

NOV 2 1002

EPIDEMIOLOGIC INVESTIGATION REPORT

1. CASE NO. 920730CWE6001

2. INVESTIGATOR'S ID 8153

3. OFFICE CODE 860

4. DATE OF ACCIDENT YR MO DAY 9 2 0 7 2 5

5. DATE INVESTIGATION INITIATED YR MO DAY 9 2 0 7 2 8

6. SYNOPSIS OF ACCIDENT OR COMPLAINT A 22 year old female and two other young female were injured on a mobile amusement ride, the Himalaya, when a safety lap bar apparently released while the ride was in operation and they were ejected. The ride rotated about a central motor over a circular track, surrounded by a railed walkway. The victims were dragged along this walkway striking their heads.

7. LOCATION (Home, school, etc.) Outside Carnival Site

8. CITY 58 Taos

9. STATE NM

10A. FIRST PRODUCT Mobile Amusement ride 1293

11A. TRADE/BRAND NAME, MODEL NUMBER, MANUFACTURER & ADDRESS Himalaya Operator-America West Carnival Mesa, AZ

10B. SECOND PRODUCT

11B. TRADE/BRAND NAME, MODEL NUMBER, MANUFACTURER & ADDRESS

12. AGE OF VICTIM * 22

13. SEX (Use numerical code) MALE -1 FEMALE -2 UNKNOWN -3 2

14. DISPOSITION DOA 8

15. INJURY DIAGNOSIS Fracture 57

16. BODY PART Neck 89

17. RESPONDENT(S) (Mother, Friend) Police Chief 3

18. TYPE INVESTIGATION ON SITE 1 TELEPHONE 2 OTHER 3 3

19. TIME SPENT 24

20. ATTACHMENTS Multiple 9

21. CASE SOURCE Newspaper 05

22. REVIEWED BY 8293 YR MO DAY 9 2 0 8 1 1

23. PERMISSION TO DISCLOSE NAMES (NON-NEISS CASES ONLY) CPSC MAY DISCLOSE MY NAME CPSC MAY NOT DISCLOSE MY NAME

24. NARRATIVE (See instructions on Other Side)

25. REGIONAL OFFICE DIRECTOR REVIEW DATE

MFR/PRVLR NOTIFIED 12/18/95
 No comments made
 Comments attached
 Excisions/Revisions
 Firm has not requested
 further notice

25c
 MFR/PRVLR NOTIFIED
 No comments made
 Comments attached
 Excisions/Revisions
 Firm has not requested
 further notice
 3-14-95
 SB

PRE-INCIDENT:

Four young women were attending a carnival associated with a fiesta held in a resort town. They had been drinking beer and rode on several rides of the carnival. About midnight on this Friday night, they approached the Gravitron ride and were told by the operator they could not take their beer on his ride. They left the beer by the operator position and went on the ride.

When this ride was over, the young women repossessed their beer and went to the next ride, the Himalaya, adjacent to the one they had just left. There, witnesses state, the young women seem to have talked the 16 year old operator into giving them a free ride. However, due to the size of the cars on this ride, only three of the young women could ride in the same car. One decided not to go on this ride and waited for her friends. Again, the three young women left their beer by the operator.

The operator assisted the young women in positioning themselves in the car. He apparently secured a safety belt across the three young women and secured a safety lap bar in front of them. He warned them to keep their hands on this safety bar and their feet on the foot rest, inside the car.

The operator and some witnesses said he yelled at the three girls while the ride was running as they were lifting their hands from the safety bar and waving them in the air as well as lifting their feet above the caged footrest at the front of the car. One witness reported that the operator threatened to make them get off the ride if they didn't stop this behavior.

One witness described the manner in which this ride was operated during the time the victims were riding. It first ran at a slow speed for a short period, a faster speed for about 1 minute, then slowed for another minute or so. At that point, the operator announced to the riders, that if they wanted to go "superfast", they should all yell. They yelled and the operator accelerated the ride to a much higher speed.

INCIDENT:

Some witnesses and the ride operator reported seeing two of the young women stand up in the car at this point. This does not appear to be possible given the configuration of the car. All three were partially ejected from the car. "Partially ejected" as they were briefly held in the car, either by the safety belt or having their feet caught in the caged footrest.

Another carnival employee was on the ride, near an emergency control. Both he and the operator said they cut the power to the ride and hit the emergency switch as soon as they saw the young women "standing up" i.e.

being ejected.

The ride being in the form of a horizontal circle with the cars riding on a track about the circumference, in a clockwise direction, the victims were thrown to the left of the car, or the outside of the ride. A railed walkway surrounded the ride itself. One young woman received only minor injuries but the other two were striking their heads on the above rails and walkway, as the ride continued to rotate before stopping.

Once the ride came to rest, one victim was in one location while the other two were next to each other at another location. Sketches of the ride and the positions of the victims when the ride came to rest appear in Exhibits 5 and 14

Carnival employees and witnesses ran to assist the victims, while others called emergency services.

POST INCIDENT:

Police and the local ambulance service arrived shortly after the incident. They treated the victims and transported them to the hospital.

One of the victims who were found together was pronounced dead on arrival at the hospital while the other was treated and released within a few hours. The third, who was separated from the other two when the ride came to rest, was transferred to a second hospital where she remains in critical condition, as of the date this report is written.

Police officers at the scene identified witnesses, interviewing them and carnival employees. They also examined the entire ride and the specific car in which the victims were riding. The department impounded that car and a second one that appeared to be in the best shape of the remaining cars. The ride had about 20 cars mounted on it at the time of this incident. The Police Chief told me, they found some questionable repairs and other arrangements in their examination of the rest of the ride, excluding the cars themselves, but, in his opinion, nothing that would have contributed to this specific incident.

The chief and other officers identified car #10 as the one the victims were riding in. A drawing of this car appears in Exhibit # 14 and a photo of the partially reassembled car as Photo # 1, Exhibit 1. They observed the seat belt was closed, but expanded to the fullest extent. The belt was attached to a rod that allowed it to be adjusted to accommodate one to three person. The Chief noted in his report that the safety lap bar, which he titled a retaining bar, was secured by a torpedo latch. This was a spring loaded bolt that passes through the left side of the car into a bracket on the lap bar. He noted the outside of this torpedo latch had an adjustable black plastic knob, which in the

case of car # 10 was bent. He activated the lap bar several times and found it latched securely each time. In looking at the approximately 20 cars on the Himalaya, he found several besides # 10 where this outer knob/latch was bent. He specifically noted in this report that the knob/latch on car # 13 was straight and seated snugly against the car.

He then had two officers set in car # 10; secure the safety belt and attempt to stand up. They could not. The Chief then secured the lap bar and instructed the two officers to attempt to force this bar open without releasing the torpedo latch. They were able to do so in each of eight attempts. These tests were duplicated on car # 13. The outside of the torpedo latch on this car was not bent nor damaged in any way. The officers were not able to stand up in this car when the safety belt was secured nor could they force the lap bar to release. Copies of the reports covering this testing are attached as Exhibits # 3 & 4.

The Police Chief requested a newspaper reporter to take a number of photographs of the scene, Himalaya ride and the cars. She did so and gave the exposed film to him. Copies of these photos have been requested and will be forwarded when received.

The police and District Attorney determined it was necessary to impound Himalaya car # 10 as evidence. It was also decided to impound car # 13 as this was the second car involved in the tests conducted by the Police Department. The owner representative who was accompanying the carnival gave his permission for this to be done. The two cars were dismantled and removed to a secure facility. I was able to examine both cars on a visit to this area and take some photographs. I assisted the Chief and another officer in reassembling car # 10. The Chief pointed out the different parts of the car and how they related to the observations in his reports. My photographs are attached as Exhibit # 1.

The operator of the Himalaya agreed to tests for drugs and alcohol. A police officer accompanied him to the local hospital where blood and urine samples were taken. Results of these test were not available as of the date this report is written.

Police attempts to interview the two surviving victims had been unsuccessful for several days when the Chief received notice from an attorney claiming to represent the victims not to conduct such interviews. One victim had been in a coma in the hospital for several days and attempts to meet with the other had been unsuccessful prior to this notice.

A couple and their niece who had ridden the ride just before this incident reported that the safety lap bar of the car in which they were riding had also released. They had the safety belt holding the three of them. The father had to hold the lap bar in place and hold onto the side of the car to keep it in place. They called to the operator who stopped the ride. He resecured the lap bar and wanted to restart the ride.

However, the father decided not to continue to ride. His wife and their niece remained on the ride while it started up again. However, the lap bar again released and the two had to hold on the sides and brace their feet to keep from being thrown out of the car. Once the ride stopped, the wife told the operator that the lap bar had again released. Her impression was that he was not concerned. The family left the carnival and did not witness the fatal incident.

This family also reported a minimum height requirement on the ride as well as a sign stating a maximum weight limit of 250 pounds. Whether this was per car or per person was not determined. While the family did not exceed 250 pounds as individuals, their combined weight was over 550 pounds. This weight limitation was also noted by the Police Chief in his report. When the group first entered the car, the operator had them change their seating positions, saying the wife was too big. A copy of the Police interview of this family is attached as Exhibit # 10.

Another person who had ridden on the Himalaya about 10 P.M. that night called the police to report her experience on the ride. She stated that when she and her sister were on the Himalaya, the safety lap bar on their car "...kept rising up, (unlatching)." They had called to the operator, but he did not stop the ride. They had to hold the lap bar closed themselves, until the ride stopped. The caller said she reported the lap bar failure to the ride operator, but "...he did not comment on her statement." The operator made no attempt to stop the ride, but let it complete it's normal run. As of the date this report is written, this witness has not been further interviewed by the police. A copy of this supplement report is attached as exhibit # 13.

Brief statements were taken from the fourth young woman and a male friend with whom she was talking while waiting for her friends to get off the Himalaya. He was also waiting while the group he was with were riding the Himalaya. Both saw the victims thrown from the ride. Copies of their statements are attached as Exhibit # 8.

One of the Police officers at the scene was asked by an investigator for the local District Attorney to note that a crew of carnival employees was dismantling another ride near the Himalaya. He was told by the leader of this group that the ride motor or clutch was damaged. It had been decided to dismantle this ride and send it ahead to the next scheduled town, where parts were more readily available. The statement by the carnival employee is attached as Exhibit # 19. The officer's report covers many activities and appears as Exhibit # 7.

The woman who described the manner in which the ride was operated during the time the victims were on it, was waiting for her daughter who was also on the ride at the time. She had noticed the young women approach the ride, their interaction with the operator and watched them while they were on the ride. She reported the operator had secured the lap bar and arranged the safety belt, but didn't see the belt secured. She said

the victims were waving their hands in the air while the safety devices were being secured. This witness is the only one who reported hearing anything. In her case, it was a loud "Crack". She then saw the girls being thrown from the car and yelled for the ride to stop. She ran onto the walkway to find her daughter. After seeing her daughter was safe, she saw one victim lying near her. She offered assistance and consoled this young woman. She also checked the other two victims, who were lying at another point on the walkway. When emergency personnel arrived, this witness and her daughter left, but visited the hospital to see how the victims were. An officer took her statement there. A copy is attached as Exhibit # 5.

The daughter of the previous witness actually saw one of the victims in the air before the ride was stopped. Her statement, which corroborates her mother's, is included in Exhibit # 5.

The carnival employee who was assisting the operator of the Himalaya reports in his statement that he saw the victims falling out of the car. He is the only witness who mentions how the three victims came to rest in two locations. In his statement, he reports that two fell out of the car by the control "box" while the third was dragged further along the walkway. His statement is included in Exhibit # 9.

Another carnival employee saw the incident. His handwritten statement is included in Exhibit # 9.

The Monday after this incident, the Police Chief received a telephone call that reported that two minors had information on their experiences riding the Himalaya the same night of this incident. A copy of his interview of a 10 and an 11 year old male is attached as Exhibit # 11. They stated they had arrived at the carnival site about 1730 and observed the continuing assembly of the Himalaya. They stated that two carnival employees were directed by another to get wrenches, tighten the bolts and check the nuts on the ride. One employee did get a wrench, but used only his hand to tighten the bolts.

The boys left the area of the Himalaya, but later returned and went on the ride. They were able to pass the minimum height requirement and got into a car. They had difficulty in adjusting the seat belt to fit them, but were finally able to secure it snugly about both of them. The operator secured the lap bar. The 11 year old was very interested in the torpedo latch that secured the lap bar and graphically described it to the Chief. The boys commented that the latching mechanism on the lap bar was barely catching on the end of the bolt. As the ride began, the boys were thrown against the left or outside of the car. As the car went up and down on the track, the seat belt loosened and they were forced to hold on to each other to "...support themselves throughout the ride." In this instance, lap bar did not release while the ride was operating and was released by the ride operator at the end. They had other problems with the ride and went on to the rest of the carnival. They got home

between 1930 and 2000 that evening.

As no one has interviewed the remaining two victims, it is not certain how the three victims were sitting in the car. The Police Chief postulates that the victim who died was sitting on the left or outside of the car, with the victim who remains in the hospital in the middle and the victim who was treated and released on the right or inside of the car. In this scenario, the first victim was thrown the farthest out of the car, striking her head and upper body on the rails and walkway. The second victim laid across the first in such a manner to allow her to also impact the rails and walkway. The third victim may have laid across the others in such a manner to protect her from serious injury in striking the rails.

I spoke with one of the owners of the carnival at the firm's listed telephone number. This is actually the number of another business in which this individual is involved. He told me the Himalaya was being transported over the road to the firm's home city. He expected it to arrive there around August 2nd or 3rd.

As this incident became known in the area, the Police Chief was contacted by the media and an individual from another town in this state. They reported that a similar incident had occurred at a county fair in their town in 1990. That incident involved the same carnival and same Himalaya ride. Two individuals had been thrown from a car on the Himalaya when the safety bar came unlatched. Both were treated and released from a local hospital. Police in that city visited the scene and assisted the victims, but did not conduct an extensive investigation.

However, the police report of this earlier incident also includes an interview of a group (two persons) who had ridden the Himalaya just before this specific incident. They also had the lap bar release but were able to hold it closed until the ride was over. They reported the release of the lap bar to the ride operator and again reported he did not appear concerned.

The media and police department from that town provided the Police Chief involved in the current incident with copies of their reports. These are attached as Exhibit # 12.

As of the date this report is written, the local District Attorney plans to ask a grand jury to bring criminal charges against the carnival and certain unnamed individuals.

I visited the town where this incident occurred and obtained copies of the Police reports to date. I photographed part of the reassembly of car # 10. Documents and photos are attached as exhibits. I requested copies of the photographs obtained by the Police. These will be forwarded when received.

PRODUCT IDENTIFICATION:

I spoke with Mr. Jack Crays by telephone. He is one of the owners of the carnival which operates the ride on which the victims were injured. The ride is called the Himalaya, built in 1976 by a French firm, which had a name something like "Ravenshaw". This firm has declared bankruptcy. This ride was originally purchased by Knott's Berry Farm in California, then sold to United Shows in Louisiana. Mr. Crays said he purchased it in 1989 from a broker from whom he has purchased other rides, trucks and other equipment. Mr. Crays said it is his understanding that Knott's operates a ride for 10 years before changing it, at which point it may be sold as this ride appears to have been.

Mr. Crays stated the Himalaya was being transported back to the carnival's home base in Mesa, Arizona. He has the blueprints and specifications for the Himalaya, but the operator's manual and maintenance records are normally kept in the office trailer of the road unit. He was not sure if these documents were accompanying the ride back to the home base or not.

Different exhibits contain sketches of the ride. Media accounts referred to the ride as a roller coaster type. It's basic plan is a horizontal circle with a motor in the center from which arms extend to the cars. Each car is attached to two of these arms. The cars ride on wheels, which ride on rails. These rails have humps or bumps in them causing the cars to rise up and down as the motor rotates the cars about the circular track. These humps apparently led the media to compare the ride to a roller coaster. A walkway or catwalk surrounds the ride, on which the passengers enter and disembark from the cars.

According to information obtained by the Police, the cars for this ride are completely disassembled when the carnival moves from site to site. As I saw cars 10 and 13, the two cars impounded by the Police, a car consists of two sides, a cage/footrest, a floor, a seat and back and a safety lap bar. All are held together by long bolts, that pass from one side to the other and are secured by wing nuts. The police chief commented that the cars remind him of Santa's sleigh.

The Chief pointed out that the lap bar has another latch intended to mate with a mounting on the cage/footrest. This would seem to be the open position for the lap bar. The closed position is when the torpedo latch engages. In neither position is there more than one latch. That is located on the left side of the lap bar. Thus in the closed position, only the left side of the lap bar is secure. However, this appears to be sufficient, when the torpedo latch operates properly.

The Chief sat in the reassembled car # 10 and closed the lap bar. He showed me that he was able to force the lap bar open with the torpedo latch closed. We noted the inside end of the latch bolt protruded, only slightly, from the inside of the lap bar plate.

