.

19 Q. Is there an aircraft limitation that the autopilot has to be
20 off below a certain altitude on --

21 A. Yes, sir, there is.

22 Q. -- a non-precisions approach?

23 A. Yes, sir.

24 Q. This not a check ride but can you educate me on what that
25 altitude is?

1 A. Yes, sir. Yes, 200 feet.

2 Q. Okay, thank you. Do you have or do you teach different
3 stabilized approach criteria for a non-precision approach versus a
4 precision approach such as an IOS?

5 A. Yes, sir. Stabilized -- if it's a visual approach, 500 feet,
6 got to be stabilized. A precision approaches 1,000 feet. So yes.

7 Q. Circling approach, autopilot on, autopilot off, how do you
8 teach a circling approach?

9 A. Autopilot on.

10 Q. And I know for checking, the Memphis model is approved for
11 checking.

12 A. Yes, sir.

13 Q. Do you use that also for training?

14 A. Yes, sir.

15 Q. Do you find that to be a difficult event to train, in other
16 words, do the students, do the pilots have a difficult time with
17 the circling approach?

18 A. No, sir.

19 Q. Weight and balance, do you teach weight and balance training?

20 A. Yes, sir.

21 Q. When do you do that?

22 A. Actually, definitely in ground school if they're in ground
23 school. Also, I touch bases on it during flight training, as
24 well. And also, examination, too.

25 Q. Are there any pitfalls on getting this plane out of balance?

1 I know you just -- we've talked weight and balance wise but some
2 planes, you can -- passenger seating can get the flight out of
3 balance based on certain fuel loads. Does this plane stay in
4 balance fairly well?

5 A. Well, if you take a look at the 35s, you can get it
6 imbalanced in flight if you're not careful. I mean, you can start
7 out in balance and by the time you're flying -- and you can get it
8 out of balance, forward out of balance. And by the time you
9 land, it's back in balance. So that's a caution you have to be --
10 you have to be cautious of.

11 Q. Do you bring that up to the attention of the student pilots
12 you're teaching, instructing?

13 A. Absolutely. We talk about it all the time.

14 Q. Okay, good. How do you update your iPad that the
15 FlightSafety gives you?

16 A. How do I update it?

17 Q. Yes, in other words, while it's not -- you don't use paper
18 anymore.

19 A. Correct.

20 Q. If you had a revision to this manual --

21 A. Right.

22 Q. -- it shows up in your iPad. How do you know that you have
23 the latest and greatest revision?

24 A. How can I answer that? I'm trying to think of what I click
25 on to update it all. I do this constantly. Not only iPad, I mean

1 -- I'm not sure exactly how to -- I'm trying to picture the
2 buttons that I actually press but it's all done electronically and
3 I do it on a regular basis. Not only that, but they -- the Jepp
4 charts that has to be updated, that's -- it's not only the job
5 charts but the iPad and the -- I'm trying to think what it's
6 called.

7 Q. Flightvac.

8 A. Flightvac. Thank you.

9 Q. (Indiscernible).

10 A. I didn't want to give that away.

11 A. But it is -- I'm sitting here and still a little bit nervous
12 so it's like -- yeah, Flightvac.

13 Q. Yeah, EFB.

14 A. EFB, absolutely. So that's how I update it and it's updated
15 constantly so I make sure that I'm using all the required, updated
16 materials.

17 Q. Latest material. Very good.

18 A. And especially Jepp charts, too.

19 Q. How often do the Jepps updated? You say you're updating them
20 constantly but is there --

21 A. Yeah, I get a reminder -- actually, on the iPad, you get a
22 reminder when it needs to be updated. So before they expire, I
23 get a little --

24 (Crosstalk)

25 A. Oh, yeah. I get a little message, a yellow message that

1 says, update (indiscernible) so I update it before the current
2 ones expire.

3 Q. I didn't know if there was a revision cycle every two weeks
4 or something like that.

5 A. Yeah, there is. But I can't -- I honestly don't look at
6 that.

7 Q. Aeromedevac pilots, have you dealt with multiple crews
8 from --

9 A. From -- yes, sir.

10 Q. How would you categorize their demeanor?

11 A. Professional. Most of them are -- very good personalities.
12 Eager, eager to learn. I want to say, do the right thing. They
13 do listen. You know, if you find problems with them during
14 training, they're eager to listen and at least follow what you
15 want to teach them.

