

APPENDIX F

COLLECTIONS OF WITNESS STATEMENT

The following Initial Witness Statements were taken by Special Agent Nicholas F.

Siebert 3702; Special Agent Clarence NMN Joubert III, 3958; and Special Agent Warren D. Worth 5434. Gregory Alan Lavryk (29 April 2000 @ 18:55)  
Ivan Kendrick Smith (30 Apr @ 19:00)  
David Lorin Fischer (29 April @ 19:02)  
Paul Alan Lenmark (29 April @ 19:08)  
George Aurelio Dominguez (29 April @ 19:37)  
James Edward Lawton (29 April @ 22:20)  
Gary Tyler Humphrey (29 April @ 23:09)  
Kenneth Charles Perry (29 April @ 22:20)  
Bert Edward Thomas (29 April @ 23:05)  
Oded Shalom (29 April @ 23:58)  
Melvin James Tenneson (29 April @ 23:59)  
David William Bloemker (30 April @ 00:39)  
James Hargrave Veitch (30 April @ 01:12)  
Michael Sean Bradley (30 April @ 01:30)  
Thomas Orval Roach (30 April @ 01:32)  
Mark Anthony Musitano (30 April @ 1:58)  
Ivan Kendrick Smith (30 April @ 02:02)  
Mathew Cory Lyons (30 April @ 02:10)  
David Gregory Hade (1 May @ 11:37)

The following Initial Witness Statements were taken by Investigator Robert P. Neill, 6<sup>th</sup> Military Police Group, Criminal Investigation Division, U.S. Army

William Harris Cramer (1 May @ 10:38)  
Lance Michael Clouser (1 May @ 15:47)  
Murray Taylor

Q: Were you filming the jump?

A: Mike Brady and I were both filming at the jump spot.

Q: What did you see?

A: I jumped second load. Four of us were assigned to stay as a ground crew to relieve first ground crew. My assignment was working the video. The first ground crew went back to jump. The plan came threw streams, wind a little more erratic. First 4 man stick came out. I recorded the first smokejumper to land and that was Mel. The next was Mitch and the last two were in progress. I heard Veitch say, "Drogue in tow, drogue in tow, get a camera on that!" I took my eye off the camera to find Dave Liston halfway through his decent. I never put my eye back up to the camera. I was stunned. I was hoping I'd see him deploy. I didn't know if I was successful in capturing it. Veitch said we've got a man down let's go. I went to grabbed my radio and when I went back the vehicles were gone so I went to record Tom Roaches gear. We all thought it was Roach that had a malfunction because of the jump order. Initially we didn't see two malfunctions. I saw a drogue ride to the ground then someone rode a reserve in. Confusion occurred. As I headed to Roach's gear Bruce Ford and Tom headed out to the road to get a ride to the site. I turned on the camera and stated the time.

Q: What did you see when Dave was falling?

A: He definitely was not kicking. His arms were not moving. His drogue looked normal. Straight up and down.

Q: How high was he?

A: 1200 feet?

Q: What was the color of the drogue?

A: I want to say orange.

Q: Did you see any color?

A: No.

Q: Oscillations?

A: No, everything looked normal. I'm just assuming he'd already pulled his handles.

Q: Which way was he facing?

A: I think he was facing northeast with his right side facing me. I feel his hands were right there (Demonstrated reserve level).

Q: Winds?

A: Winds at the ground were out of the west (to the east)

(Q)

A: Either the same day or the day before I remembered Dave asking if something was a problem as in, Do you think this is a problem? And indicated an area around his left side 3 rings.

Charlie Brown interview w/Kathy Hull

5/9/00

Bradley and Brown were cameramen, not Silks

was on the ground w/Murray Taylor, assigned to a camera when accident occurred

reports winds were more erratic in direction for the 3<sup>rd</sup> jump

he wasn't filming exits; it was hard to zoom and keep the subject in the frame; he filmed the final turn and landing

Tennyson and Decotea plus 2 others were on final turn as the next 4-man stick exited behind his back. The lens was at a wide angle to catch the landings, then he heard Veitch.

½ way thru Liston's fall, he found him with his eye, not the camera. He didn't film anymore; was stunned. He doesn't know if he captured it or not. He held the camera in the direction he was looking. (He demonstrated a turn over his right shoulder to see the reported drogue in tow)

He thought they'd need directions from the palne, so he went to get a radio . When he returned all the vehicles were gone so he used the camera to record Tom Roach's scene.

Paul Enmark(?) coordinated the plane at the jump spot; Decotea gathered gear at the jump spot.

Everyone thought Roach had the malfunction because of the positions in the jump list. He didn't see 2 malfunctions - he saw Liston in drogue.

Cramer saw Roach, not Liston and radioed that no, he did have a canopy

Bruce Ford ran to meet Roach. Brown walked over to that site and could tell that it was Roach.

That's the first time he knew who it was at that site. Roach was an EMT and left for the Liston site.

Brown began filming the Roach site about 5 minutes after he observed Liston fall.

People got rides with cars coming down the road from post.

Didn't see any arm or leg movement; no kicking or flailing; Liston was in body position, not spinning. Brown first saw him ½ way thru the fall; he couldn't find him with the camera viewfinder, so he looked with his eyes. He watched 12 seconds of the fall until the tree line.

Q: Wehking: What color was the drogue?

A: Brown: maybe orange?

Brown assumes the handles were already pulled because he didn't see any arm movements

Birch Hill was in view with the tree line further out. "I don't think I saw him in blue sky". It

was a sunny day. He thinks he saw Liston's right side when he looked over his shoulder. Liston was facing NE. He had a profile view. Doesn't recall a head posture.

It was a sunny day. Winds died down from the 1<sup>st</sup> two loads but changed direction. Wind was blowing from the E for this jump; it had been blowing toward the N before. Speed was about 3 mph for winds.

Brown has corrected vision with contacts.

He noted that Liston mentioned something out of place, "Does this need to be fixed?" recently.

He doesn't remember who Liston said it to or which day he heard it in passing.

Charlie Brown interview with Kipp Wager 5/9/00

Q: Hi (Introductions)

I was wondering when you were going to talk to me. We've been trying to find out all of the witness and where they were standing, there were a lot of witnesses.

I running the camera at the jump spot.

Oh really, we've been trying to figure out who was running the cameras, there were two right? Which side were you standing on?

On the right, Mike Bradley was filming on the other. You completed a jump that day didn't you, can you describe what happened after landing?

I was on Jump 2. There were four people on the second landing assigned ground positions. Others ran back to the base for the final load. My assignment was working the video. Murray Taylor and four others were watching at the site. We had a half hour to kill, and there was some goofing around on the camera, you probably saw that. Murray Taylor was telling a story. The plane came out and dropped streamers. Winds were more erratic. They put out the first four jumpers. It was hard to put the camera in long range, so I was taping finals. The first four man stick came out, Mel Tennison first landed, Mitch Decouteau next. Two were turning final. While this is happening, the next stick was exiting behind my back. I brought the camera in close, then back to wide angle to watch the first two land. Then I heard Veitch say, "Drogue in tow". I turned and tried to find it with my eye in the view finder and couldn't see anything, so I held the camera away, I saw Dave about half way through his descent and held the camera over my shoulder, pointing in that direction and hoping it would pick up what I was looking at and kept the camera pointed in that direction. Jim Veich said, "Got a man down, let's go." I don't remember turning the camera off. I ran toward the pickups on the road, splashing through some water and realized that nobody had a radio, so I ran back to the gear and got a radio, ran back and found that all of the vehicles were gone. Once I realized that all of the vehicles were gone. Then I went back to record Tom Roach's chute after he landed. Paul and Mark coordinated communications with the aircraft. Mike Decouteau and Dave. I went to Roach's reserve.

At what point did you realize that it was Dave Liston that had the malfunction?

We all thought it was Roach that had the malfunction.

According to the paperwork, it was Roach.

(BREAK TAKEN AT THIS POINT)

When did you know it was Roach under the reserve.

I could tell it was Roach by the gear that he wears.

Who did you think would be at the landing site where you saw the jumper with the reserve deployed land there?

Liston, as it indicated on the paperwork.

Describe what you saw when went out to the reserve chute on the ground.

As I went out to Roach's chute, Bruce and Roach left, since Roach was an EMT. After about five minutes I began filming, and gave a time.

Do you know if Bruce was an EMT?

Bruce may or may not be an EMT.

Describe what you saw, while watching Dave's fall.

A: He was not kicking. I didn't see arms waving. His body was straight up and down. The drogue was deployed and appeared normal. I spent about two seconds in the camera, couldn't see, then looked when I saw him half way, about 12 seconds of free fall from the time I saw him. Everything looked normal, not spinning. He fell at a straight angle down.

Q: What color was the drogue?

A: Orange.

Q: Did you see any other colors?

A: No.

Q: Did you see any other body movement, oscillating, kicking, arms flailing?

A: It looked normal for someone falling under drogue. I made an assumption when I saw him he had already pulled his handles since I didn't see his right arm go out.

Q: Can you point in the air, and show us about what angle you first saw him?

A: I saw him at 30 degrees (points 30 degrees).

Q: What was on the horizon?

A: The landing spot is open, there is a spruce tree in the distance.

Q: Do you recall seeing the towers on Birch Hill.

A: I don't think, I don't remember seeing the towers.

Q: Which way was he facing?

A: He was facing, I was looking at his right side, so Dave was falling facing north east.

Q: Did at any time during the fall see him put his hands up?

A: Maybe his hands were up.

Q: Do you recall the position of his head, pointed back,

leaned forward?

A: I don't recall the position of his head.

Q: What kind of day was it.

A: Sunny, the winds had died down, they changed in direction 180 degrees, erratic.

Q: Which way was the wind blowing?

A: The ground wind was blowing to the east, 270 degrees, before it had died down it was blowing toward north a couple 100 yards of drift.

Q: Did you have any conversation with Dave that day, and what was his attitude?

A: Said "good morning", he had an up attitude, like he is everyday.

Q: Do recall that morning or the morning before, passing Dave Liston talking to someone, perhaps about a problem with his gear.

A: I remember him asking if this was a problem and pointing to his right shoulder area.

Q: Is there anything else you remember about that conversation, who he was talking to.]

A: No.

Q: Thank you for your time, is there anything else you would like to add? If you think of anything give me a call.

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOP's

LOCATION Fort Wainwright, AK	DATE 30 April 2000	TIME 00:39	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME BLOEMKER David William	SOCIAL SECURITY NUMBER	GRADE/STATUS GS-6	
ORGANIZATION OR ADDRESS USDI bureau of Land Management, Fairbanks, AK 99701			

I, David W. BLOEMKER, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 29 Apr 00, at approximately 1600 Mel TENNESON, Mitch DECOTEAU, Mike LAMBRIGHT, Gary HUMPHREY, Oded SHALOM, Tom ROACH, David LISTON, and myself boarded the CASA 212 for a training jump and were airborne shortly after we boarded. Approximately 10 later we were over the drop zone where we dropped streamers to establish the drift of the wind. Once the drift was established the aircraft climbed to 3,000 feet we then hooked up our static line to our extenders the spotter then gave us our jump briefing to make sure that we were ready and to understand what was going on outside the aircraft. We then turned on to our final approach to the drop zone and did our 4 point checks, then the spotter watched to see when the drop was coming and made sure that the static lines were clear he then told us to get ready and when it was time to go he began to slap each of us on the back which is our signal to exit the aircraft. I was the fourth person out the door of the aircraft. I exited my parachute opened and I flew it to the landing zone. I really didn't know that anything was wrong til I was about 200 ft. from the ground, that is when I started noticing people running around on the ground faster than they normally did but I didn't know what was wrong. I got on the ground and then saw HUMPHREY land and he told me that he saw someone ride their drogue all the way to the ground. When we got on the ground they were counting parachutes and we only counted 7 parachutes and it took everyone a little while to realize that there had been a malfunction. There was wasn't anything that I could do about the malfunction so I just packed up my gear and went out to the road. I then went back and just started moving people gear up to the road for it to be picked up.

Q: What stick was LISTON?  
A: 2nd stick

Q: Do you know what number in the stick LISTON was?  
A: No.

Q: What was LISTON's attitude like this past week?  
A: Like always in a good mood lively, like he always is.

Q: What was LISTON's attitude like right before the jump?  
A: I didn't really notice, there was nothing distinct, he was acting normal.

Q: Did you exit the aircraft before LISTON?  
A: Yes.

Q: Did you see LISTON exit the aircraft?  
A: No.

Q: Did you see LISTON fall to the ground?  
A: No.

Q: How long has LISTON been parachuting?  
A: This is his third year smokejumping.

Q: Was LISTON a very proficient jumper?  
A: Yes I would say that he was proficient.

Q: Do you know if LISTON has ever had a malfunction before?  
A: I heard that he had a malfunction on a smoke jump 2 years ago and handled it flawlessly.

Q: Did you see who performed the buddy check on LISTON?  
A: No I didn't.

Q: What other equipment checks were done before the jump?  
A: The spotter and assistant spotter check all of your 3 ring attachments, and then we perform a four point check where we check all 3 handles and the lower Reserve Static Line (RSL).

Q: Do you know who packed LISTON's parachute?  
A: No.

Q: Do you know what type of parachute LISTON was using?  
A: No, it was one of two more than likely, it was either a Trilobe or a DC-7.

Q: Do you know what type of reserve LISTON was using?  
A: I think it was a MT1S.

Q: Who was the spotter and assistant spotter on the jump?  
A: The spotter was Bill CRAMER and the assistant spotter was Dave HADE. *DB*

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT <i>DB</i>	PAGE 1 OF <u>2</u> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_ CONTINUED."  
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Exhibit

<b>SWORN STATEMENT</b>			
<small>For use of this form, see AR 190-45; the proponent agency is ODCSOPS</small>			
LOCATION Fort Wainwright, AK	DATE 30 April 2000	TIME 00:39	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME BLOEMKER David William	SOCIAL SECURITY NUMBER ██████████	GRADE/STATUS GS-6	
ORGANIZATION OR ADDRESS USDI bureau of Land Management, Fairbanks, AK 99701			
<p>I, <u>David W. BLOEMKER</u>, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:</p> <p>On 29 Apr 00, at approximately 1600 Mel TENNESON, Mitch DECOTEAU, Mike LAMBRIGHT, Gary HUMPHREY, Oded SHALOM, Tom ROACH, David LISTON, and myself boarded the CASA 212 for a training jump and were airborne shortly after we boarded. Approximately 10 later we were over the drop zone where we dropped streamers to establish the drift of the wind. Once the drift was established the aircraft climbed to 3,000 feet we then hooked up our static line to our extenders the spotter then gave us our jump briefing to make sure that we were ready and to understand what was going on outside the aircraft. We then turned on to our final approach to the drop zone and did our 4 point checks, then the spotter watched to see when the drop was coming and made sure that the static lines were clear he then told us to get ready and when it was time to go he began to slap each of us on the back which is our signal to exit the aircraft. I was the fourth person out the door of the aircraft. I exited my parachute opened and I flew it to the landing zone. I really didn't know that anything was wrong til I was about 200 ft. from the ground, that is when I started noticing people running around on the ground faster than they normally did but I didn't know what was wrong. I got on the ground and then saw HUMPHREY land and he told me that he saw someone ride their drogue all the way to the ground. When we got on the ground they were counting parachutes and we only counted 7 parachutes and it took everyone a little while to realize that there had been a malfunction. There was wasn't anything that I could do about the malfunction so I just packed up my gear and went out to the road. I then went back and just started moving people gear up to the road for it to be picked up.</p> <p>Q: What stick was LISTON? A: 2nd stick</p> <p>Q: Do you know what number in the stick LISTON was? A: No.</p> <p>Q: What was LISTON's attitude like this past week? A: Like always in a good mood lively, like he always is.</p> <p>Q: What was LISTON's attitude like right before the jump? A: I didn't really notice, there was nothing distinct, he was acting normal.</p> <p>Q: Did you exit the aircraft before LISTON? A: Yes.</p> <p>Q: Did you see LISTON exit the aircraft? A: No.</p> <p>Q: Did you see LISTON fall to the ground? A: No.</p> <p>Q: How long has LISTON been parachuting? A: This is his third year smokejumping.</p> <p>Q: Was LISTON a very proficient jumper? A: Yes I would say that he was proficient.</p> <p>Q: Do you know if LISTON has ever had a malfunction before? A: I heard that he had a malfunction on a smoke jump 2 years ago and handled it flawlessly.</p> <p>Q: Did you see who performed the buddy check on LISTON? A: No I didn't.</p> <p>Q: What other equipment checks were done before the jump? A: The spotter and assistant spotter check all of your 3 ring attachments, and then we perform a four point check where we check all 3 handles and the lower Reserve Static Line (RSL).</p> <p>Q: Do you know who packed LISTON's parachute? A: No.</p> <p>Q: Do you know what type of parachute LISTON was using? A: No, it was one of two more than likely, it was either a Trilobe or a DC-7.</p> <p>Q: Do you know what type of reserve LISTON was using? A: I think it was a MT15.</p> <p>Q: Who was the spotter and assistant spotter on the jump? A: The spotter was Bill CRAMER and the assistant spotter was Dave HADE. <i>DB</i></p>			
EXHIBIT	INITIALS OF PERSON MAKING STATEMENT <i>DB</i>		PAGE 1 OF <u>2</u> PAGES
<small>ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE _____ OF _____ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.</small>			

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0062-00-10209

SWORN STATEMENT

For use of this form, see AR 180-45; the proponent agency is ODCSOPS

LOCATION Fort Wainwright, AK	DATE 30 April 2000	TIME 0130	FILE NUMBER 0062-00-10209
LAST NAME, FIRST NAME, MIDDLE NAME BRADLEY, Michael Sean	SOCIAL SECURITY NUMBER [REDACTED]		GRADE/STATUS CIV
ORGANIZATION OR ADDRESS US Department of the Interior, Alaska Fire Service, Fort Wainwright, AK 99703			

I, Michael S. BRADLEY, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 29 April 2000, about 1545 hours, myself, Ivan SMITH, Jim VEACH and Paul LENMARK, Ken PERRY, loaded the aircraft for our jump. After we were on the drop zone, along River Road, we stayed there and waited for the other loads to jump. When third load dropped I saw parachutes open, I had my camera on, everyone was yelling drogue n toe, meaning that someone's main parachute did not open. It is a malfunction that we train for. I never saw the jumper with the malfunction falling down, because I was looking through my camera, trying to get it adjusted. Everyone but LENMARK went to the vehicles and proceeded toward Birch Hill to find the jumper. I went with them and we stopped at the intersection where you turn to proceed to the Ski Lodge. There was another truck parked where we stopped. We got out of the vehicles and began to search through the woods for the jumper. While looking through the woods, I heard someone yell that they had found him, I ran to toward the person who was yelling. When I got there I saw the jumper laying on his left side, He was fully suited, his harness was still on and his helmet was still on. I thought it was David LISTON who was on the ground. I jumped in and began assisting with CPR. Ivan SMITH, Ken PERRY I think was getting equipment out, Matt LYONS I believe was holding LISTON'S head. Everyone was moving around and rotating with each other on the CPR because they becoming exhausted. We continued this about 10 minutes, until someone arrived with a board. We then rolled him on the board and some of the fire department personnel carried him out. I walked with them to the ambulance, I was ventilating him with a Bag Valve Mask to provide him oxygen. When we got to the road, I got inside of the ambulance with LISTON and road with them to the Basset Army Community Hospital.

- Q. When was this parachute jump scheduled?
- A. The jump was schedule about last Monday, 24 April 2000.
- Q. What type of Aircraft was LISTON jumping from?
- A. LISTON was jumping from a Casa-212.
- Q. Who was the pilot of the aircraft?
- A. The Captain of the Aircraft was Chris EIESLE, the co-pilot was Stoney.
- Q. What type of parachutes was used by David LISTON?
- A. The parachute was either Paraflight DC-7 or a Quantum tri-lobe main parachute and a ParaFlight MT-1S reserve parachute.
- Q. What was the planned altitude of the jump?
- A. 3000 feet above ground level.
- Q. Who packs the parachutes used by the jumpers?
- A. The main parachutes are packed by the jumpers themselves and the reserves are packed by a certified rigger.
- Q. How often has LISTON jumped?
- A. This jump was his fourth or fifth jump this year. I know he was here the last two years and he was jumping then.
- Q. Did you notice anything that appeared wrong with LISTON'S equipment when you arrived at his body?
- A. No. I only concentrated on assisting with CPR.
- Q. When was the last time you spoke with LISTON?
- A. I had spoken to LISTON prior to me going on my jump, it was in a group and everyone was just talking back and fourth.
- Q. How was LISTON'S demeanor during the past three days?
- A. He appeared to be pretty talkative, basically being his normal self.
- Q. Are you a certified Emergency Medical Technician?
- A. Yes, I am certified through the state of Alaska.
- Q. Did you observe anyone else with a parachute malfunction?
- A. No.
- Q. How common are parachute malfunctions with your organization?
- A. Not very common, I have heard like 1 in 1000 jumps.
- Q. Where are the parachutes maintained prior to the jumps?
- A. The parachutes are kept in the parachute loft, which is secured by locking doors.
- Q. Did you record any of the incident on video with you camera?
- A. I did not, but I think Jim VEACH had a camera and he may have recorded it.
- Q. Do you have anything else you would like to add to this statement concerning this investigation?

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT XBF	PAGE 1 OF 2 PAGES
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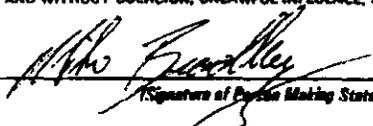
Exhibit

STATEMENT (Continued)

A. No. ///End of Statement///

AFFIDAVIT

I, Michael S. BRADLEY, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

  
(Signature of Person Making Statement)

WITNESSES:  
\_\_\_\_\_  
\_\_\_\_\_

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 30th day of April 20 00 at Fort Wainwright, Alaska

ORGANIZATION OR ADDRESS  
\_\_\_\_\_  
\_\_\_\_\_

  
(Signature of Person Administering Oath)

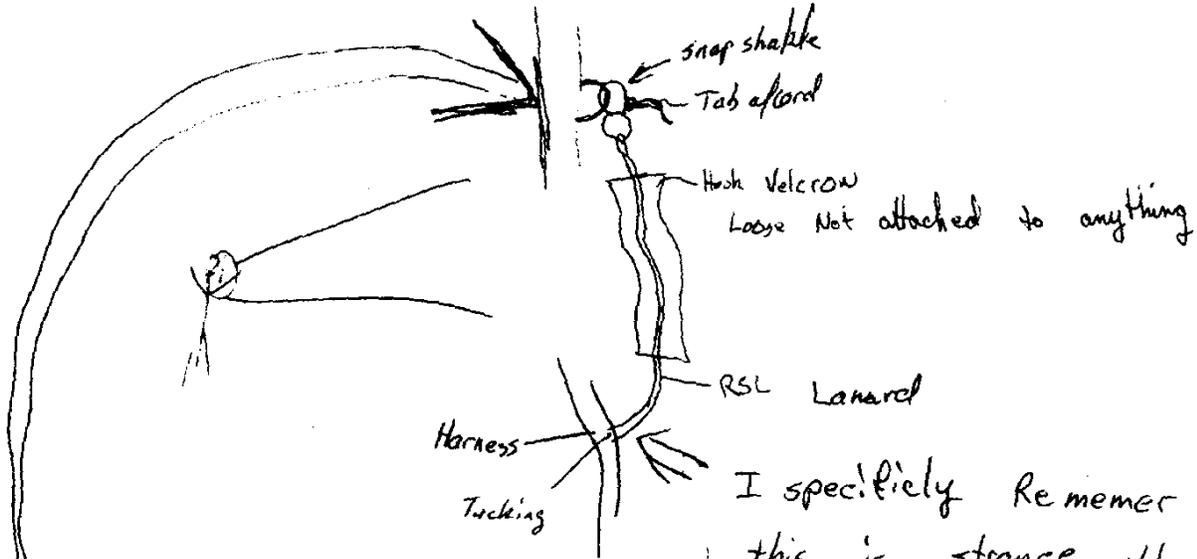
Ronald S. YEATTS  
(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS  
\_\_\_\_\_

Article 136 (b) (4), UCMJ  
(Authority To Administer Oath)

INITIALS OF PERSON MAKING STATEMENT MSB

This my account/opinion of what I saw on the ground relating to Dave Liston's gear,



I specifically remember thinking this is strange the Stephens (RSL) Lanyard is still tucked in its pocket when I saw earlier on scene that both handles on the upper harness were gone through Release & Main Release,

My over all impression was strange saw no handles drag/cut away & wind to me was that there was no canopy material anywhere that I could see

I remember disconnecting the RSL upper from the ring on the Riser & closing the snap shackle & I don't remember the where the risers were I just remember not moving much just clearing enough to get Liston out. I remember cutting a leg strap & a ratchet trap. I unhooked one caribeamer from the drop Riser - I don't remember it was tucked down on a mat but a 255 would say it was considering how low the drop riser loops were

Mike Bradley AH 511  
MIKE BRADLEY (907) 356-5514

This statement is in regard to incident at Birch Hill that resulted in the death of Dave Liston.