The Chief also pointed out the two halves of the seat belt are secured by the same long bolt that secures the bottom of the two sides. The attachments are flat metal pieces integral to the ends of the halves of the seat belt. The bolt passes through these pieces. The Chief referred to these metal pieces as "O-rings". He said the two minor males had pointed out to him that under stress of the ride operation, these O-rings can slide on the bolt, resulting in the seat belt loosening. The Chief is of the opinion that the victims were indeed securely fastened in the car by the seat belt, but it loosened in the operation of the ride. This might be considered normal loosening, but the effect was enhanced by the lap bar releasing and allowing more movement of the victims against the seat belt.

STANDARDS:

Mr. Crays was not certain what standards the Himalaya might be subject to or listed as in compliance with. The Police Chief said this had not been considered in their investigation. I saw no marks on cars # 10 or # 13 indicating such compliance.

ATTACHMENTS:

- 1 - CPSC Photographs.
- 2 - Diagram of "torpedo latches".
- 3 - Police report of Officer Jackson, (includes data processing cover sheets.)
- 4 - Chief Curran supplement report dated 7-28-92; cover lists 3 victims.
- 5 - Handwritten statements of witness Charlene Anglada and her daughter.
- 6 - Handwritten supplement report by Lieutenant Silvano Archuleta.
- 7 - Four page handwritten report by Officer Floyd Ayala.
- 8 - Handwritten statements of witnesses Sonya Barela (fourth member of victim group) and Gerald Benavides.
- 9 - Handwritten statements of ride operator, Tony Aguirre, his assistant and two other carnival employees, who witnessed the incident.
- 10 - Chief Curran supplement report; 7-28-92 Interview of family who rode Himalaya prior to incident.
- 11 - Chief Curran supplement report; 7-28-92 Interview of two minors who had ridden Himalaya the same night as the incident.
- 12 - Chief Curran supplement report - Contact by Farmington Police and Fax from Farmington media.
- 13 - Supplement Report by Officer Jackson of witness Denise Martinez.
- 14 - Office of the Medical Investigator Preliminary report of findings.
- 15 - Handwritten note on the incident, with orders from Chief Curran to close down carnival.
- 16 - Supplement Report by Officer Jackson of fingerprinting deceased victim.

- 17 - Carnival's certificate of insurance, Town of Taos receipt, Tony Aguirre agreement to release medical records to DA and waiver of search warrant.
- 18 - Ray Parenti authorization to remove cars 10 and 13. Ray Parenti list of previous towns' inspections.
- 19 - Handwritten statement of carnival employee about disassembling another ride the night of this incident.
- 20 - List of four witnesses; List of 2 witnesses.

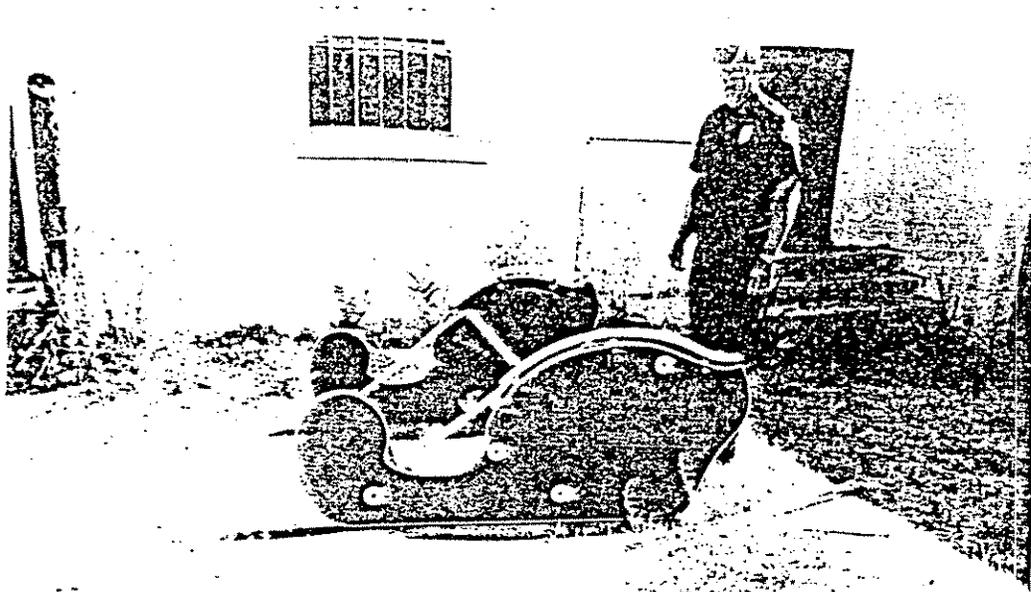


Photo 1 - In this photo the sides of car # 10 have been placed together with the lap bar between them. The lap bar is in the approximate closed position. No bolts have been inserted. The number 10 can be seen on the left side.

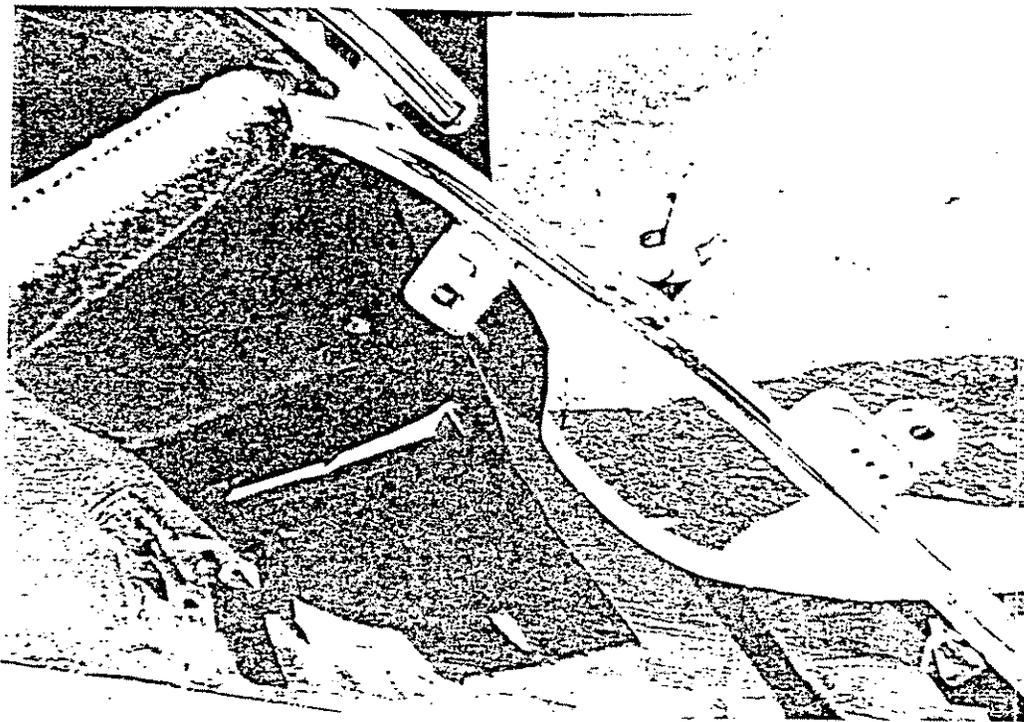


Photo 2 - Here the inner end of the bolt of the torpedo latch for the lap bar can be seen in the hole in the lap bar plate part of the latching mechanism. The latch that secures the lap bar in the open position can also be seen.

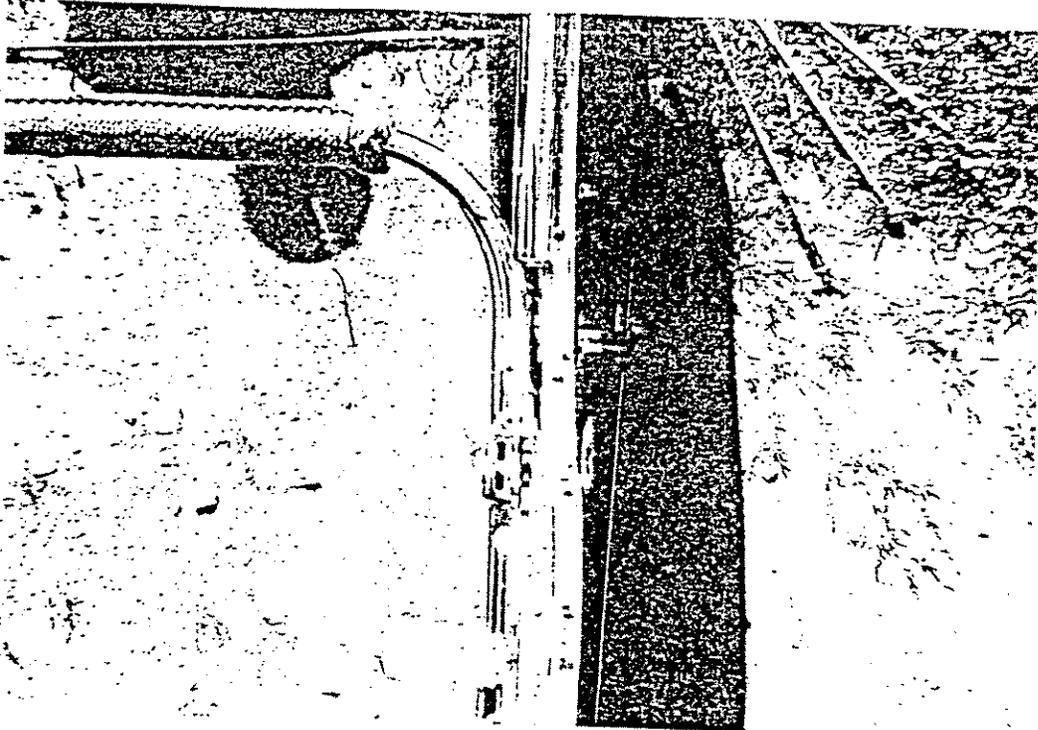


Photo 3 - Another view of the torpedo latch. The spring loaded outer portion of the latch bolt can be seen not to be flush with the side of car 10. This appears to be due to this outer bolt being bent.

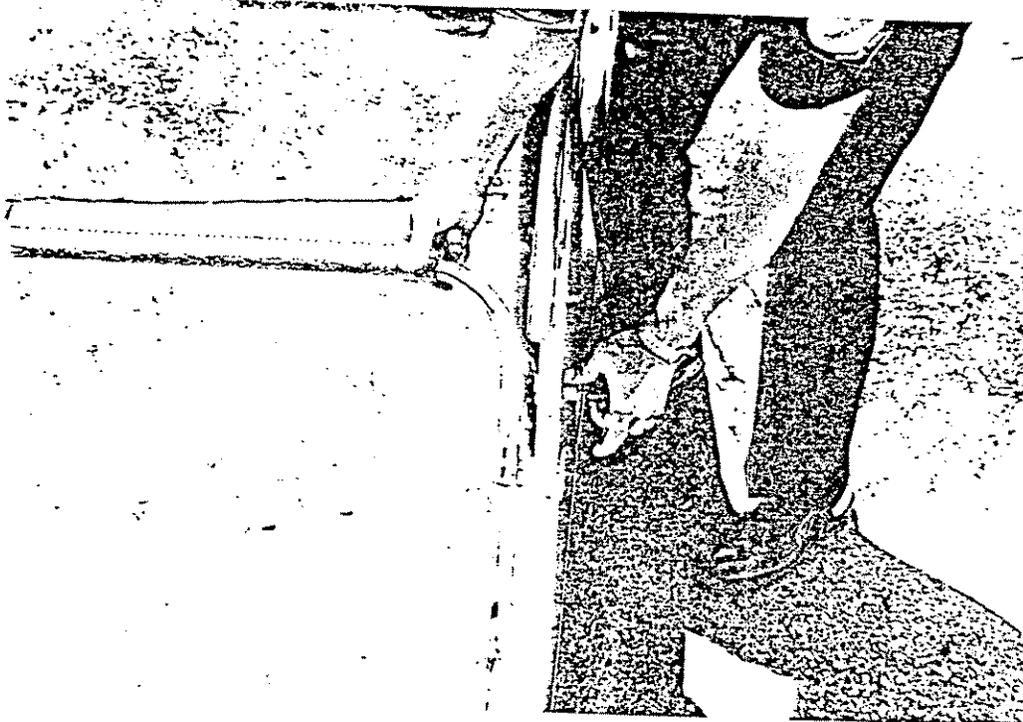


Photo 4 - Here the safety latch is being partially withdrawn to better show the bent part of the outer bolt. See also diagrams attached as Exhibit #

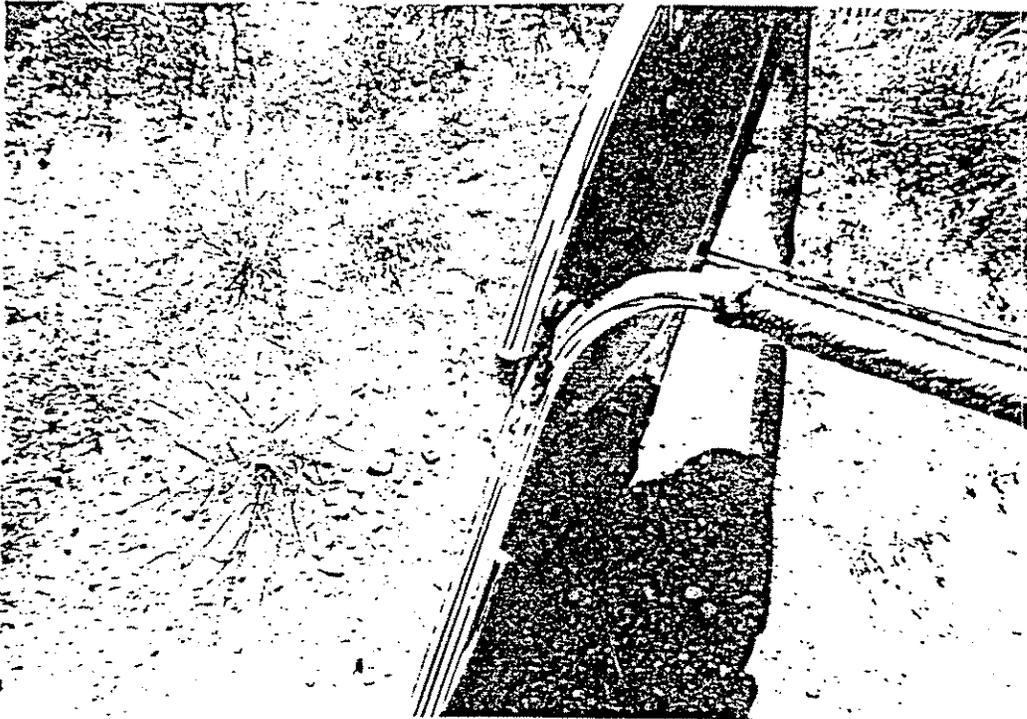


Photo 5 - This view shows the right side of the lap bar. There is no latch on this side.

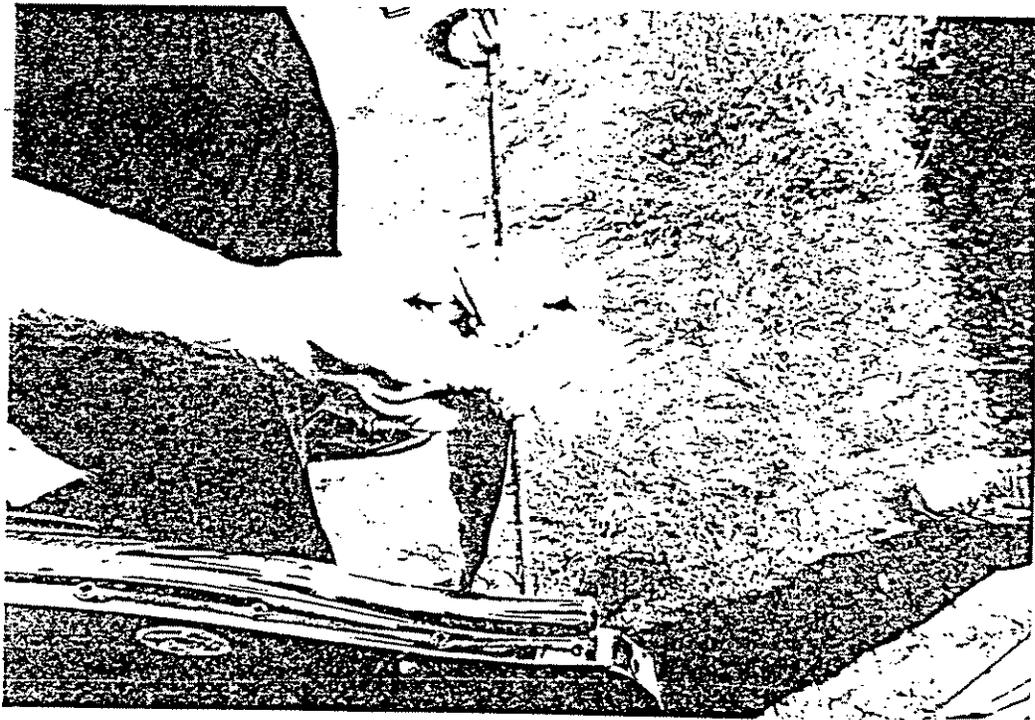


Photo 6 - In this photo a long bolt from car # 10 has been inserted through the O-rings of the two halves of the seat belt. It was not inserted, at this point, through the two sides of the car.

