



Permanent

STATE OF CALIFORNIA
DEPARTMENT OF INDUSTRIAL RELATIONS
DIVISION OF OCCUPATIONAL SAFETY AND HEALTH
AMUSEMENT RIDE UNIT



Temporary

ACCIDENT INVESTIGATION REPORT

June 18, 2006	Phillip Lindquist	DIR - DOSH	(916) 263-3511
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Date/Invest. Qualified Safety Inspector (Amusement Rides) Office Telephone Number

Name of Responsible Party : Butler Amusements

Mailing Address : 3003 SW 153rd Drive, Ste 240 Beaverton, OR 97006 (503) 643-6610
Street City Zip Telephone Number

Place of Accident : San Joaquin Fairgrounds

Address of Accident : 1658 S. Airport Way Stockton, CA 95206 (209) 466-5041
Street City Zip Telephone Number

Ruben Castillo 6 6-18-06 6-18-06
Name of Injured (List additional injured with narrative.) Age Date of Injury Date of Death

Name of Injured (List additional injured with narrative.) Age Date of Injury Date of Death

Nature of Injury : Fatality

Attraction Name : Giant Wheel State Registration Number : C-16018

Trade Name: Giant Wheel Manufacturer: Chance

Operator/Attendant: Juan Paredes Age: 26 Operator/Attendant: Roman Adame Age: 32

Operator/Attendant: _____ Age: _____ Operator/Attendant: _____ Age: _____

What occurred to cause the injury? See accident report

Unsafe acts involved : See accident report

Unsafe conditions (and/or) Code Violations involved : See accident report

Steps taken to eliminate the hazard : See accident report

Complete the reverse side of this form.

EVIDENCE

A. Photographs.

Were photographs taken ?

YES

NO

Was a video recording made ?

B. Witnesses.

Were witnesses or other persons interviewed ?
(If yes, complete information below)

<u>Juan Paredes</u> Name	<u>Operator</u> Title	<u>3003 SW 153rd Drive Beaverton, Ste. 240, OR 97006</u> Address	<u>(503) 643-6610</u> Telephone Number
<u>Roman Adame</u> Name	<u>Operator</u> Title	<u>3003 SW 153rd Drive Beaverton, Ste. 240, OR 97006</u> Address	<u>(503) 643-6610</u> Telephone Number
<u>Eric Reppard</u> Name	<u>Supervisor</u> Title	<u>3003 SW 153rd Drive Beaverton, Ste. 240 OR 97006</u> Address	<u>(503) 643-6610</u> Telephone Number
<u>Chris Moore</u> Name	<u>Agent</u> Title	<u>3003 SW 153rd Drive Beaverton, Ste. 240 OR 97006</u> Address	<u>(503) 643-6610</u> Telephone Number
<u>Dan Hall</u> Name	<u>Maintenance</u> Title	<u>3003 SW 153rd Drive Beaverton, Ste. 240 OR 97006</u> Address	<u>(503) 643-6610</u> Telephone Number
<u>Jim Hall</u> Name	<u>Maintenance</u> Title	<u>3003 SW 153rd Drive Beaverton, Ste. 240, OR 97006</u> Address	<u>(503) 643-6610</u> Telephone Number

Continue in narrative.

C. Other.

I have reviewed this report, and it meets my approval:

<u>Phillip W. Lundquist</u> Qualified Safety Inspector (Amusement Rides)	<u>10/24/06</u> Date	<u>Rancy Medeiros</u> Manager, Permanent Amusement Ride	<u>10/25/06</u> Date
<u>[Signature]</u> Principal Engineer, Elevator, Ride and Tramway unit	<u>10/30/06</u> Date	Engineering Services Manager	Date

ACCIDENT INVESTIGATION REPORT NARRATIVE

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1 **I. Introduction**

2 On Sunday, June 18, 2006, at approximately 4:30 PM, an accident occurred at the San Joaquin
3 Fairgrounds in Stockton, California on the Giant Wheel attraction. The Giant Wheel is owned by Butler
4 Amusements. During the ride cycle, a six year old child exited the gondola he was riding in, and fell to
5 the ground. The child was fatality injured as a result of the fall.