We had a normal take off on runway 24 and climbed to 1500 feet for our initial streamer drop. We climbed up to 3000 feet AGL for the jump. We had to hold for a while until a single engine airplane cleared the area, then we did the drops. I didn't know anything was wrong until we started circling back farther to the northwest. My job is to monitor the radios on VHF frequencies, watch the gauges and look for any traffic. We circled several times before anyone saw the chute. Then we came back and landed.

Stoney Bauer

*Stoney Bauer*

*5-9-2000*

*HEADING NORTH BY NORTH WEST*

SWORN STATEMENT

-----  
 File Number : 0062-00-CID209-5H9B  
 Location : Fort Wainwright, AK 99703-7840  
 Date <sup>WHC</sup>: 01 May 2000 Time: ~~0855~~ 1038 WHC  
 Statement Of: CRAMER, WILLIAM HARRIS  
 SSN : ██████████ Grade/Status: GS-9  
 Org/Address : ALASKA FIRE SERVICE (SMOKE JUMPERS), FORT WAINWRIGHT, AK  
 99703  
 -----

<sup>WHC</sup> I, WILLIAM H. CRAMER, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Dave Liston and Thomas Roach Malfunction on April 29, 2000. Liston and Roach successfully completed rookie training in 1998 under my supervision as Lead Rookie Trainer and this was the beginning of their third year as Alaska Smokejumpers. As Training Supervisor for the Alaska Smokejumpers I was responsible for the format, scheduling, and operation of the refresher training that Dave Liston and Thomas Roach participated in from April 24 through April 29. Additionally, I was the spotter of J-17 (CASA 212 Jumpship) when Dave Liston and Thomas Roach experienced their malfunctions. The 2000 season refresher training was extended from the customary 5 day duration to 6 days. This was done to minimize time pressure on both instructors and refreshers throughout the refresher training. Both Liston and Roach performed well in classroom, unit training, and the four previous jumps. Listons and Roachs malfunctions occurred on the the third jump load of the day. It was the second jump of the day for both Liston and Roach. Their first jump went well with good accuracy. After landing and bagging gear they returned to the jump base along with the ground crew (myself, Dave Bloemker, Mike Lambright) for the last load. Prejump procedures were routine. All jumpers received buddy checks (prejump equipment checks) on the ground. I performed both Listons and Roachs buddy checks. Listons belly bands were not routed through the d-rings of his harness. I routed them correctly, went back a previous step, and found everything else to be in order. Roachs equipment was in order with no mistakes.

Following the equipment check I called out the load in reverse order to board the aircraft. Prior to boarding all jumpers received a final 3-ring and main container pin check performed by myself and the assistant spotter, Dave Hade. On the final check I inspected the left riser 3 ring and the main container pin. Dave Hade inspected the right riser 3-ring and the drogue 3 ring. No problems with the 3-rings (main riser 3-rings and drogue 3-ring) or main container pin were present. Jumpers were on board J-17 at 1617 with a time off of 1626. Jumpspot sizeup and streamers were also routine. The initial set of streamers showed a fair amount of "up" air and approximately 100 yds of drift to the ESE. The check set of streamers made it into the spot with a normal descent rate. Communication was established with the jump spot (Paul Lenmark) to inquire of wind conditions on the ground. Paul informed me the winds were light and variable but generally in line with the streamers. Upon arrival at jump altitude, 3000 'AGL, I briefed the first stick of four jumpers (Mel Tenneson, Mitch Decoteau, Mike Lambright, and Dave Bloemker). After the briefing was completed, the pilot (Chris Eiesle), informed me of a potential airspace conflict. We orbited the jumpspot waiting for the airspace to clear. The <sup>WHC</sup>

Exhibit: \_\_\_\_\_

INITIALS WHC

PAGE 1 OF 4

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0062-00-CID209

0062-00-CID209-5H9B

STATEMENT OF CRAMER, WILLIAM H.  
TAKEN AT Fort Wainwright, AK 99703-7840 DATED 01 May 2000 CONTINUED.

w#C pilot informed me that the potential conflict was gone and I contacted the jump spot again to see if they noted any changes in wind direction or speed. No changes were noted so I resumed jump operations. I gave the first jumper the command to "Get in the door." as we turned onto final. The jumpers of the first stick performed their four point checks (Droque release handle, main release handle, reserve handle, and lower RSL) and I confirmed with the jump stick that we were on final, at 3000'AGL, and their static lines were clear. Exits appeared normal and I ensured each static line was clear prior to giving them a slap. No problems were noted inside the aircraft or with canopy openings. Static line hook-ups and the jump briefing were routine for the second four man stick. I did notice that Liston and Roach had traded places from the load list which put Liston out as number three in the stick and Roach as number four. All jumpers were attentive during the briefing. I put the first jumper in the door as we turned onto final and four point checks were completed by the jumpers. Jumpers were notified of "On final", 3000', and static lines being clear. None of the jumpers experienced any difficulties in getting in the door and like the first stick, exits appeared normal and I had positive sight of each static line before giving the jumpers a slap. The time was approximately 1640. Upon the last jumper leaving the aircraft I looked toward the ground to check my exit point and then turned my attention to the jumpers. I had a very clear view of the last jumper Tom Roach and caught sight of other canopies in my peripheral vision. Roach was stable underneath an F-111 drogue. The drogue was fully inflated for an F-111 drogue and appeared normal. His back was toward me and with a normal feet to earth body position. He appeared very stable without any spinning. I noticed his upper right arm moving as if to pull his drogue release handle. I believe the arm movement was approximately 3-4 seconds after he exited. When the drogue did not release my first impression was that he had somehow missed his handle. I could tell that he was moving his right arm in a manner that was consistent with initiating emergency procedures but didn't see any handles. Approximately 8-10 seconds after exiting, Toms reserve was deployed. I didn't see the pilot chute but noticed the reserve begin to deploy over the inflated drogue. Shortly after line stretch, the drogue 3 ring released and pulled the main deployment bag out of the main container. The lines of the main canopy began to deploy from the main deployment bag. The reserve inflated fairly fast and I noticed the mains line deployment slowing. The main deployment bag and lines reached a maximum angle of 45 degrees before falling in trail behind Roach. No main canopy material ever deployed. I continued watching Roach and radioed the jump spot (Lenmark) that we had a drogue-in-tow malfunction on that stick. I asked them to secure the equipment on the malfunction. At this time I did not know that Liston had also suffered a malfunction. My focus was on Roach and while I could see other canopies in the air I didn't count them. Subsequent transmissions between myself and the jumpspot confirmed to me that we had an additional problem and we (myself, Hade, and the pilots) began searching to see where he had landed. I radioed Fairbanks Dispatch (AICC) to inform them that we had a problem and requested an EMS response towards w#C

Exhibit: \_\_\_\_\_ INITIALS w#C PAGE 2 OF 4

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0062-00-CID209-5H9B

STATEMENT OF CRAMER, WILLIAM H.

TAKEN AT Fort Wainwright, AK 99703-7840 DATED 01 May 2000 CONTINUED.

w<sup>HC</sup> the ski hill lodge. The longest flight of my life lasted the next 15 minutes as we looked for a deployed canopy in vain. I was able to locate the site about the same time that the first jumpers were arriving to Liston but could see little more than a small amount of material. I stayed on site in J17 until confirming that the EMS personnel had reached the correct location. Once EMS personnel were on scene along with the jumpers I landed at Ft. Wainwright. J17 was in the blocks at 1709. Q. Do you have anything to add to this statement? A. No.///End of Statement///w<sup>HC</sup>

Exhibit: \_\_\_\_\_

INITIALS w<sup>HC</sup>PAGE 3 OF 4

FOR OFFICIAL USE ONLY

STATEMENT OF CRAMER, WILLIAM H.  
TAKEN AT Fort Wainwright, AK 99703-7840 DATED 01 May 2000 CONTINUED.

-----  
AFFIDAVIT  
-----

<sup>WHC</sup> I, WILLIAM H. CRAMER  
HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND  
ENDS ON PAGE 04. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT  
MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND  
HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE  
MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT  
THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR  
UNLAWFUL INDUCEMENT.

William H. Cramer  
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to  
administer oaths, this 01 day of MAY, 2000 at Fort Wainwright, AK  
99703-7840

[Signature]  
(Signature of Person Administering Oath)

SA WARREN D. WORTH  
(Typed Name of Person Administering Oath)

ARTICLE 136 (b) (4) UCMJ  
(Authority To Administer Oaths)

WITNESS:  
\_\_\_\_\_  
\_\_\_\_\_

Exhibit: \_\_\_\_\_

INITIALS WHC

PAGE 4 OF 4

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**Reinterview: Bill Cramer**

**Q. Did you isolate Dave Liston's static line?**

**A. We have the eight static lines that were used for that line, but don't know which one is Liston's.**

**Q. Did you re-route Dave's reserve belly band straps yourself after you discovered the error?**

**A. Yes**

**Q. Did the left reserve Fastex seem loose or anything when you re-attached it?**

**A. No, it appeared normal**

**Q. How did Dave get in the door? 'Plop' down, 'scoot' or what?**

**A. He crouched down low and then plopped down. Very smooth.**

**Q. Did you bump the jump altitude up because of Birch Hill?**

**A. No, the last person in both sticks exited the aircraft before flying over any rising terrain (East of the Birch Hill road).**

**Reinterview: Bill Cramer**

Q. Did you isolate Dave Liston's static line?

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DATE: 01 MAY 2000 09:43  
FROM: SAC USACIDC RES AGCY FT WAINWRIGHT AK //CIRFA-RWW//  
TO: DIR USACRC USACIDC FT BELVOIR VA //CICR-ZA//  
# SAC USACIDC RES AGCY FT WAINWRIGHT AK //CIRFL-RWW//  
# CDR LEC USARAK FORT RICHARDSON AK //APVR-RLE-CO//  
# PROVOST MARSHAL FORT WAINWRIGHT AK //APVR-WLE-PM//  
# CHIEF OF STAFF-USARAK//APVR-CS// //APVR-CS//  
# DIR AFIP WASH DC  
# CDR 6TH MP GRP (CID) FT LEWIS WA //CIRF-ZA//  
# CDR 22D MP BN (CID) FT LEWIS WA //CIMPL-ZA//  
# CDR USACIDC FT BELVOIR VA //CIOP-ZA//  
SUBJECT: CID REPORT - INITIAL / SSI / REFERRED - 0062-00-CID209 -  
59481 - 5H9B  
DRAFTER : JOUBERT III, CLARENCE NMN  
RELEASER: JOUBERT III, CLARENCE NMN

UNCLASSIFIED - FOR OFFICIAL USE ONLY

1. DATES/TIMES/LOCATIONS OF OCCURRENCES:  
1. 29 APR 2000/1645 - 29 APR 2000/1645; 75 METERS EAST OF BRICH HILL ROAD AND SKI LODGE ENTRANCE, FORT WAINWRIGHT, AK 99703
2. DATE/TIME REPORTED: 29 APR 2000, 1745
3. INVESTIGATED BY: SA NICHOLAS F. SEIBERT, 3702; SA CLARENCE NMN JOUBERT III, 3958; SA WARREN D. WORTH, 5434
4. SUBJECT: 1. LISTON, DAVID JOHN [DECEASED]; GS-6 ; 541-13-1232; 17 APR 1972; PORTLAND, OR; M; WHITE; BUREAU OF LAND MANAGEMENT, FORT WAINWRIGHT, AK 99703; ZZ; [UNDETERMINED DEATH].
5. VICTIM: (NONE); [UNDETERMINED DEATH].
6. INVESTIGATIVE SUMMARY: THE INFORMATION IN THIS REPORT IS BASED UPON AN ALLEGATION OR PRELIMINARY INVESTIGATION AND MAY CHANGE PRIOR TO THE COMPLETION OF THE INVESTIGATION.

AT 1745, 29 APR 00, SA SEIBERT WAS NOTIFIED BY SSG RONALD C. GRAY, 226-15-5073, MILITARY POLICE DESK SERGEANT, PROVOST MARSHAL'S OFFICE (PMO), FORT WAINWRIGHT, AK 99703 (FWA) OF AN APPARENT TRAINING ACCIDENT. GRAY RELATED A BUREAU OF LAND MANAGEMENT (BLM) SMOKEJUMPER HAD DIED AS A RESULT OF INJURIES SUSTAINED DURING A PARACHUTE TRAINING JUMP NEAR THE SKI LODGE, FWA.

PRELIMINARY INVESTIGATION DISCLOSED LISTON, A BLM SMOKEJUMPER, WAS PARTICIPATING IN A TRAINING PARACHUTE JUMP EXERCISE, WHEN HE EXITED THE AIRCRAFT AND EXPERIENCED TWO APPARENT EQUIPMENT MALFUNCTIONS. AFTER SAFELY EXITING THE AIRCRAFT, LISTON MADE ATTEMPTS TO DEPLOY BOTH HIS MAIN AND RESERVE PARACHUTES; HOWEVER, FOR REASONS UNKNOWN, BOTH PARACHUTES FAILED TO PROPERLY DEPLOY. LISTON SUBSEQUENTLY STRUCK THE GROUND AND DIED AS A RESULT OF INJURIES HE SUFFERED.

LIFE SAVING MEASURES TO INCLUDE CARDIOPULMONARY RESUSCITATION (CPR) WAS ATTEMPTED BY MEDICAL PERSONNEL AT THE SCENE AND BY DOCTORS AT THE BASSETT ARMY COMMUNITY HOSPITAL - URGENT CARE

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CENTER (BACH-UCC), FWA TO NO AVAIL. LISTON WAS PRONOUNCED DEAD AT 1736, 29 APR 00, BY DR. PETER G. DEVEAUX, BACH-UCC, FWA.

AN AUTOPSY WAS SCHEDULED FOR 0830, 1 MAY 00, BY THE STATE MEDICAL EXAMINER, ALASKA STATE MEDICAL EXAMINER'S OFFICE, ANCHORAGE, AK.

THE CASUALTY LIAISON OFFICER (CLO) IS CW2 CLARENCE JOUBERT III, SPECIAL AGENT IN CHARGE, FORT WAINWRIGHT RESIDENT AGENCY, 6TH MILITARY POLICE GROUP (CID), FORT WAINWRIGHT, AK 99703. COMMERCIAL TELEPHONE (907) 353-6210/7880.

BASED ON FORT WAINWRIGHT'S CONCURRENT JURISDICTION, THIS INVESTIGATION WAS REFERRED TO AND ACCEPTED BY THE FAIRBANKS POLICE DEPARTMENT (FPD), FAIRBANKS, AK AND BLM.

CRC NAME CHECK IS REQUESTED ON SUBJECT #1.

INVESTIGATION CONTINUES BY FPD, AND BLM.

7. COMMANDERS ARE REMINDED OF THE PROVISIONS OF AR 600-8-2 PERTAINING TO SUSPENSION OF FAVORABLE PERSONNEL ACTIONS AND AR 380-67 FOR THE SUSPENSION OF SECURITY CLEARANCES OF PERSONS UNDER INVESTIGATION.

8. CID REPORTS ARE EXEMPT FROM AUTOMATIC TERMINATION OF PROTECTIVE MARKINGS IN ACCORDANCE WITH CHAPTER 3, AR 25-55.

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AGENT'S INVESTIGATION REPORT

0062-00-CID209

CID Regulation 195-1

PAGE OF PAGES

At 0910, 01 May 00, INV NEILL conducted an interview of Mr. David G. HADE, 518-70-9377, Parachute Loft Shift Supervisor, USDI Bureau of Land Management, the assistant spotter for LISTON, who subsequently provided a sworn statement relating the events of the parachute jump that killed LISTON. (See DA Form 2823 for further details)

INV Robert P. NEILL

Fort Wainwright Resident Agency  
6TH MP Grp CID, USACIDC  
Fort Wainwright, AK 99703

Signature:



Date: 01 May 00

Exhibit:

Captain Deborah Crawford Interview by Kipp Wagner 5/9/2000

- Q: (Introduction) The rest of my team isn't here yet, but should be shortly, so perhaps we can get some preliminaries out of the way.
- A: Okay.
- Q: Could I have your name and address?
- A: Captain Deborah Crawford, 813 Siebert Court, Birchwood Sub Division, Fort Wainwright. 356-1628, and 353-5158 at the hospital are good until July 5<sup>th</sup>.
- KH: Oh, where are you going?
- A: "...Stationed in Hawaii (gives explanation of change of duty station)"
- ( Leonard Wehking now present)
- Q: Can you describe where you were standing when you saw the smokejumpers that day.
- A: We were standing in the driveway, facing toward Birch Hill, looking between the houses down Dashiell Court. All of us were outside, the kids were playing, and my husband says, "look the paratroopers are jumping", then someone says, "No, it's not the paratroopers, it must be the smokejumpers. Then four come out with red chutes overhead. While one through four are coming down, the plane circled, so we called the kids over. Some of them are young and learning how to count, so the next ones to come out of the plane, we start one - two - three, the second guy had a problem. The one who appeared to have problems, John (Kregel) said his main must be fouled. He wasn't moving, not struggling, he got down to the tree line.
- LK: What was his posture look like?
- A: Straight up and down.
- Q: Was there anything above or below him?
- A: No, nothing. Nothing came loose, there was no movement. The last one fell away from the others.
- Q: Could you see any details?
- A: No, he was straight up. In watching paratroopers jump at Fort (not recorded) I've seen others struggle, but he seemed straight up and down. I could distinguish his head from his feet. He was straight, no bends.
- Q: You said he was coming straight off the plane and moving fast?
- A: I said, "Oh look at the four guys coming off the plane," and watching one fall past the others.
- Q: Could you indicate with your hand (demonstrated) the timing or space between the jumpers?
- A: There was even spacing between one and two (demonstrates with hands), and even between two and three, (demonstrates a pause) then number four.
- Q: Did you see any oscillation or spinning on the jumper who fell to the ground.
- A: There appeared to be a spiraling just before he passed the tree line.
- Q: About how far above the tree line, perhaps using the trees as a reference.
- A: About one tree length (indicated same with hands).

(Chief Investigator note: It is approximately 480 feet to the trees which are approximately 60 feet high. Accident occurred at a distance of 8,500 feet from driveway. Birch Hill (approximately 850 feet elevation) and the ridgeline with the Telecommunication Tower at 750 feet elevation) can not be seen from the driveway location due to the treeline. Calculations would indicate spiral occurred before 1,062 feet of elevation, at which time Liston would disappear from view.)

Capt. Crawford Interview/w Leonard Wehking 5/10/2000

Q: Explain in your own words what you saw.

R: We were all outside washing vehicles. My husband said hey look the paratroopers are out. Then we figured it was smokejumpers. We watched the first four. Then we saw the plane come around. The last guy was late getting out. We watched the one guy fall all the way. It looked like he caught on the plane.

Q: Shapes?

A: Just straight down.

Q: Colors?

A: Didn't notice any.

Q: Could you see arms or legs?

A: No, just looked like feet first. The last little bit he spiraled at about twice the tree line height.

Cpt Crawford interview w/Kathy Hull  
5/10/00

She is getting ready to move to Hawaii.

She saw red chutes of the 1<sup>st</sup> team of jumpers.

She noticed the 2<sup>nd</sup> jumper dropping faster, then the chute opened; 4<sup>th</sup> guy was out of order - further away from the other jumpers.

She has seen horizontal or twisting in other jumpers - no movement in this one.

His posture was up and down "perfectly straight", no bends.

She didn't notice anything above, below, or falling off; she didn't notice any colors.

She has corrected vision.

She saw him as he was first coming off the back of the plane; she couldn't see details of arms and legs from her distance (she was in the Birchwood neighborhood on Ft Wainwright) but she could tell that his head was up and feet were down

Sun was behind her about 5pm

she saw some spiraling before he disappeared into the tree line

## SWORN STATEMENT

-----  
 File Number : 0062-00-CID209-59481-5H9B  
 Location : Fort Wainwright, AK 99703-7840  
 Date : 01 May 2000 *le* Time: *1547 LE*  
 Statement Of: CLOUSER, LANCE MICHAEL  
 SSN : XXXXXXXXXX Grade/Status: Civilian  
 Org/Address : 1801 NO WAY LANE, FAIRBANKS, AK 99701  
 -----

*le* I, LANCE M. CLOUSER, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:  
 On 29 April 00, at approximately 0645 I arrived at Building 1513 to begin my work day for USDI Bureau of Land Management. I began installing slider bumpers on the connector links of DC-7 parachutes which I continued doing until about 1400. I then rigged two parachutes. I then left work at about 1500 and went home.

Q: Did you witness either one of LISTON's proficiency jumps that day?

A: No.

Q: What is your job description at USDI Bureau of Land Management?

A: Smoke Jumper Air Attack coordinator.

Q: Are you a certified parachute rigger?

A: I am a FAA certified master parachute rigger.

Q: Did you rig the main parachute that LISTON used on his second proficiency jump?

A: The paperwork which I have seen thus far says that I did pack the parachute, but I have not seen the packing card in the main container or the temporary packing label on the bottom closing flap of the main container which would further verify this. I have also yet to see the parachute itself.

Q: Did you rig the reserve parachute that LISTON used on his second proficiency jump?

A: Again the paperwork which I have seen thus far says that I did pack the reserve parachute, but I have not seen the packing card in the reserve parachute container or the temporary packing label on the bottom closing flap of the reserve container which would further verify this. I have also yet to see the reserve parachute itself.

Q: Do you remember possibly packing the parachutes in question?

A: I don't remember packing those particular parachutes, but that is not to say that I didn't pack them. I may pack varying numbers of parachutes on any given day. So it is difficult to remember any individual one.

Q: Have any of the parachutes or parachute systems that you have packed in the past ever malfunctioned?

A: Yes, in the spring of 1996 I packed my own skydiving rig and I had an equipment/operator malfunction on a sky dive. When I deployed my pilotchute it became caught in the vacuum created above my back. I could not clear it so I successfully employed my emergency procedures. The pilotchute was also old and porous. This may also have been a contributing factor.

Q: Have any of the parachutes or parachute systems that you have packed for USDI Bureau of Land Management ever had malfunction resulting in a emergency deployment of the reserve parachute?

A: I am not aware of any.

Q: Are the parachutes you pack inspected for airworthiness?

A: To the best of knowledge yes, the parachutes which are deployed on the jump are inspected after each jump before being packed *le*

Exhibit: \_\_\_\_\_

INITIALS *LC*

PAGE 1 OF *3 LC*

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0062-00-CID209-59481-5H9B

STATEMENT OF CLOUSER, LANCE M.

TAKEN AT Fort Wainwright, AK 99703-7840 DATED 01 May 2000 CONTINUED.

*2c* again. They are inspected for rips, holes, line damage or any other difficiencies that would make them unsafe for jumping.

Q: Who inspects the parachutes that are deployed after each jump?

A: To the best of knowledge smokejumper personnel who have ~~who~~ *2c* have been deemed qualified by loft personnel.

Q: What was LISTON's attitude like that week?

A: I had little contact with him that week, but he seemed happy and upbeat when I did talk to him.

Q: What was LISTON's attitude like that day?

A: I only remember talking to him twice for a very brief time, but he seemed in a good mood and happy.

Q: About how many parachutes are maintained at the BLM jumpshack?

A: About 300 give or take 50, to the best of my knowledge.

Q: Who else is certified by the FAA for packing parachutes and reserves?

A: There are 15 - 20 personnel certified by the FAA. Again this is to the best of my knowledge.

Q: Do you have anything further to add to this statement?

A: No.///END OF STATEMENT/// *2c*

Exhibit: \_\_\_\_\_

INITIALS *2c*PAGE 2 OF *32c*

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STATEMENT OF CLOUSER, LANCE M.  
TAKEN AT Fort Wainwright, AK 99703-7840 DATED 01 May 2000 CONTINUED.

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AFFIDAVIT  
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I, LANCE M. CLOUSER  
HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND  
ENDS ON PAGE 03. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT  
MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND  
HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE  
MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT  
THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR  
UNLAWFUL INDUCEMENT.