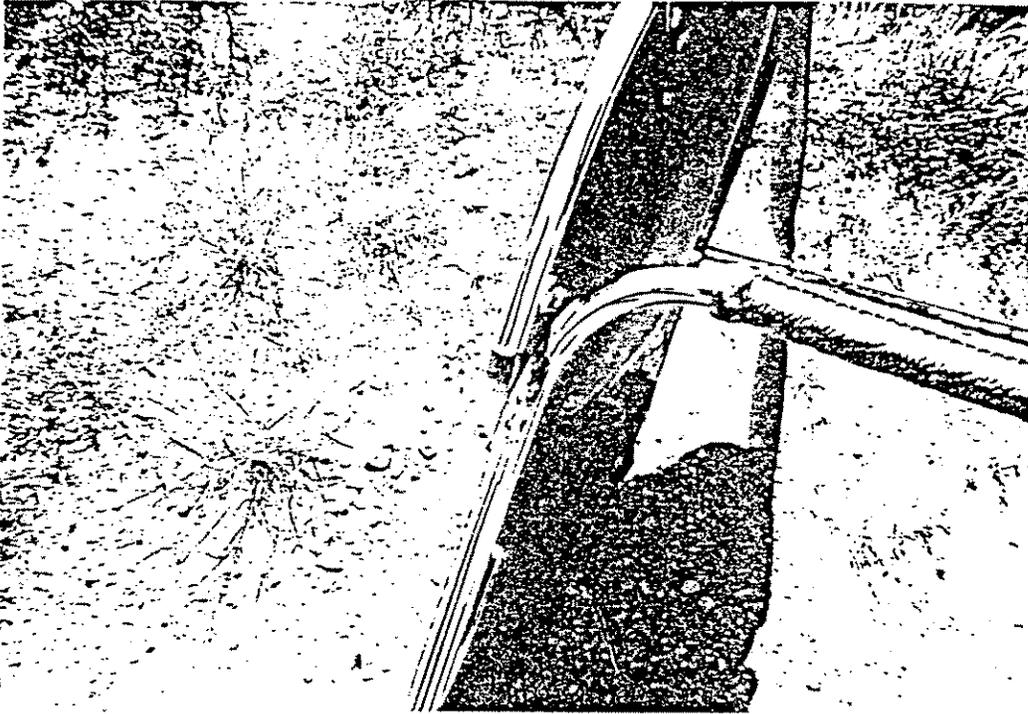


Photo 5 - This view shows the right side of the lap bar. There is no latch on this side.

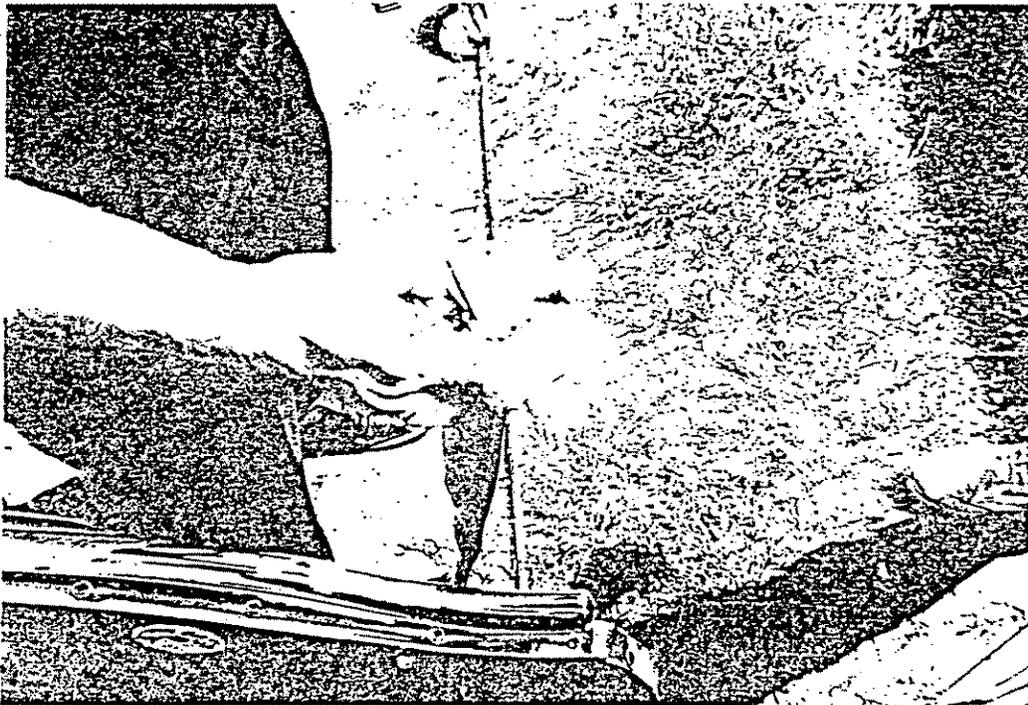
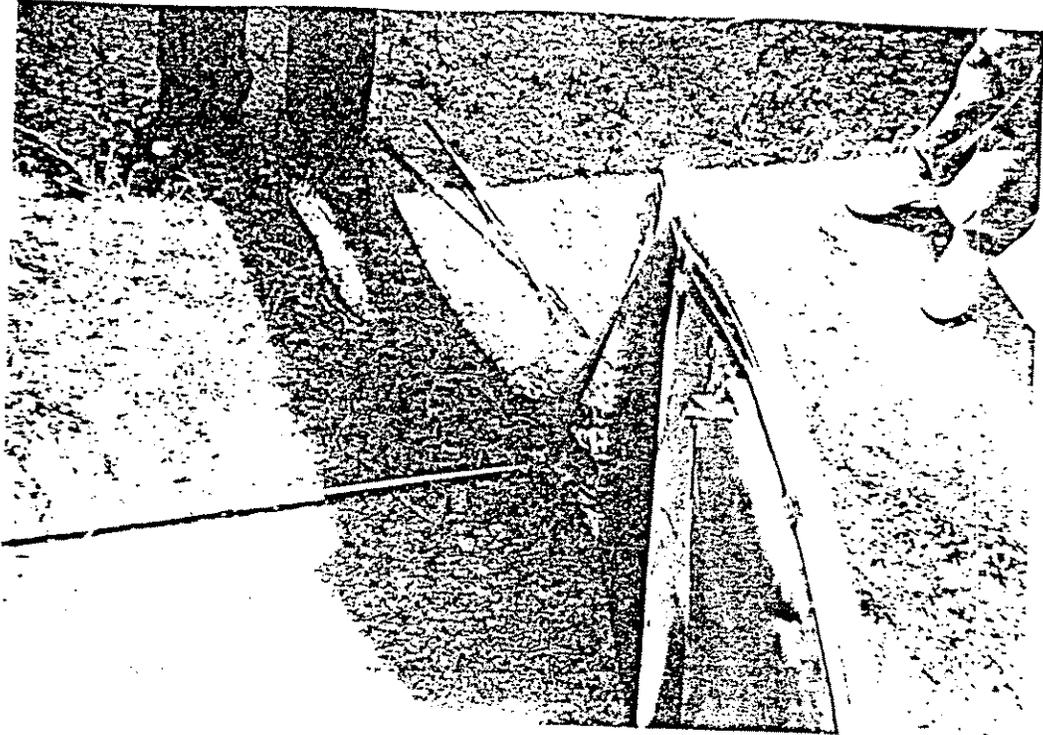
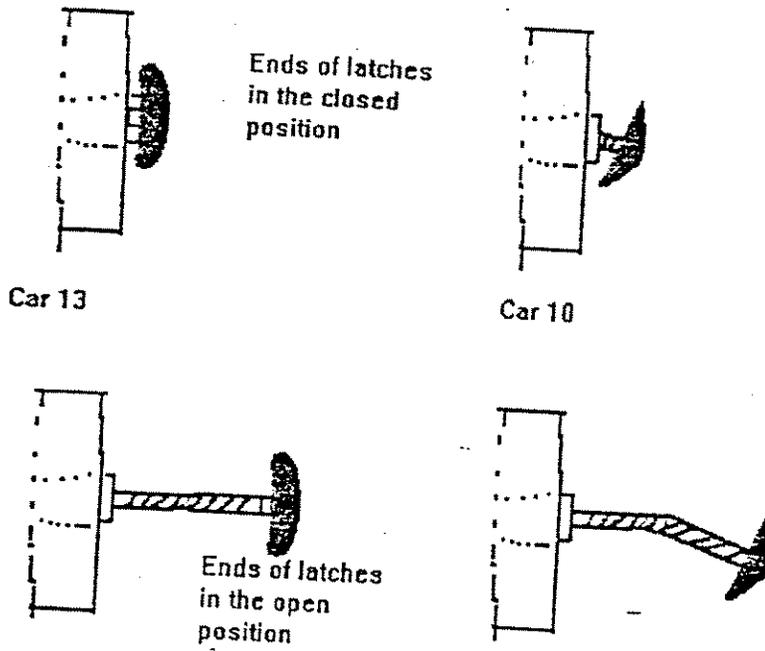


Photo 6 - In this photo a long bolt from car # 10 has been inserted through the O-rings of the two halves of the seat belt. It was not inserted, at this point, through the two sides of the car.



Photos 7 & 8 - These two photos show the long Bolt through the seat belt O-rings.





920730 CW 26001
Exhibit 3

Tue Jul 26, 1992 3:34 PM TAOS POLICE DEPARTMENT

PAGE #

INCIDENT REPORT

CASE#-G-147A-92
ORI# -NMO290100

REPORT DATE-07/25/92 TIME-00
ACCIDENTAL DEATH

COMPLAINANT-JACKSON, JAMES
DRAWER M TAOS, N.M.

DOB-

PHONE-758-2216

VICTIM-01 [REDACTED] YVONNE E.
[REDACTED] PENASCO, N.M. 87553

DOB-07/21/70

PHONE [REDACTED]

TYPE-I RESID-R RACE-W SEX-F AGE- 22 ETHNC- SSN-

INJURY-0- - - -

INCIDENT DATE-07/25/92 TIME-0010

TO DATE-

TIME-

SPECIAL REPORTS: DOMESTIC ABUSE-

BIAS CRIME -
BIAS TYPE -00
BIAS TARGET-00

LECKA# -
LEOKA FLAG -
TYPE ACTIV -00
BODY ARMOR -
ASSIGN TYPE-
CIRCUM -

DRUG-TYPE:
....-QUAN:
....-MEAS:

#	OFFENSE	STATUTE	UCR	ACT	ST	LOC	WEAPON	#UNC
01	ACCIDENTAL DEATH		90Z		C	25		000

LOCATION -LULAC FIELD PDPS TAOS, N.M. CODE-

ENTRY METHOD -
POINT OF ENTRY-

REFERRAL-
CHILDREN-

EVIDENCE: PHOTO- FINGERPRINT- OTHER-

WITNESS

ADDRESS

PHONE

1-
2-
1-
2-

CASE STATUS -A
IC CLRD CODE-N
IC CLRD DATE-

REPORTING OFFICER- 8 -JACKSON, JAMES
SUPERVISOR - 15 -ARCHULETA, SILVIANO
INTERVIEWED BY - 25 -MARTINEZ, Catherine

James Jackson #16

9207300WIE6001

EX-3

Tue Jul 28, 1992 3:34 PM TAOS POLICE DEPARTMENT

PAGE # 1

INCIDENT REPORT-PROPERTY

CASE#-G-147A-92	LOSS CODE	-0	RECOVER DATE-	REC. VALUE-
ITEM#-01	PROPERTY CODE-	00		LIC -
	QUANTITY	-		LIS -
	DESCRIPTION	-		LIY -
	SERIAL #	-		LIT -
	BRAND	-		COLOR- -
	MODEL	-		YEAR -
	VALUE	-	.00	STYLE-

920730CWR6001
121-3

Tue Jul 28, 1992 3:34 PM TAOS POLICE DEPARTMENT

PAGE #

INCIDENT REPORT-OFF/SUSP

CASE DESCRIPTION- ACCIDENTAL DEATH
ORI# -NMO290100

REPORT DATE-07/25/92 TIME-00

SUBJECT#-01 TYPE-

NAME-

DOB-

ALIAS

RACE SEX

AGE

ETHNIC

HEIGHT

WEIGHT

EYES HAIR

SKIN

0.00

SOC SEC NUM

RELATIONSHIP INFO

ARREST

-----SUSPECTED OF USING----- PRESNT

VICTIM- CODE-

ALCO- DRUG- COM EQ- N/A-

VICTIM- CODE-

LIC-

LIS-

LIY-

LIT-

VIN-

COLORS

YEAR

MAKE

MODEL

STYLE

RECOVER DATE

On 07/25/92 at approximately 0010 hrs. Taos Police Dispatch was advising of a reported accident with injuries that had occurred at the Carnival. The call being reported on 911 (Emergency).

Upon my arrival at the Carnival area which was located at what is known as LULAC Field, I was directed by a male subject that persons needed assistance and he was pointing to the Southside corner of the Carnival area.

I arrived at the scene of the Carnival ride and Lt. Silviano Archuleta was already at the scene. As I approached the Carnival ride, I saw one female subject lying on the walkway of the ride. I also heard people saying that there were (2) more female subjects on the same ride and were injured, but these (2) female subjects were lying on the walkway on the other side of the ride.

Upon my arrival to the area of the female subject who was lying by herself. I did recognize a female subject comforting the injured female. The female subject who was assisting the injured was recognized by me as a Charlene Anglada.

In C. Anglada's written statement she says the injured stated her name was ~~Charlene~~. As the Taos County Ambulance arrived, as did the other Officers, medical attention was administered to the (3) injured female subjects.

As medical attention was being provided to the injured females, I attempted to located any witnesses to the incident. I located the operator of the Carnival ride which was identified as the "Himalaya". The ride in which the (3) girls were riding on at the time of the incident.

The main operator of the Himalaya was identified as a Tony Aguirre. Tony Aguirre was asked what had happened, Aguirre stated that he was operating the Himalaya and that he saw (2) female subjects stand up as the the ride was operating, Aguirre said when he saw the girls stand up in the ride he immediately threw the throttle cable (brake) forward and pressed the emergency button.

T. Aguirre said he then saw the (2) female subjects fly forward and hit the fence railing near the main operating platform known as the "Dog House".

T. Aguirre provided this preliminary interview at the scene and he also provided a written statement which is attached to the report.

I asked Tony Aguirre if he had any alcoholic beverages and if he was intoxicated, Aguirre stated that he had not been drinking alcohol.

I asked Aguirre if he had taken any drugs, Aguirre said that he had smoked marijuana that morning being on 07/24/92, but had not smoked marijuana since that time.

T. Aguirre said that he was assisted in operating the Himalaya by a

420730CW 6001
R-3

male subject known as David Ivey.

As I was conducting the preliminary interviews, it was brought to my attention by Carnival employees that (2) beer bottles resting on the entrance platform to the Himalaya belonged to the female subjects who were injured on the ride.

Officer Tommy Jeantete collected this evidence and is in his possession. David Ivey was asked what had happened and he also provided a written statement which is attached to the report.

D. Ivey stated that his position on the Himalaya is on a platform located on the west side of the ride and his responsibility is to observe any situations that require emergency action.

Ivey stated that as he was watching the riders he saw (3) girls starting to fall out of the seat as they were passing his position. Ivey said he immediately pressed the emergency button to stop the ride. Ivey said (2) girls were lying near the main control room and (1) girl was lying near his position after the ride had stopped and the girls were thrown from the ride.

Ivey never stated if he saw the girls standing up on the ride as it was operating.

I also talked to a Phillip Parenti the supervisor of the American West Carnivals from Mesa, Arizona who was at the scene. The Carnival ride are property of the American West Carnivals.

I asked P. Parenti if there was any type of certification needed in order to be able to operate any Carnival ride.

P. Parenti said that new operators of any Carnival ride are given on hands instruction/training and that no type of certification is required to operate the Carnival rides.

I also talked to an Art Keasey also with the American West Carnivals about insurance coverage covering the Carnival. A certificate of insurance covering the Carnival is attached to the report.

After talking with Parenti and Keasey, I interviewed a Pete Nader who was the operator of a ride known as the "Gravitron" which was positioned next to the "Himalaya" on the east side.

Nader stated that the (3) females subject had ridden on the "Gravitron". Peter Nader said the female subjects approached the "Gravitron", the ride he was operating and that they had beer bottles in their hands. Nader said he made them set down their beer bottles as they rode the "Gravitron".