6 Jim Hall, Maintenance Manager for Butler Amusements, notified the Division of Occupational Safety
7 and Health, Amusement Ride Section, Sacramento District Office, that same day by phone at
8 approximately 4:45 PM. Nancy Medeiros, Senior Engineer, Sacramento Amusement Ride District (SE
9 Medeiros), contacted Phillip Lindquist, Associate Engineer for Amusement Rides (AE Lindquist), and
10 assigned him to the investigation.

11 **II. Attraction Description**

12 The Giant Wheel S/N #400-02792, # C-16018 was manufactured by Chance Rides Manufacturing in
13 1992. This wheel is 90' tall and approximately 23'- 7" wide. This attraction utilizes 20 gondolas. Each
14 gondola seats 6 adults, or 8 children, for a total of 120 adults or 160 children. The wheel section of the
15 attraction rotates at 2 ½ Revolutions per Minute (RPM). Manufacturer specifications require that a
16 passenger be a minimum of 42 inches tall in order to ride unaccompanied by an adult. Butler
17 Amusements followed this specification. Additionally, Butler further restricted smaller children to
18 allow patrons 36-42 inches to ride, if accompanied by adults.

19 Four gondolas can be unloaded and loaded at one time. The process for loading and unloading the entire
20 attraction takes approximately 3 ½ minutes. After loading and unloading, the attraction rotates for
21 approximately 3 minutes. When finished, the unloading and loading process begins all over again. The
22 attraction may utilize either a programmed or manual loading cycle. Regardless of which method used
23 the attraction must be loaded so that the weight is evenly distributed in order to balance the load. In
24 order to obtain this balanced loading, the wheel, once loaded, must be rotated past two loading positions
25 and stopped at the third position for continued loading and unloading.

26 Each gondola is equipped with two sets of doors installed on opposite sides of the gondola. One set is
for entering the gondola from the entrance deck of the attraction, and the other set is for exiting the
gondola onto the back deck, where the patron exits to the left, down a set of stairs. The attraction is
designed so that the exiting and entrance platforms are separated by the wheel, which runs through the
middle of the attraction's platform in what appears to be a slot in the decking. Both entrance and exit
doors swing inwards towards the gondola's interior and are mechanically prevented from swinging
outwards. Each door is comprised of two single swinging doors, mechanically attached to the gondola
by hinges, split in the middle, resembling a set of small salon type doors. Placed on the doors inside
the gondolas are decals stating, "PULL TO EXIT"; "Caution! For Your Own Safety: Keep Hands and
Arms Inside Gondola; Remain Seated at all times; Do not Throw Articles From Gondola; Caution! Do
Not Sit On Step." Decals on the out side of the doors read "Push To Open".

The operation of the gondola doors is assisted by gas springs. These springs allow the gondola doors,
when pushed towards the inside of the gondola, to close once the door is released.