Lance Clouser  
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to  
administer oaths, this 01 day of MAY, 2000 at Fort Wainwright, AK  
99703-7840

R.H.P. Neill  
(Signature of Person Administering Oath)

~~SA WARREN D. WORTH~~ <sup>2e</sup> INV Robert P. Neill  
(Typed Name of Person Administering Oath)

ARTICLE 136 (b)(4) UCMJ  
(Authority To Administer Oaths)

WITNESS:  
\_\_\_\_\_  
\_\_\_\_\_

Exhibit: \_\_\_\_\_

INITIALS LP

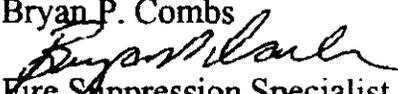
PAGE 3 OF 320

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**Witness Incident Statement**

On Saturday, April 29, 2000 I was assisting with the GPS/Maps and Compass Skills segment of Fire Suppression Specialists Training. Part of this course required the class to complete an exercise outdoors. While participating in compass skills at the picnic tables outside of the AFS cafeteria I noticed streamers coming out of the jump ship and proceeded to watch the jumps during the exercises.

The class then proceeded to the football field located north of the AFS Helibase and Gaffney Road. Later in the afternoon I looked up to see another stick of jumpers exit the plane. One of chutes was unopened and the jumper was falling at a high rate of speed. I pointed this out to Justin Houston who was standing directly beside me. Near tree level I saw an opened yellow and white chute but was unsure if it was the first jumper out of the plane or Dave Liston's chute deploying. I am unable to clarify the time this occurred because I was not wearing a watch at the time.

Bryan P. Combs  
  
Fire Suppression Specialist  
Alaska Fire Service  
May 1, 2000  
356-5669

Mitch Decouteau Interview/w Leonard Wehking 5/16/2000

Q: What can you tell me about the jump?

A: I was the 2<sup>nd</sup> jumper out. I felt like I had no drogue. My left shoulder was drooping when I pulled. I turned 270 degrees. I wound up. The "D"bag spun as it came off my back.

Q: Have you ever had this before?

A: Not like this. No hesitation on the drogue. Can't say if the drogue was fully inflated. Felt like drogue was not fully inflated.

Q: What kind of drogue were you using?

A: Old one, not a ZP.

Q: What kind of PG bag?

A: Old Orange kind.

Q: Have you ever noticed your PG bag ride up?

A: No.

Q: While under your canopy did you notice Dave?

A: No. I spent so much time untwisting I barely had time to make it back.

Q: Have you ever had a drogue hesitation?

A: Never.

Dustin Doane interview w/Leonard Wehking

Q: Wehking: What did you see?

A: Doane: We were out of town with our jump gear doing exit off the picnic table soon a load came over and we were watching. We wanted to do our conts. I was doing the count between the jumpers exit. One of the guys said "this guy is really riding it out." I was thinking "pull." He was in a perfect tuck all the way down. Though the drogue was skinny and not fully inflated.

Q: What color was his drogue:

A: It looked red. He was fully facing us. I was looking for where his hands were. They were somewhere in his chest area.

Q: About where did the drogue seem to get narrower?

A: I don't know about 1/3 - 3/4 way down. We (I) really looked for hand movement. He seemed like such a perfect tuck we thought it was a dummy. But I didn't focus really hard until he was really low.

Q: How long did it seem till he went behind the trees?

A: I don't know it seemed really fast like 12 seconds.

Q: How far away was he?

A: Quite a ways, maybe under a thousand yards. The last juy you could see his hands on his toggles really well. On #3 could see his elbows sticking out, his face mask, even his harness. Distance between drogue and jumper is one body length. I was really looking for and anticipating his chute popping up.

**SWORN STATEMENT**

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

LOCATION FORT WAINWRIGHT ALASKA 9703	DATE 2000 04 29	TIME 1937 HRS	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME DOMINGUEZ, GEORGE AURELIO	SOCIAL SECURITY NUMBER.	GRADE/STATUS SPC/E-4 AD.	
ORGANIZATION OR ADDRESS FW MP CO. FWA 9703			

I, SFC DOMINGUEZ, G.A.

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

This statement is intended to clarify and or elaborate on certain aspects of this investigation not covered elsewhere in statement and/or documents

AT 1745 HRS, 2000 04 29, myself, and, SGT DIXON arrived at the ski-lodge and we passed a large group of people in the road. I followed Z-O in the parking-lot. Zero made contact with a older lady who said that the ambulance was in the road. We went back to where we saw the people they were all standing on the roadway to the entrance of the ski lodge parking lot.

Contact was made by Z-O, who asked what had happened. I remained back, and observed a female who was crying. I don't know who, or where she came from. A Mr. Paul A. Lenmark, came to me and, I questioned him as to what has occurred here. Mr. Lenmark stated that a fellow snake jumper, was coming down, and that he did not have his parachute on full deployment. That it appeared to be collapsed. He was standing in the distance from where he landed.

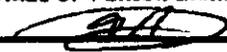
Further investigation by-myself lead me to speak to a Mr. David L. Fischer, he was the one along with a mister Perry, who made contact with the fallen individual.

Z-O explained to me that there was an fatally injured male, that was taken prior to us arriving at the scene, and that he had called the PWD D/SGT to make contact with CID, and MPI.

At 1820 CID and MPI shortly behind arrived to the scene. I began to explain to CID what was wrong. I also advised them that Z-O, had gone to BACH to get information about the fallen individual.

CID agent Sunny, advised me to remain along with another patrol to assist in anyform possible.

CID remain on scene to take picture, and video document the scene, for any type of evidence.

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT 	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE \_\_\_\_\_ OF \_\_\_\_\_ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

**DA FORM 2823**

SUPPAGES DA FORM 2823, 1 JAN 99, WHICH WILL BE USED.

STATEMENT (Continued)

Time that people arrived from when we arrived. At 1805hrs CID arrived, at 1820 CID entered the Wood line. 1822 NPI arrived, at 1840 430 completed of people on scene. A large group of people or smoke jumpers, are all returning to the office to complete their downland.

2-2 SPC Lawton cleared scene, and was enroute to Back.  
2-4 PFC Reese cleared scene, and was enroute to Fire Station 1.  
I remained to secure the scene.

I have not entered the wood line to view any of the scene. /// End of Statement ///

SPC DOMINQUEZ, GEORGE A.  
SPC/E-4 AD  
Military Police

AFFIDAVIT

I, \_\_\_\_\_ HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE \_\_\_\_\_. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ORGANIZATION OR ADDRESS

\_\_\_\_\_  
\_\_\_\_\_

ORGANIZATION OR ADDRESS

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

Pilot

To Whom It May Concern:

This statement is in regard to the accident on April 29, 2000, that resulted in the death of smokejumper Dave Liston.

All operations throughout the practice jump were normal. The airplane was in the smokejumper configuration: Boost pumps on, pulse light on, flaps set 25%. I made all the standard calls to the spotter Bill Craemer: Down wind, base leg, on final 3000 feet. On final the airplane was at 3000 feet above ground level and 103 knots. My first indication of any problem came from Bill who informed me that a jumper had a malfunction but had successfully pulled his reserve. My knowledge of the second malfunction came from the smokejumper Paul Lenmark with which we had ground-based communications. Paul gave us directions to the downed jumper. Bill radioed for emergency response at this time. We circled the area looking for a parachute of which none was found. Smokejumpers on the ground found the downed jumper first and within minutes the emergency response team arrived. We proceeded back to Wainwright and landed.

  
Christopher Eisele

4-1-00

Continued from page 33  
Handwritten notes

**SWORN STATEMENT**

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

LOCATION FORT WAINWRIGHT ALASKA 99703	DATE 2000 04 29	TIME 1902 HRS	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME FISHER, DAVID LORIN	SOCIAL SECURITY NUMBER. [REDACTED]		GRADE/STATUS RET MEGT / 5-7
ORGANIZATION OR ADDRESS OUTDOOR REC BLDG 1172 BIRCH HILL Ft. WAINWRIGHT ALASKA 99703			

DLFI. DAVID L. FISHER WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

AS I WAS CLOSING UP THE SKI LODGE SM THOMAS AND I WERE TALKING WHEN I HEARD A FLAPPING SOUND LOOK UP AND SEEN A PARACHUTE THAT LOOKED LIKE A STREAMER PARACHUTE DEPLOYED JUST BEFORE IT WENT INTO THE TREES. I STATED TO SM THOMAS THAT ONE OF THE SMOKE JUMPERS JUST HIT THE GROUND. THERE WAS A LOUD THUMP. WE RAN OVER TO THE AREA. WENT IN SM THOMAS FOUND THE SMOKE JUMPER. AS WE WERE IN THE WOODS SEVERAL SMOKE JUMPERS CAME INTO THE WOOD. UP ON FINDING THE INDIVIDUAL ONE SMOKE JUMPER STARTED TO CHECK THE INDIVIDUAL AND I WENT BACK TO THE SKI LODGE AND CALL 911. RETURNING TO THE ROAD DIRECTED TRAFFIC INTO SKI LODGE PARKING LOT. HELP GET A CHAIN SAW OUT OF FIRE TRUCK, I DID NOT ENTER THE WOODS AGAIN. I STAYED IN THE AREA UNTIL THEY BROUGHT THE INDIVIDUAL OUT, THEN RETURNED TO SKI LODGE TO FINISH UP CLOSING.

- Q. WHO IS SM THOMAS?
- A. BOB THOMAS - ROTATION BRANCH
- Q. WHEN DID THE FIRST TIME YOU SEEN THE DOWN MAN?
- A. THE INDIVIDUAL WAS STILL DID NOT MOVE. I WAS WITHIN 3FT. OF HIM BEFORE I LEFT TO CALL 911.
- Q. AT ANY POINT IN TIME DID YOU ASSIST THE DOWN MAN?
- A. NO
- Q. DO YOU WISH TO ADD TO THE STATEMENT?
- A. NO

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT [Signature]	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [NAME] TAKEN AT [DATE] DATED [DATE] CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE [ ] OF [ ] PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

AFFIDAVIT

I, DAVID L. FISHER HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

David L. Fisher  
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 29<sup>th</sup> day of April, 1970 at FORT WAINWRIGHT, ALASKA 99705

ORGANIZATION OR ADDRESS

[Signature]  
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

JPL DENIZHUEZ, G.A. M.P.  
(Typed Name of Person Administering Oath)  
ART 13U (2)(4) JCMT  
(Authority To Administer Oath)

INITIALS OF PERSON MAKING STATEMENT

DF

PAGE 2 OF 2 PAGES

Dave Fisher Interview with Leonard Wehking  
5/4/00

Q: Wehking: What do you remember seeing?

A: Fisher: I heard flapping and looked up. Looked and saw something twisted with blue to side.

Q: About how high was he?

A: 50 feet maybe.

Q: How long did you hear the flapping before to located him?

A: Heard it and just looked up . It didn't take any time.

Q: How high above the jumper was the canopy?

A: I can't say it was so fast.

9 PM

4-29-00

I HAD JUMPED ON THE PREVIOUS LOAD AND WAS ON THE JUMPSHOT. THE FIRST 4-MAN STICK WAS STARTING TO LAND, AND MY ATTENTION WAS ON THEM. I HEARD JIM VEITCH YELL "DROGUE-IN-TOW! GET A CAMERA ON IT!" I LOOKED UP AND SAW A JUMPER FALLING RAPIDLY UNDER DROGUE AT ABOUT 500'-1000', DIRECTLY TO THE NORTH. HE SOON DISAPPEARED AT THE TREE LINE, WITH NO APPARENT MAIN OR RESERVE DEPLOYED. THE HORIZONTAL DISTANCE WAS PROBABLY AT LEAST  $\frac{1}{4}$ - $\frac{1}{2}$  MILES, AND I COULD NOT TELL AT THAT DISTANCE IF HE WAS SPINNING OR IF A PILOT CHUTE WAS DEPLOYED. I COULD SEE NO APPARENT MOVEMENT, BUT THE DISTANCE PRECLUDED A DETAILED VIEW.

SHORTLY AFTER, I SAW A JUMPER (TOM ROACH) COMING DOWN ON A RESERVE, AT ABOUT 300'. HE WAS TRAILING A FULLY INFLATED DROGUE AND ANOTHER UNIDENTIFIABLE OBJECT. I RAN TO WHERE HE LANDED, AND SAW HE HAD BEEN TRAILING THE UNDEPLOYED MAIN IN ITS D-BAG. I NOTED THAT

THE UPPER RSL SNAP-SHACKLE WAS CONNECTED TO THE MAIN RISER, AND THAT THE RSL LANYARD WAS NOT COMPLETELY DEPLOYED FROM ITS POCKET. AT LEAST 6' OR SO OF LANYARD CONNECTED THE RISER TO THE HARNESS.

WITHOUT FURTHER CAREFUL INSPECTION, I HEADED TO WHERE THE FIRST JUMPER HAD GONE DOWN. I ARRIVED THERE JUST BEFORE HE WAS TRANSPORTED TO THE AMBULANCE, AND SAW NOTHING OF THAT SCENE.

I LATER RETURNED TO THE SCENE OF ROAD'S GEAR AND EXAMINED IT IN GREATER DETAIL. AS BEFORE, I NOTED THAT THE RSL LANYARD WAS STILL PARTIALLY IN ITS POCKET. THE LOWER RSL SNAP SHACKLE WAS OPEN, BUT THE LOOP OF THE VELCRO ASSEMBLY WAS HOOKED OVER THE ARM OF THE OPEN SHACKLE. THE VELCRO WAS DETACHED FROM THE RESERVE, AND THE RESERVE HANDLE WAS NOT IN SIGHT. THERE WAS ABOUT 3-4" OF LANYARD BETWEEN THE RSL POCKET AND LOWER SNAP SHACKLE.

THE MAIN SUSPENSION LINES WERE FULLY  
STRETCHED OUT, BUT THE CENTER AND RIGHT  
LOCKING STOWS WERE STILL IN THE RUBBER  
BANDS. HALF THE LINGS APPEARED TO BE  
PULLED OUT OF THE CENTER LOCKING STOW.  
THE LEFT LOCKING STOW WAS PULLED OPEN  
AND THE SLIDER VISIBLE ON THAT SIDE. THE  
REMAINING STOWS HAD ~2" BIGHTS. ALL THE  
OTHER MAIN LINE STOWS WERE DEPLOYED, <sup>MAIN</sup> TOWELS  
WERE STOWED IN THEIR KEEPERS AND THE  
BRAKES SET. THE DROGUE WAS UN-KILLED  
AND APPEARED TO HAVE NO EXTRA RILL LINE  
SLACK.

B-AR  
BRUCE FORD

## SWORN STATEMENT

File Number : 0062-00-CID209-5H9B  
 Location : Fort Wainwright, AK 99703-7840  
 Date : 01 May 2000 *D.G.H.* Time: *11:37*  
 Statement Of: HADE, DAVID GREGORY  
 SSN : ~~REDACTED~~ Grade/Status: Civilian  
 Org/Address : 518 FRONT ST./GRAEHL, FAIRBANKS, AK 99703

*D.G.H.*

I, DAVID G. HADE, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 29 Apr 00, at approximately 1600 to 1630 I was in Building 1513 observing all of the jumpers performing their buddy checks which consist of the jumpers checking the harness attachments and parachute attachment points. Upon completion of the buddy checks the jumpers all filed outside to the ramp where myself and Bill CRAMER checked each jumpers three ring and drogue release ring. After all the jumpers were checked and approved for their jump, all jumpers then proceeded immediately to the aircraft and boarded. The aircraft was in the air and over the Drop Zone a short time later. We then proceeded to drop streamers to establish the wind conditions, once the wind conditions were established the aircraft then climbed to 3,000 feet. Four of the jumpers hooked up their static line to the extenders and the spotter gave them their jump briefing which consisted of wind speed and direction. The spotter then put the first jumper in the door of the aircraft and the jumpers began to do their four point checks which consisted of checking their drogue release handle, the snap shackle that attaches to the reserve lanard, the reserve release handle, and their main canopy release handle. At this point I moved into position so that the first two men at the door can hand me their static line for me to hold as they exit the aircraft. Once the four point checks were complete the jumpers waited until the spotter gave the first jumper the command to exit the aircraft. The spotter gave the first man of the four man stick the command to exit the aircraft and he did as did the second man. Once the second man has exited the aircraft I then pulled both the first and second man's drogue deployment bags back into the aircraft and grabbed the next two men's static line as they got ready to exit the aircraft. The aircraft then circled back around the drop zone and the second four man stick repeated the same process. Dave LISTON was in this stick, he was the 3rd man out the door on the second four man stick. The first two men exited the aircraft after which I retrieved their drogue deployment bags and grabbed LISTON and ROACH's static lines. LISTON then exited the aircraft and shortly afterward ROACH did also. I was not aware of a malfunction until the spotter Bill CRAMER announced that their had been a malfunction. Then we looked out the aircraft and were unable to locate the last two jumpers. The pilot then turned around and we followed the same line of flight to the exit point. Bill then asked the pilot to fly the same pattern but off of the wind line so that we could have a better view of the exit point and also the flight path from the exit point to the drop zone. We were still unable to locate LISTON. The aircraft then returned to the airfield. Togi WIEHL and myself then went out to where they had found LISTON. After we were told that we were not needed at that location myself and Togi WIEHL then proceeded to the drop zone to look at ROACH's parachute to be part of the investigation to his

Exhibit: \_\_\_\_\_

INITIALS *D.G.H.*

PAGE 1 OF 4

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0062-00-CID209-5H9B

STATEMENT OF HADE, DAVID GREGORY

TAKEN AT Fort Wainwright, AK 99703-7840 DATED 01 May 2000 CONTINUED.

*D.G.H.*  
malfunction finding that I had rigged the main parachute I removed myself from the investigation.

Q: Did you observe LISTON's fall?

A: No.

Q: Did you hear LISTON making any noise as he exited the aircraft?

A: No.

Q: What was LISTON's attitude like that week?

A: Upbeat, happy guy, normal.

Q: What was LISTON's attitude like just prior to the jump?

A: Business as usual.

Q: Did you observe any difficiencies during your 3 ring check of LISTON prior to the jump?

A: No.

Q: Did you observe any difficiencies of LISTON's equipment prior just to the jump?

A: No.

Q: Did LISTON report any difficiencies of his equipment prior to the jump?

A: He did not report any difficiencies to me.

Q: Would you consider LISTON a proficient parachutist?

A: Yes, we considered him a star in the unit. He did everything by the numbers. He was one of the good ones.

Q: Do you know who packed LISTON's parachute?

A: Yes, it was Lance CLOUSER.

Q: Is Lance CLOUSER a certified parachute rigger?

A: Yes, he is a master rigger. Certified through the FAA.

Q: Do you know if LISTON had ever had a malfunction before?

A: Yes, I heard that during the summer of 1998 he had a malfunction while on a actual fire jump and performed his malfunction procedures by the numbers flawlessly.

Q: How many jumps had LISTON been on that week?

A: I believe that was his fourth jump.

Q: How many jumps had LISTON been on that day?

A: I think that it might have been his second jump that day, but I am not certain.

Q: Was this a required jump for LISTON?

A: Yes.

Q: Does everyone that packs the parachutes for the jumps have to be certified parachute riggers through the FAA?

A: No, as long as a certified parachute rigger is present supervising the person who is packing the parachute.

Q: What type of parachute was LISTON using?

A: A Ram-Air Trilobe parachute.

Q: What type of reserve parachute was LISTON using?

A: A Para-Flight 5 cell reserve.

Q: Do you know of any problems in the past with either of the types of parachutes that LISTON was using?

A: The reserve no. The main parachute we have had in the past what is called a tension knot that has been known to put the canopy into a spin.

Q: Had this problem been addressed with the jumpers?

A: Yes, we are currently trying to change to a different type of parachute.

Q: Do you have anything further that you would like to add to this statement?

A: No./// END OF STATEMENT/// *D.G.H.*

Exhibit: \_\_\_\_\_

INITIALS *D.G.H.*

PAGE 2 OF 4

*D.G.H.*

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DGH

0062-00-CID209-5H9B

STATEMENT OF MADE, DAVID GREGORY  
TAKEN AT Fort Wainwright, AK 99703-7840 DATED 01 May 2000 CONTINUED.

Exhibit: \_\_\_\_\_

INITIALS DGH  
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PAGE 3 OF 4  
DGH

0062-00-CID209-5H9B

STATEMENT OF HADE, DAVID GREGORY  
TAKEN AT Fort Wainwright, AK 99703-7840 DATED 01 May 2000 CONTINUED.

-----  
AFFIDAVIT  
-----

*DGH* I, DAVID G. HADE  
HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND  
ENDS ON PAGE 04. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT  
MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND  
HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE  
MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT  
THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR  
UNLAWFUL INDUCEMENT. *DGH*

*David G. Hade*  
\_\_\_\_\_  
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to  
administer oaths, this 01 day of MAY, 2000 at Fort Wainwright, AK  
99703-7840

*Robert P. Neill*  
\_\_\_\_\_  
(Signature of Person Administering Oath)

*DGH*  
~~SA WARREN D. WORTH~~ *INV Robert P. Neill*  
\_\_\_\_\_  
(Typed Name of Person Administering Oath)

ARTICLE 136 (b) (4) UCMJ  
\_\_\_\_\_  
(Authority To Administer Oaths)

WITNESS:  
\_\_\_\_\_  
\_\_\_\_\_

Exhibit: \_\_\_\_\_

INITIALS *DGH*  
FOR OFFICIAL USE ONLY

PAGE 4 OF 4  
*DGH*

Hernandez Interview/w Leonard Wehking 5/9/2000

I had a "3 ring" hesitation. I went to my emergency procedures and I threw the handle (drogue release) and it released. This was a stable exit. Maybe a stable exit caused it to jam. I was in a head forward position.

Q: Are you still using the same harness?

A: No, it burned up in a fire.

Q: Did you continue to use that harness until then?

A: Yes, and I never had that problem again.

0062-00-02209

SWORN STATEMENT

For use of this form, see AR 198-45; the proposed agency is OCSGOPS

LOCATION Fort Wainwright, AK	DATE 29 April 2000	TIME 2309 hrs	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME HUMPHREY Gary Tyler	SOCIAL SECURITY NUMBER	GRADE/STATUS GS-6	
ORGANIZATION OR ADDRESS USDI Bureau of Land Management, Fairbanks, AK 99701			

Gary T. HUMPHREY

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 29 April 00, Oded SHALOM, Tom ROACH, David LISTON, and myself boarded a CASA 212 for a training jump that was scheduled for today. We boarded the aircraft at about 1630 and were airborne shortly after that. The aircraft proceeded to the drop zone where we dropped streamers to establish the wind conditions and once the wind conditions were established the aircraft climbed to 3,000 feet. We then proceeded with the final checks of our equipment and the spotter Billy CRAMER gave us the final ok to go ahead with the jump we then hooked up our static lines to the extenders and the spotter gave us our briefing and slapped me on the back which was my signal to go ahead and exit the aircraft. I then exited the aircraft, did my jump count, checked my canopic, did a right turn, and then a left turn to see Oded SHALOM exit the aircraft and see his parachute open properly. I then saw David LISTON exit the aircraft and only his drogue parachute deployed. I watched LISTON fall all the way to the ground. I then landed and gave directions to the ground crew to the general location of where LISTON had landed, I then grabbed a radio and ran down the road to the intersection of River Rd. and Birch Hill Rd where I caught a ride to where everone else was. I was then able to run into the wood line to where LISTON had landed.

Q: What was LISTON's stick number?

A: He was actually #3 coming out of the aircraft, but he was slotted as #4 he and ROACH switched before the plane left the ground due to weight differences.

Q: How long has LISTON been parachuting?

A: He and I started smokejumping in 1998.

Q: What qualification for parachuting does LISTON have?

A: We all go through BLM training that qualifies us to pack our own parachutes and to parachute for BLM.

Q: Did you observe LISTON exit the aircraft?

A: Yes, and I observed him all the way down.

Q: Did you notice if he was tugging at his reserve parachute?

A: No I couldn't really see him that well all I could see was that his drogue parachute was deployed all the way to the ground.

Q: Could you hear him making any noise on the way down?

A: No I didn't hear him making any sounds on the way down.

Q: What has his attitude been like the last couple of days?

A: He has been jovial and happy.

Q: What was his attitude like right before the jump?

A: He was kidding around as usual before the jump.

Q: What type of equipment checks do you go through before each jump?

A: We have a another jumper check each others equipment which is called a buddy check in which another jumper checks the checks the entire parachute rig from top to bottom, spotter and the assistance spotter give a 3 ring check in which they check everything that attaches the the harness to the parachute, and then before we exit the aircraft we give ourself a four point check where we check all 3 handles and a snap shackle.

Q: Did you happen to see who conducted the buddy check on LISTON?

A: No I didn't.

Q: Who was the spotter and assistant spotter that conducted the the 3 ring checks?

A: Billy CRAMER was the spotter, Dave HADE was the assistant spotter.

Q: How do the spotter and assistant spotter conduct the 3 ring check?

A: All the jumpers line up single file and walk in between the spotter and assistant spotter and they both check each jumpers equipment.