P. Nader said that he noticed that one girl unknown which one had urinated on herself, Nader said the girls asked him out and to him were very drunk. P. Nader said he watched the girls walk over to the "Himalaya" and set down their beer bottles and got on the ride. Nader's written statement is attached to the report.

I talked with a Jeremy Robinson, Robinson stated that he was approximately 10 feet from the ride and that he saw (2) girls stand up while the ride was operating, the girls were thrown and one girl was being dragged around by her feet. J. Robinson's statement (written) is attached to the report.

After receiving these written statements and the Carnival ride being secured with Crime scene tape by Officer T. Jeantete and Officer R. Romero (refer to supplementals), I then proceeded to Holy Cross Hospital where Officer Floyd Ayala was identifying the (3) female subjects. (Also refer to Officer F. Ayala's supplemental).

At approximately 0135 hrs. I arrived at Holy Cross Hospital where I met with Medical Investigator, Rueben Martinez. R. Martinez stated to me that one of the female subjects had died and was identified as a [REDACTED] age 22 years old.

R. Martinez and I were informed that Holy Cross Hospital, Doctor Blevens had pronounced [REDACTED] deceased at approximately 0102 hrs. on 07/25/92.

The (2) other female subjects were identified as a [REDACTED], 21 years old and a [REDACTED] 16 years old. These (2) female subjects are sisters.

At the time I was at Holy Cross Hospital I received a written statement from Charlene Anglada and her daughter.

Charlene Anglada states that she saw (4) girls approach the ride (Himalaya) and that she noticed 2 of the girls carrying beer bottles. C. Anglada said (3) of the (4) girls got on the ride.

C. Anglada said that the girls kept raising their hands and feet and had to be told 2 or 3 times by the operator not to do that or he would take them off the ride.

C. Anglada in her statement said to a friend that was standing by her that the (3) girls might throw-up due to being intoxicated. Anglada said that the ride then went super-fast, Anglada said she heard a loud crack and to her it seemed like the car was tilted and the girls were holding onto the bar.

C. Anglada said (2) of the girls were being knocked around while the third girl was being dragged.

C. Anglada said the girls were striking their heads against the railing and metal floor. C. Anglada said the girl lying by herself stated her name was [REDACTED].

The (4th) girls that Charlene Anglada had seen with the (3) victims at the Carnival was found at Holy Cross Hospital and identified as a [REDACTED]

Officer F. Ayala received a preliminary interview with Sonya and is attached to this supplemental report.

I talked with Sonya ██████ who was with the (3) victims and she stated that they all had been drinking beer that day. (07/24/92).

At approximately 0232 hrs. (07/25/92) I returned to the Carnival with Chief Neil Curran. It was discovered that the (3) girls were in seat #10 at the time of the accident.

At this I was at the Carnival, Chief Neil Curran, Officer Tommy Jeantete and I went to seat #10 located on the "Himalaya" ride.

We observed that the seatbelt was still locked but the seat belt (strap) was opened to the fullest length.

Officer T. Jeantete and I sat down in seat #10, fastened the seat belt and closed the lap bar. We pushed up on the lap bar and we continuously opened the lap bar (pushed forward), approximately 6-8 times.

Officer T. Jeantete and I went and sat in seat #13 and attempted to push forward (open) this lap bar but could not open the lap bar.

I observed on seat #10 that the release latch that is located on the left side of the seat #10 was bent. A photograph of this was taken by a Randi Witbeck who is a photographer with the Tabs News.

I also observed that with the release latch being bent, the metal rod that slides through an opening into the lap bar would not completely slide through, this was to secure the lap bar and prevent it from opening.

A photograph was taken of this release catch and metal rod by Randi Witbeck.

I checked other seats of the ride and it appeared that other metal rods slid through the openings completely to secure the lap bar. It should be noted that at the initial Crime Scene a James Vigil had taken photographs of the scene.

While I was at the Carnival at this time I made contact with District Attorney Investigator, Tom Trujillo.

It should be noted that seat #10 had blood from one of the victims and their was also make-up which was found inside the seat (#10).

Officer Robert Romero stated to me that the female subject who was lying by herself on the Himalaya ride after the accident was by seat #10 and this female subject was identified at a later time as a Carmen Supra.

Upon advising Tom Trujillo of the accident and providing the name of the operator of the Himalaya to him, he himself wanted to talk to Tony Aguirre.

I contacted Tony Aguirre again and Tom Trujillo talked to the subject by himself. The photographs that were taken by Randi Witbeck were of the release latch and metal rod of seat #10. The roll of film was given to me by Randi Witbeck and is in my possession.

4207300WIZ6001
IX-3

After Tom Trujillo talked to Tony [REDACTED] Trujillo stated to me that he wanted me to transport T. [REDACTED] to Holy Cross Hospital to have blood withdrawn and that T. [REDACTED] agreed to and would sign a Waiver form to have his blood drawn.

At approximately 0400 hrs. 07/25/92 I arrived at Holy Cross Hospital to have blood withdrawn from T. [REDACTED], the waiver of search form signed by T. [REDACTED] to have blood withdrawn is attached to the report. Also signed by T. [REDACTED] was a medical release form and this is also to the report.

The blood technician from Holy Cross Hospital, Diane Martinez withdrew the blood from T. [REDACTED] as I witnessed the withdrawal and the blood specimen kit is in my possession.

The withdrawal of the blood was at approximately 0445 hrs. and at approximately 0715 hrs. (-7/25/92) I met with District Attorney Investigator Tom Trujillo at the District Attorney's Office and we proceeded to the Carnival.

Upon arrival at the Carnival, we made contact with the main Supervisor/Owner Rick Parenti in reference to confiscating the seat #10 and seat #13.

Owner, R. Parenti signed a waiver of search form for Tom Trujillo and gave permission to take the seats #10 and #13.

The form is in Tom Trujillo's possession. I observed Carnival employees dismantle seat #10 and was on a truck. The seat #13 was also dismantled and loaded onto the truck.

The Carnival seats were transported to the Town of Taos Yard and stored in a storage shed.

The employee records of the American West Carnival employee's (copies) were given to Tom Trujillo and are in his possession.

Also attached to the report is a copy of the preliminary report of death of Yvonne [REDACTED] provided by Rueben Martinez, Medical Investigator.

A copy of the Town of Taos receipt issued to the Carnival is attached.

The investigation of the accident is continuing and supplementals will be provided on any other found statements or evidence.

NOTE: The initial report of the incident came in as an accident with injuries located on the roadway in front of Wal-Mart Store. The accident was found at the Carnival through 911.

NOTE: At Holy Cross Hospital a Gerald A. Benavides (454-8941 425-1068) gave me names of witnesses to the accident:

Luis [REDACTED] (Luis)
Marsha [REDACTED]
Robert [REDACTED]
Greg [REDACTED]

920730@WZ-6001

Rx - 3

to be interviewed as to the accident and then supplementals

posted at the entrance to the Himalaya Ride stating
weights should not exceed 750 lbs. per seat and stated
your safety.


OFFICER

APPROVING OFFICER

920730EW.6001
R+h,b,t 4

**SUPPLEMENTAL REPORT
TAOS POLICE DEPARTMENT
REPORT MADE BY: CHIEF NEIL W. CURRAN
DATE: JULY 26, 1992**

FILE NO. G147A-92

DEATH/CRIMINAL INVESTIGATION

VICTIM: Yvonne [REDACTED]
[REDACTED]
Age: 22
Female Hispanic
DOB - 07-21-70
FATHER: Paul [REDACTED]

INJURED: Teresa [REDACTED]
[REDACTED]
Female Hispanic
DOB - 09-18-75
PARENTS: Manuel and Rosalie [REDACTED]

INJURED: Carmen [REDACTED]
[REDACTED]
Age: 20
Female Hispanic
DOB - 10-11-71
PARENTS: Manuel and Rosalie [REDACTED]

On July 25, 1992 at approximately 12:10 a.m., Officer James Jackson was advised of an accident which occurred at the Carnival which was located west of Paseo del Pueblo Sur, near the Wal-Mart Store. Upon Officer Jackson's arrival, Officer Jackson discovered that three female subjects had been thrown from a carnival ride, known as the Himalaya.

All three female subjects were injured, being transported to Holy Cross Hospital via ambulance. At approximately 1:02 a.m. on July 25, 1992, Yvonne E. [REDACTED] was pronounced deceased by the attending physician. Carmen [REDACTED] had been given medical attention and released to her parents. Subject No. 3, Teresa [REDACTED] had severe head injuries, was provided medical treatment and then transported to St. Vincent's Hospital in Santa Fe.

At approximately 1:00 a.m., I was notified of the accident and dispatched to Holy Cross Hospital. Upon my arrival, I met Officer James Jackson who advised me of the investigation, and visually examined the deceased, Yvonne E. [REDACTED]. A short time later, Mr. and Mrs. Paul [REDACTED] arrived at the hospital and were

Page 2
Supplemental Report

advised of the condition of their daughter, Yvonne [REDACTED]. Mr. [REDACTED] informed the investigating officers that his daughter was in Taos to attend the Taos Fiestas and participate in the festivities of the Fiesta.

Officer James Jackson interviewed a 16 year old female from Penasco, Ms. Sonya [REDACTED], who had indicated the four ladies came from Penasco to the Taos Fiestas and decided to go to the carnival, and that there had been some alcoholic beverages drank by the four ladies, mainly beer and wine and that they had stopped drinking at approximately 10:00 p.m. on July 24, 1992. She indicated the three ladies wanted to ride the himalaya and she chose not to. She was standing adjacent to the himalaya observing the three girls as they entered the car and participated in the himalaya ride. She indicated they raised their hands, but were not standing. Shortly thereafter she observed them being thrown from the vehicle in which they were occupants of.

Officer Jackson and myself interviewed Mr. Gerald [REDACTED]. Officer Jackson documented the interview and the young man provided witnesses who were observing the participants who were riding the himalaya. Refer to Officer Jackson's report for detailed information.

Officer Jackson and myself returned to the area of the carnival and identified the himalaya ride, which at that time had been secured by Lieutenant Silviano Archuleta and Officer Tommy Jeantate of the Taos Police Department. Upon my arrival, I observed that the entire himalaya was protected as a crime scene, tape attached thereto.

Officer Jackson and myself began a systematic inspection of the himalaya. During the inspection, we identified Car #10 as being the car which the three young ladies occupied. The inspection revealed that the himalaya is a roller coaster type ride which has cars on a track that circles in 360 degrees, traveling in a circular motion around the track. There is a cat walk, approximately 3 feet wide around the cars on the track that allows occupants to enter and disembark from each car. The cat walk is protected by hand rails. There is an entrance ramp going into the himalaya which has an operator's booth and ticket agent position at the top of the ramp. At the ramp, there is a sign posted, safe weight, 250 pounds. Located on the south side of the himalaya, the cat walk had a large quantity of blood and women's outer wear which was retrieved as evidence. In car #10, we located a maroon colored compact that was wedged in the seat of the car. Each of the cars were examined, most specifically Car #10. In examining Car #10, we found a seat belt that was intact. It appears to be a seat belt you would locate in an automobile. This seat belt was fully extended to the maximum length of the belt, but was secured intact. The seat belt attaches to a rod on the floor of the car but will

4207300EW 6001
R+ - 4

Page 3
Supplemental Report

slide and allow to be opened to the maximum of three positions in the car or the minimum of one position in the car. Also, within the car is a foot board and a foot rest with a seat that has a slump back to the rear of the vehicle, approximately 28 degrees. A retaining bar that has quilted grips thereon, is secured into place into a retaining bracket that holds the occupant in the car in conjunction with the seat belt. This retaining bracket is fastened with a torpedo type latch, which is sprung load and is controlled by the operator of the himalaya when releasing the bar to allow the occupants to disembark from the vehicle. In examining this torpedo latch, there's a black adjustable plastic knob on the exterior of the car that must be pulled outwardly to release the retaining bar. I noticed the torpedo latch was bent, not allowing the torpedo to totally engage within the retention bar. I tried it several times, and each time it secured the bar in place. I examined each of the cars believed to be 20 cars total, but were color coded, and each car had a similar torpedo latch to allow the operator to release the tension bar. There were a number of these torpedo latches that were bent and easily identified as the torpedo latch was bent, causing the black nylon knob to be off center.

I also examined Car #13. This car had a straight torpedo latch and the black knob sat securely against the flat surface of the latch. I tested the latch, it was sprung loaded and worked effectively, securing the security bar in place.

To conduct a test, I asked Officer Jeantete and Officer Jackson to sit in Car #10, fasten the seatbelts to determine if indeed they could stand up once the tension bar was in place. There was no way that the two officers could stand up in the car. I secured the security bar in place with the torpedo latch on Car #10. I asked them to push up on the security latch and it disengaged with minimal effort, allowing the security bar to go into an upright position. This test was conducted eight times. Each time, the security bar released from the torpedo latch. I then asked Officer Jackson and Officer Jeantete to sit in Car #13 and follow the same procedure. Once the seat belt was attached, the Officers could not stand. Once the security bar was secured in position with the torpedo latch, I asked them to attempt to open it with pressure. With the two Officer's force on the security bar, the torpedo latch on Car #13 held firmly and would not release as earlier demonstrated in Car #10.

I asked the photographer, Ms. Randi Witbeck from The Taos News to photograph Car #10, the latch, the car, and the security latch on the security bar. I also asked her to photograph Car #13, latch, bar and security latch. I also had the seatbelts photographed in Car #10. There were 36 photographs taken in color. The film was released to Officer Jackson.

9207300 WZ 6001

Ex - 1

Page 4

Supplemental Report

A thorough investigation of the top surface of the ride was conducted by Officer Jackson and myself. We investigated the surrounding area, and underneath the side of the ride. On the underneath side of the ride, we found where a car had been repaired by welding the wheel that rested on the track securely in place, making a direct weld, rather than bolting the wheel on the support arm. This was not achieved of Car #10 and had no bearing on this investigation. We did observe that in one instance, a large security bolt that secured two units of the supporting structure together was held in place by a coat hanger. The coat hanger had retained the bolt in place and had no impact on the accident. We examined the underneath side of the ride and all parts appeared to be in place. The ride is powered by hydraulic driven motors which work as a power and stopping means for the ride. It all appeared to be intact and showed no signs of malfunctioning.

I contacted the Business Manager of American West Carnival Co., Inc., Mr. Art Keasey who has an address of 3619 E. Main, Mesa, AZ 85205, Phone # (602) 830-0961 or (602) 342-9520. Mr. Art Keasey took me to the Business Office (an eighteen wheel trailer and tractor located at the carnival). He provided me with a copy of the permit issued by the Town of Taos (Receipt No. 33936) and a single copy of proof of insurance which was provided to the Town of Taos concerning the liability coverage pursuant to the permit. Mr. Keasey informed me that the hosting organization for the carnival to the Town of Taos were the Lulacs, who were raising funds for schools/education.

Mr. Tom Trujillo of the District Attorney's office arrived during the investigation, and assisted in interviewing subjects who were witnesses or employees of the carnival. The interviews resulted with the identifying of a 16 year old male individual, who was identified as Tony [REDACTED] who indicated he was the operator of the himalaya. The interview revealed that he had consumed two or three suspected marijuana cigarettes prior to the accident. The investigating officers had reason to believe that he could have been under the influence of alcohol and/or drugs and received a waiver wherein he signed a release to allow for a blood/alcohol and a urine sample.

Officer Jackson and myself transported Mr. Tony [REDACTED] to Holy Cross Hospital for the purpose of extracting blood and urine samples. While in my presence, Officer Jackson informed Mr. [REDACTED] of his rights and provided him with the waiver and release of information. While in my presence and witnessed by myself, Mr. Tony [REDACTED] signed each document in question. While at the hospital, several other emergencies were being taken care of, and we were informed that it would be some period of time before the staff could take the samples. Therefore, I left Officer Jackson in charge to witness the extraction of the blood and urine. I returned to the carnival, wherein the District

920730 EWZ6001
R-4

Page 3
Supplemental Report

Attorney's investigator Tom Trujillo informed me that he would contact Assistant District Attorney John Paternoster and discuss the investigations and facts of the investigation with him.

I informed Mr. Keasey that the carnival was to remain shut down and I would return on or before 11:00 a.m. and give him further direction. We established security of the himalaya for continuing the investigation, and shortly thereafter at approximately 4:30 I departed to my residence.

At approximately 7:15 a.m., I returned to the carnival, at which time I observed Car #10 being dismantled and removed from the himalaya. Investigator Trujillo informed me that Mr. Paternoster wanted to retain the car as evidence and was pursuing potential manslaughter charges against the operator of the himalaya and management of the carnival. I indicated to Mr. Trujillo, we needed to take Car #13 also, as those were the two cars utilizing the demonstration as it related to the torpedo latches, security bars, etc. The cars were dismantled and removed from the himalaya and transported to the Town of Taos, and secured in a locked security area, where police tires and equipment are secured.

