

A Plane Crash Story, or, Mr. Silverman comes to the Catskills

For those who haven't served in the military or law enforcement, this is nothing more than a story - a true story - about the investigation of a plane crash, one of more than two dozen I investigated during my state police career.

For those who have actually been in the trenches, there's nothing new here. You've probably investigated similar catastrophes of one kind or other yourself. But there is a sub-story here which you, unlike John Q. Citizen, may understand and appreciate, since there's a good chance that, if you haven't "been there, done that", you came pretty damn close once or twice.

In 1979 I was a lieutenant, a zone commander, in charge of one of the three zones which comprise Troop F, the busiest of the nine troops which make up the state police. (Now, following two realignments, there are eleven troops.) There aren't many bad jobs in the state police, but zone commander in one of the best, as long as you don't mind working sixty or seventy hours a week. Officers do not get overtime.

One Friday evening in August I got a call from the deskman at the Ferndale Barracks advising that a private airplane was missing and presumed down following an attempt to land at a local airport. Also, the FAA was receiving reports from airliners of ELT signals, Emergency Locator Transmitters, in the southern Catskills, near the northern edge of our border with an adjoining zone. The weather was horrible; ongoing thunder and lightning, heavy rain and poor visibility.

When I was a kid growing up in the Catskills, the old timers would tell us that thunder and lightning was actually Rip Van Winkle and his friends bowling. That night they must have been holding a championship Bowl-a-thon.

There was no chance of putting a helicopter up. The best I could suggest (a suggestion being, I guess, an order) was that we send a couple of patrols up to the area where we experienced the most plane

crashes. Kind of the geographical equivalent of "round up the usual suspects." Sometimes when a plane crashes in humid weather, the smell of fuel and hot engine oil hangs in the air. Or, worse, there is a large glow against the clouds. The patrols found nothing.

"Also, have a sergeant put together a paper detail of all our available people and reach out for Zone Three and the Forest Rangers and see how many people, collectively, we can have on deck at dawn." I would meet the helicopter as soon as he could get through the morning mist.

It was almost 10 am before the helicopter was able to penetrate the gloom and set down. Trooper Joe Decker and I climbed aboard and the pilot, Tech Sergeant John Cuneo, set about to home in on the ELT signals. John had been a Marine Corps helicopter pilot in Viet Nam and worked the mountainous terrain expertly to lead us to the strongest signal. Nevertheless, it was almost 3 PM before we spotted the plane, two thirds of the way up the western slope of Samson Mountain.

You would think that from the air it would be easy to spot where a plane went in. Not so, especially during the summer when there is heavy deciduous tree cover. We really couldn't tell much from the air other than there didn't appear to be a huge debris field.

While we were working on locating the plane, an investigator back at the Ferndale Barracks developed what information he could. It appeared that the missing plane was a twin engine Piper Aztec with the pilot as the single occupant, a guy named John Silverman from Florida.

Plane crashes are kind of like Forest Gump's Box of Chocolates, you never know what you're going to get 'til you get there. Two years earlier we had had a plane crash in this same general area. The debris field was over a hundred yards long. Five people died. Without getting overly graphic, plane crashes are not like car crashes. Sometimes victim identification relies on a single finger print, because that's all you have to work with. The photo on the next page from a crash two years earlier may give you some idea of how little is left.



The detail assembled in a farmer's summer pasture partway up the mountain and began to hike north along the 1700 foot contour line. About an hour and a half later we began to smell fuel. A short time later we spotted the plane. It was surprisingly intact. Even more surprising, the pilot was not only intact, but very much alive. He must have spotted the mountainside just before he hit it, pulled back on the yoke and stalled, pancaking into the forest crown and crashing through to the ground. A seven inch beech tree had pierced the underside of the aircraft, come up between his legs and stuck in the roof, pinning his right arm against the instrument panel. He had spent the last twenty six hours in a very uncomfortable position. Understandably, he seemed quite happy to see us.



We radioed the helicopter asking for a saw. Meantime we began to work on creating some workspace, breaking out the plexiglas and such using pieces of the wreckage as crude tools.



Sergeant Cuneo put his chopper down in the nearest pasture, and, after stampeding the farmer's cows and commandeering a saw, tied a bright red streamer to the saw and dropped it through the trees.

One of the troopers crowded into the cockpit and cut the tree above Silverman's arm. The rest of the rescue party steadied the aircraft as best they could, not knowing what would happen when the tree was removed. Fortunately the plane did not shift and the trooper was then able to cut the tree below Silverman's arm. He was quickly extricated and lashed to a litter.

When it became apparent that we were going to be successful in extricating the pilot, I assigned an investigator, Brian Connors, to grab a few troopers and secure whatever personal property we could carry out with us.