Q: How many jumps had LISTON gone on this week?

A: I believe this would have been his 5th jump this week.

Q: How many jumps had LISTON been on today?

A: This was his 2nd today.

Q: What type of parachute was LISTON using?

A: I am not positive it was either a DC-7 or a Trilobe I believe it was a Trilobe which is for the main.

Q: What type of reserve he was using?

A: MT1-S. *DTU*

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT <i>DTU</i>	PAGE 1 OF <u>2</u> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_ CONTINUED."  
 THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE \_\_\_\_\_ OF \_\_\_\_\_ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

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Exhibit

STATEMENT (Continued)

Q: Do you have anything further you would like to add to this statement?

A: No.///END OF STATEMENT///

D.T.U.

AFFIDAVIT

I, Gary T. HUMPHREY, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

*[Handwritten Signature]*

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 29th day of April, 19 00 at Fort Wainwright, Alaska 99703

*[Handwritten Signature]*

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

INV Robert P. NEILL

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

ART 136 (b) (4) UCMJ

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

D.T.U.

PAGE 1 OF 2 PAGES

Ty Humphreys interview with Leonard Wehking  
3 May 00

Q: Wehking: What did you see air-air perspective and when did you see him?

A: Humphreys: I saw him exit.

Q: Then what did you see?

A: I was open and watching him exit to watch openings after he reached any level he wasn't open so I continued to watch.

Q: How far was he from you?

A: Close enough to see hands and arm. Don't recall seeing any movement. Didn't see any movement. Watched drogue all the way. As far as I could see it, it looked normal as shaking like it should.

Q: Did you ever see reserve pilot chute?

A: No It looked normal.

I was standing in the NW corner of the base football field East of barracks across street from AFS. I had been sporadically looking up watching the practice jumps while working on my Maps & Compass class. I witnessed what was apparently Dave Liston free falling in front of Birch Hall. As he reached tree line it looked as though something yellow had deploy and disappear.

Justin Houston

JUSTIN HOUSTON

CITENA HOTSCHER

366-5662

**Initial Interview: John Knoll**

John Knoll was at the east end of the runway during Liston's jump. He said he saw the pilot chute 'stretch everything. It looked like an umbrella that wasn't open'. He saw him for 15 to 20 seconds, but not right out of the plane.

Q. Did the picture change while you watched him?

A. No

Q. Did you notice any colors?

A. 'Didn't notice any colors'.

'As he got closer to the ground, it looked like the parachute wanted to open' (more so than when he first saw him).

Frederick John Kregel Jr.  
812 Sibert Ct  
Ft Wainwright Alaska 99703

9 May 2000

This statement is in response to the death of the smokejumper on Ft Wainwright Alaska.

On a Saturday afternoon about 430 there were some smokejumpers. My neighbors seen them first, I went to their house in front and was watching. We were watching the first jump and the aircraft follow down the first group and then pull up to get more altitude. I told the kids to watch because they were probably going to jump again.

We were all watching, about 4 or 5 adults and 5 children. The plane appeared to be flying at about 2500 - 3000 feet and about 3000 feet or so away from where we were standing. No apparent Heavy winds on the ground and clear.

We watched as the first 3 fell out and then it looked like a 4<sup>th</sup>. But as he was falling out of the plane something didn't look right. 3 of the 4 chutes deployed at about 250 -500 feet or so out of the plane. About 100 feet under the craft it appeared that the pilot chute on the 4<sup>th</sup> (light in color) opened and pulled something out (dark in color) and was suspended out 5 to 10 feet. This individual fell with out any apparent fight to open the chute or the reserve. As he fell it appeared he was gonna land on a chute that was opened under him, I believe this was jumper 3. (This chute was light in color probably white) It appeared to be released and a new chute was re-deployed with in a second or 2. This appeared to happen at about 2000 feet. I believe a dark colored chute was then used. I watched as the unopened chute continued to fall to the ground. I believe there was a green chute that was jumper 2 Jumper 1's chute I don't remember.

As Paul Crawford and I watched we were talking about the reserve chutes and the safety systems on some reserves systems. I was thinking that it could have been a test jump to check the reserve chutes. We also discussed the possibility that he may of hit his head on his way out on the tail of the plane or something because he wasn't apparently fighting to get the reserve open.

This individual fell in a standard fall, legs first and spinning it appeared from our perspective. There was no movement or apparent fight to get the main open or the reserve. We could see the arms of the other jumpers As they steered toward the landing zone. I was beginning to think that it was a dummy dropped out because there was no apparent person steering in the direction of this person.

We lost sight of the individuals when they went behind the tree line facing the north. I would say the SJ was about 750- 1000 feet off the ground when we lost visual with him

I heard about 1 hour later that it was not a test and that some one had died in that jump.

  
Frederick J. Kregel Jr.

(Introductions)

- Q: Could you describe what you saw?  
I saw him until he had fallen behind the tree line. He had fallen out of the plane about 5-6 seconds. It didn't look right coming out. After his chute opened, he spun down.
- A: How high up did you see them?
- Q: It appeared the jump was at 2500 to 3000 feet. He did not look like he was fighting to open. It didn't look right coming out of the bird, it looked like he was spinning. It looked like they threw a dummy out someone mentioned where we were standing.
- Q: Who else saw this?
- A: A bunch of us and the kids, I was standing near Debbie Crawford and Paul Crawford.
- Q: Go on.
- A: Someone else looked like they had a problem, a bag flew off, and he instantly deployed his reserve. I was paying attention to the one who fell straight down, and saw the other guy had problems and the reserve chute was instantaneous. His fall was about 100 feet and then he deployed his parachute.
- Q: What colors did you see?
- A: White, Red, Yellow.
- Q: Go on?
- A: The one guy falling looked like he was going to fall on the guy with the white chute.
- Q: On the guy that was falling, what color was the chute?
- A: White pilot chute, dark color underneath. It didn't like he was fighting for it. Something doesn't seem right, right off the bat.
- Q: What was his attitude?
- A: Straight up and down, the chute was white, what ever was underneath it was dark contrast.
- Q: Were there any other witnesses near you?
- A: Tiria McManus.
- Q: Could you give us you name and address, if possible we would like to come out and take a look at where you were standing to give us a perspective, since most of the other witnesses were on the other side.
- A: Sargent First Class John Kregel, 812 Siebert Court, Birchwood, Fort Wainwright, AK 99703, my phone is 356-3384 for work, and 353-2236.
- Q: When did you first recognize the jumper had a problem?
- A: Right away under the plane.
- Q: What was the color of the chute when he first jumped out?
- A: Light yellow.
- Q: Could you see arms or legs then?
- A: It didn't look right as his pilot chute opened.
- Q: On the guy who fell straight down, describe step by step what you saw.
- A: I saw him out of the plane, about 100 feet saw a pilot chute open, it was light or white or yellow. He was just hanging

there. He was not struggling, basically motionless. My inclination is that he struck his head. I could see the others move their arms to pull their chutes.

Q: What kind of day was it? What did you see in the background?

A: Sunny, no clouds, nice day.

Q: Could you point in the air and give us an approximate angle that you saw him come out of the plane? When people point, they are pretty accurate, like looking down the sights of a rifle between their finger and eye.

A: He was right about there (points with an approximate 25 degree angle from the floor).

Q: Going back to the jumper, continue on what you saw?

A: It didn't look right the second it happened, and it didn't look right. About 2,500, 3000 feet. The jumpers were in clear blue sky all the way down to behind the treeline.

Q: How far above ground do you think they were before they went behind the treeline.

A: About 1,000 feet, approximately the same altitude as the towers on Birch Hill, and he came down right above the towers.

Q: Can you describe what happened with the other jumper who had a problem.

A: The third person had a hiccup, and I thought the fourth person almost hit the third person. His first chute opened fully, normally, and the guy passed him, and he released his chute and almost instantaneously his reserved open.

Q: Thank you for your time, I give you a call probably tomorrow and come out and take a look at where you were standing to get an idea of what you were looking at.

R: Sure, give me a call.

John Kregel Lives at Birchwood

Trees obscured the path. Looks like they jumped out at 2500 or 3000 feet. It didn't look right from the beginning. He was spinning.

Q: How many jumpers did you see leave the plane?

A: Four

Q: The guy then deployed his reserve, how fast was this?

A: Boom! Boom! Real fast. Seemed like a break, then the last guy came out and something wrong was obvious.

Q: What kind of colors did you see? Red? White? Yellow?

A: White pilot chute with a dark chute or something right after, I couldn't see any movement. I'd think you could see him fight for his reserve, but something was wrong from the beginning.

Q: What color was the pilot chute?

A: White with the other chute (burgundy) underneath. He seemed motionless.

SFC John Kregel interview w/Kathy Hull  
5/9/00

He lives in the Birchwood housing area on post. Saw 4<sup>th</sup> man w/no chute; at the same time 3 chutes open first.

Saw spins, but no movement of arms fighting.

Discussed incident w/neighbors (CPT Crawford, Tira McManus).

"Not what I expected. It looked wrong coming out of the plane"

estimated about 2' of something attached to the pilot chute

reserve chute was instantaneous - he thought they were practicing w/reserve chutes

described a dark color under the pilot chute (white)

saw Liston at the right attitude but no movement of arms as he expected

looked like Liston deployed at or west of the tower

there was a slight delay after the 3d jumper to the 4<sup>th</sup>.

Estimated 100' under the plane it looked bad; like he would fall on one of the other parachutists, but he went past that - the guy using the reserve

1000'-1500' above Birch Hill - first saw; then followed him to about 1000' when he went behind the tree line

could see others moving to pull chutes

pilot chute looked "locked" and thought it was a dummy test because plane didn't follow looking for him

"distance doesn't seem right"

[REDACTED]

Mike Lambright Interview/w Leonard Wehking 5/9/2000

Q: You were in the air right? Did you see anything?

A: No, I was coming in on final and everyone was running around and I thought maybe some one sprained his ankle. Tye and Ode came in yelling, 'Fuck, Fuck, some one rode their drogue in" then we saw the reserve and thought it was okay.  
Confusion.

Q: Did you notice Dave hooking up his PG Bag?

A: No, I was focusing on the streamers.

Q: Any hesitation on drogue?

A: No, about 40 jumps.

Q: Body position under drogue?

A: Usually 45 degrees forward.

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

LOCATION FORT WAINWRIGHT AK	DATE 29 APR 00	TIME 1855	FILE NUMBER 0062-00-C10209
LAST NAME, FIRST NAME, MIDDLE NAME LAVRYK GREGORY ALAN	SOCIAL SECURITY NUMBER [REDACTED]		GRADE/STATUS CIV
ORGANIZATION OR ADDRESS 3644 REDSTONE NORTH POLE AK 99705			

1. GREGORY A. LAVRYK, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:  
 ABOUT 1655 HOURS, ON 29 APR 00, I WAS DRIVING ALONG THE DIRT ROAD GOING TOWARD THE SKI LODGE. WHILE I WAS IN MY CAR, I SAW MAYBE 3 PARACHUTIST IN THE AIR. I LOST SIGHT OF THEM FOR A WHILE. AS I DROVE UP BY A WHITE PICKUP TRUCK THAT WAS PARKED ALONG THE ROAD WHERE THE SINGLE LANE BRIDGE IS. THERE WAS ONE GUY THROWING BAGS IN THE TRUCK. I BELIEVE THERE WERE TWO OTHER PEOPLE IN THE BACK OF THE TRUCK. THERE WAS ALSO ANOTHER VEHICLE PARKED THERE ALSO. JUST BEFORE I CAME UP ON THE VEHICLE I DID SEE ONE PARACHUTIST GOING DOWN INTO THE WOODS. IT LOOKED LIKE HIS PARACHUTE WAS OPEN AT THE TIME. ONCE THE OTHERS LOADED UP IN THE TRUCK THEY DROVE OVER TOWARD THE INTERSECTION NEAR THE BIRCH HILL SKI LODGE. THEY THEN GOT OUT OF VEHICLE AND WENT INTO THE WOODS.

2. DESCRIBE THE PARACHUTE YOU OBSERVED DESCENDING INTO THE WOODS.

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT X G A L	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE \_\_\_\_\_ OF \_\_\_\_\_ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

DA FORM 2823 JUL 72

SUPERSEDES DA FORM 2823, 1 JAN 60, WHICH WILL BE USED.

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Exhibit

STATEMENT (Continued)

A. I BELIEVE THE PARACHUTE WAS RED.

Q. WHEN YOU OBSERVED ALL THE PARACHUTISTS DESCENDING, DID ONE APPEAR TO BE DRIPPING FASTER THAN THE OTHERS?

A. NOT REALLY.

Q. WERE ALL THE PARACHUTES OPEN?

A. YES.

Q. DID YOU OBSERVE ANY OTHER VEHICLES IN THE AREA?

A. NO, ONLY THE WHITE PICK-UP, FORD, AND A COMPACT CAR THAT WAS DARK REDDISH COLOR.

Q. DO YOU HAVE ANYTHING ELSE YOU WOULD LIKE TO ADD TO THIS STATEMENT CONCERNING THIS INVESTIGATION?

A. NO. IN END IF STATEMENT ///

AFFIDAVIT

I, GREGORY A. LARVEK HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

[Signature]  
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 29th day of April 2000 at FORT WAINWRIGHT, AK

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

RONALD S. YENNIS  
(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

ART. 136 (6) (4), NCMJ  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

GL

PAGE 2 OF 2 PAGES

002-00-00209

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

LOCATION FT WAINWRIGHT, ALASKA	DATE 000429	TIME 2220	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME LAWTON, JAMES EDWARD	SOCIAL SECURITY NUMBER [REDACTED]		GRADE/STATUS E-4/SPC
ORGANIZATION OR ADDRESS FWA MP CO. FT WAINWRIGHT, ALASKA 99703			

I, JAMES EDWARD LAWTON

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

ON 29 APRIL 2000 AT APPROXIMATELY 1810HRS. I PATROL 2-2 (SPC LAWTON) WAS DISPATCHED TO ASSIST PATROL 2-3 (SPC DOMINGUEZ) WITH A CASE. UPON ARRIVAL I MADE CONTACT WITH 2-3 WHO STATED THAT A SMOKEJUMPER'S PARACHUTE FAILED TO DEPLOY AND HE LANDED WITHOUT A PARACHUTE. AFTER THE OTHER SMOKEJUMPERS ARRIVED AT THE DOWNED SMOKEJUMPERS LOCATION, THEY BEGAN CPR, BUT IT WAS TOO LATE. BY THE TIME I HAD ARRIVED AT THE SCENE THE AMBULANCE HAD ALREADY TAKEN THE BOYD TO BASSETT ARMY COMMUNITY HOSPITAL (BACH). AT 1814HRS CID (SA JOUBERT) ARRIVED ON SCENE AND PATROL 2-3 BRIEFED HIM. AT 1816HRS SA SEIBERT ARRIVED ALONG WITH MPI (INV EASTWOOD/YEATTS). AT 1820 BOTH CID AGENTS AND MR. VEITCH WENT INTO THE WOOD LINE TO LOOK AT THE CRIME SCENE WHICH WAS APPROXIMATELY 200 METERS FROM THE ROAD WAY (BIRCH HILL ROAD). AFTER CID ENTERED THE WOOD LINE I STARTED 430'S AND STATEMENTS ON PERSONNEL WHO WENT IN AND SAW THE BODY. AT 1920HRS I LEFT THE CRIME SCENE ENROUTE TO BACH TO MEET WITH 2-0 (SGT DALTON). AT 1925HRS I ARRIVED AT BACH AND MET WITH 2-0 WHO STATED THAT I NEED TO GUARD THE BODY UNTIL CID ARRIVED AND RELEASE THE BODY TO FAIRBANKS CORONER. WHILE I WAS WAITING FOR CID AND WAITING FOR THE VICTIM'S WIFE TO VISIT WITH HER HUSBAND I TOOK 430'S FROM TY HUMPHREY AND DR. PASSES AT 1950. AT 1955 I BEGAN TO GUARD THE BODY. AT 2008 THE NCOIC OF THE URGENT CARE CENTER (UCC) SSG MORGAN AND A TECHNICIAN SPC GREEN CAME IN TO TAKE BLOOD FOR THE CORONER. AT 2012 CAPT KUHN, CHERYL GIRARD R.N., SGT GRAHAM AND SGT LOVE ENTERED TO WATCH SSG MORGAN TAKE BLOOD FROM THE VICTIM. AT 2037 SGT LOVE AND SPC GREEN ENTER TO PUT TOE TAGS ON THE VICTIM. AT 2040 SSG MORGAN, SGT LOVE AND SGT GRAHAM ENTER TO TAKE THE VICTIM FROM THE UCC TO THE MORGUE. AT 2048 VICTIM WAS PUT INTO A BODY BAG AND PLACED IN THE COOLER. AT 2108 SA WORTH ENTERS MORGUE. AT 2115 THE BODY IS MOVED FROM THE COOLER TO THE TABLE. AT 2116 SA WORTH STARTS TO TAKE PICTURES OF THE BODY. AT 2130 I AM RELEASED TO GO TO THE PMO FOR PAPERWORK. AT 2140 I AM CALLED BACK TO BACH SO I CAN WITNESS SGT LOVE REMOVE A SILVER IN COLOR WEDDING RING FROM THE RING FINGER OF THE LEFT HAND OF THE VICTIM AND HAND IT TO SPC MCCOY (PATIENT ADMINISTRATION) SO SHE CAN RELEASE IT TO THE FAMILY AT A LATER TIME.

---//END OF STATEMENT//---

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT JL	PAGE 1 OF <u>2</u> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_ CONTINUED."  
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STATEMENT (Continued)

NOT USED  
JL

AFFIDAVIT

I, JAMES E. LAWTON, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

  
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 29 day of April, 192000 at FT. WAINWRIGHT, ALASKA 99703

ORGANIZATION OR ADDRESS

  
(Signature of Person Administering Oath)

Jacob E. Kiser  
(Typed Name of Person Administering Oath)  
ART 136 (b)(6) UENIS  
(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

JL

PAGE 2 OF 2 PAGES

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Exhibit

Jon Larson Interview/w Leonard Wehking 5/9/2000  
I jumped with one last year. It was all clean, etc. We've got different systems of hooking PG bags. I jumped about 30 times last year. Gary asked me to take the lead in designing the bag for others so there wouldn't be independent designing going on. I had a conversation with Dave I warned him of proper tightness of bag against reserve.

## SWORN STATEMENT

File Number : 0062-00-CID209-  
 Location : Fort Wainwright, AK 99703-7840  
 Date : 30 Apr 2000 <sup>M</sup> Time: 0049 ; 2:10 <sup>M</sup>  
 Statement Of: LYONS, MATHEW CORY  
 SSN : ██████████ Grade/Status: GS-6  
 Org/Address : ALASKA FIRE SERVICE, SMOKE JUMPERS, FORT WAINWRIGHT, AK  
 99703

<sup>M</sup>I, MATHEW C. LYONS, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I was at the jump spot and we are watching all of the smoke jumpers come out of the plane. I heard James VEITCH say we had one riding a drogue or words to that effect, which meant one of the jumpers chutes had not opened. James told someone to get a camera on it. I am not sure if anyone did get a camera on it. There was two cameras at the landing zone, but I do not know who was running them. I looked in the direction he was pointing and I saw one of the jumpers riding the drogue and watched the jumper go into the trees and I lost him. I immediately grabbed the EMT kit that was lying on the ground next to me and I ran for the road. I through the EMT kit in the back of the truck and got in the cab and we tore off up the road to the approximate spot where we thought the jumper went in at. There was another vehicle there that was not related to ours and we stopped next to it. There was also someone at the scene that said the jumper had went in to the area where we had stopped at this other vehicle. I jumped out of the truck and grabbed the EMT kit and followed everyone else into the woods. I heard someone say "I gotta him, he is over here". Medical aid was given immediately by Mike and the rest of us took our orders from him. There was no signs of life in Dave. We all administered CPR and we switched as we were tired. When the ambulance arrived with the medics we helped the medics get Dave out of the woods and I rode with him in the ambulance. We continued CPR all the way to the hospital and until we turned Dave over to the ER staff.

Q. Did you observe anything unusual with Dave as he was coming down?

A. No. We were approximately one quarter mile away. I only saw Dave for about 3 to 4 seconds before I lost sight of him as he fell.

Q. Did you observe anything unusual with Dave's parachute at the scene?

A. No. I was so focused on treating Dave I did not even know they cleared the brush to get him out.

Q. Do you have anything to add to this statement?

A. Dave was a good guy. Dave is typically always happy. We had just been joking with him earlier in the day. He was in a good mood.///End of Statement///<sup>M</sup>

<sup>M</sup>  
 MIKE

Exhibit: \_\_\_\_\_

INITIALS M

PAGE 1 OF 2

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APPENDIX F - 62

Exhibit

STATEMENT OF LYONS, MATHEW CORY  
TAKEN AT Fort Wainwright, AK 99703-7840 DATED 30 Apr 2000 CONTINUED.

*M*

-----  
AFFIDAVIT  
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*M*I, MATHEW C. LYONS  
HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND  
ENDS ON PAGE 02. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT  
MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND  
HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE  
MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT  
THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR  
UNLAWFUL INDUCEMENT.



\_\_\_\_\_  
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to  
administer oaths, this 30 day of APR, 2000 at Fort Wainwright, AK  
99703-7840



\_\_\_\_\_  
(Signature of Person Administering Oath)

SA WARREN D. WORTH

\_\_\_\_\_  
(Typed Name of Person Administering Oath)

ARTICLE 136 (b) (4) UCMJ

\_\_\_\_\_  
(Authority To Administer Oaths)

WITNESS:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Exhibit: \_\_\_\_\_

INITIALS *M*

PAGE 2 OF 2

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Exhibit

Matt Lyon Interview/w Leonard Wehking 5/10/2000

Q: Can you describe what you saw.

A: Veitch said drogue in tow. I looked and saw the last 2/3's. I thought I saw motion or something on his right side, like his right arm. No color, just shade. I don't know, it was a long ways away, but it was clear to me that he wasn't unconscious. I thought he was pulling stuff. It wasn't frantic, just like something moving all the way down from when I first saw him.

Q: How long would you say it took?

A: 6-8 seconds.

Q: Colors?

A: Not even sure if I could tell if it was an arm moving. I could see his helmet.

Q: Color of the drogue?

A: White? I don't know I was focused on the body.

Q: Were you first on the scene?

A: No, I grabbed the EMT kit and went to the truck. We all arrived within a few seconds - 20 feet apart.

Q: Did you move any gear?

A: No, Bradley gave orders, I opened stuff. Perry passed it out and I went to Dave's head.

Q: Did you move any equipment?

A: No, by the time I got there all the stuff had been cleared away.