I returned to the Taos Police Department and prepared documentation, wherein I directed correspondence to the American West Carnival Co., Inc. advising them the carnival was closed until the Safety Inspector could inspect the entire rides at the carnival, and provide me with documentation that each ride in question was safe. This decision was based on the safety and welfare of the Community of Taos and all participating in the rides at the carnival. I served this documentation to the management of American West Carnival Co., Inc. in Taos, New Mexico. I was informed by management that the carnival would be torn down and removed from the Taos area within a 12 hour period. I was informed the carnival would be traveling into the State of Wyoming once it departed Taos, New Mexico.

Attachments: American West Carnival Co., Inc. Business Park
Correspondence - Closing American West Carnival Co.,
Inc. activities in Taos, N.M.

Box 5498
TAOS, NM 87571 9207300 WZ6001
758-9707 (work)
2xh, b, + 5
Page 1 of 3

At approximately 12:00 am, 12-25-92,
I was watching my daughter
ride a carnival ride, The Himalian
Ride. While ~~other~~ people were
~~waiting~~ getting ready and preparing
themselves for the ride I noticed
4 girls approach the ride
attendances. Two of the girls had
a ~~set~~ brown glass bottle of ~~beer~~ beer
and were sort of flirting their
way into a free ride. There was
one attendant, tall, short hair, dark
complexion, wearing a blue/white striped ^{short} ~~short~~ top. I kept watching these girls to
see if they would get in free. I
never saw him get tickets from
these girls. 3 out of the 4 girls got on
the ride. They sat down they kept
waving their arms up in the air.
I saw the attendant hand over the
seat belt to the girl at the end wearing
glasses. I didn't see if she belted or not.
The attendant did check the bar in front
of them. The ride started slowly.
The reason I kept noticing the girls
is because of the attention they drew. They
had their hands waving up and at me.

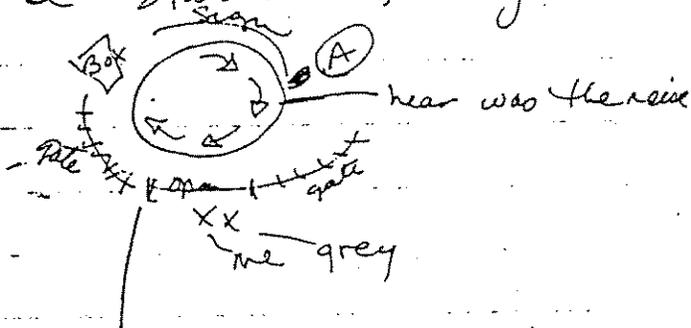
out
low

Page 2 of 3

point they had their legs lifted up while they were sitting. The person controlling the ride told them to keep their hands and legs down 2 or 3 times or he would get them off the ride. While all this was going on the ride was going at a slow pace. Then for about a minute the ride progressed to a faster speed which seemed to be for about 1 minute. A friend was standing next to me and I pointed out to him the 3 girls, I told him they were intoxicated and at that speed they would probably throw-up. The ride slowed down and the announcer asked the group if they wanted to go super fast for everyone to yell. They yelled. The speed they were going was very fast. It was so fast that I ~~could~~ could hardly see my daughter or make out ~~what~~ ^{who} was who. I heard a loud crack and it seem like the car was tilting and the girls were holding on to the bar in I saw two of them banging around like a rag doll ~~that~~ holding on. One was being dragged like on the floor.

Page 3 of 3

I started to yell stop! stop!



The girls were hitting their head very hard against this metal gate and floor area.

The ride stopped and I ran up there looking for my daughter. I saw her and then saw one girl digging down at point (A). I bent down to check her, advised her not to move another man was there also, an employee I think from the carnival. I asked for someone to get a blanket and proceeded to talk with her to calm her down. Her name is Carmen. She was very upset. Wanting to move. Advised her not to move at all. I also checked on the other 2 girls and they didn't look good at all. I went back to help Carmen. Help arrived and I left, came to hospital to check out girls and submit this statement. I submit this to be true to the best of my knowledge.

Charlene [redacted]

9207300w.26001
27-5

July 25, 1992

My mother and I had just got to the carnival. we had gone to get some caddy apples and cotton candy.

I saw a couple of friends and left my mom in one place. (By the Himalian ride.) A friend of mine (Ray ~~████████~~) gave me 6 tickets.

I bought four more for a friend (Couna ~~████████~~) Couna and I decided to go on the Himalian ride. when we got on the employer made sure we had a seat belt on ~~o~~ and that the bar was tightened.

As we waited for the ride to start we noticed 3 ~~or~~ young girls they were flirting with one of the employees (tall, dark, short hair, blue, white, black torn shirt)

they sat down we noticed it looked like they didn't put their seat belt on. when the ride started they kept putting their hands up and their feet up. The person working the ride ~~was~~ kept on warning them to put both hand and feet in ~~the car~~ or he'll stop and take

920730CWZ6001

R7-5

them off. He went fast for about
2 min and slowed down then he
went super fast. My friend
Corina said look nice and
I glanced real fast I saw
one of the girls in the air
hanging on to something
after that we made a quick
~~left~~ turn and the ride stopped
I freaked at that moment I
had to get out. I couldn't
get out so a guy on the
side helped us get out.
I was shaking. When we
were getting off we had to
walk over the bodies. I didn't
know what to do. The night
before I had had a slight
concussion from hitting my
head. The Dr. told me not
to worry to much. My head
started hurting real bad.
I was worried if the girl
was alright or what.

P.S. I hope they
are alright

Sincerely,
~~[Redacted Signature]~~
411

420730C-26001
Rxn.b.t 6
CASE NUMBER: G-147A-92

SUPPLEMENT REPORT

ON JULY 25, 1992 AT 0010 WHILE TRYING TO DISPERSE OF A CROWD OF TEENAGERS AT THE MCDONALDS PARKING LOT, I HEARD CEO VIGIL ADVISING OFFICER JAMES JACKSON (VIA POLICE RADIO) THAT THERE WAS A VEHICLE ACCIDENT WITH INJURIES ON PASEO DEL PUEBLO SUR IN FRONT OF WAL-MART. I PROCEEDED TO THE SCENE WITH EMERGENCY LIGHTS ON. ARRIVING IN FRONT OF WAL-MART I DIDN'T LOCATE ANY ACCIDENT, CEC VIGIL THEN CAME BACK ON THE AIR (RADIO) ADVISING THAT SHE HAD JUST RECEIVED ANOTHER TELEPHONE CALL ON THE 911 FROM THE SAME GENTELMAN THAT HAD REPORTED THE ACCIDENT. CEO VIGIL ADVISED THAT THE MALE SUBJECT HAD ADVISED HER THAT THREE KIDS HAD FALLEN OFF A RIDE AT THE CARNIVAL AND WERE INJURED. I THEN PROCEEDED TO LULAC FIELD (WHERE THE CARNIVAL WAS SET UP) THROUGH THE SOUTH ENTRANCE, ALONG THE WAY A MALE SUBJECT WAS STANDING BY THE ROADWAY AND YELLED AT US, "OVER THERE." POINTING TOWARDS THE CARNIVAL. I THEN PROCEEDED TO THE CARNIVAL WHERE THERE WAS A MALE SUBJECT WITH A FLASH LIGHT WHO STOPPED ME AND ADVISED ME, "OUT THERE AT THE HIMALAYON RIDE THREE KIDS FELL DOWN AND ARE INJURED." EVEN BEFORE I COULD BRING MY PATROL UNIT TO A COMPLETE STOP, SECURITY OFFICER DAVID RIVERA JUMPED OFF THE PATROL UNIT AND STARTED RUNNING TOWARDS THE HIMALYON RIDE. I STOPPED MY PATROL UNIT, GOT OFF AND RAN TOWARDS THE HIMALAYON RIDE. WHEN I GOT TO THE HIMALAYON RIDE ON THE SOUTH SIDE I SAW SECURITY GUARD DAVID RIVERA AND SOME OF THE PEOPLE TRYING TO ADMINISTER FIRST AID TO THE TWO YOUNG FEMALE SUBJECTS WHO WERE LYING ON THE PLATFORM. I THEN RAN TO THE NORTH END OF THE RIDE, AND CAME UPON A FEMALE AND MALE SUBJECT TRYING TO COMFORT A YOUNG FEMALE WHO WAS LYING ON THE RIDE PLATFORM, WHO APPEARED TO BE INJURED AND IN PAIN. AT THE TIME DAVID RIVERA YELLED AT ME AND SAID, "GET THE AMBULANCE HERE FAST THESE GIRLS ARE PRETTY BADLY HURT." I GOT MY WALKIE TALKIE RADIO AND CALLED CEO VIGIL. I TOLD CEO VIGIL TO GET THE AMBULANCE TO THE CARNIVAL FAST, AND ALSO TO GET THE RESCUE SQUAD. AS I WAS STILL TALKING ON THE WALKIE TALKIE, THE AMBULANCE ARRIVED AT THE SCENE. I RAN TO WHERE THE AMBULANCE HAD PARKED, AND ADVISED THE AMBULANCE WHERE THE INJURED PEOPLE WERE. AMBULANCE PERSONEL THEN RAN TO WHERE THE TWO MORE SERIOUSLY INJURED PEOPLE WERE (SOUTH SIDE OF HUMALAYON RIDE) AT THAT TIME THE RESCUE SQUAD ALSO ARRIVED AT THE SCENE. I RAN TOWARDS THE RESCUE PERSONEL, WHEN I MET WITH GILBERT COHN. I SHOWED MR. COHN WHERE THE OTHER INJURED PERSON WAS (NORTH SIDE BY THE HIMALAYON RIDE) AFTER A FEW MINUTES ALL THREE YOUNG FEMALES WERE TRANSPORTED TO THE HOSPITAL. I THEN ADVISED OFFICER TOMMY JEANTETE AND OFFICER ROMERO WHO HAD ALSO ARRIVED AT THE SCENE TO SECURE THE SCENE. JAMES VIGIL A PHOTOGRAPHER ARRIVED AT THE SCENE I ASKED MR. VIGIL IF HE COULD TAKE SOME PICTURES OF THE SCENE FROM EVERY POSSIBLE ANGLE AND EVIDENCE WHERE IT WAS FOUND. MR. VIGIL ADVISED THAT HE WOULD BE GLAD TO DO IT. OFFICER JEANTETE, ROMERO, AND HERRON THEN STARTED COLLECTING EVIDENCE. OFFICER AYALA THEN ARRIVED AT THE SCENE, AND I SENT OFFICER AYALA TO THE HOSPITAL TO CHECK ON THE CONDITION OF THE INJURED AND KEEP POSTED ON THEIR CONDITIONS. I ALSO ADVISED CEO VIGIL TO CALL CHIEF NEIL CURRAN AND ADVISE HIM OF THE INCIDENT. BY THIS TIME WITH THE HELP OF THE OTHER OFFICERS AT THE SCENE WE LOCATED WITNESSES TO THE INCIDENT. WE DIRECTED THEM TO OFFICER JAMES JACKSON WHO WAS TAKING THEIR STATEMENTS.

OFFICER Steven Ochoa

DATE 7-25-92

ARRATIVE 7/25/92 AT APPROX. 0010 HRS THE DISPATCHER ADVISED OFFICER JAME JACKSON TO GO TO THE CARNIVAL IN REFERENCE TO SOMEONE THAT HAD FALLEN OFF A RIDE.

I THEN HEARD LT. SILVIANO ARCHULETA REQUESTING AN AMBULANCE AND THE RESCUE SQUAD TO THE SCENE.

WHEN I ARRIVED AT THE SCENE, LT. ARCHULETA ADVISED ME THAT THE VICTIMS INVOLVED IN THIS INCIDENT HAD BEEN TRANSPORTED TO THE HOSPITAL AND HE REQUESTED THAT I GO DOWN TO THE HOSPITAL, CHECK ON THE WELFARE OF THE VICTIMS AND TO CHECK IF I COULD LOCATE ANY WITNESSES.

ARRIVING AT THE HOSPITAL, HOSPITAL PERSONNEL WERE ADMINISTERING FIRST AID TO THE VICTIMS, YVONNE [REDACTED], CARMEN [REDACTED] AND TERESA [REDACTED].

I THEN FOUND TWO WITNESSES, SONYA BARELA AND GERALD BENVENIDES TO THIS INCIDENT.

SONYA SAID THAT SHE, YVONNE, CARMEN AND TERESA CAME DOWN TO TAOS FROM PENASCO AND WENT TO THE CARNIVAL. AT 12:05 PM SHE AND GERALD WERE STANDING AND TALKING IN FRONT OF THE HIMALAYA RIDE, THEN SUDDENLY THEY SAW YVONNE, CARMEN AND TERESA FLY OUT OF THE HIMALAYA RIDE SEAT. SHE SAID SHE HAD NOTIFIED THE PARENTS OF THE VICTIMS OF THE INCIDENT.

DUE TO MY OWN CURIOSITY AND NO OTHER FACTORS, I ASKED SONYA IF THEY HAD BEEN DRINKING AND SHE SAID THEY HAD BEEN DRINKING LONG BEFORE THIS INCIDENT HAPPENED. SONYA WAS ADVISED THAT AN INVESTIGATOR WOULD CONTACT HER LATER ON FOR FURTHER INVESTIGATION.

SONYA SAID THAT SHE ALSO HAD THE CAR KEYS TO A HONDA CIVIC CAR THAT THEY CAME INTO TAOS IN AND THAT THE CAR WAS DAMAGED AT THE CARNIVAL GROUNDS. SONYA WAS ADVISED THAT THERE WAS OFFICERS AT THE CARNIVAL AND THAT HER CAR WOULD BE TAKEN CARE OF AND ARRANGEMENTS WOULD BE MADE, SO SHE COULD BE TAKEN BACK TO DENVER LATER ON.

GERALD SAID HE ARRIVED AT THE CARNIVAL AT 10:30 PM AND RODE ON SEVERAL RIDES BEFORE YVONNE, CARMEN AND TERESA GOT ON THE HIMALAYA RIDE. HE AND SONYA WERE STANDING AND TALKING IN FRONT OF THE HIMALAYA RIDE. THEN THEY SAW YVONNE

REPORTING OFFICER (Signature & ID & Date)
[Signature] 7-25-92

APPROVING OFFICER (Signature & ID & Date)
[Signature] 7-25-92

CONT.

NARRATIVE

CARMEN, AND TERESA THROWN FROM THE SEAT OF THE HIMALAYA.

GERALD WAS ADVISED THAT AN INVESTIGATOR WOULD LATER CONTACT HIM FOR FURTHER INVESTIGATION.

I THEN ADVISED LT. ARZHUETA THAT I FOUND TWO WITNESSES AT THE HOSPITAL, VIA RADIO. MINUTES LATER HE ARRIVED AT THE HOSPITAL AND ASKED SONYA SEVERAL QUESTIONS. SONYA RESPONDED TO THE QUESTIONS BY SAYING THAT THEY HAD BEEN DRINKING MICHOLE BEER EARLIER, SHE AND GERALD SAW YVONNE, CARMEN AND TERESA FLY OUT OF THE RIDE AND THAT THE GIRLS WERE SITTING DOWN BEFORE THEY WERE THROWN OUT.

WRITTEN STATEMENTS BY SONYA AND GERALD ARE HERE-TO ATTACHED.

I WAS THEN ADVISED BY CLIFFORD F. JOHNSON FROM THE FIRE DEPT. THAT THE HOSPITAL PERSONAL (UNIC) ADVISED HIM THAT YVONNE HAD EXPIRED AND THAT THE HOSPITAL PERSONAL HAD CALLED THE SHERIFF'S OFFICE REQUESTING A MEDICAL INVESTIGATOR. I RELAYED THIS INFORMATION TO LT. ARZHUETA AND HE ALSO REQUESTED I CONTACT THE DISPATCHER AND HAVE HER CALL THE SHERIFF'S OFFICE TO SEE IF A MEDICAL INVESTIGATION HAD BEEN DISPATCHED TO THE SCENE AND TO ALSO HAVE THE DISPATCHER CONTACT THE CHIEF AND ADVISE HIM OF THIS INCIDENT.

I THEN WENT BACK TO THE CARNIVAL AND I ADVISED THE DISTRICT ATTORNEY INVESTIGATOR, TOM TAYLOR THAT SONYA AND GERALD HAD WITNESSED THE INCIDENT AND TOM ADVISED THAT HE WOULD CONTACT THEM LATER FOR FURTHER INVESTIGATION.

INVEST. TAYLOR THEN WITHIN GETTING READY TO START HIS INVESTIGATION TOLD ME TO NOTE WITH SEVERAL PEOPLE FROM THE CARNIVAL WERE AT ANOTHER RIDE OTHER THAN THE HIMALAYA ^{WORK} GETTING READY TO DISMANTLE IT.

