



Oregon men falsified weight, takeoff power of helicopter in deadly Iron 44 crash, indictment alleges



By [Stuart Tomlinson, The Oregonian](#)

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Two southern Oregon men face criminal charges for their roles in an alleged conspiracy to defraud the U.S. Forest Service in 2008 as they provided helicopters to fight wildfires, [including one that crashed in Northern California and killed nine people.](#)

A federal grand jury in Medford indicted Steven Metheny, the 42-year-old former vice president of West Coast operations for Carson Helicopters, then based in Grants Pass, and Levi Phillips, 45, his former maintenance director. The charge carries a potential 20-year prison term.

The company suspended Phillips on Monday.

The indictment, handed up Friday, accuses the two men of falsifying the weight and takeoff power of the helicopter that crashed and other helicopters that were part of a "call-when-needed" contract worth up to \$20 million to Carson Helicopters.

The 25-page charging document alleges that Metheny, aided by Phillips, submitted contract bids to the Forest Service knowing that they contained false helicopter weight and balance charts and falsely altered helicopter performance charts to be used in determining if the choppers met minimum contract specifications.

Metheny additionally faces charges of mail and wire fraud, making false statements to the Forest Service, endangering the safety of aircraft in flight and theft from an interstate shipment. Some of those charges carry potential 20-year sentences.

Metheny did not return a phone call left for a number associated with him.

The falsified charts made their way into the hands of flight crews, and pilots used them on firefighting missions, the indictment alleges.

Those operations included "calculating the helicopter's maximum payload capacity during firefighting operations thereby endangering the safety of

the helicopters in flight," the indictment says.

The 2008 crash killed seven firefighters from Oregon, the pilot, also from Oregon, and a Forest Service inspector pilot from California. Four other Oregonians were injured in one of the nation's worst firefighting air crashes.

As the Sikorsky S-61N tried to take off at 7:41 p.m. on Aug. 5, 2008, it weighed 19,008 pounds -- 3,168 more than recommended for safe flight and 563 heavier than the maximum allowable weight, [National Transportation Safety Board investigators said](#). It was also 1,647 pounds heavier than the pilot thought, which affected his decision to take off as well as how to fly, agency officials said.

Instead of climbing up from its launch site near Weaverville, Calif., the helicopter went forward, clipped the tops of trees and crashed. Witnesses to the air disaster on the front lines of the 83,000-acre Iron 44 wildfire in the Shasta-Trinity National Forest told investigators that the aircraft rose only 40 to 50 feet before going down.

In March 2012, a Multnomah County jury awarded more than \$70 million to a pilot who was injured and to the family of a pilot who was killed in the crash.

The jury found that General Electric was liable, agreeing with the plaintiff's attorneys that a GE fuel control valve failed in the Sikorsky that was carrying the firefighters, shutting power to one of its two engines.

GE attorney Kevin Smith had argued that the crash was caused because the helicopter was overweight at takeoff, and that the pilots were relying on inadequate weight data and inadequate power data of the helicopter's lift capacity provided to them by Carson.

Carson closed its Grants Pass facility and has consolidated its business operations in Perkasio, Pa. In a statement Monday, the company said it has fully cooperated with the federal investigation. As a result of what they learned, Carson fired Metheny in 2009, said Terril Carson, the company manager.

The NTSB's findings weren't allowed in court because federal law forbids the use of the board's findings in lawsuits.

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