16 Q. Sure. Did one of your instructors from FlightSafety go to
17 work for them?

18 A. Yes, sir. Oh, yeah, absolutely. Yes. Chase.

19 Q. Did you know Chase very well?

20 A. I did. Yeah, I worked with him quite a bit.

21 Q. That boy is going places. That's not a question. That's a
22 statement that I made. That's not a question.

23 A. And you're absolutely right. Yeah.

24 Q. Yeah.

25 A. Very, very bright. Very, very good. And does the right

1 thing, too. He's -- yeah, he's very good.

2 Q. What do you find most the challenging maneuver to teach in
3 the simulator? In other words, is it a non-precision approach, is
4 it a V1 cut, is it's a missed approach, is it steep turns? I
5 mean, I don't want to put words in your mouth, I'm just -- these
6 are examples of what --

7 A. Are you talking about initial clients?

8 Q. Sure.

9 A. Let's go initial.

10 Q. Okay.

11 A. And I'm experiencing this recently so I can easily say that
12 this. Engine failure is above V1. Especially for clients that
13 have never done it in their whole life. It's a little bit of a
14 challenge.

15 Q. What create an altitude do you usually do and engine failure
16 above V1 at?

17 A. I'm talking about on the ground.

18 Q. Okay, a V1 cut on the ground.

19 A. Yeah, V1 -- yeah, a V1 cut. That's what I'm talking about
20 right now. Absolutely.

21 Q. I was thinking that you were referring to -- maybe we'd
22 gotten off and we're at 400 feet in a --

23 A. Oh, no, sir.

24 Q. -- a turn and then --

25 A. No.

1 Q. -- failed the engine and --

2 A. No, it's usually engine failure about V1 when they're taking
3 off. Yeah. I find that more challenging than anything with the
4 new pilots.

5 Q. Do you find the Lear 35 more challenging -- are you teaching
6 the 55, as well?

7 A. No, sir. Just the 31 and the 35.

8 Q. Forget that question then. Kim, have you ever had a
9 situation where are you signed a guy off and you got home and
10 thought, you know what, he passed but he just barely passed and
11 maybe if I -- shouldn't have passed him? Have you ever had a
12 situation like that?

13 A. I can honestly say no, I have not.

14 Q. Okay, good. When you are teaching ground school, do you
15 teach CRM?

16 A. Absolutely. It's very critical.

17 Q. Is flight safety support CRM?

18 A. Yes, sir.

19 Q. What about SMS?

20 A. Yes, we do talk about it. Um-hum.

21 Q. If you have a complaint, do you fill out -- or if you had a
22 safety concern, not a complaint, but a safety concern, do you fill
23 out a SMS form or do you go take it to the program manager or what
24 would be your normal protocol if you had --

25 A. So am I had talking about clients that have an SMS issue or

1 myself?

2 Q. Clients.

3 A. Oh, clients. Yeah (indiscernible) I would take it to the
4 program manager and then he would take it up to the person that is
5 in charge of SMS.

6 Q. I didn't quite understand when you said myself or a client.

7 A. Well, I mean anybody can have an SMS issue. So I was
8 thinking, okay, are you addressing what would I do if it was me if
9 I -- I mean, because you think about it, SMS issues, I mean,
10 anybody -- I mean, you can have one. I can see one that wasn't
11 thought about, I would have to take it to somebody, as well. But
12 clients -- we address that on day one in ground school.

13 Q. Good.

14 A. SMS. And that's anything, any issue whatsoever because
15 sometimes clients can see something that nobody else has seen.

16 Q. Would you like to see FlightSafety do anything different as
17 far as training crews?

18 A. No, sir.

19 Q. You're good with how they train crews and --

20 A. I think it's very good. I think the program we have here for
21 the Learjet is very good.

22 Q. Educate me. What's the primary difference between the Lear
23 31 and the Lear 35?

24 A. They looks similar except for the 35 has (indiscernible)
25 tanks. The 31 does not. Totally different electrical system,

1 different fuel system, different tail system for the heating,
2 engines are similar. I mean, pretty much the same. The
3 instrument panel, avionics, is totally different.

4 Q. So the engines are the -- you're at 731s?

5 A. Yes, sir. And the only difference I can think of right off
6 hand is 31 has the starter generator and the 35 has separate
7 starter and separate generator but other than that the engines are
8 the same. But totally different avionics package.