RICK WATERS (ASSISTANT RIDE SUPERVISOR) SAID THAT THE CLUTCH ON THE RIDE (TYPE UNIC) BROKE, THEY COULD NOT REPAIR IT IN THE 2 HOURS THEY WERE GOING TO DISMANTLE IT AND MOVE IT OUT OF THE WAY TO ANOTHER LOCATION. RICK THEN SAID THAT HE WOULD STOP DISMANTLING ANY EQUIPMENT AT THE CARNIVAL, TIL HE WAS

PERMITTED TO DO SO BY US. A WRITTEN STATEMENT BY RICK IS HERE

REPORTING OFFICER (Signature & ID & Date)

Edward Arzhueta 7-25-92

APPROVING OFFICER (Signature & ID & Date)

LT. [Signature] 7-27-92

(cont'd)

NARRATIVE

ATTACHED.

OFFICER JOEY CORDOVA, INVEST. TRUJILLO AND I SEARCHED THE CONTROL STATION (KNOW AS THE DOG HOUSE) TO THE HIMALAYA FOR ANY NARCOTICS OR ALCOHOL AFTER INVEST. TRUJILLO INTERVIEWED THE OPERATOR JONY AGUIAR, OF THE DOG HOUSE AND INVEST. TRUJILLO AND I WERE UNABLE TO FIND ANY TYPE OF CONTRABAND, BUT OFFICER CORDOVA FOUND RESIDUE IN A WINE GLASS. ~~TRUJILLO AND I WERE UNABLE TO FIND ANY TYPE OF CONTRABAND, BUT OFFICER CORDOVA FOUND RESIDUE IN A WINE GLASS.~~

INVEST. TRUJILLO AND I THEN WENT TO RIVERAS FUNERAL HOME WHERE WE MET WITH THE MEDICAL INVESTIGATOR, RUBEN MARTINEZ. INVEST. TRUJILLO AND RUBEN THEN CONDUCTED AN INVESTIGATION OF RIVERAS ~~WINE GLASS~~ RE: THEIR REPORTS ON THIS INVESTIGATION.

AFTER THE ABOVE INVESTIGATION, WE WENT BACK TO THE CARNIVAL WHERE RAY PARIENTI, ONE OF THE OWNERS OF THE CARNIVAL WAS CONTACTED AND ASKED BY INVEST. TRUJILLO IF WE COULD REMOVE SEAT #S 10 & 13 FOR EVIDENCE ^{FROM THE HIMALAYA} AND RAY GAVE US PERMISSION TO DO SO. RE: THE SEARCH WAIVER SIGNED BY RAY IN INVEST. TRUJILLO'S POSSESSION.

DONALD GREEN, GEORGE WILKE AND DONALD THOMPSON, EMPLOYEES AT THE CARNIVAL DISASSEMBLED SEATS #10 & 13 FOR US AND PUT THE DISASSEMBLED SEATS IN THE MEDICAL INVEST. TRUCK. THE SEATS WERE THEN TAKEN TO A STORAGE AT THE TOWN OF STAS, TOWN YARD.

A WRITTEN STATEMENT BY RAY, GIVING US PERMISSION TO TAKE THE SEATS AS EVIDENCE IS HERE-TO ATTACHED.

CHIEF NEIL CURRAN, WHO WAS ASSISTING US REQUESTED THAT I GET INFORMATION FROM RAY AS TO WHEN WAS THE LAST TIME THE HIMALAYA WAS LAST INSPECTED.

RAY WAS ASKED WHEN AND WHO WERE THE PEOPLE WHO INSPECTED THE HIMALAYA AND RAY SAID THE HIMALAYA WAS LAST INSPECTED THE LAST THREE ~~TWO~~ TIMES AT FLAGSTAFF AZ. FROM JUNE 15 - JUNE 21, 1992, PRESCOTT AZ. FROM JUNE 22 - JULY 5, 1992 AND IN SIERRA VISTA AZ. FROM JULY 6 - JULY 19, 1992 AND THE PEOPLE WHO INSPECTED

REPORTING OFFICER (Signature & ID & Date)
Floyd Ayala 7-25-92

APPROVING OFFICER (Signature & ID & Date)
LT John Collette 7-27-92

OFFENSE/INCIDENT
CONTINUATION PAGE

CASE NO. 5-147A-12

MODE: _____

PAGE 4 OF 4 PAGES

9207303WR6001
R-7

Offense/Incident Report
 Supplemental Offense/Incident Report

NARRATIVE

THE HIMALAYA WERE FROM THE FIRE DEPT'S. IN EACH SAID TOWN.

A WRITTEN STATEMENT BY RAY IS HERE TO ATTACHED IN REFERENCE TO THE ABOVE LOCATIONS OF INSPECTION OF THE HIMALAYA.

NOTE: ONLY AVAILABLE INFORMATION I COULD GET ON THE VICTIMS AND WITNESS AS FOLLOWS:

victim: YVONNE [REDACTED], AGE 22, PARENTS PAUL & GISELA [REDACTED], PH # [REDACTED]

victim: CARMEN [REDACTED] SUPMA, AGE 20, DOB 11-11-71, PARENTS: IVAN & ROSABE [REDACTED]

victim: TERESA [REDACTED], AGE 16, PARENTS IVAN & ROSABE [REDACTED]

witness: SOFYA BALLEGA, DOB 4-29-76, AGE 16, SSN: 525-35-4201, PH# 587-2327, POBOX 512 DENVER, NM 87553.

witness: GERALD BENAVIDES, 2514 CARMEN APT. #6, LAS VEGAS NM 87201, DOB DEC 1, 1970, SSN 525-33-8311, HOME PH# 454-8941, WORK PH# 425-1068.

NOTE: AT THE ENTRANCE TO THE HIMALAYA WHERE PEOPLE BOARD, THERE WAS A SIGN THAT READ "FOR YOUR SAFETY THIS RIDE HAS A WEIGHT LIMIT, 250 LBS."

NOTE: PEOPLE WITH DISASSEMBLED SEAT'S #10 & 13.

DONALD GREEN, 7474 E. BENSON TUSON AZ. 85706, DOB 7-27-64, SSN 255-25-0829, NO PH #

GEORGE WILKE, DOB 10-29-60, SSN 529-84-6233, 150 N. GRANT ST. SALT LAKE CITY UTAH ZIP CODE UNIC

DONALD THOMPSON, DOB: 2-5-50, SSN 521-82-2750, 4929 WOLFE ST # 529, NEW ORLEANS, 70001.

REPORTING OFFICER (Signature & ID & Date)

[Signature] 7-25-92

APPROVING OFFICER (Signature & ID & Date)

[Signature] 8-27-92

9207300WZ6001

Zx-12

FARMINGTON DAILY TIMES
201 North Allen Street
Post Office Box 450
Farmington, New Mexico 87401

Phone (505) 325-4545
Fax (505) 326-0234

FAX TRANSMITTAL SHEET

RECEIVING TELEPHONE NUMBER:

758-5573

DATE:

July 27, 92

TIME:

Noon

DELIVER TO:

Neil CURRAN

Taos Police Chief

FROM:

Bill Papich

Farmington Daily Times

TOTAL NUMBER OF PAGES INCLUDING COVER SHEET:

2

IF YOU DO NOT RECEIVE ALL OF THE PAGES-PLEASE CALL (505) 325-4545

THIS PAGE:

1 OF 2

920730CWZ6001
R7-12

Sun 26-Aug-1990

Newspaper:DT Reporter:RB Category:ACC Illustration:N Location:A3

COUPLE HURT FROM FAIR RIDE

08-26-90 A3 Roger Burr

A man and woman were injured early Saturday when a ride broke at the San Juan County Fair carnival, the Sheriff's Department said.

Sgt. Marvin Stock identified the injured as Zena [redacted], 25, Farmington, and Bart [redacted].

Stock, quoting from reports, said the couple was treated at the San Juan Regional Medical Center emergency room for about four hours before being released around 5:45 a.m.

Emergency room personnel said the two had multiple bruises and scrapes, Stock said.

However, hospital X-rays revealed no broken bones, Stock said.

Lori House, a witness and friend of [redacted], said the accident happened on the Himalaya where it was her impression that a lap bar came loose on one of the two-person cars.

House said that [redacted]'s face was so swollen upon her release from the hospital that she was almost unrecognizable.

The Himalaya, earlier described as a new ride at the Mesa, Ariz.-based American West Carnival Co.-owned road show, is a bobsled-style ride that goes up and down around a track.

THIS PART WAS CUT

House told The Daily Times the ride continued to be used after the accident.

Carnival manager Ray Parenti was unavailable to comment to The Daily Times.

FAX 758-5573

TAOS Police chief Neil CURRAN

920730CWR 6001
Exhibit 13

CASE NO.: G-147A-92

SUPPLEMENT REPORT

ON 7-26-92 AT APPROXIMATELY 2230 HRS. I WAS CONTACTED AT THE TAOS POLICE DEPARTMENT BY DENISE [REDACTED] (758-1064) BY TELEPHONE IN REFERENCE TO ABOVE CASE # G-147A-92.

D. [REDACTED] SAID THAT SHE WAS ON THE RIDE (HIMALAYA) WITH HER SISTER MANUALITA [REDACTED] (758-3051) ON 7-24-92 AT APPROX. 2200 HRS.

D. [REDACTED] SAID THAT THE CAR THAT THEY WERE RIDING IN, THE LAP BAR KEPT RISING UP (UNLATCHING).

D. [REDACTED] SAID SHE WAS YELLING FOR THEM TO STOP THE RIDE BUT THE RIDE CONTINUED.

[REDACTED] AND [REDACTED] HAD TO HOLD THE BAR DOWN BY THEMSELVES.

[REDACTED] SAID SHE TOLD ONE OF THE RIDE EMPLOYEES ABOUT THE LAP BAR, BUT SHE SAID HE DID NOT COMMENT ON HER STATEMENT.

[REDACTED] DID NOT KNOW WHAT CAR NUMBER THEY HAD BEEN RIDING.

I ADVISED D. [REDACTED] THAT EITHER TOM TRUJILLO OR MYSELF WOULD CONTACT THEM [REDACTED] AND [REDACTED] AND THAT WE WOULD LIKE TO HAVE A WRITTEN OR TAPED STATEMENT.

A SUPPLEMENT WILL BE PROVIDED WHEN THE STATEMENTS ARE COMPLETED.

OFFICER

James J. Adams

DATE

7-29-92

REPORT OF INVESTIGATION

4207300WZ6001

OFFICE OF THE MEDICAL INVESTIGATOR

DATE AND TIME OF INVESTIGATION 7-25-92 01:20	<input checked="" type="checkbox"/> Initial <input type="checkbox"/> Supplemental	OMK CASE NUMBER
PLACE OF INVESTIGATION Lolac Field and Holy Cross Hospital Ex	Page 2 of 2	DATE AND TIME PRONOUNCED 7-25-92 01:02
NAME OF DECEDENT [REDACTED], Yvonne E	AGE 22 SEX F RACE H	ADDRESS [REDACTED] Pelasco, NH 87553

Chief Curran noted the lock that holds the safety rail was bent and when officer Jackson pushed forward 8 times, each time the lock would not hold the safety rail down, but the rail would go all the way forward to the Exit position.

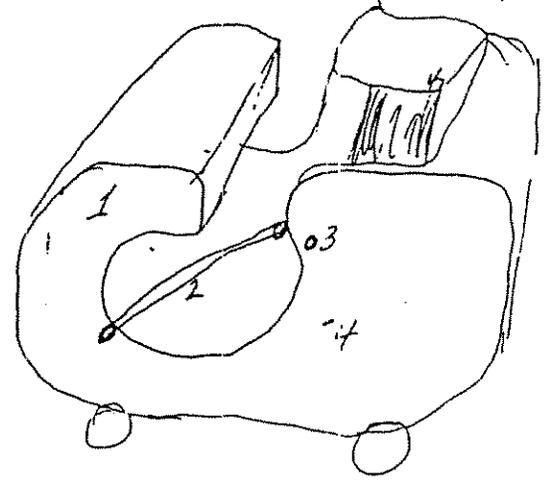
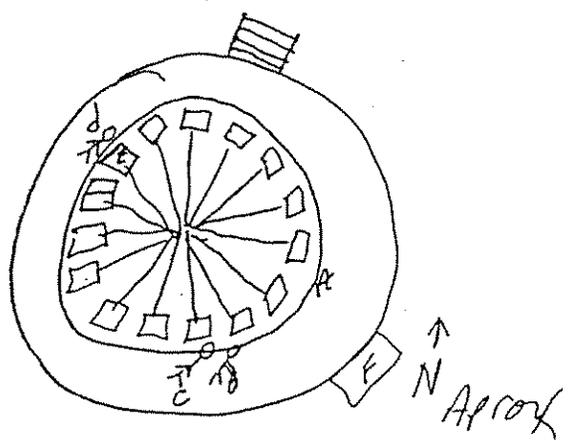
This writer found an Abrasion and large Contusion behind the left ear also a deep Laceration about two and one half inches long and down to the skull no Aparent fracture. Contusions to the back of both hand and a laceration on the left arm. An abrasion to the right foot and an Abrasion on the left calf about 18" long. At this time there appeared to be no seatbelt Marks Or safety rail Marks on the decedant's legs or Abdomen.

Charges pending against person running ride, Merigona found in his possession. About 16 yrs old.

Ride: Himalaya from American West Carnival, Co. Inc.
Art Keasey
3619 E. Main
Mesquite, AZ, 85205
602-830-0961

- A. point women start going up
- B. decedant
- C. Theresa
- d. Third rider
- E. position Car finely stopped
- F. Control Booth

1. Car wide enough to fit 3 women
2. safety rail
3. Bent Lock for safety rail
4. seat belts installed unknown if used properly.



INVESTIGATOR [Signature]	DATE 7-25-92	SUPERVISOR	DATE	PATHOLOGIST	DATE
-----------------------------	-----------------	------------	------	-------------	------

920730CWL6001
R+h.b.t.15

ON 7-25-92 AT APPROX. 0010 HRS. I WAS
DISPATCHED TO THE CARNIVAL LOCATED NEAR THE
WAL-MART STORE JUST WEST OF PASEO DE
PUEBLO SUR IN REFERENCE TO AN ACCIDENT.

UPON MY ARRIVAL WE DISCOVERED THAT
(3) FEMALE SUBJECTS HAD BEEN THROWN FROM
A CARNIVAL RIDE KNOWN AS THE HEMLOCK.

ALL 3 FEMALE SUBJECTS WERE INJURED
AS ONE OF THE FEMALE SUBJECTS WAS
REPORTED AS DECEASED AT APPROX. 0102 HRS.

THE 2 OTHER FEMALE SUBJECTS HAVE BEEN
GIVEN MEDICAL ATTENTION WITH ONE BEING
RELEASED AND THE OTHER HAS BEEN TRANSPORTED
TO AN ALTA SANTA FE, NEW MEXICO HOSPITAL.
THE CAUSE OF HOW THE ACCIDENT OCCURRED
IS STILL UNDER INVESTIGATION.

920730@wz.6001
12-15

A. Jeantete, Mayor



Town of Taos
Police Department

107 Civic Plaza Drive
P. O. Drawer M
Taos, New Mexico 87571

(505) 758-2216
Fax (505) 758-5573

William
Luis Archuleta
Luis Montoya
Luis F. Duran
Luis J. Cruz

David Cordova, Town Manager

Neil W. Curran, Chief of Police

ART KEASEY
AMERICAN WEST CARNIVAL CO. INC.
3619 E. MAIN
MESA, AZ. 85205

Sir,
As a result of a fatal accident, which occurred on 7/25/92, at the American West carnival, at about 12:10 a.m., all rides and entertainment is to remain closed, until a safety inspection can be performed on all rides and equipment. The final safety inspection report needs to be delivered to Chief Neil Curran of the Taos Police Dept. in Taos N.M., prior to beginning operation.

Neil W. Curran, Chief
7/25/92 9:45

Witness: Ronald L. Montoya

1207300006001
127-15

**Town of Taos
Police Department**

107 Civic Plaza Drive
P. O. Drawer N
Taos, New Mexico 87571

(505) 758-2211
Fax: (505) 758-5571



Eloy A. Jeantete, Mayor

Councilmen:
Arturo Archuleta
Espil Montoya
Bobby F. Duran
Frank J. Cruz

Gustavo Cordova, Town Manager

Neil W. Curran, Chief of Police

ART KEASEY
AMERICAN WEST CARNIVAL CO. INC.
3619 E. MAIN
MESA, AZ. 85205

Sir,
As a result of a fatal accident, which occurred on 7/25/92, at the American West carnival, at about 12:10 a.m., all rides and entertainment is to remain closed, until a safety inspection can be performed on all rides and equipment. ^{11/15}
The final safety inspection report needs to be delivered to Chief Neil Curran of the Taos Police Dept. in Taos N.M., prior to beginning operation.