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1 Each gondola is shaped like an octagon for both an inside and outside shape. Inside, the seating
2 arrangement is comprised of a bench type seat, with a 19 inch vertical back. The seat is located 14
3 inches up from the floor of the gondola. The vertical portion of the seat back has an additional 6 inches
4 of clear plastic for a total of 25 inches. Patrons are not secured to their seat in any manner. Six of the
5 octagon sections are available for patron seating. The other two sections are utilized for the entrance and
6 exit doorways. On entering the gondola the patron walks onto a step located just on the inside of the
7 door. The step is approximately 4.5 inches lower in height than the seat bench of the gondola, from there
8 the patron steps down into the floor of the gondola. This is the same for exiting except that the patron
9 steps up to exit the gondola. There is a pole running through the floor of the gondola carrier, which
10 attaches the gondola to the ride structure of the wheel. (See 'Ride Measurements' under Table of
11 Contents)
12
13 **III. Description of the Accident**
14 On June 18, 2006, at approximately 4:30 PM, 6 year old Reuben Castillo was riding on the Giant Wheel
15 at the San Joaquin County Fair in Stockton, California. The operator had the attraction stopped and was
16 unloading and loading patrons from two gondolas, when Reuben Castillo exited out of gondola # 11 and
17 fatally fell between 70 to 80 feet striking the attraction structure before landing on the ground. After the
18 accident he was transported to the San Joaquin Co. Hospital where he was pronounced deceased upon
19 arrival.
20
21 **IV. Accident Investigation**
22 On June 18, 2006, SE Medeiros contacted me, at approximately 5:00 PM, via telephone, and advised me
23 that there had been a serious accident at the San Joaquin County Fair, on the Giant Wheel attraction
24 owned by Butler Amusements. I was informed that a six year old child had come out of the attraction
25 and had fallen from the top of the Giant Wheel.
26
27 I arrived at the Stockton Fairgrounds at approximately 8:00 PM, that same day. Prior to my arrival I had
28 been informed by SE Medeiros that the child was deceased. I had also contacted Jim Hall, Maintenance
29 Manager for Butler, and informed him that I was on my way and advised him that he was to preserve the
30 accident scene. Once I arrived on site, I was met by several individuals identified to me as Charles
31 Hillegass, Insurance Adjuster for Butler Amusements; Detective Joseph Silva, Stockton Police
32 Department; and Mr. Hall, whom I already knew.
33
34 Detective Silva stated that the attraction had not been moved after the patrons had been unloaded and
35 that his department had secured the attraction until the Division's arrival. He stated that the patron was
36 riding alone in gondola #11 and that while the gondola was at the 10 O'clock or 11 O'clock position he
37 had fallen out of the gondola.
38
39 Before moving the attraction I observed that gondola #11 was up in the air, located between the 10
40 O'clock and 11 O'clock position. After more discussion, I discovered that while the accident had been
41 unfolding other patrons had been loaded on to the attraction. After the accident, the attraction had been
42 moved to unload any remaining patrons.
43
44
45
46



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1 I asked for the power to be turned on to operate the attraction. As the attraction rotated I noticed a shoe 1
2 in gondola #5. It was a small Spider-Man tennis shoe which was identified as belonging to the deceased. 2
3 The police department took the shoe as evidence. I had the attraction stopped with gondola #11 in the 3
4 loading area and checked that the doors were working properly. Both exit and entrance doors closed on 4
5 their own. At that same time the police department had another officer, Officer Truitt, take fingerprints 5
6 from gondola #11. The attraction was then rotated, bringing gondola #5 to the loading platform. Since a 6
7 shoe belonging to the deceased had been found in gondola #5, Officer Truitt proceeded to take more 7
8 fingerprints from that location. Again, the doors were checked and found to be operating correctly. At 8
9 this time several photographs were taken of the gondolas. 9

10 While inspecting the attraction Mr. Hall informed me that the operators on duty during the accident 10
11 were at the police station being questioned and would remain there until I could interview them. Since it 11
12 was dark, I informed Officer Silva that I would be proceeding to the police station to interview the 12
13 operators and would resume my inspection of the attraction the next morning. Officer Silva informed me 13
14 that he would contact fair security in order to secure the attraction for the night. 14

15 After arriving at the Stockton Police Department at about 10:30 PM, I was informed by Detective Silva 15
16 that I would need an interpreter to interview both operators and that they were in the process of being 16
17 released. At that point I contacted Mr. Hall and arranged to interview the operators the next day at the 17
18 fair grounds. 18

19 On June 19, 2006, at 9:00 AM, I returned to the accident site and met again with Jim Hall. An operator 19
20 was provided by Butler Amusements in order to operate the attraction so that I could continue my 20
21 inspection. I was advised that at the time of the accident there had been two employees working on the 21
22 Giant Wheel. One was loading (attendant) and the other was unloading and operating the attraction 22
23 (operator). I was informed that this attraction, at the time of the accident, was being operated in the 23
24 manual mode by an operator named Juan Paredes (JP). 24

25 I noticed, while inspecting the ride, that there were manufacturer's instructions provided at the control 25
26 station on the cover of the control box. These instructions state, "When loading and unloading 4 26
gondolas use one operator and five attendants. Position as follows: One attendant on the loading
platform, 4 attendants on the unloading platform -one at each of the 4 load/ unload stations. The
attendant station at the loading platform is responsible for the safety of the passengers as they wait to
board the gondolas. The attendant should caution passengers as to all safety regulations, direct them to
the appropriate gondola, and instruct them on how to enter the gondola."