**SWORN STATEMENT**

For use of this form, see AR 190-45; the proposing agency is ODCSOPS

LOCATION <b>FT. Wainwright, ALASKA</b>	DATE <b>29 April 2008</b>	TIME <b>1408</b>	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME <b>Leemark, Paul Aaron</b>	SOCIAL SECURITY NUMBER <b>[REDACTED]</b>	GRADE/STATUS <b>65-6</b>	
ORGANIZATION OR ADDRESS <b>ALASKA Fire Service, Smoke Jumpers, Ft. Wainwright, AK</b>			

Paul Aaron Leemark WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

**4/29/08** 65-6 Smoke Jumpers Temp Promotion ~~to~~ to 65-7 operations SMT

I was criticizing the practice jump at the river road jump spot. J-17 was dropping 2 4 man sticks. The first stick successfully landed at the jump spot. I was paying attention to them when I heard someone else at the spot identify that one of the jumpers in the 2 stick had a drogue in tow malfunction. I looked up to see the 4th man in the stick riding his reserve, there was then confusion as there were only 3 jumpers in the air, 1 riding a reserve. Around this time the first jumpers in the stick were approaching the spot. Someone on the ground commented that they thought the fourth jumper ~~did~~ did not have a canopy. The first two jumpers in the stick landed. I also confirmed with J-17 that they did indeed ~~like~~ take the total (8) jumpers, and only three were now visible from my position. ~~The other~~ The other ~~jumpers~~ held at the jump spot ran out to the vehicles and went in search of the missing jumper. J-17 also was searching. <sup>By the way</sup> I identified the landing zone of the missing jumper so I ask him to go to the road <sup>and</sup> ride with radios and search that location. He reported later he found the missing jumper. ~~Previously~~ I also sent Mel Tenneson looking. <sup>EMS had been activated.</sup> I then went to the road, caught a ride to the missing ~~jumpers~~ jumper's LZ, and arrived

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT 	PAGE 1 OF <u>2</u> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_ CONTINUED."  
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE \_\_\_\_\_ OF \_\_\_\_\_ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

STATEMENT (Continued)

to see him being removed from the scene       
 Q: LAWTON  
 A: lenmark       
 Q: where were you exactly       
 A: at the landing - one about half way between the landing lights and Birch hill road on left side       
 Q: is there anything else you would like to add to this statement?  
 A: No     

||End of STATEMENT||

~~to see him being removed from the scene~~

AFFIDAVIT

1. Paul lenmark HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 29 day of April, 192002  
 at FT. WAREWRIGHT, ALASKA 99703

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

JAMES E. LAWTON  
 (Typed Name of Person Administering Oath)

AR 7136 (DA) UCMJ  
 (Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

## SWORN STATEMENT

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 File Number : 0062-00-CID209-  
 Location <sup>mm</sup>: Fort Wainwright, AK 99703-7840 1 SS mm  
 Date <sup>30</sup>: 29 Apr 2000<sup>mm</sup> Time: 7:45  
 Statement Of: MUSITANO, MARK ANTHONY  
 SSN : XXXXXXXXXX Grade/Status: WG-6  
 Org/Address : BUREAU OF LAND MANAGEMENT, FORT WAINWRIGHT, AK 99703  
 -----

<sup>mm</sup> I, MARK A. MUSITANO, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:  
 Concerning an incident which occurred during a training parachute jump with the Alaska Smoke Jumpers, on 29 Apr 00, at approximately 1600hrs. I arrived here at Fort Wainwright, AK as a Smoke Jumper transfer from Redding, CA. I actually arrived at Fort Wainwright, AK at about 1800, 28 Apr 00. The following day, 29 Apr 00, I participated in a training exercise and was asked to simply observe the jump that was scheduled to take place near the Ski Hill Lodge, Fort Wainwright, AK 99703 (FWA). At approximately 1500, 29 Apr 00, I arrived at the landing zone (LZ) to assist in the anticipated jumps. At about 1530, 29 Apr 00, our plane carrying (2) 4 man jump teams began to circle the LZ. After a wind determination streamer was dropped from the plane, the first and second four man jump teams were deployed from the aircraft without any problems. The third and fourth teams were subsequently deployed from the single aircraft used in the training exercise. Mr LISTON was a part of this jump. I am not certain of his number, but I think he was in the fourth jump team. This particular plane we use will only take out (2) four man teams at a time; therefore, after two single runs to drop off (2) four man teams, the aircraft returns to the base operations to pick up other smoke jumpers. During Mr LISTON's first jump, his parachute deployed as it should have and he landed on the LZ without any problems. Following his jump, Mr LISTON prepared for a second scheduled jump. Once he landed on the ground, he gathered his gear and was transported to base operations where he boarded the same aircraft for his second jump. On Mr LISTON's second jump, he was number 4 of the last four man team to jump. Though I am not certain, I think Mr LISTON was the last person to exit the aircraft on the scheduled last jump. At first I did not pay particular attention to this jump until someone (persons unknown) yelled "malfunction." When I looked up to the 4 jumpers, I looked over to jumper 3 of the last stick (later determined to be ROACH) and observed what I thought was a normal drogue chute, which is designed to ultimately pulled a person's main parachute. While looking at ROACH, I noticed jumper 4 of the last stick (which was later determined to be Mr LISTON) experience a parachute malfunction. Though I could see Mr LISTON was in trouble, I could not determine whether he was trying to release his main and go for his reserve or not because of the distance. I continued to watch him fall until he was about 200 feet from the ground. At this point, I ran to my vehicle which was parked on River Road, and drove towards the area where Mr LISTON fell. As I approach Mr LISTON's location, I was met by a person, later identified as SGM THOMAS. He and I entered the woodline separately in an effort to spread out our search. SGM THOMAS later found Mr LISTON and called for my assistance. When I arrived at the location, there several persons from the smoke jumper crews assisting Mr LISTON. Because I am so new to this area, I am not

Exhibit: \_\_\_\_\_

INITIALS mmPAGE 1 OF 3

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Exhibit

0062-00-CID209-

STATEMENT OF MUSITANO, MARK A.

TAKEN AT Fort Wainwright, AK 99703-7840 DATED 29 Apr 2000 CONTINUED.

*mm* certain of everyone's name yet. I participated in life saving measure on Mr LISTON. Basically, I stabilized his neck and head. At the time, Mr LISTON's helmet was off and I am not certain who removed the helmet. As I was focused on keeping his neck and head from moving, I noticed each time chest compression were administered, an increased amount of blood came from his ears or the location of his ears. At no time did I observe any sings of life. There were no groans or moans from Mr LISTON, and I never check his vital sings. We continue life saving measure until medical personnel from the fire department arrived.

Q: JOUBERT.

A: MUSITANO.

Q: Where you able to see whether Mr LISTON make any efforts to release his main parachute?

A: I could not tell from the distance.

Q: Have you ever met Mr LISTON?

A: No. I have seen him since I arrived, but he and I never spoke.

Q: Did you ever see ROACH experience any troubles with his chute?

A: No.

Q: Did ROACH later tell you he had troubles with his chute on the last jump?

A: Yes. I am not sure who, but I did learn there were two malfunctions - back to back - on the last stick of jumpers.

Q: How long have you been a smoke jumper?

A: This is my third season.

Q: Is two malfunctions on the same stick a common occurrence?

A: No. This is so highly unlikely - I can't believe it.

Q: Do you know who were the spotters in the plane during these jumps?

A: There was only one spotter - Bill GRAMMER.

Q: Do you have anything add or delete to this statement?

A: No.///END OF STATEMENT///  
*mm*

Exhibit: \_\_\_\_\_

INITIALS *mm*PAGE 2 OF *3*

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Exhibit

STATEMENT OF MUSITANO, MARK A.  
TAKEN AT Fort Wainwright, AK 99703-7840 DATED 29 Apr 2000 CONTINUED.

-----  
AFFIDAVIT  
-----

<sup>mm</sup>  
I, MARK A. MUSITANO  
HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND  
ENDS ON PAGE 03. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT  
MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND  
HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE  
MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT  
THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR  
UNLAWFUL INDUCEMENT.

*Mark A. Musitano*  
\_\_\_\_\_  
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to  
administer oaths, this 29 day of APR, 2000 at Fort Wainwright, AK  
99703-7840

*Clarence Joubert III*  
\_\_\_\_\_  
(Signature of Person Administering Oath)

~~SA WARREN D. WORTH~~  
*SA CLARENCE JOUBERT III, SA3AS*  
\_\_\_\_\_  
(Typed Name of Person Administering Oath)

~~ARTICLE 136 (b) (4) UCMJ~~ *5 USC, 303*  
\_\_\_\_\_  
(Authority To Administer Oaths)

WITNESS:  
\_\_\_\_\_  
\_\_\_\_\_

Exhibit: \_\_\_\_\_

INITIALS *mm*

PAGE 3 OF <sup>m</sup>3

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Exhibit

Q: What did you see?

A: I looked up and saw him.

Q: how high would you say he was?

A: Really early, right off.

Q: How long would you say it took him to descend?

A: Really long. 30 seconds - forever. Maybe 20 seconds.

Q: What color was the drogue?

A: I don't know, it just looked like all the others. Looked pretty good maybe slight angle but like all the others. Veitch said lets go so I started running and looked back to see him go into the trees.

Q: How long until you found him?

A: Maybe 5 minutes. Civilian pointed to where he disappeared. We found him 2 minutes after.

Q: Who was the first on there?

A: When I got there, Bradley was there and Perry was there. We were all there in 15 seconds.

Q: What did you do at that point?

A: I don't know, I had his head (demonstrates) while we rolled him. People were un-clipping things. We had to shuffle him. Matt tripped on lines. I was focused on his head and eyes.

Q: Do you remember the PG Bag laying there?

A: No.

Q: Do you remember the color of the PG Bag?

A: No.

Druce "Buck" Nelson Interview/w Leonard Wehking 5/9/2000

Q: Did you see anything that day?

A: After the accident we went out to the site. Walked on the road for awhile until C I showed up. Videoed the scene independently and gave our statements as to what we thought happened. Went to Roach's site.

Q: What do you think?

A: Two drogue in tow.

Q: Why do you think two drogue in tows occurred in a row?

A: Fluke.

Q: Ever had a hesitation?

A: Nope. I've heard of them but never had one.

Q: How often have you heard of hesitations?

A: Not common, maybe once or twice a year.

Q: What do you look for when you inspected the harness and three ring system.

A: Damage to the loop and stitching.

Q: Could the Becket stretch?

A: No, I don't think so.

Pat O'Brian interview w/Leonard Wehking  
5/9/00

Q: Wehking: What were you doing and what did you see?

A: O'Brian: We were practicing suit up drills, jump counts, exits, etc. Had my son with me. We were watching the first guys exit. We were watching their jump counts. Watching Roach do his thing. I was watching back and forth between Dave and Roach. We were too far away to see anything. Dave seemed rock solid all the way down in a crouch with his hands at his hips (demonstrated).

Q: What attitude was he to you?

A: Back to you slightly turned; turned so left side to me. He was knees bent solid. We thought it was a dummy. I remember his feet were out some. Not up high but not straight down. I had the impression he was tail bone down.

Q: What color was his drogue?

A: Predominantly red, reddish orangish.

Q: Could you see the color of his jump suit?

A: Dirty tan.

Q: Color of his PG bag?

A: No, could see that.

Q: How many body lengths above him was the drogue and how long was the drogue?

A: About 3 body lengths above and about 1 body length. He went out the door and static line deployed with a lot of flapping. The spatial relationship seemed unchanged.

Q: How long did it take for him to reach the ground?

A: Neighborhood of 20-25 seconds? Still have the image of him be rock solid. Think about it he probably had already played all his cards out and didn't have anything else to do. Seemed like everything had been done. All of his actions had been done up on top where he was too far away to see.

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

LOCATION Fort Wainwright, AK	DATE 29 April 2000	TIME <i>KCP</i> 2220 hrs	FILE NUMBER <i>0067-00-C10209</i>
LAST NAME, FIRST NAME, MIDDLE NAME PERRY, Kenneth Charles	SOCIAL SECURITY NUMBER [REDACTED]		GRADE/STATUS CIV
ORGANIZATION OR ADDRESS Building 1042 Room 14, Apple Street Fort Wainwright, AK, 99703			

I, Kennith C. PERRY, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 29 April 2000, about 1600 hours, I drove out to a open area about 1/2 mile east of the Ski Hill road, to watch the smoke jumpers parachute into the open tundra area. I arrived and met with Paul LENMARK, who was the critique of the jump. About 10 minutes after I arrived I saw the jumpers exit the aircraft. Jim VIETCH, another person who was watching, yelled a drogue n tow, that's a malfunction, when a persons drogue chute of the parachute fails to deploy the main parachute. I looked up I saw the jumper with the malfunction he was about 1500 feet above the ground and he was falling feet first heading straight down. He was probable about 600 meters away from our position. I got in my vehicle and myself, Jim VEACH, Mike BRADLY, Ivan SMITH and Mark MUSSATANO drove in the direction that the jumper was falling. I stopped when I arrived at the intersection near the Ski Lodge. There were some other people already there, it was a couple of older guys that had seen the jumper fall into the woods. They pointed us in the right direction. We all got out of our vehicles and went through the woods to try and find the jumper. One of the civilian guys who was out there, found the jumper. He yelled that he had found him and I ran over to him. When I arrived, I saw the jumper laying on his left side, his head was facing south and his helmet and gear was still on him. At that time I knew it was David LISTON, I checked him for a pulse, by checking his carotid artery. I could not feel a pulse, Mike BRADLEY was the other EMT who was there. He took the lead, myself, Ivan SMITH and Mark MUSSATANO were assisting. Ivan SMITH began chest compression's, Mike MUSSATANO was trying to get airway open, I was getting the oxygen and bag valve mask ready. Someone removed David LISTON'S helmet, I then handed the mask to Mike BRADLEY and they continued CPR. Other people began arriving and they began cutting a path through the woods so we could take David LISTON out to the road. A few minutes later the Ambulance and Fire Department arrived, the Ambulance crew took over the CPR and I remained there at the scene to prevent any further movement of anything. I stayed there while our Investigation Team arrived and taped off the area. The Military Police arrived a few minutes after.

Q. When was this parachute jump scheduled?

A. The jump was schedule about last Tuesday, 25 April 2000.

Q. What type of Aircraft were they jumping from?

A. They were jumping from a Casa-212.

Q. Who was the pilot of the aircraft?

A. The Captain of the Aircraft was Chris ISSLAY

Q. What type of parachutes was used by David LISTON?

A. The parachute was either Paraflight DC-7 or a Quantum tri-lobe main parachute and a ParaFlight MT-1S reserve parachute.

Q. When was the last time you spoke with LISTON?

A. I had spoken to LISTON about two days ago, I congratulated him on his recent marriage.

Q. How was LISTON'S demeanor when you spoke with him?

A. He appeared to be happy.

Q. Describe anything you observed LISTON doing while he was falling?

A. He was to far away, I could not hear or see any activity from him while he was falling.

Q. How far from the road way was LISTON discovered?

A. He found about 150-200 meters from the road.

Q. Was there any portion of the of the parachute out of the pack tray when you arrived upon LISTON?

A. The and reserve parachute was out of the container but the suspension lines were still in the deployment bag. When I went back to the scene to show the Investigator what I had touched, I noticed the suspension lines were partially out of the bag, but no canopy was showing.

Q. Who were the other Jumpers on the Aircraft with LISTON?

A. Ty HUMPHEY, Tom ROACH and Oded SHALOM, were the other jumpers on that stick.

Q. What was the planned altitude of the jump?

A. 3000 feet.

Q. Who checks the equipment of the jumpers prior to the jump?

A. Each jumper gets an equipment check by another jumper, this check is amajor check of all equipment. Prior to getting on the aircraft, the spotter and assistant spotter does a three ring check, which is the major safety check. On the aircraft, just prior to the jumper inspects his own equipment again.

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT <i>KCP</i>	PAGE 1 OF <u>2</u> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_ CONTINUED."  
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE \_\_\_\_\_ OF \_\_\_\_\_ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

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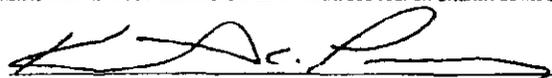
Exhibit

STATEMENT (Continued)

- Q. Who packs the parachutes used by the jumpers?
- A. The main parachutes are packed by the jumpers themselves and the reserves are packed by a certified rigger.
- Q. Are you a certified Emergency Medical Technician?
- A. Yes, I am certified the state of Alaska.
- Q. When was the last jump refresher conducted by LISTON?
- A. LISTON has made jumps through this week, this should have been his fifth jump this week.
- Q. Do you have anything else you would like to add to this statement concerning this investigation?
- A. No. ///End of Statement///

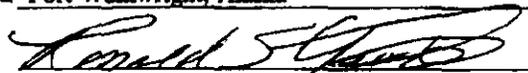
AFFIDAVIT

I, Kenneth C. PERRY, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

  
 (Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 29th day of April, 70 00 at Fort Wainwright, Alaska x KCP

  
 (Signature of Person Administering Oath)

Ronald S. YEATTS  
 (Typed Name of Person Administering Oath)  
Article 136 (b) (4), UCMJ  
 (Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

x KCP

PAGE 2 OF 2 PAGES

Re-interview: Ken Perry

Q. Was Pg bag attached?

A. No, not that he could remember. It was lying next to him (Liston) on its top.

Q. Were the main risers in place on or near harness?

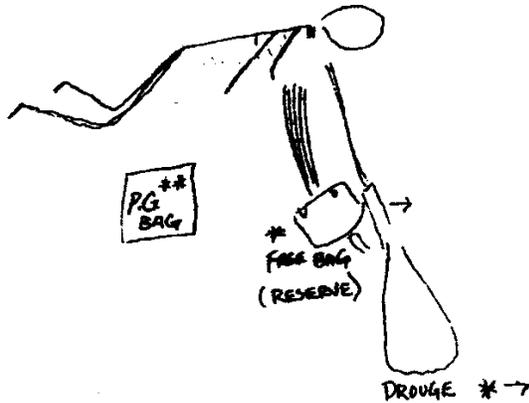
A. Doesn't recall, but there was no material across face or throat area when he checked the carotid artery.

Liston was not kicking or thrashing before impact.

KENNETH C. PERRY'S

DRAWN 05-03-00

← NORTHERLY DIRECTION (GENERAL)



ORIGINAL POSITION  
OF EQUIPMENT (AS I RECALL  
SEEING)

\* THESE ITEMS WERE CAREFULLY MOVED  
TO FACILITATE EMERGENCY MEDICINE (2 TO 3 FEET IN  
DIRECTION OF ARROWS)

\*\* P.G. BAG WAS MOVED + OPENED BY ME TO LOOK  
FOR A WOODSMAN PAL

Oded Shalom interview with Leonare Wehking  
5/3/00

Q: Wehking: When did you first see him, where was he?

A: Shalom: Above me

Q: What was your visualization?

A: I was mostly watching drogue. Saying pull, pull. Once he got below me I couldn't see him because of his drogue. I later lost site because of me feet and gear.

Q: How far away was he when he passed you?

A: I don't know, 50-100 yards.

Q: Was he close enough to see a reserve pilot chute?

A: I don't know. I don't have 20-20 vision.

Q: What was his body position?

A: It looked good. I didn't notice any thrashing.

Q: Did he put his PG bag on in the plane?

A: Yes.

Q: Any trouble?

A: It's a new gag. No names. We switched. Hooking up was OK. These new bags ride high. I've noticed my reserve handle being covered when I bend over. I didn't notice his routing of PG bag straps.

**Re-interview: Oded Shalom**

Oded told us he had a PG bag Fastex break once while sitting in the door prior to exit. He said he felt something 'give'. Hedidn't notice anything until his main opened. After he was under canopy, he tried to reattach the bag, but couldn't. Inspection of his PG bag Fastex after landing revealed the broken piece from the male end (tine) to be still lodged in the female end.

SWORN STATEMENT

0062-00-CID209

File Number : 0062-00-CID209-  
 Location : Fort Wainwright, AK 99703-7840  
 Date : 30 Apr 2000 T.R. Time: ~~0120~~ 0132 J.R.  
 Statement Of: ROACH, THOMAS ORVAL  
 SSN : ██████████ Grade/Status: GS-6  
 Org/Address : BLM - SMOKEJUMPERS, FORT WAINWRIGHT, AK 99703

I, THOMAS O. ROACH, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:  
 I have been a Smokejumper since May 20, 1998. Dave LISTON and I were rookie Smokejumpers together. Today we were doing practice jumps. We were on our second jump of the day. Dave was jumping on the same stick as me. Before we boarded the plane we changed jump order, Dave became third man out of the plane, and I was going to be the fourth. We were jumping on the second stick out of the plane. When the plane went up there were eight guys, the first four went and the plane circled back around and then our stick went. When we jump there is a 2-3 second delay between jumpers going out. Dave went to the door and was slapped and he went out the door. There was no problems that I noticed as he went out. I moved into the doorway and was given the signal and I went out. Our drogue is attached to a static line inside the plane. The drogue is a small parachute, which is used to stabilize a person and then assist in the deployment of the main chute. I did a 5 second count after I went out and then pulled the handle for my main chute. I knew that the main chute did not deploy and I reached up behind me and didn't feel any lines or anything back there. Then I pulled the main release handle to get rid of whatever was up there. There is a reserve static line attached to the main chute, which is supposed to automatically deploy your reserve chute. This did not happen and I had to pull reserve handle, which did deploy my reserve chute. Once the reserve was deployed I looked around to make sure there were no other smokejumpers in the area. I saw the first two guys from our stick jump and saw that I was 300 feet below and 300 away from them horizontally also. I did not see Dave, but assumed since he jumped after them he was above them. I found the jump spot and steering towards it. I landed about 100 yards or so short of the jump spot. I immediately started getting out of my harness and jump suit. I was concerned with getting to the jump spot to let everyone know that I was okay. Then I saw one of the guys coming towards me and I yelled that I was okay. After I got unhooked I saw that my main chute and drogue were still attached. Some of the lines from the main chute had come out but not all the way. The reserve static line appeared to have been caught up and did not deploy like it should have. I think it was because there was not enough pressure or resistance to pull it completely out, but this is pure speculation on my part. The reserve static line is 10 feet long. My entire harness, jumpsuit and all gear except my personal gear bag, is still where I landed. During my jump I did not see Dave at all after he went out of the plane. I had no idea what happened until after I landed and was talking to other people. I went out to the road and caught a ride with some other smokejumpers who were coming from the jump shack. When we got there the Fort Wainwright Fire department EMT's were pulling up. At that point I decided to let them do their job and I just help carry gear and clear a trail with chain saws.

Exhibit: \_\_\_\_\_

INITIALS T.R.

PAGE 1 OF 3 T.R.

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APPENDIX F - 79

**Exhibit**

STATEMENT OF ROACH, THOMAS ORVAL  
TAKEN AT Fort Wainwright, AK 99703-7840 DATED 30 Apr 2000 CONTINUED.

Q: When you were talking to Dave before and during the flight to the time of the jump, did he appear upset or have his mind on anything else?

A: Absolutely not. He was his normal happy go lucky Dave. He was the furthest one from having emotional problems.

Q: Did you notice anything unusual when he went out of the plane?

A: Nope, completely normal exit. No problems with it at all. The drogue went out fine and he was hooked up fine.

Q: How many jumps did Dave have?

A: About the same as me, probably in the upper 60's.

Q: Do you know if he had ever experianced malfunctions with his parachute in the past?

A: Yes, he did have a malfunction with his parachute during his rookie year. It was a fire jump in Washington. He had what was called a "spinning malfunction". It is a low speed, situation and he was able to take corrective action by deploying his reserve.

Q: Do you know who packed your chute?

A: Dave HADE, but I think it was more of an equipment malfunction than the chute itself. Again this is speculation on my part.

Q: Do you know who packed Dave's chute?

A: No.

Q: Do you have anything else to add to this statement concerning this incident?

A: No.///END OF STATEMENT///

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Exhibit: \_\_\_\_\_

INITIALS T.R.

PAGE 2 OF 3

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Exhibit

STATEMENT OF ROACH, THOMAS ORVAL  
TAKEN AT Fort Wainwright, AK 99703-7840 DATED 30 Apr 2000 CONTINUED.

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AFFIDAVIT  
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I, THOMAS O. ROACH  
HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND  
ENDS ON PAGE 03. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT  
MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND  
HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE  
MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT  
THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR  
UNLAWFUL INDUCEMENT.

*Tom Roach*

\_\_\_\_\_  
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to  
administer oaths, this 30 day of APR, 2000 at Fort Wainwright, AK  
99703-7840

*[Handwritten Signature]*

\_\_\_\_\_  
(Signature of Person Administering Oath)

SA NICHOLAS F. SEIBERT

\_\_\_\_\_  
(Typed Name of Person Administering Oath)

ARTICLE 136 (b) (4) UCMJ

\_\_\_\_\_  
(Authority To Administer Oaths)

WITNESS:  
  
\_\_\_\_\_  
  
\_\_\_\_\_

Exhibit: \_\_\_\_\_

INITIALS T.R.

PAGE 3 OF 3

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APPENDIX F - 81

**Exhibit**

**SWORN STATEMENT**

For use of this form, see AR 190-45; the reporting agency is ODCSOP's

LOCATION Ft. Wainwright, AK 99703	DATE 23 APR 00	TIME 1900 hrs	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME Smith Ivan Kendrick	SOCIAL SECURITY NUMBER [REDACTED]		GRADE/STATUS CIV.
ORGANIZATION OR ADDRESS Department of the Interior Ft. Wainwright, AK 99703			

I, IVAN SMITH, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

MY ATTENTION WAS DRAWN TOWARDS DAVE LSTON WHEN JIM VIETLH SAID 'DROVE IN TOW'. I FOLLOWED HIS PATH UNTIL THE TREES BLOCKED MY VIEW. THEN DROVE A VEHICLE IN THE DIRECTION I LAST SAW HIM. UPON ARRIVAL AT INTERSECTION OF BIRCH HILL ROAD AND THE LODGE RD I SAW A WITNESS WALKING INTO THE WOOD. TIME FROM LSTON EXIT TO ARRIVAL AT INTERSECTION APPROX 5 MIN. APPROX. 2 MIN SEARCH (PERRY) DISCOVERED DAVE, MIKE BRADLEY, MATT LYONS, MARK MUSTAND AND MYSELF ACTIVATED EMS. SEVERAL OF US PERFORMED CPR UNTIL THE PARAMEDICS ARRIVED ON SCENE. I WAS RELIEVED OF PERFORMING CPR AFTER APPROX 10 MIN BY MEL TENNESON. AT NO TIME ~~WAS~~ I ABLE TO OBTAIN A PULSE I.S.