Neil W. Curran, Chief
7/25/92 9:45

Witness: Ronald A. Monty

Phillip Parent
7/25/92 10:30 AM

7207300WZ6001
R x h. b. + 16

SUPPLEMENT REPORT

CASE NO: G-147A-92

ON 7-25-92 AT APPROX. 2157 HRS. I ARRIVED AT RIVERA'S FUNERAL HOME IN REFERENCE TO FINGER PRINTING THE DECEASED, YVONE [REDACTED].

I WAS ASSISTED BY OFFICER E. LUCERO IN COMPLETING ONE FINGER PRINT CARD OF THE DECEASED.

THE CARD IS IN MY POSSESSION AT THIS TIME. THE PURPOSE FOR THE FINGERPRINTING OF THE DECEASED IS TO TRY TO ESTABLISH IF HER FINGERPRINT ARE ON THE PHYSICAL EVIDENCE FOUND AT THE SCENE. (BEER BOTTLES).

OFFICER

James Jadhav

DATE

7-29-92

MENDEL S. KALIFF

920730CWZ6001
Cxn. bit 17

SUCCESSOR TO MENDEL S. KALIFF AND SONS
ESTABLISHED 1917

P.O. BOX 171225 SAN ANTONIO, TEXAS 78217 (512) 829-7634

Certificate of Insurance

This Certificate of Insurance neither affirmatively nor negatively amends, extends or alters the coverage afforded by the policy (ies) described hereon, and is issued as a matter of information and confers no rights upon the Holder.

The Policy identified below by a Policy Number is in force on the date of certificate issuance. Insurance is afforded only with respect to those coverages for which a specific limit of liability has been entered and is subject to all the terms of the Policy having reference thereto. Nothing herein contained shall modify any provision of said Policy.

In the event of cancellation of the Policy the company issuing said Policy will make all reasonable effort to send Notice of Cancellation to the certificate holder at the address shown herein, but the company assumes no responsibility for any mistake or for failure to give such notice.

Any Carnival or Circus Liability Insurance made a part of the Policy includes as a person insured with respect to an occurrence taking place at a Carnival or Circus site (1) The Fair or Exhibition Association, sponsoring organization or committee (2) The owner or lessee thereof and (3) A municipality granting the Named Insured permission to operate.

NAME & ADDRESS OF INSURED: American West Carnival Company, Inc. 9919 E. Main St. Mesa, Arizona 85205	NAME & ADDRESS OF CERTIFICATE HOLDER:
--	--

AMUSEMENT LIABILITY COMPANY	BODILY INJURY AND PROPERTY DAMAGE LIABILITY COMBINED SINGLE LIMIT	POLICY NUMBER	EXPIRATION DATE
Scottsdale Insurance Company	\$1,000,000 CSL	GLS 421605	2/28/93
TOTAL LIMITS	\$1,000,000 CSL		

Additional Insured:

For the dates of:

2-3-92 tsw

DATE OF CERTIFICATE ISSUANCE

MENDEL S. KALIFF

9207300WZ 6001
No. 12-17

The Town of Taos

FUND

Taos, N.M., 19

RECEIVED OF

M. M. M. M. M.
3619 E 7th

DOLLARS

in payment of items indicated below:

Gross Receipts	
Registration Fee	
Liquor License	
Building Permit	
Cigarette Tax	
Dog License and Pound Fees	
Gasoline Tax	
Other - Permits	
Court Fines	

Auto License Dist.	
Property Tax Levy	
Solid Waste	
Lodgers Tax	
Swimming / Recreation	
Grants - Federal	
Grants - State	

11-25-26/92
revised

Clerk



920730EWZ6001
7x-7

Office of the District Attorney
Eighth Judicial District
TAOS, COLFAX, UNION COUNTIES

Jimmy Lawrence Pacheco
DISTRICT ATTORNEY

- PLEASE REPLY TO:
- TAOS COUNTY
P. O. DRAWER E
TAOS, NEW MEXICO 87571
(505) 758-8683
 - COLFAX COUNTY
P. O. BOX 1414
RATON, NEW MEXICO 87740
(505) 645-5516
 - UNION COUNTY
P. O. BOX 642
CLAYTON, NEW MEXICO 88403
(505) 374-2569

EXAMINATION RECORDS RELEASE

I Tony Aguirre hereby
 authorize HOLY CROSS HOSPITAL
 to release all examination or medical records pertaining
 to JAMES C. JACKSON to
 the Eighth Judicial District Attorney's Office,
 P.O. Drawer E, Taos, New Mexico.

Tony Aguirre

Neil DeWarron, Chief Taos P.D.
WITNESS

7/25/92 - 4:15 PM

920730CWZ6001

Rx-17

WAIVER OF SEARCH FORM

I, Tony Aguirre, having been informed of my constitutional right not to have a search made of the premises, vehicle or property hereinafter mentioned without a search warrant, and of my right to refuse to consent to such a search, do hereby authorize JAMES JACKSON and NEIL W. CURRAN Officers of the TROS Taos, New Mexico, to make a complete search of the premises, vehicle or property located at Holy Cross Hospital, New Mexico. Such Officers are authorized by me to take from such premises, vehicle or property any letters, papers, material, or other property which they may desire.

This written permission is being given by me to the above-named officer voluntarily and without threats or promises of any kind having been made to me.

Signed: Tony Aguirre

DATE: 7-25-92

WITNESSES:

Neil W. Curran Officer 7/25/92 11:05 AM

2004
Case # C-147-92

720730CW26001
Exhibit 18

July 25 - 92

I Ray Parenti gave Tao's
Police Dept & The District
Attorneys office permission
to take # 10 car off of
Himalaya Ride Also had
Donny Greer & Phillip Parenti
take car off.

The method of taking
car off is to disassemble

Also gave permission to me
to give copies of Employers
I-9 Reports.

They ALSO TOOK CAR # 13

Ray Parenti

9207300WZ6001

Rx-18

Prescott AZ

Fire Dept

June 22 - July 5

Sierra Vista AZ

Fire Dept

July 6 - July 19

Flagstaff AZ

June 15 - June 21

Ray Packer

20th 9

CASE# 6-147A-92

OFFICER FLOYD AMTR # 9 ~~20-49~~

07/25/92

3:15 AM

CRIME # G-147A-12

1207300225001

Exhibit 19

American West Shows Inc

Asst Ride supervisor Rick Waters
3619 W main mesa AZ

AT about 5:00 PM on 7-24-92

The giant wheel Brake the
Drive clutch & could not be
Re paired at this location. so
we decided to Tear the Ride
down & move IT to the next
location where parts are more
plent - so I & five of my
crew started to take IT down
at 12:00 AM ^{P.M} & was stopped by
police at 3:15 AM 7-25-92.

2- Richard Jay Clement
PO 19151 gear NV 89009
1-30-88 - 5467-53-4807

3- Rocky yazzie
PO 401 Bloomfield NM 87413
6-29-76 - 585-38-1509

4- John Rich
2130 E main mesa az 89205
8-15-64 547-33-6250

5- Robert Jay Smith
1216 west aztec Blvd
7-7-58 395-64-0386

1 Rick waters
3619 W main mesa az
10-16-59 528-06-5531
(602)430-0017

920730 EWZ 6001
Exhibit 20

(CIRCLE ONE) SUSPECT WITNESS WANTED OTHER HOME
PH. # 758-5505

NAME NO. 1 CHARLENE ANGLADA (work) 758-9707
ADDRESS BOX 5498 TROS NM 87571

Soc. Sec. No. _____ Date of Birth _____

Race H Sex F Age _____ Height _____
Weight _____ Hair _____ Eyes _____ Skin _____

(CIRCLE ONE) SUSPECT WITNESS WANTED OTHER

NAME NO. 2 NICOLE ANGLADA
ADDRESS BOX 5498 TROS NM 87571

Soc. Sec. No. _____ Date of Birth _____

Race H Sex F Age _____ Height _____
Weight _____ Hair _____ Eyes _____ Skin _____

(CIRCLE ONE) SUSPECT WITNESS WANTED OTHER

NAME NO. 1 TOLY AGUIRRE (EMPLOYEE)
ADDRESS 208 S. JOHNSON STREET BLOOMFIELD NM

Soc. Sec. No. 525-63-5920 Date of Birth 7-28-75 87413

Race H Sex M Age 16 Height 6'1
Weight 170 Hair BRN Eyes BRN Skin CRNT

(CIRCLE ONE) SUSPECT WITNESS WANTED OTHER

NAME NO. 2 DAVID IVEY (EMPLOYEE)
ADDRESS P.O. BOX 22 SIERRA VISTA, ARIZONA

Soc. Sec. No. 527-21-7459 Date of Birth 5-24-70 83636

Race H Sex M Age 22 Height 5'8"
Weight 155 Hair BLK Eyes BRN Skin MDL

LT ~~Alto~~ #2 7-27-92

420730CW23001
Plxhibit 20

(CIRCLE ONE) SUSPECT WITNESS WANTED OTHER

NAME NO. 1 PETE HADER (EMPLOYEE)

ADDRESS NO KNOWN ADDRESS

Soc. Sec. No. Date of Birth 4-17-66

Race A Sex M Age 27 Height 5'9

Weight 160 Hair BK Eyes BR Skin MED.

(CIRCLE ONE) SUSPECT WITNESS WANTED OTHER

NAME NO. 2 JEREMY ROBINSON (EMPLOYEE)

ADDRESS UNKNOWN

Soc. Sec. No. Date of Birth 12-16-75

Race W Sex M Age 16 Height 6'0

Weight 165 Hair BK Eyes BR Skin MED.

(CIRCLE ONE) SUSPECT WITNESS WANTED OTHER

NAME NO. 1 _____

ADDRESS _____

Soc. Sec. No. _____ Date of Birth _____

Race _____ Sex _____ Age _____ Height _____

Weight _____ Hair _____ Eyes _____ Skin _____

(CIRCLE ONE) SUSPECT WITNESS WANTED OTHER

NAME NO. 2 _____

ADDRESS _____

Soc. Sec. No. _____ Date of Birth _____

Race _____ Sex _____ Age _____ Height _____

Weight _____ Hair _____ Eyes _____ Skin _____

Let Cult w/ 7-27-82

07. 27. 92 03:28 PM

CPSO H ALBUQUERQUE

FOI

FDI

UNITED STATES GOVERNMENT
MEMORANDUM

U.S. CONSUMER PRODUCT
SAFETY COMMISSION
Albuquerque Resident Office

TO : Debbie Tinsworth, EPDI

Date: 7-27-92

FROM : *NKA*
Norvan Allen, FOWR-ABQ

SUBJECT: Himalaya Mobile Amusement Ride Death, Taos, NM

Here is the clipping we discussed this morning. The incident occurred about 1 A.M. Saturday, 7-25-92.

In addition, I saw a report on Albuquerque TV last night. It was stated the carnival had moved out from Taos to an undisclosed location on Sunday. The Taos Police chief was interviewed during the news show I saw, and probably earlier. He reported they have evidence indicating the three girls had on safety belts, but these were at their full extension; the safety bar at the front of the car may not have latched properly; the operator of the ride was believed to only be 16 years old and there are indications of the improper use of alcohol. The chief also said the carnival could not produce a current inspection report for this ride.

The Taos police appear to still have the car from the ride in which the victims were riding. The TV news program showed this car and the officers examining it. I have not contacted the Taos police.

920 7300 WE6001

OPTIONAL FORM 99 (7-90)		# of pages ▶ 2
FAX TRANSMITTAL		
To	From	Phone #
FED DOI	LEE BAXTER	
Name/Agency		

4207300WZ6001

Exhibit 8

Sonya Barrios, Born 4-29-76. P.O. Box 512 Peñasco, 77071
87553

Today in July 24 1992. I was at
the carnival at 12:05 pm I was talking
to my friend Gerald Baraverey ~~and~~ when
we were talking at my friend's house
Jessa ~~and~~ + Camell ~~and~~. All of a
sudden I see my friends fly out
of the ride. I came to ~~the~~ I was with
other girls. We were on the same car.

Page 4

Case # G-147A-92

420730CWZ 8001
R+ - 7

WRITTEN STATEMENT
OF
RESEARCHER

7-25-92

The guys who had the accident
came to my ride first with the
beer bottles in their hands I
made them set the bottles down
to ride while they were riding
my ride (oravation) one girl
ped for pants. so I stopped
the ride they asked me out,
I they were all ~~so~~ very
drunk. Then I watched them
walk to the Humilaya and set
the beer bottles down and get
on that ride.

Pat Ross

920730 CWI 6001

R7-9

7-25-92

0115 HRS.

WITNESS STATEMENT OF
JEREMY ROBINSON 16 yoa

I Jeremy Robinson was ten feet from the Hemifa ~~and~~ I seen two girls stand up while the ride was going and so I ran up on the platform and there was a third girl and that was the girl I took up and stayed with. The girl I stayed with was the one who was being dug around by her feet.

Jeremy
Robinson

920730@WZ600
Exhibit 10

**SUPPLEMENTAL REPORT
TAOS POLICE DEPARTMENT
REPORT MADE BY: CHIEF NEIL W. CURRAN
DATE: JULY 28, 1992**

FILE NO.: G147A-92

DEATH/CRIMINAL INVESTIGATION

**VICTIM: YVONNE E. [REDACTED]
PENASCO, N.M.
AGE: 22
HISPANIC FEMALE
DOB: 07-21-70**

**WITNESSES: William A. Buchmiller
Patricia Buchmiller
Stephanie Wise**

On July 27, 1992, between 3:00 p.m. and 4:00 p.m., I interviewed the above three subjects who were participants at the American West Carnival Co., Inc. riding the Himalaya at approximately 11:30 p.m. on Friday, July 24, 1992. The following summary of the interview is being submitted.

At approximately 11:30 p.m., July 24, 1992, Friday evening, Mr. and Mrs. Buchmiller took their niece Stephanie Wise and her mother to the American West Carnival, located near the Wal-Mart Store in Taos, New Mexico to participate on the rides.

At approximately 11:30 p.m., Mr. and Mrs. Buchmiller along with Stephanie Wise had purchased two books of tickets for the purpose of riding different rides at the carnival, producing five tickets each to ride the himalaya. The cost would equate to approximately \$2.00 each. As they entered the himalaya, they noticed a height marker which indicated the height a young person would have to be prior to riding the himalaya. Stephanie Wise exceeded this height and entered the himalaya with Mr. and Mrs. Buchmiller. Mr. and Mrs. Buchmiller are large adults. Mrs. Buchmiller weights 224 lbs., Mr. Buchmiller weights 220 lbs and Stephanie Wise weighs approximately 110 lbs. for a total weight of 554 lbs. The riders did not notice the weight safe requirement of 250 lbs. per car when they entered the ride. The operator did not bring it to their attention, and all three individuals entered one car, Mrs. Buchmiller on the inside, Stephanie Wise in the middle and Mr. Buchmiller on the exterior next to the cat walk. There were three attendants, one an operator and two individuals assisting with loading and off loading participants of the ride. One individual was identified as a young Spanish male subject with short black hair, baseball cap turned around backwards and a tank top. The individual operating the ride that was occupying the booth was

920730CW 6001

12x-10

Page 2
Supplemental Report
July 28, 1992

identified as an older male subject, blonde hair. The other subject was identified as a young male subject, about 5'7" with brownish blonde hair, no particular hair style and wearing a T-Shirt.

When the Buchmiller group were assisted into the car, they had problems with the seat belt. The two young men came over and assisted one individual, moved the seat and adjusted the seat belt on the rod near the floor allowing maximum width to allow the Buchmiller's to secure the seat belt. Once the seat belt was secured, the security was latched. Prior to accomplishing all of the securing of the seat belt and the security bar, at one point the operator began moving the ride forward and was quickly stopped as a result that the security mechanisms hadn't been completely fastened.

At this point, the young Spanish male operator switched the Buchmiller group, putting Mrs. Buchmiller in the middle, Stephanie Wise on the inside and Mr. Buchmiller on the exterior by the cat walk.

The ride was started and within a short period of time, began to gain momentum and the security latch on the security bar disengaged, causing the occupants to be thrown forward. At that time, Mr. Buchmiller who was on the outside grabbed the edge of the car with one arm (his left arm) and holding the security bar down with his right arm and began yelling for the ride to stop. Shortly thereafter, one of the operators told him to keep his arm inside, and they yelled to stop the ride as the security bar had come loose. The ride indeed was stopped. The young Spanish man came over. They explained what had happened. He told them they were too heavy. At that point, Mr. Buchmiller chose to get out of the ride and was instructed to get into another car. He chose not to participate in the ride at that point. The people behind their car became aggravated because of the inconvenience they were having in being seated, secured, stopping the ride and rearranging their seating positions, and resecuring the seat belt and the security bar.

Shortly thereafter, the ride began once more. Once again, when the momentum was increased, the security bar released, causing Mrs. Buchmiller and Stephanie to be thrown forward. At this time, Mrs. Buchmiller reached outside the car, held on to the car with the left hand, and held on to the security bar with the right hand. Mrs. Buchmiller and Stephanie used their feet and the curvature of the floor to assist in securing themselves in such a manner to prohibit from being ejected from the car. Once the ride had stopped, they again brought it to the attention of the Spanish operator that the safety latch on the security bar had released. The operator stated that it was because Mrs. Buchmiller was too big.