When I asked Mr. Hall how many patrons were on the attraction, at the time of the accident. Mr. Hall
stated that, according to the attendant and the operator, only four gondolas had been loaded with patrons
during the ride cycle. Once the wheel stopped, to unload and load, two gondolas were still loaded with
patrons at the top of the wheel. One of those gondolas was #11 from which the deceased had fallen, and
another was an adjacent gondola to the deceased's gondola, which was reported to have held a party of
three. After questioning the police, I learned that this party of three disappeared at the time of the
accident and that there exists no information about them. This is also the case for the group of patrons
who had been unloaded and loaded in the station when the accident occurred.

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1 I questioned Mr. Hall concerning the loading and unloading instructions provided by the manufacturer
2 on the cover of the control box. According to the manufacturer, the required number of attendants and
3 operator numbered 5. Mr. Hall stated that because it had been a very slow day they were only using a
4 few gondolas and that one operator and one attendant had been sufficient to operate the Giant Wheel. I
5 asked Mr. Hall if he knew if the attendant and the operator spoke English. He stated that the operator
6 was fluent and that the attendant knew some English.
7
8 Later during my inspection I interviewed both the operator and the attendant while at the attraction.
9
10 The attendant at the time of the accident was Roman Adame (RA). They both showed me where they
11 were standing when the deceased fell. Following are the descriptions of their interviews:
12
13 **Interview conducted on June 19, 2006**
14
15 Butler Amusements Giant Wheel Attendant-- Roman Rodriguez Adame (RA):
16
17 RA was interviewed while JP, Giant Wheel operator at the time of the accident, helped with
18 communicating my questions, and provided some help on the answers. RA spoke a little broken English
19 and appeared to understand more than he could speak. He stated that he was the attendant on duty at the
20 time of the accident and that he had worked for Butler Amusements on the Giant Wheel since 2003 as
21 an operator, attendant and mechanic. At the time of the accident, RA, was assigned to taking tickets and
22 loading gondolas. RA stated that he did not see the victim fall out of the attraction.
23
24 According to the police report, RA was interviewed by Sgt. K Praegitzer and Homicide Detective E.
25 Rodriguez on Sunday, June 18th, 2006. During that interview RA stated that he did not see the victim
26 fall and that he does not remember if the injured got into the gondola alone or if he was accompanied.
He said that people in the crowd were yelling and he heard people say to bring it down. At that point the
gondolas in the station were being loaded and unloaded. He stated he did not know what had occurred,
but that the crowd was yelling. He said that the operator, JP, did not tell him what was going on and that
he heard the injured fall to the ground but did not know how it occurred.
He stated that the height requirement is 36 inches tall to ride the attraction with an adult and 42 inches in
height to ride the attraction alone. He remembered seeing the injured when he walked up and that he had
been qualified to ride the attraction.
Interview conducted on June 19, 2006
Butler Amusements Operator -Juan Paredes (JP)
JP stated that he has worked for Butler Amusements for two and a half years, operating the Giant Wheel
attraction. He stated that the attraction had been stopped and he was unloading and RA was loading at
the same time. He was at the control station when Danny Hall, Butler Amusement Supervisor, came up
to the loading area yelling, "Bring the attraction down; a child is hanging from a gondola." JP stated that
he looked up and saw a child hanging from the attraction. He could not move the attraction because
there were several patrons loading and unloading. He tried to get everyone to hurry, and at one point he

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1 was able to start the wheel. That is when he looked up and saw the child fall. JP immediately shut off 1
the attraction. He told RA to take the controls and then proceeded to Butler's office for help. 2

2 I asked JP if the injured had been alone in the gondola and he stated yes. I then asked JP if he was 3
3 trained to allow a single patron in a gondola, and he stated yes, but only if the patron met the height 4
4 requirement of 42 inches. Otherwise, if they are between 36 inches and 42 inches they have to be 5
5 accompanied by a responsible person. JP stated that at the time of the accident only four gondolas had 6
6 patrons in them, and that he had run the wheel four revolutions and was starting the unloading and 7
7 loading process. When he looked up he saw the boy hanging from about the 11 O'clock position. 8