9 Q. Which avionics package do you like better?

10 A. 31. It has --

11 Q. And why --

12 A. -- five glass tubes in it. It gives you more information.
13 It's the latest in the LR jet series. It's newer. It's just a
14 better system, more technology.

15 Q. So when they don't have fuel tanks on the 31, does it not
16 have -- what kind of range does the 31 have?

17 A. A whole lot shorter. That's -- I'll tell you what. I think
18 everybody would fly the 31 if it had longer legs because the 31
19 really -- it's just a nicer airplane but it doesn't have the
20 range. That's the biggest, largest complaint operators have.

21 Q. Josh, is up here looking up -- right now 31s and 35.

22 A. You can look at the panels and they're night and day
23 difference.

24 MR. ABRAMS: Josh, I'm going to pivot to you and see what
25 kind of questions you have for Kim.

1 BY MR. CAWTHRA:

2 Q. I'm going to go way back to circle land approaches.

3 A. Okay.

4 Q. When you're teaching, do you remember what weather settings
5 you use?

6 A. Yes, I do. 803 is what I typically use -- this is the one at
7 Memphis.

8 Q. At Memphis. Okay.

9 A. Yes, sir. 803.

10 Q. 803. It's at night?

11 A. Yes. Either that or sometimes dusk I use or -- dusk is what
12 I typically use. In the 35, if you use night, it just doesn't
13 seem real so sometimes I use dusk, as well.

14 MR. CAWTHRA: I lost it. I had a question and then it's
15 gone.

16 BY MR. ABRAMS:

17 Q. So you said it was 803 that you sat in the sim.

18 A. Um-hum.

19 Q. Where is the guidance that says what to set?

20 A. FAA has the guidance for that.

21 Q. They allow you to certain additives?

22 A. Yes, that's correct.

23 Q. If I was a new instructor, where would I -- you said the FAA
24 has additives. I mean, do they give you a sheet of paper or is it
25 in my manual. You've got an iPad, is it in your iPad somewhere

1 with these additives are?

2 A. We have everything on the iPad.

3 Q. So as a new instructor, I could find it in there somewhere?

4 A. Yes, sir. Should be able to, yeah.

5 Q. I'm not going to ask you to but do you think you could in a
6 reasonable amount of time find that information?

7 A. Yes, sir.

8 MR. ABRAMS: Did I come anywhere close, Josh, to your
9 question?

10 MR. CAWTHRA: Probably. I think you did.

11 MR. ABRAMS: Kim, we don't know, as I said earlier, what
12 happened. I'm about out of questions. Is there anything that you
13 think we should have asked that we didn't? You woke up this
14 morning thinking I'm going to talk to the NTSB today and you
15 probably had some thoughts of what we were going to ask and we
16 probably didn't ask that one question that you wanted us to ask --
17 you were going to answer.

18 MR. JENSEN: Honestly, sir, I have no idea what -- generally,
19 what you were going to ask. I just kept an open mind. I don't
20 have one question that I would ask myself. Of course, I'm
21 interested and I will read your report after you are all concluded
22 to find out really what happened. Other than that, I don't have
23 any -- there's no question that I was hoping that you would ask
24 me.

25 MR. ABRAMS: Well, usually, someone always says, oh, yeah, I

1 wanted you to ask me about this or ask me about that. So anyway,
2 just a random thought there.

3 Kim, thank you for your time today.

4 MR. JENSEN: You're welcome, sir.

5 MR. ABRAMS: I appreciate it more than you know. I'm going
6 to stop these recordings.

7 (Whereupon, the interview was concluded.)
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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

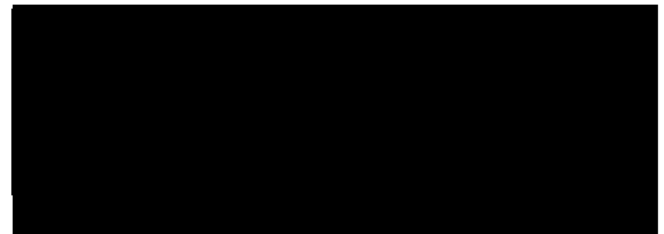
IN THE MATTER OF: LEARJET35A, N880Z FATALITY
 IN EL CAJON, CALIFORNIA
 ON DECEMBER 27, 2021
 Interview of Kim Jensen

ACCIDENT NO.: WPR22FA068

PLACE: Tucson, Arizona

DATE: March 28, 2022

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.



Transcriber