Q. At any time while CPR was being performed was there any sounds or movement from victim?

A. ~~NO~~ AIR ENTERING LUNGS ~~WAS~~ DAVE WAS UNRESPONSIVE I.S.

Q. Is there anything you wish to add to this statement?

A. AT THIS TIME, NO I.S. // END OF STATEMENT III I.S.

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT I.S.	PAGE 1 OF <u>2</u> PAGES
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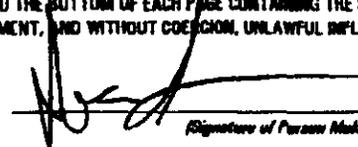
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE \_\_\_\_\_ OF \_\_\_\_\_ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

STATEMENT (Continued)

Not Used  
IS.

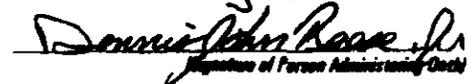
AFFIDAVIT

I, John Smith, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

  
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 29<sup>th</sup> day of April, 19 2000 at Fort Wainwright, AK 99703

  
(Signature of Person Administering Oath)

Dennis John Reese Jr.  
(Typed Name of Person Administering Oath)  
ART 136 (b)(4) U.C.M.C.  
(Authority To Administer Oath)

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

IS.

PAGE 2 OF 2 PAGES

USAPPC V2.00

SWORN STATEMENT

For use of this form, see AR 190-45; the proposing agency is ODCSOPS

LOCATION Fort Wainwright, AK	DATE 30 April 2000	TIME 0202 IS	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME SMITH Ivan Kendrick	SOCIAL SECURITY NUMBER [REDACTED]	GRADE/STATUS GS-6	
ORGANIZATION OR ADDRESS USDI Bureau of Land Management, Fairbanks, AK 99701			

57 I, Ivan K. SMITH, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 29 Apr 00, at approximately 1615 I arrived at the jump spot to observe the proficiency jump that was about to occur. At about 1645 I observed the first stick exit the aircraft and was watching there landing into the LZ. As the first stick was landing the second stick was exiting the aircraft. I was observing the first stick land when I heard Jim VIETCH say, drogue in tow, drogue in tow, someone get a camera on him. I then looked up and witnessed a jumper that was experiencing a malfunction. I followed him til he disappeared from my view. I then ran out to the road and myself and Mark NUSSATAVO, and Matt LYONS got into Mel TENNESON's car and drove down River Rd. to Birch Hill Rd. where we turned right turn and went to the turn off to the ski lodge. When we got there I noticed another vehicle that was there and two other people that I didn't know. They stated that they had seen someone fall into the woodline. We ( Jim VIETCH, Mike BRADLEY, Mark NUSSATAVO, Ken PERRY, Matt LYONS) began searching for the jumper. Approximately 2 min later I heard Ken PERRY say he is over here. We all then converged on Ken and began administering CPR and First Aid. A short time later the EMT's arrived and set up their equipment. I was then relieved shortly after that by Mel TENNESON from doing chest compressions. I then move out of the way while they still tried to resuscitate Dave. Then the EMT's loaded Dave onto the gurney and put him in the ambulance. I stayed at the scene.

Q: Did you notice when LISTON was falling if he was moving around?  
A: It would appear from my vantage point that he was conscious and attempting malfunction procedures.

Q: Did you hear him making any sounds during the fall?  
A: No

Q: Do you know who performed LISTON's buddy check before the jump?  
A: No

Q: Do you know who packed LISTON's parachute?  
A: No

Q: What was LISTON's attitude like this past week?  
A: Nothing out of the ordinary for Dave, he was happy to be at work and refreshing.

Q: What was LISTON's attitude like prior to the jump?  
A: Nothing out of the ordinary for Dave.

Q: How many times had LISTON jumped this week?  
A: This was his 3th proficiency jump this week.

Q: How many times had LISTON jumped that day?  
A: This was his second jump that day.

Q: Was LISTON a proficient jumper?  
A: In my opinion yes.

Q: How long had LISTON been jumping?  
A: This was his 3rd season.

Q: Do you know what type of parachute LISTON was using?  
A: Either a Trilobe or a DC-7.

Q: Do you know what type of reserve LISTON was using?  
A: A 5 cell chest reserve parachute.

Q: When you got to LISTON was he responsive?  
A: No.

Q: Was LISTON's main parachute deployed when you found him?  
A: I don't know.

Q: Are you EMT qualified?  
A: Yes.

Q: Did you or anyone else move LISTON after you found him?  
A: We moved LISTON approximately 2 feet into a better position to administer CPR and First Aid.

Q: What position was LISTON in when you found him?  
A: Lying on his left side with his head slightly propped up on some black spruce saplings IS

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT IS	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_ CONTINUED."  
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE \_\_\_\_\_ OF \_\_\_\_\_ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

Exhibit

Official use only

STATEMENT (Continued)

Q: Did LISTON still have all of his equipment on?

A: Yes.

Q: Do you have anything further that you would like to add to this statement?

A: No//END OF STATEMENT// IS

**AFFIRANT**

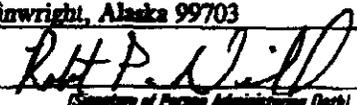
I, Ivan K. SMITH, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

  
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 30th day of April 20 00 at Fort Wainwright, Alaska 99703

ORGANIZATION OR ADDRESS

  
(Signature of Person Administering Oath)

INV Robert P. NEILL  
(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

ART 136 (b) (4) UCMJ  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

IS

PAGE 1 OF 2 PAGES

## SWORN STATEMENT

-----  
 File Number : 0062-00-CID209-  
 Location : Fort Wainwright, AK 99703-7840  
 Date : 29 Apr 2000 OS Time: 2115 23:58 OS  
 Statement Of: SHALOM, ODED NMN  
 SSN : ██████████ Grade/Status: GS-6  
 Org/Address : ALASKA FIRE SERVICE (BLM) SMOKE JUMPERS, FORT WAINWRIGHT,  
 AK 99703  
 -----

OS  
 I, ODED SHALOM, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:  
 Today at 1630 I went up in a CASA 212 aircraft piloted by  
 Chris Eisley, and a co-pilot Stoney, to conduct the last  
 refresher practice jump. I was on the second stick with Ty  
 Humphrey, Dave Liston, and Tom Roach. This was the last 4 man stick  
 practice jump. Roach and Liston had already jumped once earlier  
 today so this was their second jump. The order we jumped out  
 was Ty Humphrey, myself, Dave Liston, and then Tom Roach. A total of  
 two sticks went up. At 1500 feet, the streamers were deployed to  
 detect wind direction by the spotters aboard the plane. There  
 was about 100 yards of drift, which is a real light wind. We  
 could see that the wind was shifty on the ground. Then the plane  
 rose to 3000 feet and made two passes in a circle, the wind was  
 shifting about ninety degrees, and the spotters were  
 communicating with people on the ground to ensure it was good  
 for us to jump. The first stick jumped, and then another pass  
 was made for us to jump. Ty jumped first followed by me, and then  
 Liston jumped. I was watching Liston jump, and I noticed that  
 his drogue ride, which is normally a five second ride where  
 the jumper is falling only under the drogue (pilot chute), never  
 ended. I was expecting Liston to pull his drogue release handle, but  
 he continued falling. I yelled at him to pull the handle, but  
 I'm not sure whether he heard me or not, and I couldn't tell  
 whether he pulled it or not. Then I watched him as he fell, until  
 the angle got to where I couldn't see him because of my feet.  
 Then I turned myself to find him, and I saw a reserve chute had  
 been deployed underneath me. I assumed that Liston had somehow  
 pulled it out, but then I looked for Roach who should have been  
 above me and I couldn't find him. ~~When I looked below me, I~~  
~~saw that someone had pulled their reserve chute. I thought it~~ OS  
~~may have been Liston, but it turned out to be Roach's chute.~~  
 Once I landed on the ground, there was a lot of confusion as to  
 whether Liston had pulled out or not. I started packing my gear  
 into a packout bag and realized that only three of us had come  
 down. Then I headed out into the woods to find Liston. ~~I was~~  
~~behind~~ Mike Bradley, Ken Perry, Ty Humphrey, and Mel Tennesse were with Liston OS  
 I met up with Bruce Ford, and we walked over to where they had  
 found Liston. Both Bruce and I helped clear the brush to get him  
 out. His gear was already off, and Mike Bradley and the  
 Ambulance crew was working on him. The Fort Wainwright ambulance  
 guys had taken over and they were giving instructions on how  
 they were going to move him. Then Liston was put in the back of  
 the ambulance and taken to the hospital. Mike Bradley rode with  
 the paramedics, and Liston, in the ambulance too.

Q. How experienced was Liston?

A. He was a newer guy, but he's been jumping since 1998 which  
 was his rookie year.

Q. What was Liston's disposition like the past few days?

A. Same as ever, he's always fun loving and just jacked on being OS

Exhibit: \_\_\_\_\_

INITIALS OS

PAGE 1 OF 3

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Exhibit

STATEMENT OF SHALOM, ODED NMN

TAKEN AT Fort Wainwright, AK 99703-7840 DATED 29 Apr 2000 CONTINUED.

✓ a jumper. He had just gotten married, and had purchased some land up here in Alaska last fall which he was jacked about.

Q. What is jacked?

A. Happy.

Q. What was his attitude like today before the jump?

A. He was laughing and happy that he was getting to jump two times today.

Q. When Liston was falling, did he appear to be struggling with his chute?

A. I did not notice.

Q. Did you hear him make any vocal sounds?

A. No.

Q. Other than the drogue that was rode all the way down, did you observe anything else unusual in LISTON.

A. No.

Q. Who packs the chutes you utilize during these jumps?

A. We, the smokejumpers, always pack our own chutes. Not that we always get the one we packed, but it's logged who packed what chute.

Q. What checks are were conducted on the chutes prior to jumping?

A. We check everything from the boots to the chutes to ensure all equipment is good. Then, because it was a practice jump, the spotter conducted a three ring check prior to boarding the plane. And a four point check, to ensure the handles are where they are supposed to be, is done by each individual before jumping.

Q. Do you know who Liston's buddy was today?

A. No

Q. Who were the spotters on the plane today?

A. Bill Cramer and his assistant spotter Dave Hade.

Q. Has Liston ever had a malfunction before?

A. Yes, last season he had one. I heard it was a tough spot, and everyone involved with that jump said he did a really good job.

Q. What was the problem that Roach had with his chute?

A. He had bag lock, which is where the main chute doesn't come out of the bag. This is the first time I've ever heard of one of our guys having one.

Q. Do you have anything to add to this statement?

A. This guy was really sharp. He is not the type of guy that would have panicked when this happened.///End of Statement///

Exhibit: \_\_\_\_\_

INITIALS OS

PAGE 2 OF 3

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**Exhibit**

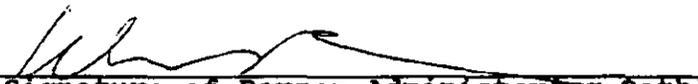
STATEMENT OF SHALOM, ODED NMN  
TAKEN AT Fort Wainwright, AK 99703-7840 DATED 29 Apr 2000 CONTINUED.

AFFIDAVIT

Q5 I, ODED SHALOM  
HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND  
ENDS ON PAGE 03. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT  
MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND  
HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE  
MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT  
THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR  
UNLAWFUL INDUCEMENT.

  
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to  
administer oaths, this 29 day of APR, 2000 at Fort Wainwright, AK  
99703-7840

  
(Signature of Person Administering Oath)

SA WARREN D. WORTH  
(Typed Name of Person Administering Oath)

ARTICLE 136 (b) (4) UCMJ  
(Authority To Administer Oaths)

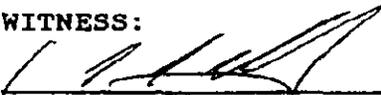
WITNESS:  
  
WARREN L. EASTWOOD

Exhibit: \_\_\_\_\_

INITIALS Q5

PAGE 3 OF 3

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Exhibit



0062-00-CID209-

STATEMENT OF THOMAS, BERT EDWARD  
TAKEN AT Fort Wainwright, AK 99703-7840 DATED 29 Apr 2000 CONTINUED.

-----  
AFFIDAVIT  
-----

*[Signature]*  
I, BERT E. THOMAS  
HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND  
ENDS ON PAGE 02. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT  
MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND  
HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE  
MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT  
THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR  
UNLAWFUL INDUCEMENT.

*[Signature]*  
\_\_\_\_\_  
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to  
administer oaths, this 29 day of APR, 2000 at Fort Wainwright, AK  
99703-7840

*[Signature]*  
\_\_\_\_\_  
(Signature of Person Administering Oath)

SA WARREN D. WORTH  
\_\_\_\_\_  
(Typed Name of Person Administering Oath)

ARTICLE 136 (b) (4) UCMJ  
\_\_\_\_\_  
(Authority To Administer Oaths)

WITNESS:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Exhibit: \_\_\_\_\_

INITIALS *[Signature]*

PAGE 2 OF 2

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Exhibit

**Re-interview: Tom Roach**

Q. Did you help Liston put his PG bag on in the plane?

A. No.

Q. Did you notice Liston's method of getting in the door? Did you notice anything unusual about Liston's door procedures or exit?

A. Did not notice, nothing unusual.

Tom asked if he could get his personal gear back from his jump gear—coat, raincoat, etc.

Tom Roach Interview/w Leonard Wehking 5/9/2000

Q: Did Dave need your help getting his PG Bag on?

A: No, he had it hooked up by the time I got it on.

Q: Was there anything about getting into the door by Dave that was unusual?

A: No.

Q: Wehking: What did you see?

A: Rogan: We were practicing counts while watching the jumpers exit. 4th guy's chute finally open so watched 3d jumper. Couldn't tell if drogue was fully deployed or if "gain speed" changed the shape. Haven't ever seen the drogue for a long time without the main coming out. I thought the drogue would seem fuller. It definitely wasn't a streamer. But I wondered if you did speed, if the shape would change. Right before the trees (400') I noticed something flap about chest level. No color just shade.

Q: Could you see any flailing?

A: No not at that distance. But I think I could have noticed leg movement.

My first reaction was, was the drogue fully inflated, but I haven't seen them that long in fall. I don't know what it's supposed to look like.

Q: Did it seem fully inflated at first?

A: I don't know if it seemed to get small as it fell. There was not a point at which it suddenly shrank. I don't know what they do. My impression was that it seemed to get smaller. Maybe elongated or more tear dropped. Maybe longer. I kept going back to does it change shape as time goes by or speed increases. As it changes shape does speed increase. It just seemed to change shape from the time we noticed something was wrong. I just don't have experience watching enough drogue.

Q: Describe the object away from the body.

A: Oblong flap elongated (4-5 ft long, maybe 1-2 ft wide). It looked kind of like a wind sock with him. Larger at the bottom than at the top. I saw it for just a flash.

Q: Could you have noticed it higher if it was there?

A: Depending on if he was straight away or sideways.

Q: Was he spinning?

A: I didn't get that impression. If there was an instantaneous event where changes happened, it could have happened while I was looking at the fourth guy.

Q: Did he seem to accelerate?

A: We talked in class about how long it takes to fall. About 20-30 seconds. It seemed a lot faster than that. But that could be perception. I mean it seems like only 10 or 15 seconds.

Q: What color was the drogue?

A: I want to say orange.

Something definitely popped into my head that it didn't seem fully inflated.

Q: How many drogues have you seen?

Q: A few on fires, but mostly that day. We were watching and practicing our counts. I just don't visualize the canopy (drogue) as being big and fat. I just don't visualize Dave's as being big and fat.

Q: Who was watching with you?

A: Brian Patten and Dustin Dome.

Ed Strong Interview/w Leonard Wehking 5/9/2000

Q: What were your initial thoughts?

A: How could we get two drogues in tow in a row? This is the first in 14 years.

Q: What kind of change do you think needed to be done.

A: I was happy with the system. I couldn't think of anything that could go wrong with the system. After I heard that some of the reserve had come out I was really dumb-founded.

✓ Ivan Smith Interview/w Leonard Wehking 5/10/2000

Q: Were you on the jump spot?

A: Yes, I'd jumped earlier.

Q: When Veitch said drogue in two did you see it?

A: Yes.

Q: How high?

A: 1500-1700? Far below where he should be.

Q: What first struck you?

A: It seemed that he was doing a cork screw action. Good back drop.

Q: How long did you see him.

A: 4-6 seconds.

Q: Body position?

A: Too far. I could tell he was feet to earth.

Q: Color of drogue?

A: No, well ----- I'm guessing, but red and blue? No I saw it at the site. His body was definitely moving in relationship to the drogue (corkscrewing) he seemed to be in control and conscious his arms weren't floppy they seemed to be moving in control.. Body seemed to be correct position.

Q: Describe the sequence of events when you got to the scene?

A: I drove Mel's vehicle over with Matt Lyons, and Mark Musitano. Started yelling for Dave, ran into the woods and talked to civilian (Fisher) 1 ½ - 2 minutes of looking, when Ken yelled he'd found him. We were there between 45 seconds to a minute after Ken was there. Mike was trying to get the pulse. Mike told the civilian to call 911. PG Bag was removed on the right side and was still connected on the left? That's what I remember. I just know it wasn't connected on the right side but it was lying like it was still connected on the left side.

Q: What do you remember about the main riser?

A: I want to say I remember seeing A-2 ---- something on the risers. I want to say I could see the 3 rings, I want to say I tried bat the rings away.

May 10/2000

What I have to say was triggered by a comment made - I believe - May 2nd. We met in the jumper lounge & went over a drawing of what the gear looked like on the ground.

Near the end of that session Jim Vitch said that "someone came up to me on the road" right after Dave had been hauled away in the ambulance, and said something about Dave's PG Bag being weird.

Jim then asked that that person come to him & clarify.

When Vitch said that it triggered a memory of a jumper standing in the Ready Room just prior to a jump (I think), fully suited, and lifting his PG Bag upward and outward, a hand grasping it on each side.

At the time I first remembered

2,  
it, my first impression was that  
it was Dave Histon. Later that day  
I decided I wasn't sure it was  
Dave, but maybe Ty Hampton - also  
red haired with a beard. I  
asked Ty if he remembered doing  
anything like that and he told  
me "No". That he was making  
adjustments, ~~being~~ loosening the  
stops since it had been too  
tight when first put on, but  
that he didn't move the  
PE Bag up to or beyond the  
level like I had shown him.

It's a funny memory in that  
I can't remember when it  
happened exactly, and I can't be  
certain who it was.

I was standing at the Operations  
Desk & heard a ruckus & turned &  
saw 2 or 3 jumpers. One was

3.  
manipulating his receive to show  
freedom of movement or something -  
I'm not sure what.

I didn't pay that much  
attention, but continued whatever  
I was involved with at the Ops  
Desk.

I never thought about it at  
all until Jim Vetch mentioned  
it in the meeting.

I was also present on the jumpseat  
to watch Dave Lister fall to earth  
with only a drongo over his head.

I didn't notice anything  
extra falling with him and  
laughed at his drongo/gun.

Murray A. Taylor

MURRAY A. TAYLOR

AK. SMORONOVIC

Q: Did you see anything from the jump spot?

A: I thought about it and I didn't see anything. But on the road after the accident some said to Veitch that something was weird about Dave's PG bag. That triggered something in my head. I saw this picture in my mind of a guy in the ready room in full jump gear. He was showing how high his PG bag (big blue one) could move up and out.

Q: Did it move above the reserve handle?

A: No.

Q: Where the straps tight?

A: No, I don't think so. They had to be loose and we always snug them up before jumping. After that I went to Cary (Baumgartner) to ask him about the twists. I figured the pilot chute had to ricochet off something. My initial memory of the action in the ready room was Dave but then I thought it might have been Tye Humphries. I don't know, he doesn't remember anything.

0062-00-C10209

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

LOCATION Fort Wainwright, AK	DATE 29 April 2000	TIME 2359 hrs	FILE NUMBER 0062-00-C10209
LAST NAME, FIRST NAME, MIDDLE NAME TENNESON, Melvin, James	SOCIAL SECURITY NUMBER [REDACTED]		GRADE/STATUS CIV
ORGANIZATION OR ADDRESS 766 Old Steese Highway N. Fairbanks, AK, 99712			

I, Melvin J. TENNESON, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 29 April 2000, about 1620 hours, myself, Ty HUMPHREY, Tom ROACH and Oded SHALON, Mel TENISON, Mich DAKOTA, David LISTON, Mike LAMBRIGHT, loaded the aircraft for our jump. We got off the ground about 1630 hours, we flew toward our drop zone. I was on the first stick, we went out of the aircraft prior to LISTON, who was on the second stick. I was the first jumper to hit the ground. I noticed that Jim VEACH, Paul LENMARK, Charlie BROWN, and Bruce FORD were looking north toward the ski slope. One of them were saying that someone had rode a drouge in, meaning that there main parachute did not deploy. I looked back and I saw a jumper riding his reserve parachute in. I told them no he was right here. Charlie BROWN said no, I saw someone ride the drouge in. I then got my gear together. We counted the other jumpers on the drop zone and I knew the missing jumper was David LISTON. I then began running in the direction that we were dropped looking for the jumper. I went north through the woods. I heard the sirens, then I came out to the road and ran up the road toward the ski hill. When I got down to the body, Ivan SMITH was administering chest compression to LISTON. I relieved him and began giving the chest compression, then we placed him on a back board and transported him up to the road where the Ambulance was parked. We placed him in the vehicle. I remained out on the road while the Military Police were there taking statements.

- Q. When was this parachute jump scheduled?
- A. The jump was schedule about last Monday, 24 April 2000.
- Q. What type of Aircraft were you jumping from?
- A. I was jumping from a Casa-212, tail number 117 BH.
- Q. Who was the pilot of the aircraft?
- A. The Captain of the Aircraft was Chris EIESLE, the co-pilot was Stoney BAUER.
- Q. What type of parachutes was used by David LISTON?
- A. The parachute was either Paraflight DC-7 or a Quantum tri-lobe main parachute and a ParaFlight MT-1S reserve parachute, I heard that LISTON was jumping the tri-lobe.
- Q. What was the planned altitude of the jump?
- A. 3000 feet.
- Q. Who checked the equipment of the jumpers prior to the jump?
- A. We each had a buddy check done right after we suited up, prior to getting on the aircraft. Then a check is made by the spotters, who were Bill CRAMER and Dave HADE. They done a three ring check, the Reserve Static Line, and the closing pin on the main parachute. On the aircraft, just prior to the exit the jumper does a four point check on his own equipment.
- Q. Who packs the parachutes used by the jumpers?
- A. The main parachutes are packed by the jumpers themselves and the reserves are packed by a certified rigger.
- Q. Who inspected LISTON'S equipment during the buddy check?
- A. I don't know who checked him during the buddy check, but KRAMER and HADE checked him prior to him getting on the plane.
- Q. How often has LISTON jumped?
- A. This jump was his forth or fifth jump this spring, he has been jumping over two years, this is his third season.
- Q. Did you notice anything that appeared wrong with LISTON'S equipment when you arrived at his body?
- A. No, I did not inspect any of the equipment, I was only there trying to help LISTON.
- Q. When was the last time you spoke with LISTON?
- A. I had spoken to LISTON prior to our departure on the aircraft, but nothing significant.
- Q. How was LISTON'S demeanor during the past three days?
- A. He appeared to be happy, fun to be around.
- Q. Are you a certified Emergency Medical Technician?
- A. Yes, I am certified the state of Alaska.
- Q. Who else was performing CPR on LISTON when you arrived?
- A. Matt LYONS, was doing the bag, Ivan SMITH was performing chest compression's and the paramedics were also there.
- Q. Who was riding their reserve parachute in?
- A. Tom ROACH rode his reserve parachute in. He told me that pulled his rip cord and nothing happened with his parachute, he said he looked up and saw nothing above him, meaning there was no main parachute deployed, so he activated his reserve.

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT J M T	PAGE 1 OF <u>2</u> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE \_\_\_\_\_ OF \_\_\_\_\_ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

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Exhibit

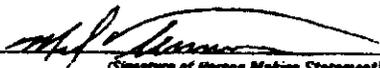
STATEMENT (Continued)

Q. Do you have anything else you would like to add to this statement concerning this investigation?

A. No. ///End of Statement///

AFFIDAVIT

I, Melvin J. TENNESON, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

  
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 29th day of April 2000 at Fort Wainwright, Alaska M.T.

  
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

Ronald S. YEATTS  
(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

Article 136 (b) (4), UCMJ  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

X M.T.