8 The police interview with JP confirms this same information that was received in the Divisions' 9
9 interview. 10

10 **Interview conducted on June 19, 2006** 11

11 Midway Game Agent – Chris Moore (CM) 12

12 CM stated that he was working at the Bottle Break game out in the midway, and looked up at the Giant 13
13 Wheel. He stated that he saw the child stand up, and then climb over the side. He also stated that the 14
14 child was hanging from the side of the gondola for a short period of time and then fell from the 15
15 attraction, landing first on some cross bracing. CM did not leave his game and was told by co-workers 16
16 that a child had been hurt falling from the Giant Wheel. 17

17 The police also interviewed CM on 6-19-06. During that interview CM stated that he was in front of his 18
18 booth when he happened to look up and could see a child standing up in 19
19 one of the gondolas of the Giant Wheel. He stated that he did not know what was happening, but soon 20
20 the child was swinging from the outside of the gondola. 21

21 The report states that the Bottle Break booth was located about 50 yards south of the Giant Wheel. 22
22 Detective Reyes checked the visibility from the booth and noted that he could clearly see, while 23
23 standing in front of the booth, the gondolas at the top of the wheel. 24

24 **Interview conducted on June 19, 2006** 25

25 Butler Amusements Supervisor and Attraction Operator – Danny Hall (DH) 26

26 DH stated that he was walking from the Thunderbolt attraction to the maintenance shop to return tools. 27
27 As he was walking towards the Giant Wheel, a lady was yelling at her child to please sit down. He 28
28 looked up at the attraction and saw a child standing up in the seat. He then yelled at the operator to bring 29
29 the attraction down. The operator did not hear him and did not bring the attraction down. He looked up 30
30 again and saw that the child was hanging on the window next to the door and then he saw the child fall 31
31 from the attraction. DH said that he tried to run underneath to catch the falling child but it was too late. 32

32 The police also interviewed DH on 6-18-06. The following information is from that interview. DH was 33
33 walking in the northwest direction, near the ticket booth, in front of the Giant Wheel when the event 34
34



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1 took place. DH also stated that there were no seat belts on the attraction, that the gondola door was open, 1
2 and that the gondola had been in the 11:00 position. 2

3 A second interview with DH by the police occurred on 6-19-06. During this interview DH stated that the 3
4 child's gondola was positioned, if facing the loading side, to the left of the very top of the wheel and that 4
5 the child was standing just to the left of the entry doors. He states that the child was hollering, and then 5
6 screaming, and that the look in his eyes showed that he was petrified. After yelling at the operator, he 6
7 looked back up at the child and saw him hanging from the side of the gondola on the glass portion just 7
8 to the left of the doors. He estimated that the child might have been hanging for a minute and a half. He 8
9 tried to get up on the deck to catch the child, but before he could get in position he looked up and saw 9
10 the child falling. 10

11 **June 21, 2006 – Continued -On site Inspection of the Giant Wheel** 11

12 On Thursday, June 21, 2006, I arrived back at the San Joaquin Fairgrounds to meet with the Consumer 12
13 Product Safety Commission (CPSC) on site. The Commission had called the Division requesting to 13
14 accompany me to the accident site. Joy Rizzitello, Senior Investigator for CPSC, arrived on site at 14
15 approximately 10 AM. Ms. Rizzitello explained that she would be taking pictures and measurements of 15
16 the attraction in order to supply information to the engineers she works for. 16

17 Also present that day, during my investigation, was SE Medeiros; Jim Hall with Butler; Fair Manager- 17
18 Forest White; Cecil Rose, Butler Amusement Employee; and Eric Peppard -Attraction 18
19 Operator/Supervisor for Butler Amusements. 19

20 During this time I continued taking measurements and photos alongside with CPSC. Also, at this time 20
21 training and other records that I had requested from Jim Hall were provided to me. 21

22 During the inspection I noticed that, when standing at the operator's controls for the Giant Wheel and 22
23 looking up, most of what I observed was the bottoms of the gondolas. It appeared impossible for the 23
24 operator to see if a patron was standing, moving or climbing around the interior of a gondola, 24
25 particularly the higher the gondola location. I then moved over to the attendant's position and I noticed 25
26 the same for that position. While the wheel was operated, I could see clearly inside the gondolas when 26
27 they moved through the station.

