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# Tower controllers to blame for fatal helicopter crash in Torrance, judge rules



Wally Skali / Los Angeles Times

Firefighters inspect one of two helicopters that collided over Torrance's airport in 2003. A ruling in a civil case contradicts FAA findings that blamed one of the pilots.

## Ruling contradicts an FAA finding that the surviving pilot caused the collision that killed two in a second chopper.

By Joe Mozingo, Los Angeles Times Staff Writer  
May 7, 2008

Air traffic controllers at Torrance Municipal Airport made a critical mistake that caused two helicopters to collide in front of the control tower in 2003, killing two men in one chopper and seriously injuring the pilot of the other, a federal judge has ruled.

U.S. District Judge Florence-Marie Cooper's ruling Monday in Los Angeles directly contradicted a report by the National Transportation and Safety Board that concluded the surviving pilot, Gavin Heyworth, was to blame for the crash.

Cooper determined that both pilots "properly relied upon and complied with the control instruction they were given by" air traffic controller Edward Weber.

The judge found that Weber and controller Cynthia Issa made a string of procedural violations and negligent decisions that led to the fatal crash.

They acted "negligently and carelessly" in failing to keep "adequate vigilance and positional/situational awareness of the air traffic at and around Torrance Airport," Cooper wrote. And Weber "failed to issue clear and concise instructions" to Heyworth.

The ruling came in a lawsuit filed by Heyworth against the Federal Aviation Administration last year.

"I hope this case is a wake-up call for the FAA," said his attorney, James L. Pocrass. "When you and I are on an airplane and we're coming into LAX, we expect the air traffic controllers are going to do their job, and they didn't in this case."

The government's lead attorney, Debra D. Fowler, special aviation counsel for the U.S. Justice Department, and Assistant U.S. Atty. James Sullivan said they could not comment on pending litigation.

Cooper still has to decide what, if any, damages to award the sole survivor and the families of the deceased.

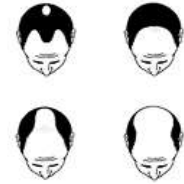
Heyworth was a 22-year-old student pilot the afternoon of Nov. 6, 2003. He had just returned from a tour of duty as a Marine in Iraq and hoped to become a professional helicopter pilot. Torrance Municipal Airport-Zamperini Field is a major training ground for new pilots and is home to Robinson Helicopter, the nation's largest manufacturer of civilian helicopters.

Heyworth met with his instructor at Pacific Coast Helicopters near the control tower

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and prepared for a solo flight in a Robinson R-22.

The Torrance control tower does not have radar, so controllers and pilots rely on sight. The controllers work in a glass enclosure atop the tower where they have unimpeded views of the two parallel runways.

That day, staffing was down, with three controllers instead of the normal four. One supervised, while the others were each responsible for a runway.

At some point after Heyworth took off and did some training exercises north of the airport, controller Issa needed to take a break, leaving Weber watching both runways, the judge found.

Heyworth requested to land back at Pacific Coast Helicopters, where he started. Weber gave him the go-ahead to take off, going westbound.

About the same time, the supervisory controller noticed that "traffic was getting quite heavy. Weber was talking fast." He called Issa back from her break to help.

When Issa returned and put on her headphones, she and Weber conducted a quick briefing to note the position of each aircraft in the area. But the judge found that Weber failed to mention Heyworth's position.

As Issa guided an R-44 helicopter occupied by Robert Bailey and Brett Boyd to the south runway, Weber directed Heyworth across the north runway. Suddenly, Weber told Heyworth to turn right, and Heyworth complied, the judge noted. But traveling at 65 knots, Heyworth could not avoid arching over the south runway in his turn, where the other helicopter was ascending.

Neither pilot could see the other because of their positions.

Weber turned away, so he was not looking at the runways in the 16 seconds before the collision, Cooper concluded. Issa did not see Heyworth's helicopter until the impact.

"Based on the manner in which the helicopters collided, the pilots could not have seen each other," Cooper wrote.

Heyworth's helicopter knocked the rotor off the other helicopter, which fell like a stone and exploded on the tarmac, killing Bailey and Boyd. Heyworth's helicopter auto-rotated to the ground and landed with enough force to break "nearly every bone in his body from the waist down," said attorney Pocrass.

Heyworth was in an induced coma for six weeks while undergoing surgeries, the attorney said. He can walk now, with significant pain and difficulty.

Pocrass, who is a pilot, said there was nothing his client could have done to avoid the collision.

"This is the type of thing that just scared you to death as a pilot," he said.

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