PAGE 2 OF 2 PAGES

USAPPC V1.10

SWORN STATEMENT

-----  
 File Number : 0062-00-CID209-  
 Location : Fort Wainwright, AK 99703-7840  
 Date : ~~2335~~ Apr 2000 Time: 2335 01:12 *AV*  
 Statement Of: VEITCH, JAMES HARGRAVE  
 SSN : XXXXXXXXXX Grade/Status: GS-6  
 Org/Address : ALASKA SMOKE JUMPERS, FORT WAINWRIGHT, AK 99703  
 -----

I, JAMES H. VEITCH, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I was acting as an observer during the jump in which LISTON was mortally injured. During that jump I was located at the jump spot or it is also called the spot of where the jumpers will try to land. I knew it was a four man stick and I watched the plane going around and out loud I counted one out, two out, three out four out. This counting is the persons coming out of the plane. I glanced away for just a second and then looked back and saw one person in a drogue in tow. This is when the drogue does not released on command and releases the main canopy, I called this out loud to draw everyone's attention to it. When this malfunction occurs there is a normal cadence that a person goes through to come out of the problem they are experiencing. This also happens in a time frame, and the reserve did not come open in a time I thought it should had. I observed the jumper to continue descending and watched for the reserve to come out, which it did not. At a certain low point where you know things are critical, I observed that the drogue appeared normal. I believe I was looking at the jumpers left side. I believe I saw something flapping or floating about his head or above and that was unusual. There is a normal picture of a jumper you see, but there was something about head height of the jumper that caught my attention. I did not see any arm flailing or feet kicking. The jumper was in an upright position and was not spinning. I then lost sight of the jumper as he went into the trees. I tried to stay motionless during the event, but as soon as he went out of sight we ran to the road to get in the vehicles so we could go to where the jumper went into the woods at. As we drove up to the point of the road where we thought he went in at I looked at my watch and it was 4:47pm. It probably took us about 3 to 4 minutes from the time I saw him disappear into the trees till when we arrived at where we thought was the correct place to enter the woods. We jumped out of the truck and fanned out to start looking for the jumper and probably within 2 to 3 minutes we were on the sight were Dave was. We had 2 EMTs that arrived before me and I believe there was 2 more after me and they were already administering first aid and their needed medical procedures. They were all acting in a very calm and professional manor. There was no panic at the scene.

Q. Were you friends with LISTON?

A. I would say so yes.

Q. What was his attitude like today during mission?

A. This was his second jump today. I jumped with him earlier. He was very composed cheerful and alert. He made a good landing and was joking around during this first jump.

Q. Has LISTON ever had to correct a malfunction before while jumping?

A. Yes. His rookie year which was ~~1997~~ 1998 he had a bad jump. While in Washington State, we had to jump one time together and it was a very dangerous jump. We had to land on one spot. Dave jumped before me and had a malfunction. He had tension knot and *AV*

Exhibit: \_\_\_\_\_

INITIALS AV

PAGE 1 OF 3 *AV*

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Exhibit

0062-00-CID209-

STATEMENT OF VEITCH, JAMES H.

TAKEN AT Fort Wainwright, AK 99703-7840 DATED <sup>30th</sup> 29 Apr 2000 CONTINUED.

he had to go through malfunction procedure. Then after he pulled that off, he had to pull out a perfect landing or risk injury, which he did. As an old guy looking at a rookie, I was really impressed with his performance and was always very confident with him after that.

Q. Did LISTON mention any problems he was currently having today?

A. He was a very happy go lucky kind of guy and he did not mention anything to me.

Q. Do you have anything to add to this statement?

A. I feel that Dave did everything correctly and followed his procedures correctly. This is based on past observations of his performance.///End of Statement///

Exhibit: \_\_\_\_\_

INITIALS     ju    

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PAGE 2 OF 3**Exhibit****For official use only**

0062-00-CID209-

STATEMENT OF VEITCH, JAMES H.  
TAKEN AT Fort Wainwright, AK 99703-7840 DATED <sup>20</sup>~~29~~ Apr 2000 CONTINUED.

-----  
AFFIDAVIT  
-----

*W* I, JAMES H. VEITCH  
HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND  
ENDS ON PAGE 03. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT  
MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND  
HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE  
MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT  
THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR  
UNLAWFUL INDUCEMENT.

*James H. Veitch*  
\_\_\_\_\_  
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to  
administer oaths, this 29 day of APR, 2000 at Fort Wainwright, AK  
99703-7840

*W.D.W.*  
\_\_\_\_\_  
(Signature of Person Administering Oath)

SA WARREN D. WORTH  
\_\_\_\_\_  
(Typed Name of Person Administering Oath)

ARTICLE 136 (b)(4) UCMJ  
\_\_\_\_\_  
(Authority To Administer Oaths)

WITNESS:  
\_\_\_\_\_  
\_\_\_\_\_

Exhibit: \_\_\_\_\_

INITIALS *W*

PAGE 3 OF 3

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Date: 8 May 2000  
To: BLM parachute accident investigation team  
From: Jim Veitch, smokejumper  
Subject: Drogue in tow statistics

One of the very first things that struck me as odd about the jumps of 29 April was the apparent occurrence of two drogue in tow malfunctions on the same stick. It struck me as a mathematical impossibility.

Attached is a document titled: "Ram Air Malfunction History". It records all the known malfunctions from 1979 through 1998 for both Alaska and Boise. One additional malfunction occurred in 1999, a tension knot on a Goliath canopy.

Only three drogue in tow malfunctions have been recorded with the present system. Three drogue in tow malfunctions occurred in the early days of development but those systems were markedly different in design and function and can not be counted. The two, in 1983 and 1984 were due to the handle separating from the long yellow cable due to manufacturing problems. This problem seems to have been corrected.

In 1992 a drogue in tow was caused by an incorrectly repaired bridle assembly. The bridle broke on drogue opening shock precluding its release. Corrective measures have been instituted to avoid a reoccurrence. This malfunction happened in Boise.

In discussions with older smokejumpers some can remember several (less than 2-3?) "release hesitations" where the jumper started to go for the main canopy release handle but the main canopy opened before they could get to the first handle. These incidents are not well documented.

A reliable count of the total Alaska ram air jumps from 1988 through 1999 inclusive totals 13,959 (this does not include jumps out of Boise). During that period there were zero drogue in tow malfunctions in Alaska. The 1992 drogue in tow occurred in Boise. All three known drogue in tows could be clearly attributed to a manufacturing or repair error. The document "Ram Air Malfunction History" states that as of 6-4-97 there had been 10,018 ram air jumps made on the Trilobe type canopy. It does not state the total jumps on other types of canopies. An estimate of over 10,000 jumps have been made on the Goliath and other canopies. That's over 20,000 jumps with 3 drogue in tow malfunctions assigned to traceable mechanical failure. Each particular malfunction cause has been corrected through improved manufacturing or repair procedures.

The drogue in tow malfunction can and should be looked at in a different way. The three malfunctions mentioned above were all traceable mechanical failures. Roach's problem was different. It could be defined as a drogue release mechanism function failure. Nothing broke, no physical evidence remains to explain why the failure occurred. In fact the release did eventually

function as the reserve canopy began to inflate. The lift of the reserve droop risers may have changed the harness geometry enough to change the drogue release 3-ring situation allowing a release. The undocumented reports of "release hesitation" may have been of a similar nature. Some slight shift or shake may have cleared the problem. Roach acted properly and quick enough to get the reserve out prior to the delayed release of the 3-ring.

Now if we assume that Liston also had a release hesitation, what are the odds of that happening?

Using 4 release hesitations in 20,000 jumps or, 1 every 5,000, the probability is 4 divided by 20,000 jumps or 0.0002 for a single event. What is proposed is not a single event but the occurrence of the same rare event happening one after another. The probability of two such consecutive events is 0.0002 multiplied by 0.0002 or 0.00000004. That's 1 expected double drogue hesitation out of every 25 million jumps. Even if we were to say there have been 100 release hesitations over the years that would give odds against a double occurrence at 1 in 40,000. Given that all 3 recorded drogue in tows could be traced to identifiable causes the lack of physical evidence on either Roach's or Liston's equipment raises considerable consternation.

Mathematically the possibility of two consecutive drogue hesitation malfunctions is so remote it strongly suggests that Liston did not have a drogue in tow. This is an understatement. It's a 1 in 25 million chance that Liston had a drogue hesitation of noticeable duration.

If Liston did not have a drogue hesitation then he did not pull his drogue release handle in the normal time frame. If he did not pull his drogue release handle in the normal time frame there must have been a cause. That cause had to be pronounced enough to distract or prevent him from carrying out his normal drill. Something dramatic enough to pull his attention away from what was deeply ingrained in his mind and motor function. The normal drill would have eventuated with a drogue release handle pull in from 2 to 6 seconds from time of exit. Therefore something happened within 6 seconds from exit that disrupted his normal drill.



## Ram Air Malfunction History

Prepared by Gary Baumgartner 3-11-99

- 1979- 150 ram air jumps, 5 reserve rides.  
Note: These malfunctions occurred during the research and development stages of the ram air program.
- 1981- 190 ram air jumps, 1 reserve ride.  
Note: These malfunctions occurred during the research and development stages of the ram air program.
- 1982- 354 ram air jumps, 0 reserve rides.
- 1983- 707 ram air jumps, 2 reserve rides, 2 minor malfunctions.  
Cut-away malfunction: Slow opener on a MT-1S.  
Cut-away malfunction: **Drogue in tow due to faulty drogue release handle.**  
Non cut-away malfunction: Inadvertent release of the left steering line.  
Non cut-away malfunction: MT-1S. Hung slider causing a rapid flat turn.
- 1984- 919 ram air jumps, 3 reserve rides.  
Cut-away malfunction: **Drogue in tow due to faulty drogue release handle.**  
Cut-away malfunction: **Bag lock due to a premature release of the closing pin.**  
Cut-away malfunction: Mis-routed riser cable.
- 1987- BLM Smokejumper parachute ( Q5) was designed by Quantum Parachutes using our performance criteria.
- 1988- The Q5 parachute was evaluated in October with Gargano in attendance. The evaluation was done in Boise.
- 1989- Cut-away malfunction: Line entanglement due to improper routing of brake line, MT-1X. (Houde)  
Non cut-away malfunction: Left side of canopy failed to inflate for the entire jump. Tri-Lobe. No report was made. (Ierien)
- 1990- Student AAD's purchased for testing.  
Cut-away malfunction: Tension knot, Tri-Lobe. (Steele)  
Cut-away malfunction: **Improperly stowed brakes, Tri-Lobe. (Mueller)**  
Cut-away malfunction: Streamer, MT-1X. (Ferguson)  
Non cut-away malfunction: Tension knot, Tri-Lobe. (Taylor)  
Non cut-away malfunction: Separated A-5 line. Finger trap was not bar tacked.(FS jumper ?)

- 1991-  
 Cut-away malfunction: Tension knot, Tri-Lobe. (Skudero)  
 Cut-away malfunction: Tension knot, Tri-Lobe, left upper steering lines. (Kelton)  
 AAD's in operation for ram air rookies.  
 Cut-away malfunction: Tension knot, Tri-Lobe, spinning. (Bataglia)  
 Non cut-away malfunction: Broken cat's eye, spinning, MT-1X. (Mason)
- April-  
 Washed Guardian Tri-Lobes to reduce opening shock.  
 Q5 field tests completed and operational.
- 1992-  
 Approximately 1,000 jumps on the Tri-Lobe, 3 reserve rides.  
 Cut-away malfunction: Tension knot, spinning, Tri-Lobe: "three or four lines balled up at one point" (Spencer Mellum)  
 Cut-away malfunction: Drogue in tow due to a jammed closing pin caused by a broken bridle. The bridle broke because of an improper repair. (Hoffman)
- 1993-  
 924 Tri-Lobe jumps. 0 tension knot cut-aways.  
 Non cut-away malfunction: Left steering line entanglement, Tri-Lobe. (Dalan)  
 Non cut-away malfunction: Tri-Lobe streamer. Malfunction was cleared when the jumper initiated the emergency procedures. (Range)  
 Non cut-away malfunction: MT-1X major snivel. (Boatner)
- 1994-  
 Non cut-away malfunction: Streamer, MT-1X. The parachute opened during the emergency procedures on the third pump. (Righetti)
- 1995-  
 Cut-away malfunction: Tension knot, Tri-Lobe. (Niccoli)  
 Non cut-away malfunction: Tension knot, spinning, Tri-Lobe. (Beck)
- 1996-  
 Cut-away malfunction: Tension knot, spinning, Tri-Lobe. (Taylor, P)  
 Cut-away malfunction: Tension knot, Tri-Lobe. (Silks)  
 Cut-away malfunction: Tension knot, Tri-Lobe. (Beebe)  
 Non cut-away malfunction: Tension Knot, MT-1X. (Larson)
- 1997-  
 Cut-away malfunction: Tension knot, Tri-Lobe.: (Vining)  
 Non cut-away malfunction: Tension Knot, Experimental spectra line, Tri-Lobe. (Baumgartner)
- 1998-  
 Cut-away malfunction: Tension knot, spinning, MT-1X (Houde)  
 Cut-away malfunction: Tension knot, Tri-Lobe. (Morton)  
 Cut-away malfunction: Tension knot, Tri-Lobe. (Liston)  
 Cut-away malfunction: Chute hooked up backwards, Eiff. (Reynalds)  
 Non cut-away malfunction: Tension knot, Tri-Lobe. (Cross)  
 Non cut-away malfunction: Tension knot, Tri-Lobe. (Shalom)

Non cut-away malfunction: Tension knot, Tri-Lobe. (Boise Jumper)  
Non cut-away malfunction: Tension knot, Tri-Lobe. (Cross)

#### TRILOBE

1. As of 6-4-97 10,018 trilobe jumps BLM wide.
2. As of now 11 tension knot cut-away malfunctions on trilobes.

The trilobe tension knot malfunctions:

1. Steele, 1990
2. Battaglia, 1991
3. Scudero, 1991
4. Mellum, 1992
5. Niccoli, 1995
6. Silks, 1996
7. Taylor, 1996
8. Beebe, 1996
9. Vining, 1997
10. Morton, 1998
11. Liston, 1998

There have been 2 non-tension knot trilobe malfunctions. The cause was identified and corrected on both. They were:

1. Mueller, 1990 (mis-stowed toggle)
2. Homan, 1992 (drogue in tow)

#### GOLIATH

There have been 12 MT1X malfunctions. The causes of 10 of these were identified and corrected. The "uncorrected" MT1X malfunctions were:

1. Ferguson, 1990 (slow opening)
2. Houde, 1998 (tension knot)

Rec'd  
9 May

Date: 8 May 2000  
To: BLM parachute accident investigation team  
From: Jim Veitch, smokejumper  
Subject: Recollection of conversation concerning Liston's PG bag.

On the evening of 29 April I was standing on the Birch Hill Road adjacent to the Liston accident site. It was an hour or so after the accident. I talked to another smokejumper who mentioned Liston's PG bag. I can not remember who I spoke with. I have announced at two crew meetings asking the jumper to contact me with no success. The jumper may not have been at either of those meetings, but both meetings had nearly the whole crew.

The jumper told me that Liston had expressed concern to him about the new PG bag he was jumping. I can't remember if he said the conversation with Liston had taken place on the 29<sup>th</sup> or the previous day. The jumper on the road said Liston demonstrated how the PG bag could be swung up over his reserve parachute. He demonstrated the motion with his hands. The jumper then said Liston had made some comment like, "That doesn't seem right, does it?" I reacted to his demonstration with dismay.

In my efforts to track down the person who talked to me I have identified Tom Roach as a possibility. He was on the road about the right time but can not remember the discussion with me. Roach did have a discussion with Liston about the PG bag prior to the jump however. Liston was fully suited at the time. Roach can remember where they were standing in the ready room. He does not remember seeing Liston demonstrate swinging the PG bag up over the reserve parachute. If Roach is the person who talked to me on the road he may have inadvertently embellished what he saw Liston do.

Murry Taylor was also in the ready room and remembers looking at Roach and Liston about the time they may have been talking about the PG bag. Taylor told me he could not remember seeing Liston swing his PG bag up.

On the previous jump I had been Liston's jump partner. I was number two, he number three in a four person stick. I noticed him having difficulty attaching his PG bag on the climb to altitude. He was struggling with the right side of the bag. I believe he was attaching a carabineer. I asked if I could help. By then he had finished with the right side of the PG bag and said, "Yeh, hold up the bag." I supported the weight of the bag as he snapped the left side Fastex snap. I then turned away.

A video exists showing Liston landing on his first jump the morning of 29 April. It clearly shows the position of his PG bag. The position appears normal.  
End of statement.

Statement to the Liston investigation team as of 1500 hours 4 May 2000

By Jim Veitch

Question: At what angle above the horizon did you notice "a dark object" in the vicinity of Liston.

Answer: Using a foresters incline measuring optical device I went outside and sighted to trees in the distance. The trees were of a similar height and distance as those at the jump spot at the incident. My recollection of exactly when I saw the dark object is not totally clear but I know about where I saw it for sure. This can not be construed to mean the "object" was not "there" earlier, just that I can state with reasonable certainty when I did see it. By using the foresters incline device I read angles of from 15 degrees to 25 degrees above the horizon when I say I saw the object. That is it could have been as low as 15 degrees or as low as 25 degrees above the horizon.

Question: When did you notice Liston's drogue in tow situation?

Answer: I was watching the jumpship fly overhead anticipating the jumpers coming out. I have watched hundreds of normal jumps and hundreds of parachute test jumps and parachute drops using test dummies. I have trained myself to observe the parachute deployment. I know from experience that from a great distance and due to the speed that things happen I must look for certain things. I am aware of timing of events, flashes of color, motion, and things that are out of what should be the normal "picture".

As the jumpers began exiting the jumpship I spoke out loud, "One out, two out, three out, four out," as I saw each jumper exit. I immediately notice the third jumper because he descended farther than normal under the drogue. At that point I transfixed on that jumper and followed him all the way to the ground without taking my eyes off him.

Question: What did you do when you noticed Liston's drogue in tow and what are the timings of what you did.

Answer: Once I notice the third jumper descend beyond the normal point for main canopy opening I called out, "Drogue in tow, drogue in tow, get a camera on this." I believe I called this out very soon after I recognized the situation. I would think 1-3 seconds after I recognized the situation. Because I have been involved in so many parachute experiments I have a high concern for documentation and gathering facts. It is natural for me to want to get a video documentation at the earliest possible instant. So it would be more usual for me to speak this out sooner than later. I also wanted to get more eyes on the situation quickly so others might be able to see and remember the sequence of events. At this point I fully expected to see a reserve come out at any instant.

I continued to focus all my attention on the falling jumper. I hold a "normal" picture in my mind

*page 1 of 7*

of what a descending jumper and drogue should look like. The best I could hope for was to notice any discrepancy. I did not become concerned until the jumper was about half way down. Then I realized he was entering an area of grave danger. Events had passed way out of an expected sequence for main or reserve deployment.

For some reason I thought I was looking at the left side of the jumper. I consciously noted the jumper had an upright body position, that is, he was not leaning forward or backward or tilted forward or backward. The jumper was not rotating because I did not notice any changing color pattern that is noticeable when a jumper is rotating. I did not notice a rotation of the drogue but that is harder to ascertain because of its uniformity of color all the way round. I noticed no rocking or swaying of the jumper. The drogue did not "rattle" or rock in an unusual way. I did not notice the jumper kicking or any arm movement. This is not to say I could have seen leg or arm movement at that distance but my attention was not drawn to something unusual in the area of the arms and legs.

Starting some where about 25 degrees to 15 degrees above the horizon I first noticed a discrepancy in the normal picture I hold in my mind for a drogue/jumper. I saw something dark in the vicinity of the jumper and drogue. (See the sketch on Attachment #1.) The dark object was above head height but below the red color of the drogue. As I looked at the jumper the dark object was to the left. The object remained in the same general area from the time I noticed it till the jumper/drogue entered the trees. The dark object was separate from the normal jumper/drogue picture, that is, there was some spacial separation. The dark object was not rising up and away but tracked with the drogue and jumper. I did not note any object above the drogue at any time.

Because I saw the "dark object" at 25-15 degrees above the horizon doesn't necessarily mean that is the first instant of its presence. The object could have been in an obscured position prior to my observation due to my viewing angle or due to its position relative to the drogue/jumper.

Question: What can you tell us about Dave Liston's personal gear (PG) bag.

Answer: Dave was jumping with the newly designed covering bag for the PG bag. On the morning of 29 April Liston and I jumped together as number 2 (me) and number 3 (Liston) on a four man stick. As we climbed to altitude I watched Liston hook up his PG bag. I remember him struggling with the bag as he attached a carabineer to the right side of the bag. He then began attaching the left side. I bent forward and said, "Can I help you with that?" He responded, "Yeh, just hold it up." I held the bag up so he could snap the left side Fastex fastener himself. I can not remember the routing of the attachment strap and did not observe him tightening the straps because I turned away.

Note1: I wear eye glasses with vision corrected to 20-20 distant vision and have normal color acuity.

Note 2: The location of my jumpspot observation point and impact point were located with a Garmin GPS 12XL device on 4 May. The observation point was located at: N 64 degrees

page 2 of 4 DJ

51.133, West 147 degrees 35.994. The impact point was North 64 degrees 51.474, West 147.36.848, stated in decimal minutes. The distance between the two points was calculated by the GPS as 0.57 miles or 3009 feet.

Using basic trigonometry of  $\tan @ = \text{altitude}/\text{distance}$ , the following can be calculated:

Distance from observation point to impact point is 3009 feet.

Angle at which "dark object" is first noticed is @ above the horizon.

@ = 30 degrees    Altitude = 1737 feet

@ = 25 degrees    Altitude = 1403 feet

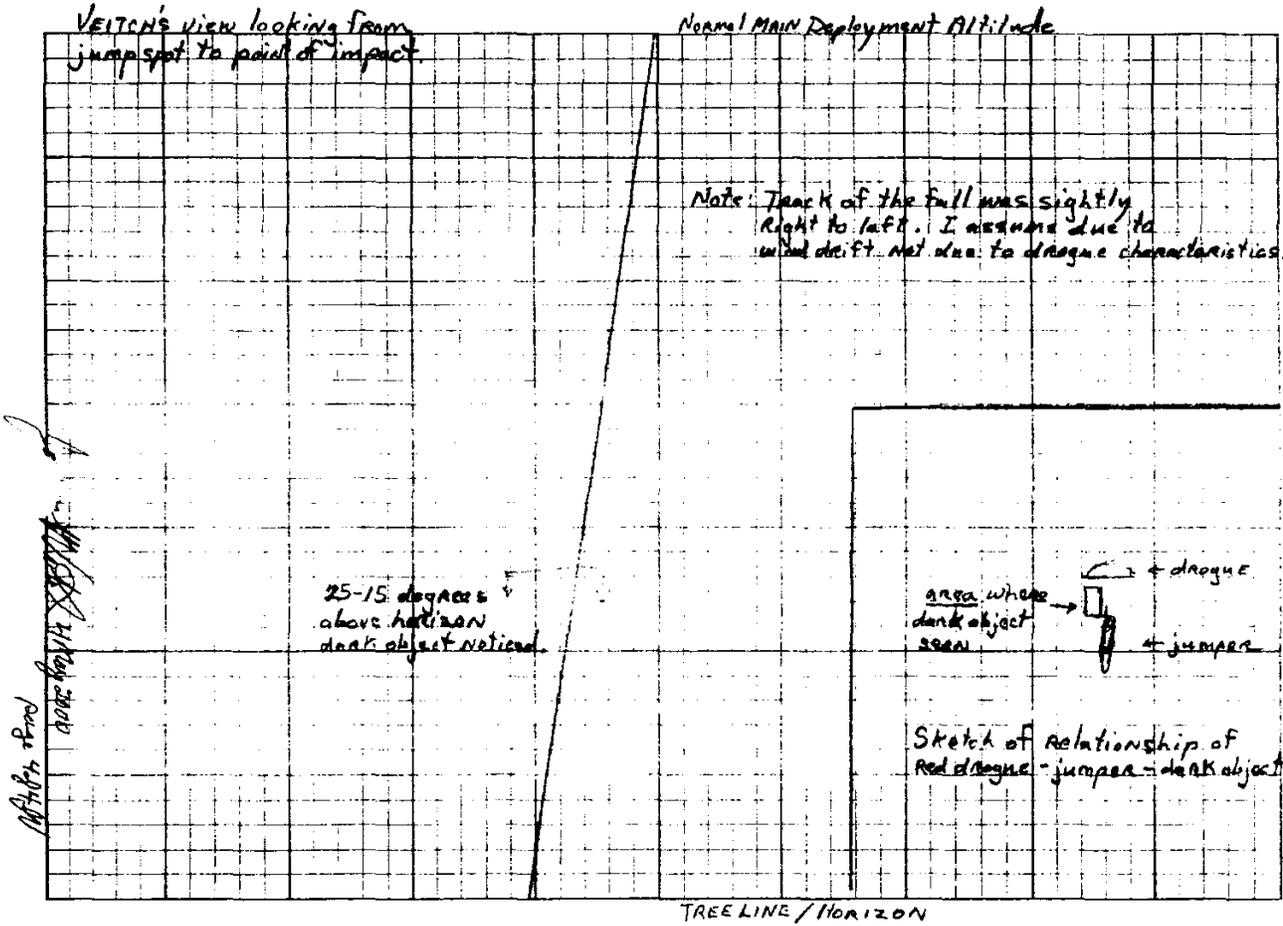
@ = 20 degrees    Altitude = 1095 feet

@ = 15 degrees    Altitude = 806 feet

Signed: James Veitch

*James Veitch 4 May 2000*

*page 3 of 4 31*



1. Pilotchute

- a. Cap. Grommets tight, no burrs. Some sort of granular material appears in several places on the top of the cap. It is whitish gray in color.
- b. Top seam normal
- c. Top edge of fl 11 fabric where it meets the cap of pilot chute, find the Stamp panel and call it #1, count clockwise, look down from the top.
  - i. Panel 1 The seam between Panel 1 & 4 where the seam meets the cap at the top has a red mark. Not associated burned fibers. May just be tailors calk. Same red mark between 3 & 4.
  - ii. Panel 2 The seam between 1 & 2 where the seam enters the cap: Found several tiny bits of red fabric fiber and sand. There appears to be no melting of fabric in the area.
    - (1) The fibers are caught under the fold of the seam where it enters the cap. Seam between 1 & 2 has 2 places it dirt or a grey powder rubbed into the seam.
    - (2) Net of panel 2 has one pine needle stuck in the netting weave. Generally the net in panel 2 shows some pulling out or distortion of net fibers as if it brushed past something rough.
  - iii. Panel 3 Net shows some slight roughing of fibers
  - iv. Panel 4 Hot knifed edge at edge of cap shows no alien fabric fibers. Also, a pin hole 3 inches from lower lateral seam, 3.5 inches from radial seam with 3. Hole from outside in. No torn fibers, no melting. Looks like a clean pin hole. Near the pin hole and above it are signs of distress to the fabric. If you hold the fabric up with a light behind it you can see places where other punctures were just starting but did not penetrate. The general lay of the threads is distorted slightly. There is another group of 5-6 pin-like distortions of the fabric about an inch from the cap, one pushes all the way through the fabric.
    - (1) Net shows some slight roughing of fibers that is the net webbing has threads pulled out of shape and tufted up.
- d. Confluence wrap at bottom of pilotchute and knot at top of drogue bridle
  - i. One one side is a smear of something that looks like dried cream-of-wheat. It looks like it was once wet and then dried. Color is yellow-off-white. In places it has a pinkish hue. In a couple places the material is crystalline, like salt, and is pure white. The material is on one Pilotchute suspension line, the confluence wrap and on the drogue bridle knot, all on one side only. None of the nylon threads appear melted or pulled out of place. The suspension line is between panels 2&3.