28 Later, while discussing this point with Jim Hall and other Butler employees, I learned that the only way 28
29 that an operator has of knowing if someone is standing up in a gondola, especially when at the top of the 29
30 wheel, is if someone out on the midway observes the behavior and communicates the information over 30
31 to the Giant Wheel operator. 31

32 Mr. Hall also added that the attraction operators are trained to correct this type of behavior when it is 32
33 observed or when notified from someone out in the midway. 33

34 I was also informed, by Butler employees that standing up at the top of the wheel, is a frequent and 34
35 common occurrence, particularly with the teenagers. 35
36



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1	Measurements were obtained of gondola #11 which are reflected in the documents pertaining to Chance Ride Information.	1
2		2
3	The onsite inspection of the ride was completed.	3
4	June 25, 2006	4
5	The Division allowed the ride to be dismantled and removed from the fair site.	5
6	June 28, 2006	6
7	Second-Interview with Operator JP	7
8	On June 28, 2006, I arrived at the Marin County Fairgrounds and met with Mick Brajevich, Show Manager for Butler Amusements. I requested to speak with JP and RA to ask some additional questions. Butler Amusements had JP on site, but RA was not working that day.	8
9		9
10	I asked JP where he was standing on the attraction when the victim fell out of the gondola. He stated that he was at the control station. I asked if he had heard a woman yell, "Sit down," and he stated he had, but that he had looked up and saw nothing unusual. He then told patrons to exit the gondola. At that time, he stated that DH had come around to the entrance side of the Giant Gondola's station and had yelled, "Move the attraction down; someone is hanging from the gondola." At this time JP looked up and saw a child hanging from a gondola and then the child fell from the attraction. He then had his attendant take over the controls and he ran for help to the Butler office.	10
11		11
12		12
13		13
14		14
15	Second Interview with CM	15
16	I asked to interview CM once more, as I had a few more questions. CM stated to me that he did witness the victim at the Stockton Fair stand up, climb over the side of the gondola and hang for a few seconds, and then fall to the ground. I asked CM if he saw the child go out the door. He stated that the child went over the side by the door, facing the game where he, CM, was working.	16
17		17
18		18
19	June 29, 2006	19
20	On June 29, 2006, I contacted Detective Eduardo Rodriguez of the Stockton Police Department. Detective Rodriguez stated that in his report that his interview with CM indicates that the victim stood up in the gondola, had gone out over the side, and that the child had hung on and then fallen to the ground. I also asked Mr. Rodriguez if his report was finished. He stated that it was and that I could call records and request a copy.	20
21		21
22		22
23	July 12, 2006 -Division Received the Stockton Police Report	23
24	Police Report- Interviews with Sophia Castillo:	24
25	There were several statements obtained from Ms. Castillo and one from Ruben Navarro (Ms. Castillo's boyfriend) which are contained in the Stockton Police Report. There are differences contained in the	25
26		26



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1 statements that are not consistent, but for the most part Ms. Castillo and Ruben Navarro have recounted 1
2 unfolding of events in a fashion similar to DH and CM statements. 2

3 Ms. Castillo stated that she walked Reuben to the Giant Wheel gate and watched him go through the 3
4 gate where he was assisted on to the attraction by one fair worker. She saw Reuben get on the attraction 4
5 alone. She stood to the side of the attraction with her boyfriend and watched. The attraction went around 5
6 at least twice. Reuben seemed to be fine alone and was enjoying himself. When the attraction was 6
7 finished it came to a stop and Reuben's cart was left towards the top of the attraction in the 10 O'clock 7
8 position. As the cart stopped she saw Reuben stand up. She yelled at Reuben to sit down. She could tell 8
9 that Reuben was scared that the attraction stopped. He was standing next to the side of the cart, looking 9
10 down. He then opened the door of the cart and was standing next to the edge. Ms. Castillo got scared 10
11 and was yelling at the carnival workers to lower the carts, however, they did not understand her. She 11
12 looked back up at Reuben and he was hanging from the side of the cart. He held on for about 30 seconds 12
13 and then dropped to the ground. 13