920730CWZ6001
KX-10

Page 3
Supplemental Report
July 28, 1992

Mr. and Mrs. Buchmiller were under the opinion that the operators were not interested in determining what caused the latch to release, but were interested in continuing the rides to the extent that each felt that the operators were high and/or intoxicated.

When Mr. Buchmiller disembarked from the car, he observed the torpedo latch mechanism. He described it as a black plastic object that had finger grips around it, and observed that the latch was bent and not sitting correctly upon the flat surface of the latch. Once the ride was completed by Mrs. Buchmiller and Stephanie, they advised the operator that the bar was releasing and departed the Himalaya and the park. They did not observe the accident which occurred at approximately 12:30. ^{7/28/92}

Their entire ride, loading and off loading took ten to fifteen minutes, leaving the park somewhere between 11:45 p.m. and 12:01 a.m.

William A. Buchmiller
William A. Buchmiller

July 28, 1992
Date

Patricia Buchmiller
Patricia Buchmiller

July 28-1992
Date

Signed and sworn before me on this 28th day of July, 1992.

Marie C. Garcia
Notary Public

My Commission Expires: 2-26-96

920730CWZ6001

" R+ - 10

Patricia Buchmiller

Box 6157

Age 27

TAOS NM 87571

Ph # 751-0614

DOB.

8-26-64

William A. Buchmiller

Box 6157

Age 26

D.O.B. 8-9-65

Taos N.M. 87571

Ph. # 751-0614

Stephanie Wise

2400 S. 14th

Age 14

Springfield Ill.

62703

Ph # 544-3828

DOB.

6-21-78

920730CW26001

Rx - 11

**SUPPLEMENTAL REPORT
TAOS POLICE DEPARTMENT
REPORT BY: CHIEF NEIL W. CURRAN
DATE: JULY 28, 1992**

MLW

FILE NO.: G147A-92

DEATH/CRIMINAL INVESTIGATION

**VICTIM: YVONNE E. [REDACTED]
AGE: 22
HISPANIC FEMALE
DOB: 07-21-70**

**WITNESSES: WILLIAM IKO
AGE: 11
P.S.#: 758-3868**

**TED CORDOVA
AGE: 10
P.S.#: 758-8583
P.O. BOX 3250
TAOS, N.M. 87571**

On July 27, 1992 I received a telephone call which revealed that William Iko and Ted Cordova attended the carnival in Taos, New Mexico on July 24, 1992.

I arranged to interview the two boys at approximately 2:00 p.m. on July 28, 1992. The interview continued to approximately 2:30 p.m. William Iko was accompanied by his mother who is the aunt of Ted Cordova. The following details are a recap of the activities of the two young men on Friday, July 24, 1992 between the hours of 5:30 p.m. and approximately 7:30 p.m.

The two young men attended the American West Carnival which was located southwest of Wal-Mart in Taos, New Mexico. The young men arrived at the carnival at approximately 5:30 and went to the area of the himalaya, which was not operating at the time and not accepting rides from participants of the carnival. In observing the ride, they observed an individual who was in the booth area which was acting as a boss/supervisor. He was approximately 30 years old, short brown hair, dirty clothes wearing a white torn T-shirt, levi pants and had a mustache. This individual directed two other young men, who were referred to as operators to get a wrench and tighten the bolts and to check the nets. One of the young men said, "Oh Shit", but went and got the wrench, but did not tighten the bolts by utilizing the wrench, but used his hand on the bolt and never utilized the wrench on the bolt. Operator #1 was described as a black haired, dark complected male individual, approximately age 16, 5'8", medium built, tank top and levis. Operator #2 was identified as having black hair, light complexion, older, approximately age 18. The two young men could not remember

920730 CW 26001

PL X - 11

Page 2
Supplemental Report
July 28, 1992

what he was wearing.

At that time, the two young men continued to walk around the carnival, and participated in other rides at the carnival. They returned to the himalaya and made arrangements to ride the himalaya. They noticed the height sign as they entered the himalaya. Both exceeded the height sign and were eligible to ride the himalaya. Operator #1 and Operator #2 assisted individuals in disembarking from the himalaya and boarding the himalaya. They were assisted in getting into the himalaya. They had difficulties fastening the seat belt. Ted Cordova jerked on the seat belt to the extent it released from under the seat and was allowed to tighten the seat belt around himself and William in a very tight manner. The security bar was secured in place. William Iko observed the latch mechanism, describing the brown knob on the exterior of the car and the torpedo latch. Using an illustration of his fore-finger, thumb and index finger, he illustrated that the bolt entered a circular securing mechanism on the security bar. William and Ted noticed that the latching mechanism was barely catching on the end of the bolt.

They had no difficulties once the ride began. With the security bar, it remained in place. As the ride began to gain speed and traveled around the 360 degrees, gaining elevation and dropping in elevation, the young men began to bounce up and down upon the seat. The seat belt appeared to have released as it did not fit tightly as it did in the beginning of the ride. As momentum increased, the young men were thrown to the outside (or the left side of the car) and held themselves together to support themselves throughout the ride. The seat belt latch mechanism did not release, although it was not tight around their waist as it had been earlier. The young men received instructions to keep their hands on a braided part of a security bar. The security bar was secured and checked by the operator that assisted them in the car. The operator assisted in getting them out of the car, releasing the security bar, releasing the seat belt and they departed the ride with no incidents.

They returned to their residence sometime between 7:30 p.m. and 8:00 p.m. on the same date.

420730 @ WZ 6001
Exhibit 12

**SUPPLEMENTAL REPORT
TAOS POLICE DEPARTMENT
REPORT BY: CHIEF NEIL W. CURRAN
DATE: JULY 26, 1992**

WZ

FILE NO: G147A-92
DEATH/CRIMINAL INVESTIGATION
VICTIM: YVONNE E. [REDACTED]

On July 27, 1992 at approximately 9:15 a.m., I received a call from Mr. Bill Papich, Farmington Daily Times, Public Service No. 325-4545 Extension 222 who informed me the American West Carnival Company was involved in a similar accident in San Juan County, New Mexico on or about August 25, 1990. Mr. Papich did not have actual information, only that two individuals were injured, Zena Hendrix, age 25 and Bart Lowe, age 23. They were transported to the San Juan Regional Hospital, receiving medical attention and were released approximately 4 hours later. The report was released to the local newspaper by Sergeant Marvin Stock of the San Juan County Sheriff's Office.

I telephone the San Juan County Sheriff's Department and discussed the investigation with Sergeant Marvin Stock who indicated he remembered briefly about the investigation involving American West Carnival Company. He advised he would research their files and forward to me by FAX a copy of the offense/incident report. At approximately 10:46 a.m. on July 27, 1992 I received the offense/incident report from the San Juan County Sheriff's Office dated August 25, 1990 which provides data relating to the injury of Zena Hendrix and Bart Lowe while being occupants in a car of the himalaya, which also ejected the two occupants from the vehicle in which they occupied. The himalaya is a ride of the American West Carnival Co., 3619 West Main, Mesa, AZ 85205.

Also, Mr. Bill Papich of the Farmington Daily Times informed me that he would attempt to obtain the newspaper article concerning the news release as it relates to this incident. There were additional articles generated pursuant to the accident, which indicates that American West Carnival Co. was only in existence for the past two or three years. Material will be forwarded in conjunction with this investigation if indeed this is true.

Attachments: Document/San Juan County Sheriff's Department Report
Case # 90-001951 - August 25, 1990
Newspaper Report of Farmington Daily Times

9207300WIL6001 FLK-10

SAN JUAN COUNTY SHERIFF'S DEPARTMENT



TO: CHIEF CURRAN

DATE: 7-27-92

COMPANY: TAOS P.D.

FAXNO: _____

FROM: SGT. M. STOCK

REFERENCE: CARNIVAL RIDE-

NUMBER OF PAGES TRANSMITTED INCLUDING THIS COVER SHEET 4



MESSAGE:

WELL. GOOD TO TALK TO YOU AGAIN.
THIS IS ALL WE HAVE. I CHECKED
OUR RECORDS - WE DID NOT TAKE ANY
PHOTO'S OR ANY REAL INSPECTION.
IF YOU NEED ANYTHING ELSE DEPUTY
TUCKER & JIM PARNELL ARE STILL AROUND
M. Stock

105 SOUTH OLIVER, AZTEC, NM 87410
505-334-6107 OR FAX 505-334-6745

9207300WZ601

SAN JUAN COUNTY SHERIFF'S OFFICE 2X-12
OFFENSE/INCIDENT REPORT

Reported Date: 08/25/90 Time: 00:55 Case: 90-001951 Page: 1
Code: 001 MI Crime: MISCELLANEOUS Class: 330700
Occurrence Date: 08/25/90- Day: SATURDAY - Time: 00:15-
Status: C Clearance: E Closing Officer: 000151 TUCKER, D
Location: 591 US64, CO RD: BE28
CARNIVAL, SAN JUAN COUNTY FAIR

INVOLVED PERSONS

VICTIM-01: [REDACTED] DOB: 10/12/64 Race: W Sex: F
[REDACTED] State: NM Zip: 87401 Phone: [REDACTED] Adu/Juv: A
POB: [REDACTED] Hair: [REDACTED] Eye: [REDACTED] Hgt: [REDACTED] Wgt: [REDACTED] Bld: [REDACTED]
Business Name: SAN JUAN COLLEGE
(STUDENT) Phone: 326-3311
FARMINGTON, NM 87401

VICTIM-02: [REDACTED] DOB: 11/18/66 Race: W Sex: M
[REDACTED] Apt: 3012 State: NM Zip: 87401 Phone: [REDACTED] Adu/Juv: A
POB: [REDACTED] Hair: [REDACTED] Eye: [REDACTED] Hgt: [REDACTED] Wgt: [REDACTED] Bld: [REDACTED]
Business Name: TOP DECK LOUNGE
FARMINGTON, NM 87401
Phone: 325-1563

WITNESS-01: [REDACTED] DOB: 09/20/42 Race: W Sex: M
[REDACTED] Apt: [REDACTED] State: NM Zip: 87410 Phone: [REDACTED] Adu/Juv: A
POB: [REDACTED] Hair: [REDACTED] Eye: [REDACTED] Hgt: [REDACTED] Wgt: [REDACTED] Bld: [REDACTED]
Business Name: SJC MCGEE PK-MANAGER
Phone: 505 325-5415

SUSPECTS/ARRESTS

SUSPECT-01: AMERICAN WEST CARNIVAL CO
3619 E MAIN, MESA
Apt: [REDACTED] State: AZ Zip: 85205 Phone: 602 830-0961
Contact:

Driver License: Social Security:
CII: FBI: Booking Number:

NO FACTORS

Reason: RURAL Additional Description: CARNIVAL/THROWN RIDE

NARRATIVE

APPROXIMATELY 00:15 HRS ON 08-25-90 WRITER WAS DISPATCHED TO THE CARNIVAL AT THE SAN JUAN COUNTY FAIR ON A REPORT OF AN ACCIDENT AT ONE OF THE RIDES.

ON ARRIVAL WRITER HELPED LOAD ONE OF THE VICTIMS IN THE AMBULANCE AND ALLOWED IT TO THE EMERGENCY ROOM. WRITER INTERVIEWED BOTH VICTIMS, MR. ART WE STATED THEY, (HIMSELF AND ZENA HENDRIX, VICTIM NO. 1) WERE RIDING THE

San Juan County Sheriff's Office Roger Lasater, Sheriff
5 S. Oliver, Aztec, New Mexico 87410 (505)334-6107

Reporting Officer: TUCKER, D Number: 000151

920730CW26001

127-12

OFFENSE/INCIDENT REPORT

ADDITIONAL INFORMATION

Reported Date: 08/25/90 Time: 00:55 Case: 90-001951 Page: 2
Code: 001 MI Crime: MISCELLANEOUS Class: 330700

HIMALAYHA AND WERE COMING OVER ONE OF THE HUMPS IN THE RIDE WHEN THE SAFETY BAR CAME OPEN AND THEY WERE EJECTED.

MISS. HENDRIX STATED SHE WAS SITTING ON THE INSIDE OF THE RIDE NEXT TO MR. LOWE AND WASN'T SURE WHAT HAPPENED, SHE STATED THAT ALL SHE KNEW WAS THE SAFETY BAR CAME OPEN AND SHE WAS EJECTED.

BOTH VICTIMS WERE TREATED AT SAN JUAN REGIONAL HOSPITAL, MISS. HENDRIX WAS X-RATED AND FOUND NOT TO HAVE ANY BROKEN BONES ONLY BRUISES AND MINOR CUTS, MR. LOWE WAS REPORTED HAVING MINOR ABRASIONS AND BRUISES.

WRITER CONTACTED THE MANAGER OF MOGEE PARK, JIM PARNELL WHO STATED HE AND THE MANAGER OF THE CARNIVAL INSPECTED THE RIDE AFTER THE ACCIDENT, THE NEXT DAY

MR. PARNELL STATED THAT IT WAS A NEW RIDE IMPORTED IN FROM CANADA AND HE PERSONALLY TRIED TO OPEN EACH SAFETY BAR ON THE RIDE, HE STATED THE ONLY WAY THE BARS COULD BE OPENED WAS TO PUSH THE RELEASE BUTTON. MR. PARNELL STATED THAT THE RIDE WAS IN THE SLOW DOWN STAGE WHEN THE ACCIDENT OCCURRED AND BELIEVES THE VICTIMS WERE IN A HURRY TO GET TO ANOTHER RIDE AND OPENED THE SAFETY LATCH.

WRITER COULD SMELL THE STRONG ODOR OF AN INTOXICATING LIQUOR ON BOTH VICTIMS BUT DOES NOT KNOW IF IT CONTRIBUTED TO THE ACCIDENT.

SAN JUAN COUNTY SHERIFF'S OFFICE
SUPPLEMENTAL
REPORT

920730BW.26001 RL

Reported Date: 08/27/90 Time: Case: 90-001951 Page: 1
Code: 001 MI Crime: MISCELLANEOUS Class: 330700
Occurrence Date: 08/25/90 Day: SATURDAY - Time: 00:15-
Status: C Clearance: E Closing Officer: 000151 TUCKER, D
Location: 591 US64, CO RI: BE28
CARNIVAL, SAN JUAN COUNTY FAIR

INVOLVED PERSONS

WITNESS-01: SMITH LUELLA DOB: 04/07/67 Race: W Sex: F
803 COLUMBINE ST., BL
Apt: State: NM Zip: 87413 Phone: 632-3924 Adu/Juv: A
POB: Hair: Eye: Hgt: Wgt: Bld:
Business Name: HUNINGTON CONOCO
EAST BROADWAY (CLERK) Phone: 327-5611
FARMINGTON, NM 87401

WITNESS-02: JOHNSON MAROLET DOB: 03/30/77 Race: W Sex: F
PO BOX 101 BLOOMFIELD, CO
Apt: State: NM Zip: 87413 Phone: 632-8652 Adu/Juv: J
POB: Hair: Eye: Hgt: Wgt: Bld:
Business Name: STUDENT
Phone:

JUVENILE INFORMATION

Parent's Name:
Business Phone: Address:
School:
Counselor:

NARRATIVE

ON 08-27-90 AT APPROXIMATELY 10:25 HRS WRITER INTERVIEWED MRS. LUELLA SMITH AND MS. MAROLET JOHNSON ON THE PROBLEMS THEY INCURRED WITH THE HIMALAYHA, A CARNIVAL RIDE AT THE SAN JUAN COUTY FAIR.

MRS. SMITH STATED THAT SHE AND HER SISTER MS. JOHNSON WERE ON THE RIDE JUST BEFORE THE ACCIDENT AND THAT THE SAFETY BAR ON THE SEAT THEY WERE IN WOULD NOT LATCH, SHE STATED THAT SHE TOLD THE ATTENDANT AND HE DID NOT SEEM TO CONCERNED ABOUT IT. MRS. SMITH STATED THEY HAD TO HOLD THE BAR DOWN THE WHOLE RIDE AND THOUGHT THEY MIGHT BE THROWN OUT.

MR. JOHNSON STATED THAT SHE DIDN'T THINK THE RIDE ATTENDANT WAS CONCERNED WHEN HE WAS TOLD THE BAR WOULD NOT LATCH, SHE ALSO STATED THAT THE BAR HAD TO BE HELD DOWN THE WHOLE RIDE.

San Juan County Sheriff's Office
105 S. Oliver, Aztec, New Mexico 87410

Roger Lasater, Sheriff
(505) 334-6107

Reporting Officer: TUCKER, D Number: 000151 Date: 08/27/90 Time:
Typed by: NORRISJ Number: 314 Date: 08/28/90 Time: 16:18
Approving Officer: STOCK M