Over the years we had hiked into and out of almost inaccessible crash sites, only to find upon returning a day or two later that virtually everything had been scavenged. I'm not just talking radios or instruments. Engines would be gone. What kind of market is there for an engine that went from six thousand RPM to zero in a nanosecond? "Here's a nice model sir; it was owned by a little old lady who only flew to church on Sundays in zero-zero conditions."

As the troops were packing Mr. Silverman onto the litter, Brian came to me with a briefcase in his hand. "Loot, you might want to take a look in here." There was money, a whole lot of money, a whole, whole, whole lot of money in there. "Brian, tell the troops to take care of whatever else you've found and carry it out. Don't let this out of your sight."

Rather than returning the way we came in, we headed straight down the mountain. Since a road threaded through the floor of the valley below, we didn't have to know exactly where we were headed other than down hill. The steepness of the mountain dictated that four troopers carried the litter with four other troopers holding onto the stretcher bearers' gun belts with one hand and onto passing trees with the other to control their decent. A few forest rangers and some Civil Air Patrol people assisted with the rest of the salvaged stuff and what little gear we had.

When we got to the road there was an ambulance waiting for us. Mr. Silverman, his pain now somewhat abated by shock, asked whether we had happened to bring his briefcase down the mountain with him. I assured him that we had and would be returning it to him. But not now.

Brian took the briefcase back to the barracks and began to Xerox the bills. There were 1000 twenty dollar bills, twenty grand. (\$60,000 in today's cash.)

Monday morning promised to be a bit less hectic than the previous two days. Then the phone rang. It was a captain calling from Troop Headquarters. The captain was not happy. It seems that the captain had first learned about the crash when he looked at the front page of the newspaper over his morning coffee. Why hadn't I called him? Hey, we had been notified by the troop headquarters communications section, "you know, captain, those guys across the hall from your office" that: A.) there was a plane missing after a failed landing attempt at Sullivan County Airport, B.) passing airliners were reporting hearing an ELT transmitter in the southern Catskills, and C.) there would be a helicopter on station as soon as conditions permitted. "Don't you people talk to each other down there?"

I liked the men and women in communications and, since I was already under the bus, there didn't seem to be any reason to invite them to join me, so I didn't say any of those things.

I also could have said "Captain, if you had read the File 3 you would have seen that there is a captain's name on it. He was even there when we carried Mr. Silverman out of the woods. I've got pictures to prove it. The captain just didn't happen to be you,sir." I definitely did not say any of those things.

I did happen to keep a copy of the File 3, just in case I needed it for rebuttal at some future disciplinary hearing. I'm not sure if the statute of limitations on the disciplinary matter has expired, but the captain has, so I think I'm good.

I fully expected to be told to report to Troop Headquarters forthwith, since on many previous occasions that particular captain had invited me to drop by so we could discuss the crisis de jour "up close and personal". But it didn't happen that day. I think it was because the zone commanders in the other two zones in the troop had been - not intentionally - calling in fire upon themselves, thus causing the captain to re-prioritize his targets. I could feel his pain: "There are so many dimwitted zone commanders and so little time!" Anyway, for the time being, I survived with a telephonic flogging. I had a feeling I would be hearing more at a later date.

That afternoon I visited Mr. Silverman in the hospital. He had had a couple of fingers amputated due to prolonged lack of circulation, but was otherwise doing quite well. He was effusive in his praise of the troops and wanted to know if there was anything he could do for us. Then he got around to the briefcase - not that there was any link between the cash he was carrying and "is there any possible way I could thank you, lieutenant?"

I assured him that his briefcase was under lock and key and the only reason I didn't bring it to him was that there was no place to secure it in the hospital. I didn't mention that another reason that I didn't bring it to him was that it takes a really long time to Xerox 1000 twenty dollar bills.

When I alluded to the fact that there appeared to be a lot of cash in the briefcase, Mr. Silverman confided in me that he had come to the Catskills to purchase a home, or some kind of building, and that "sometimes a little cash can hasten the deal along."

When I returned to the barracks, I dropped a dime on EPIC, the El Paso Information Center. If you don't know what EPIC is, I won't go into great detail other than to say that they keep track of data which is of interest to law enforcement. Google it.

I have to admit that I thought perhaps Mr. Silverman wasn't being 100% truthful with me about the real estate thing. At the risk of sounding like I'm blowing my own investigative horn, I'd like to point out that once, without outside assistance, I deduced that Colonel Mustard did in Miss Scarlett in the

Billiard Room with a Candle Stick. Didn't anyone else wonder why the colonel was carrying a candle stick when everyone else in the room was carrying a cue stick?