14 Ms. Castillo stated to the police that her son had just graduated from kindergarten. Reuben had asked to 14
15 go on the Giant Wheel before leaving the fair. She stated that after Reuben was seated on the attraction, 15
16 the wheel began to move and went around once and then stopped with Reuben positioned at the top of 16
17 the wheel. She said her son got scared and started to panic. He then stood up on the attraction, and 17
18 before the attraction could start again he opened the doors to his gondola and climbed outside. Before 18
19 she knew it, she stated, her son was hanging from the outside of the gondola by his hands. She said that 19
20 her son must have been hanging onto the gondola for at least 30 seconds. During that time she was 20
21 yelling at the attraction operator along with everybody around her. She stated that the operator did not 21
22 seem to understand what was going on and did not understand what she was saying. 22

23 Later in the same statement Ms. Castillo stated that she did not see Reuben open the doors to the 23
24 gondola, and that she had looked away at one point to get the operators attention and when she looked 24
25 back he was hanging from the gondola. She also stated that Reuben did not wait in line and had walked 25
26 onto the gondola and that the gondolas appeared to be packed. 26

18 **August 28, 2006**

19 **Phone Conversation with Ms. Castillo's Attorney**

20 Throughout the initial investigation unsuccessful attempts were made to contact the mother of the 20
21 deceased, Sophia Castillo. On July 7, 2006, the Division received a request for a copy of the accident 21
22 investigation and later another request for records from Ms. Castillo's attorney who was representing the 22
23 family. Around that time the Division was informed that an interview with Ms. Castillo would not be 23
24 provided. On August 28, 2006, in a telephone conversation with the Division one of the attorneys for 24
25 Ms. Castillo, Phil Aman, stated that he would be willing to offer the following information from the 25
26 mother: 26

Ms. Castillo saw Reuben sitting and crying in the gondola. She looked at the operator and when she
looked back at Reuben he was hanging off of something clear. This was information provided to Mr.



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1 Aman on August 15, 2006, in a conversation he had with Ms. Castillo. When asked if Ms. Castillo
2 remembers whether or not Rueben exited over the side of the gondola or through the door of the
3 gondola, the attorney stated that Ms. Castillo does not remember.

4 **V. Conclusion**

5 The Division has completed its investigation of the Giant Wheel attraction, which was conducted as
6 described above and included a review of the following documentation: Operator and attendant training
7 documentation, ride inspection checklists, employee handbook, Chance Manuals and Field Inspection
8 Guide, Stockton Police Report # 06-33498, witness statements, and other documents gathered during the
9 course of the investigation. The Division has drawn the following conclusions.

- 10 1. The deceased, a six year old patron, was fatally injured on June 18, 2006, after riding alone, in
11 gondola #11, on the attraction known as the Giant Wheel. He exited the gondola by either
12 climbing over the side or exiting through the door. He was observed hanging from the gondola
13 for an undetermined length of time before falling to the ground, approximately 70-85 feet.
14 During the fall he struck part of the ride structure before landing to one side of the attraction.
- 15 2. The deceased was 49 inches tall and weighed 64 lbs. His DOB was 3-13-2000. According to
16 rider restrictions established by Butler Amusements and Chance Manufacturing specifications, a
17 patron is required to be a minimum of 42 inches in order to ride unaccompanied.
- 18 3. At the time that the patron exited gondola # 11, the gondola was stopped at the top of the wheel,
19 while two gondolas in the station were being loaded and unloaded.
- 20 4. At the time of the accident the attraction was operating with one operator and one attendant.
21 Both had been trained and were experienced on the attraction.
- 22 5. The patron could be seen from the midway, standing at both the edge of the gondola and on the
23 seat prior to exiting and hanging from the gondola. In comparing the height of the deceased with
24 the inside measurements of the gondola, it is probable that the child was standing by the door or
25 on the seat in order to be seen above the sides of the gondola.
- 26 6. According to a Butler supervisory employee's statement to the police, the door to gondola #11
was opened when the gondola arrived at the loading area after the accident. During the
Division's inspection of gondola #11 the loading doors, when fully opened, remained in the
opened position without assistance. This appeared to be an intermittent problem, because the
doors also functioned properly when tested several times. In the past, during routine Division
inspections, the doors on several Giant Wheels have had maintenance problems associated with
the doors remaining in the open position. According to owners and inspectors the doors have
been difficult to keep properly adjusted. Even the manufacturer states that it is a problem
because the doors aren't maintained properly by the owners.
7. At the time of the accident the Owner/Operator was using the following manufacturer's patron
restriction for this attraction: A patron must be 42 inches to ride unaccompanied.