2. Drogue Bridle

- a. The bridle has two sides. Side A will be the side where the bridle is sewn onto it self below the pilotchute.

- b. Side B starting at the lower edge of the box X stitch and running for about 6 inches is a mark on the bridle. It appears the mark is made by the same substance as found on the pilotchute/drogue confluence wrap. No burning or melting of the nylon fibers.
  - c. 5 feet 0 inches down from the box x seam on the edge of the bridle is a crumb of material of the same color found on the confluence wrap below the pilotchute. The material appears to be fibrous. In the crumb is a blue fiber. The crumb is held in place by only a couple fibers on the edge of the bridle.
  - d. Side A from 1 to 7 inches below the box x is a similar but fainter mark by the substance mentioned on Side B in the same area.
  - e. Side A, the upper little air scoop. About 3.5 inches from its opening seam, on the fl 11 fabric of the scoop are several tiny smears of a white to clear colored glue like substance in a diagonal arrangement.
  - f. Side A, edge, 6.5 inches above the top stitch on the lower bridle scoop is another crumb of fibrous looking material. Contained in the crumb is another blue fiber.
  - g. Edge of bridle above the top stitch of the bottom scoop. Blue thread found at 6.5, 9.5, 10, 14 inches up. All on the same edge.
  - h. The edges of the bridle above the lower scoop seem ruffed up more than the edge of the bridle higher up.
3. Drogue Cap
- a. Ok
4. Drogue Body A234Z
- a. From Stamp Panel moving counter clock wise (looking down from top)
  - b. Panel 3 Tear on lateral band. The first lateral band above the lateral band that meets the netting. The tear is approximately 3 inches long and is of the red drogue body material separating from the lateral band. On the under side of the lateral band tape is a dark brown stain and other dark material. This may have been the point where the tear started. Interestingly there is a minute blue dot on one sewn thread on the outside of the tape and two even smaller dots of blue on the inside of the tape. One short blue fiber was also seen in the area of the tape. If this tear had been caused by a burst of pressure it would have been clean. The presence of dark colored material suggests it was torn by something.
5. Net
- a. Appeared in good shape. Some stains but nothing that seemed significant.
6. Sail
- a. On the kevlar side of the Sail starting immediately below the black fabric where the drogue suspension lines are sewn in. You can see the white sail material has been folded. The white fabric is coated and holds a crease. The white sail fabric is clearly creased from the black fabric and angles down the sail. The creases run 13 inches down and have a fall of 0.75 inches (this describes the angle of the crease.) The sail was folded in towards the kevlar from both edges. Two dark lines of soiling can be seen on the white sail where it was squeezed against the tread lines on the kevlar.
  - b. On the reverse side of the Sail, away from the kevlar the same creases can be seen. In addition small burns can be seen starting right below the hard area of the

black fabric. The coating on the white fabric is scoured away along some of the creases. This indicates the sail was folded in towards the kevlar side. It also shows that the wrap happened right up against the black fabric and then slide down later. The wrap did not take place on the black fabric area because there is no creasing or burns on the white fabric of the sail in that area.

7. Reserve Container
  - a. Grommets on bottom and both side flaps show pin damage. Grommets on bottom flap show the most abuse. All grommets tight with no spurs or burrs evident.
  - b. Elastic closing loop seems ok.
8. Drogue Container on top of Main Container
  - a. 4 rubber bands on each side. Left side (looking forward) 1<sup>st</sup> two rubber bands are new. #1 unbroken, #2 broken and gone. #3 & #4 old, yellow and long. Right side, first 2 rubber bands are new, next two are old, yellow and long.
9. 3-Ring Drogue Release Mechanism Harness #9012, manf: Mar-90
  - a. Measurements taken
    - i. 2<sup>nd</sup> Ring: 28
    - ii. Loop: 54
    - iii. Grommet: 61
    - iv. Zig-zag: ok 18mm long, 3 point, 30 stitches
    - v. Free Loop: 21
    - vi. Loop stiff: ok
    - vii. Web stiff: ok
    - viii. Loop nub: No
  - b. Loop seemed dirty and the webbing of the 2<sup>nd</sup> ring was polished underneath from large ring rubbing. Loop seems short.
10. Handle, Drogue Release
  - a. The green plastic coating is chipped off in several places on the bottom side of the handle. Most seem like old wear. A couple of new, shiny wear spots are seen.
  - b. Cable: 21.5 inches long from where it comes out of the handle. Slight bend at the point 6 7/8 in from end but acceptable. At the 6 7/8 inch from the end the cable is darkened with foreign matter and shows scratches.
  - c. Loop point is 6 1/4 inch from end
  - d. End of cable is smooth
  - e. Cable housing seems clear.
  - f. Handle pocket seems tight
11. Handle, Reserve
  - a. No blue threads seen anywhere
  - b. Looks normal
12. PG Bag
  - a. Various scuffs, mostly on the back side. Some on the back side seem to have whitish fibers in the area. Generally no clear signs as to what made the marks. Only a couple breaks of fibers anywhere on the bag and they appear to be small punctures.
13. Helmet
  - a. No traces of green or blue fibers. Paint chips are gone from the helmet and what

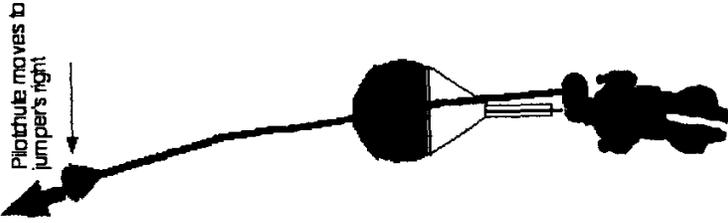
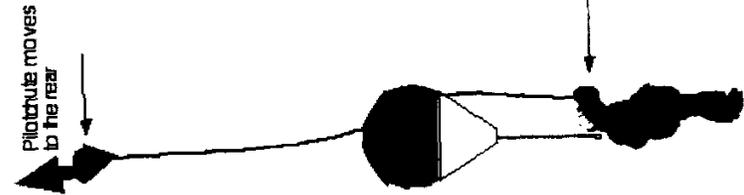
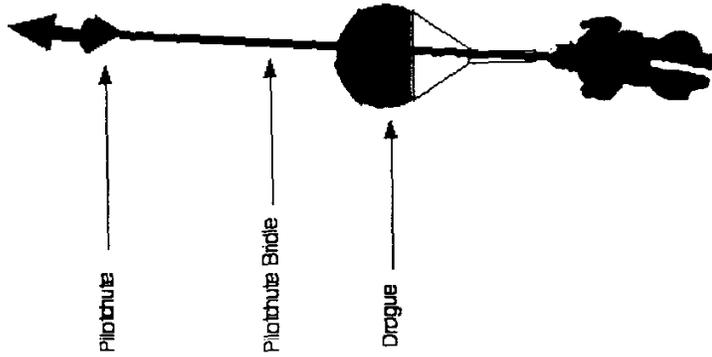
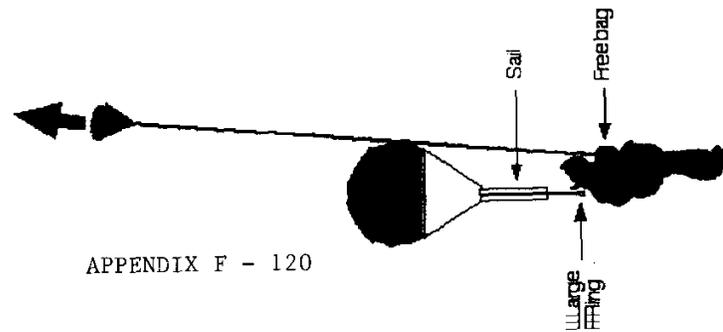
appears to be metal rubbing on the left side of helmet near ear. Can't determine direction of breakage of the chinstrap snap. No mask marks that seem useful.

14. **Jump Suit, Jacket & Pants**

- a. Could not notice any marks that might be attributable to the reserve pilot chute bridle anywhere on the suit.

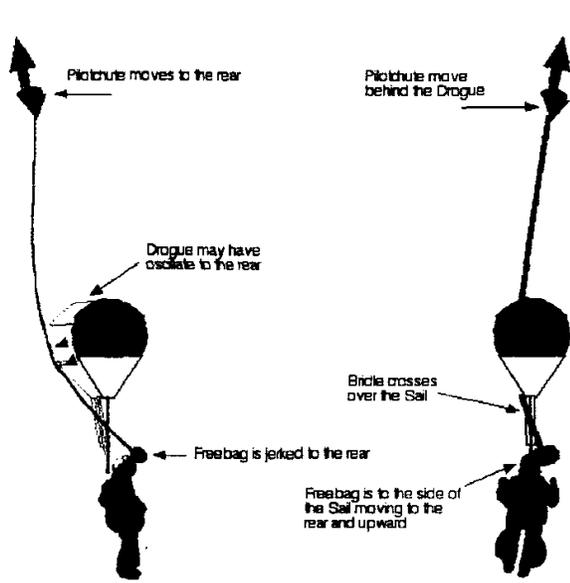
### Drogue / Reserve Entanglement Description

1. After stabilizing under the Drogue the jumper command released the Drogue by pulling the Drogue Release Handle. The Drogue did not release as expected. The jumper initiated the proper malfunction procedure for a Drogue-in-Tow malfunction. First the Main Canopy Riser Release Handle was pulled and discarded. Second the Reserve Parachute Opening Handle was pulled and discarded. The Reserve Parachute springs out and is carried up to the extent of the 16'2" Bridle. Falling at 80 mph the Parachute rise to full Bridle extension would take about 0.2 hundredths of a second. At this point the Free bag begins to be lifted. In this description the Free bag is lifted slightly to the jumper's left.



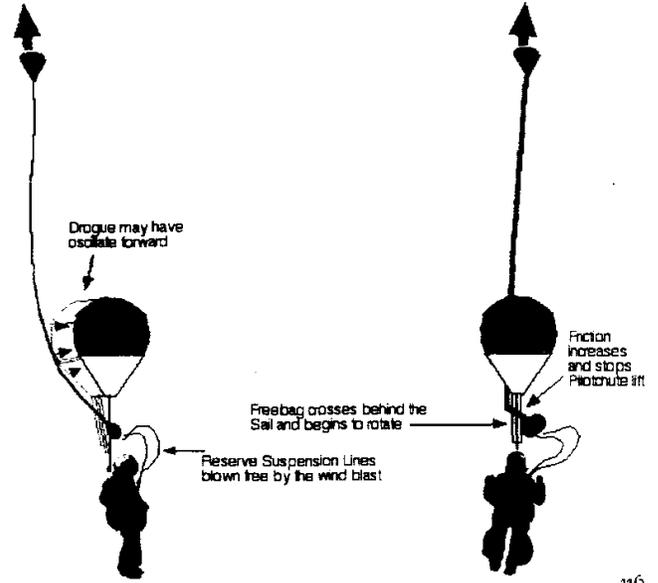
2. As the Free bag is lifted upward it has a large Vertical Force Vector and should have no horizontal movement. Somewhere about head high the Freebag began to move from a strictly vertical track and dived with the Drogue Sail. The cause and mechanism of the horizontal movement is conjecture. The coming together of the Freebag and Sail could have been caused by the Pilot chute wind forces, erratic movement of the Drogue, spinning or some unknown factor. In this description the Pilot chute whips to the jumper's left and rear causing the Pilot chute Bridle to crossover the Sail.

3. The Pilotchute and Freebag continue to lift. The Pilotchute moves dramatically to the rear inducing a large Horizontal Force Vector on the Freebag. If the Drogue oscillate quickly to the rear it could have struck the Pilotchute Bridle, jerking the Freebag to the rear. The Freebag is now moving up and back to the jumper's left of the Sail. The same effect could have been caused by other factors mentioned in #2.



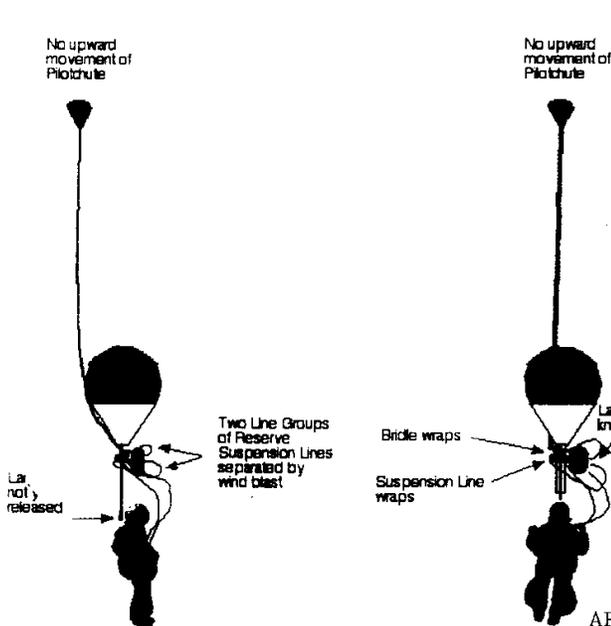
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4. The Freebag, with a significant Horizontal Force Vector moves rapidly to the rear. The Freebag passes to the jumper's left of the Sail. The Pilotchute Bridle crosses over the Sail. The Sail, which is rigid, acts as a pivot point around which the Freebag can rotate. The collision of the Sail and Bridle could have been exaggerated by a forward oscillation of the Drogue. The result is like throwing a leather ball around a pole, it will wrap up. The Freebag Horizontal Force Vector becomes a Rotational Force Vector. Friction between the Bridle and Sail slows and then stops the Pilotchute lift. The Reserve Suspension Lines are almost fully out of the Freebag and trail around behind the Freebag as it wraps around the Sail. The Freebag is held closed by two Closing Stows of the Suspension Lines.



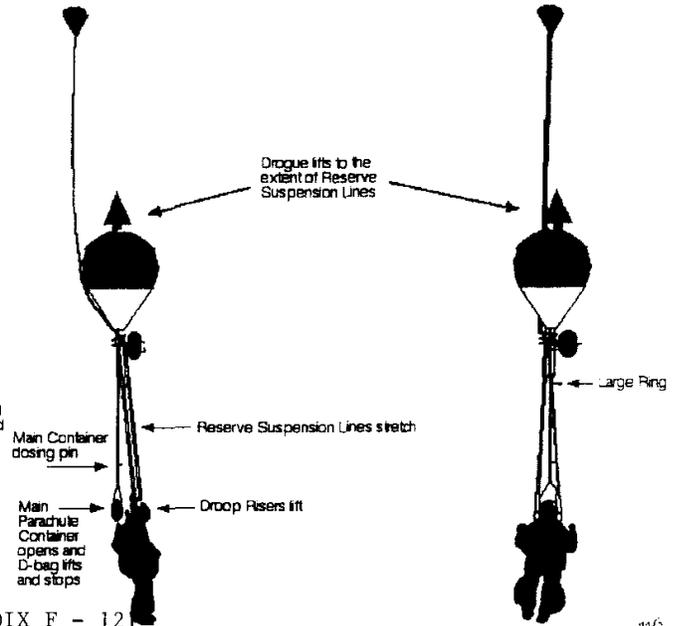
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5. The Freebag rotates around the Sail drawing the Reserve Suspension Lines in its wake. The two Reserve Suspension Line Groups are blown apart by the wind allowing the Freebag to swing between them. The result is a Larks Head Knot which ties the Suspension Lines to the Sail. The Freebag is designed to function with either a pull from above or below. The Pilotchute Bridle wrap above the Freebag defeated an upward pull. The Larks Head Knot of the Reserve Suspension Lines defeated the downward pull. The Reserve Canopy could no longer come out of the Freebag. The total elapsed time to this point could well have been less than a second from Pilotchute launch.



APPENDIX F - 12

6. Almost instantly the Large Ring of the Drogue Release 3-Ring released. This can be deduced from the nature of the Suspension Line Twists (see: #7). After the Large Ring release the Drogue Assembly moved sharply upward stretching the untangled Reserve Suspension Lines and lifting the Droop Risers. A force of about 60 pounds per Droop Riser is needed to break the Droop Riser locking to the jumper's Harness. The Main Parachute Container was opened on the jumper's back and Main Parachute Deployment Bag lifted slightly. The Main Parachute Deployment Bag could be lifted no further because the Reserve Suspension Lines held the Drogue from rising. Because the jumper had followed correct procedures the Main Parachute Risers were already released and the Main Canopy was un-deployable.



74v

**Interview: Togie Wiehl**

I didn't have any specific questions for Togie, but he had some things he wanted to say.

Togie speculated on the theory of third year jumpers being in slightly more danger than older jumpers or rookies. A jumper in their first 2 years of the business generally realizes they don't have much experience, thus pay more attention and takes less chances. The third year jumper sometimes thinks they have everything figured out and are more aggressive. By the fourth or fifth year, most people gain enough experience to realize they didn't know as much about smokejumping as they thought they did. They become more realistic, and safer in general.

Togie stressed this as a theory, and that he had no reason to believe Liston belonged in this generalized category.

Togie also suggested we have Bill Booth or Ted Strong inspect our harnesses and give us their opinion of our gear. Specifically, our drogue three ring release system.

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My name is Al (togie) Wiehl, I'm a loft specialist with the Alaska smokejumpers and the BLM Alaska smokejumper rigging coordinator.

I was at the jump shack when I first heard about the parachute malfunction, a pilot (Ed foster) ran in the shack and said I think someone landed without a chute, just then I heard jumper 17 calling dispatch for an ambulance to be sent to birch hill area. At the same time a jumpers wife walked in and heard pretty much what I heard and she started freaking out. What happening? I said, I think one of the jumpers got hurt on the jump. She ask me if Mel was on the load? don't no, she said, I think he was spotting are was he? Then I looked at the jump load list Mel was on the load I pointed it out to her Mel is on the load but we don't know which jumper got hurt. Jumper 17 call dispatch and said they were returning too Ft, Wainwright.

Couple minutes past and jumper 17 on the ground, Bill Cramer and Dave Hade jump off both looked like a gosh. I ask Bill we had a malfunction? No we had two and I didn't see the second one.

So Hade and I jump in to my truck w/ radio, cell phone and a camera and haul ass to the birch hill, Hade new right were to go, the ambulances was just taking Dave Liston then we arrive, my job was to get out there and secure the jumper gear and parachutes so investigators can investigate, because in my mind I know if someone landed with out a canopy it not good. Anyway when Dave and I arrive Jim Veitch was in total control of the seen were Dave landed, Jim was barking out orders to the bros this is a read shitty deal right now we need to look after one another no one running off by themselves, bros take care of one another. The only one to Dave's gear is Togie, Hade Nelson Gary and myself (Veitch) still barking orders out, we're just going to look at Listens gear, once we got back in to were Dave landed Veitch made it clear to us not to touch anything, look and take pictures. I couldn't really see all the gear I was videoing the seen and it hard to see throw the camera with the bright sun light, plus batteries

Was getting low on the video camera and Jim said someone should be videoing while their looking, I walked out to the road looking for batteries from the bros. Silks jump in a rig and headed to the shack for batteries are another camera. By then the military polices arrived I could remembering thinking the polices should be involved so I took one military officer back in tied him in with Jim Veitch and walked out to the road. A couple of minutes later the bros came out with the officer and said waiting for the C.I.D folks to arrive. Military polices said when someone dies on military lands the C.I.D needs to be involves.

So Nelson, Ford, Roach, Hade, Mitch and I went over to were Roach jump gear is, once again just to look and take pictures and do not touch. This is what I seem, Roach reserve still in a birch tree and reserve riser attach to the harness, lower RSL still party in the Velcro pocket the lower snap shackle was open but still attach to the reserve land yard. The upper part of the RSL is still attach to the main canopy (upper RSL snap shackle attach to lift riser) toggles in the keepers, suspension lines extended out to the d-bag, the d-bag looks like one locking stow on the lift side released. middle one is party release and the right side locking stow still had double rap (rubber bands) I look carefully at the other rubber bands none were broke or damage(line stows). That too me said, the line stows and locking stows released slowly? The drogue looked like a drogue I didn't see anything unusual.

I don't know how long we inspected and looked at Roach's gear. Than took Nelson, Ford, Hade, Roach, Mitch back to were Dave Listens gear was and drop them off except Roach. Roach and I headed to the shack were the other bros are gathering. I stayed at the shack tell someone called Dalan Ronero to see if someone was guarding Roach's gear "if not" the Fairbanks P.D was going to pick it up, so I volunteer to look after Roach's gear. Couple of hours past and a Fairbanks detective arrived (Coffee) came by said he can have the military polices patrol the road, Coffee, Jones (the military polices) and I agreed no one was going to walk out where in the middle of the night. So I went home...

- Q: What was your assignment?
- A: I jumped the first load. Drove back with Crusty (Dave Liston). I gave him some shit for not helping unload the truck. I stayed at the shack. When the plane came back and the pilot told us what happened we went to the site (Emil and Marty Adell).
- Q: Did you help any of the last load chute up or suit up for the last load?
- A: No, I didn't do any of that. I put my gear away and was getting ready to take a shower to go to the Safari Club.
- Q: In the last couple of days have you heard any significant speculation.
- A: All kinds of stuff. I think it was a series of bad luck. Last year I had two event where, (twice in a row) I pulled and nothing happened. (Locked up and it released). I talk to Gary and Dave Had so got a new harness. No more problem. I think he had a bad exit and got a horseshoe with the drogue. Deployed his reserve and entanglement occurred.
- Q: What kind of body position were you in when your 'delays' occurred?
- A: (Demonstrated) leaning forward legs drawn up.
- Q: Your old harness was used when you got it?
- A: Yep, jumped it 4 ½ years.
- Q: Have you changed any of your gear in the last couple of years?
- A: Nope, same jumpsuit, the whole time.
- Q: Were your delays on fire jumps or practice jumps?
- A: Fire jumps.
- Q: Do you practice jumps in the same configurations as fires?
- A: Yep, I jump in full gear. I'm too lazy to lighten my gear.
- Q: Do you have a hard spinal pad?
- A: No, just thigh pads to go south last fall. Didn't even use them until this year.