Uncharacteristically, EPIC didn't respond. Other crises intervened and I went on with life at SP Ferndale, AKA Disneyland East. Then a few weeks later, the deskman buzzed my phone and said I had a visitor. Remember the part of the Dean Martin Show where he would open the door, never knowing who would be there? That's what life at Ferndale was like. In this case it turned out to be my friendly, neighborhood DEA Agent. Actually it was a Supervisory DEA Special Agent from New York City. It turned out that the delay in EPIC's response had been because they were checking out who Lieutenant Scribner, who seemed to have knowledge of some very sensitive information, was. The agent handed me some airline tickets and a Grand Jury subpoena calling for my appearance before the Federal Grand Jury for the Southern District of Illinois in East Saint Louis, Illinois. He suggested I refresh my recollection of the Silverman Plane Crash Caper prior to my attendance.

When the time came, I flew to Saint Louis, having been advised that I would be met at the gate by a person identifying himself as a DEA agent. Sure enough, at the gate a guy in casual clothes picked me out of the crowd - I wonder how - and told me to grab my bag and come with him. We didn't leave through the front doors, but disappeared through a back door, between some dumpsters and hopped into his red convertible. While I trusted the agent implicitly, I didn't have an entirely positive feeling about the bigger picture.

I asked if we were going to East Saint Louis, which was on the other side of the Mississippi River. He looked at me as though I was out of my mind. "Go to East Saint Louis? At night? With only two of us? Are you f***ing crazy?" And this was a guy with a large silver gun and a badge who had obviously been around the block once or twice. I didn't know at the time that East Saint Louis had been voted by the citizens of Detroit as "The city we would most like to be like in thirty years."

The agent took me to a Ramada Inn in Saint Louis and left me with written directions to walk to a location a few blocks away at 8:30 the next morning. When I got there I climbed the stairs to the

second floor and knocked on the designated door in a non-descript hallway. When the door opened I found myself in a giant office, the hub of DEA operations in the Midwest. From there I was led into another room which turned out to be dedicated to the investigation of an organization designated as "The Company". It turned out Mr. Silverman was a key player in The Company, which, as near as I could tell, was an import agency dealing in Latin American agricultural products. We'll leave it at that.

A little while later my escort and several of his buddies drove me over to East Saint Louis. I recall passing a relatively modern Holiday Inn which appeared to be abandoned. When I asked how a new building came to be abandoned, the agents said it had something to do with patrons expecting to find their cars out front when they came out in the morning. I was beginning to get a feel for East Saint Louis. When we got to the courthouse the extra agents covered us while my escort and I went inside. Scenes like this seem much more entertaining on TV than in real life.

I testified in the grand jury. I'm not sure where the U. S. Attorney found twenty three honest citizens to serve. Grand Jury testimony is secret, so I won't go into the questions, but I got done, went back to the airport and flew home.

I later learned that Mr. Silverman had been indicted and copped a plea to the top charge in exchange for a promise of only twenty five years in federal prison. They must have really had the guy by the short hairs. What would the sentence have been if he was convicted after trial? Three days in the electric chair?

A few weeks after this event I received two envelopes in the Middletown relay. You could always tell the ones from the captains or the major, 'cause their secretaries didn't abbreviate "lieutenant".

The first envelope contained a letter from the captain censuring me for failing to properly apprise headquarters, through channels, of important activity within my zone. Though officially referred to as Letters of Censure, such communications were known informally among those who received them

- usually junior officers - as Nastygrams. Some Nastygrams actually called for the recipient to respond in writing, falling on one's sword in writing. Since the pen is mightier than the sword, I guess one was actually falling on one's pen. We referred to these "sign your own death warrant" letters by their latin name, the Fungoolus Respondum. (Although the Vatican uses Latin as their official language, I'm guessing they don't use that term.)

The second envelope contained an official Letter of Commendation from the Troop Commander. The final paragraph of the major's letter read (it's still in my "attaboy file") "The effort and direction that you provided on Saturday, August 25th greatly aided the search and rescue operation which, without question, saved the life of the pilot, John Silverman. You are commended for your efforts."

While there have undoubtedly been many members of the state police throughout our history whose performance has fallen, through little fault of their own, just to the plus side (read: "Letter of Commendation") or just to the minus side (read: "Letter of Censure") of success, I am, as far as I know, the only person who has actually received a letter of commendation and a letter of censure for the same act.

Post Script: For those of you who were there and are looking back through your diaries, you'll notice Mr. Silverman's name changed. Before writing this I looked him up on the Federal Inmate Locator and noticed that he didn't do his full twenty five years, so there's a good chance the DEA made him an offer he found very appealing. No need to publicize it. 'Nuff said.