ACCIDENT INVESTIGATION REPORT NARRATIVE

Permanent

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1	8. In addition to enforcing the manufacturer's height restriction, Butler Amusements further	1
2	enforced restrictions which required that all children between 36 to 42 inches be accompanied by	2
3	an adult. Furthermore, any children below 36 inches were not allowed to ride.	3
4	9. Each gondola is equipped with both an entrance and exit located on opposite sides of the	4
5	gondola. The doors for these openings only swing inward, and remain unlocked during the ride	5
6	cycle.	6
7	10. The gondolas for this attraction are not fully enclosed. Patrons are not restrained in any manner	7
8	to their seat, and there exists no physical barrier on the gondola which would prevent a patron	8
9	from exiting. Each gondola accommodates up to 1296 lbs / 6 adults or 8 children.	9
10	The Division has concluded that the deceased remained seated for the duration of the ride cycle. After	10
11	the attraction stopped, and while beginning the unloading and loading sequence, the deceased decided to	11
12	stand up in his gondola and look down towards his mother on the midway. According to witnesses he	12
13	appeared to be scared. After some frantic cries from his mother and other individuals instructing the	13
14	child to remain seated, the deceased decided to exit the gondola.	14
15	During the investigation the Division was unable to determine if the deceased exited the gondola	15
16	through the open door or over the seat side. Either way the patron had a choice, since his movement	16
17	within the gondola could not be controlled while the ride was in operation. It is inherent in the nature of	17
18	this attraction to thrill patrons, yet the possibility of falling associated with the use of this attraction	18
19	needs to be eliminated even if it happens as a result of unexpected or unrealized behavior.	19
20	The following Corrective Action Specifications shall be issued.	20
21	VI. Corrective action specifications	21
22	R1-The Giant Wheel attraction shall be evaluated and modified to prevent and protect passengers from	22
23	being separated from the ride while it is in operation. TCCR 3908 (a)	23
24	This evaluation shall:	24
25	(1) Consider and identify all hazards associated with the use of this attraction, and assess and control	25
26	the resulting risks, including the risk of falling from a height, and any motion and forces	26
	produced by the ride.	
	(2) Assume that passengers are unable to control unexpected or unusual behavior which either	
	exposes themselves or other fellow patrons to the risk of falling from the ride.	
	(3) Assume that administrative controls including signage and the provision of information or	
	instruction to passengers alone will not be sufficient to comply with the intent of this	
	requirement in order to implement risk control.	



ACCIDENT INVESTIGATION REPORT NARRATIVE

Permanent

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(4) Take into consideration that all fastenings shall be of a type which cannot be opened or released, purposefully or inadvertently, while the ride is in operation, unless the gondola is located within the loading and unloading platform.

(5) Give full consideration to the range of body dimensions and weights encountered in the human population. If the modifications are based on assumptions regarding limitations in weight or body shape, these limitations shall be stated specifically and clearly so they can be communicated as instructions to ride operators for the purpose of ensuring that safety will not be compromised by a passenger's placement on the ride.

R2- This evaluation and resulting modification shall be certified by a California Licensed engineer and submitted to the Division for review and acceptance prior to conducting any modifications. 3919(a).

R3- The Owner/Operator shall update all changes to the attraction in the Owner/Operator's maintenance and operational manuals, and subsequent inspection and training programs. These items shall be made available to the Division upon request. 3910(b)

R4- The Division shall be notified when these requirements have been completed, at which time the Division shall conduct an inspection to verify compliance with all of the above Corrective Action Specifications. 3919(b)