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In The Air, Episode 01: Too Low, Too Fast

Megan Burney

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MEGAN BURNEY

THE CRAIG NEWMARK GRADUATE SCHOOL OF JOURNALISM CLASS OF 2020
CAPSTONE: PILOT EPISODE OF AN INVESTIGATIVE PODCAST SERIES TITLED *IN THE AIR*.

CAPSTONE ADVISOR: ALIA MALEK

CAPSTONE WEB TEXT:

PAGE 1: ABOUT THE SERIES

In The Air is an investigative podcast series about the 1998 Cable Car Disaster in Cavalese, Italy.

On February 3, 1998 disaster struck the Alpe Cermis ski resort in Cavalese, Italy when four American pilots flew their jet through the resort during a low-altitude training mission. The wing of their jet severed a suspension cable that was holding a gondola car aloft. When the cable snapped, the car plummeted to the earth with 20 passengers inside. Only the pilots survived.

The disaster quickly devolved into an international fiasco and has been regarded by some as one of the most gruesome peacetime disasters in U.S. military history. The pilots were court-martialed by the United States Marine Corps and charged with 20 counts of involuntary manslaughter, before ultimately being acquitted. Twenty-three years later and still no one has been held accountable.

In The Air takes a deep dive into this tragedy and its fallout to uncover what it can tell us about how to hold the world's most powerful military accountable for its actions, and those hurt most by a lack of accountability.

Start listening.

PAGE 2: EPISODE 01: TOO LOW, TOO FAST

Joseph Schweitzer was the navigator, and co-pilot, riding in the passenger seat of the EA-6B prowler jet that snapped the cable and caused the death of 20 European civilians. Episode One is Schweitzer's account of what happened that day and what he thinks should have happened differently.

At the time of the accident, Schweitzer was 31 and had three prior tours as a specialty aircraft operator with the USMC. He had been deployed to the Aviano NATO base in 1997 as a part of the multinational peacekeeping force that was monitoring the no-fly zone over Bosnia and Herzegovina after the Bosnian War of the early 1990s. At the beginning of their deployment, the former captain says that his squadron was flying over the Balkans almost every day for five weeks, but rarely, if ever, at low altitudes. Seven months into his deployment, on February 3, 1998, he was sent on his first low-altitude training mission in the Italian Alps - the mission that ended in disaster.

Schweitzer and the three other crew members were thoroughly criticized for allegedly having caused the accident and subsequently tampering with evidence. It became an international media spectacle - one that characterized the flight as a reckless joyride by pilots who were flying too low and too fast on purpose. Even today, almost 23 years later, there are pages of tweets and comments calling for the crew's imprisonment.

Schweitzer and the Marine Corps, however, say this is a misrepresentation of the flight. In retrospect, Schweitzer says that the crew didn't have the right information, nor the proper training to fly safely that day and that maybe they shouldn't have been flying at all.

Listen to episode one to hear from Schweitzer himself.

Full Transcript below.

Megan Burney 0:00

Some 23 years ago, something happened in the Italian Alps.

A tragic and terrible accident that involved four US Marine pilots, 20 European skiers, and a ski lift cable.

Military Press Official 0:16

At 15:13 on three February 1998 that EA-6B - just left of centerline - cut the gondola cable, causing it to fall.

AP News Reporter 0:30

The plane clip the ski lift cable sending 19 skiers and the cable car operator plunge into

Megan Burney 0:42

The year was 1998 - a February day perfect for skiing in Cavalese, a ski resort town in northern Italy.

Vacationers from the surrounding European countries were enjoying the last few hours of sunshine in the mountains. It was a Tuesday, just after 3pm and the next group of skiers bundled up and ready to close out their day with one last run, boarded the alpay kermis gondola.

The clear skies and high visibility that day were also perfect for an aerial training mission. And four American pilots stationed at a nearby NATO base had just set out in an EA six B Prowler jet and what they thought would be a routine training mission.

The gondola ride should have lasted about seven minutes. The training mission - a little over an hour.

What happened instead would come to haunt the victim's families and the pilots for a lifetime.

The Marines had been stationed for seven months at Aviano and NATO base in the eastern region of the Italian Alps. They were there as part of the NATO led multinational peacekeeping force deployed to Bosnia and Herzegovina after the Bosnian War of the early 90s.

The majority of the missions these pilots had flown up until now had been across the Adriatic Sea over the former Yugoslavia to support the no fly zone that had been outlined in the Dayton Peace Agreement of '95.

But the training mission on February 3, took the Marines through unfamiliar terrain, one that fluctuated between the peaks of mountaintops and the deep depressions of the surrounding valleys. The drill was meant to prepare the crew for flying really close to the ground during combat, not necessarily because that's what they were doing in Bosnia. But because it was part of Marine Corps protocol to conduct training missions that helped aviation crews maintain their skill set.

What should have been a routine training mission, however, became really complicated really quickly.

Captain Joseph Schweitzer was the navigator or co-pilot in the passenger seat. In military aviation lingo, he was ECMO one.

Joe Schweitzer 3:02

Aviation is - I like to call the mystical and mythical profession on that afternoon in Italy.

Megan Burney 3:10

As he and the crew peeled into an unfamiliar Valley, they stumbled upon a ski resort that they weren't aware of exactly why they didn't know there'd be a ski resort in this valley. It's just one of the things that remains unresolved. In a matter of seconds, Schweitzer's plane struck and flew through a wire, but not just any wire.

It was the suspension cable that held up a ski gondola some 400 feet above the ground.

And when the plane snapped the wire, the closest gondola car full of unsuspecting skiers plummeted into the icy snow below.

Military Press Official 3:49

First and foremost, I expressed the heartfelt condolences of all Marines to the families of those who died in this tragedy. They remain in our hearts and our prayers. There were 20 European civilians from five different countries inside. They were all killed.

Megan Burney 4:08

Almost immediately, the disaster or mishap as the Marine Corps calls it, became international news. Pictures began to circulate - crushed metal laying next to a pile of broken skis and loose gloves left behind in the bloodstains snow.

Eventually, the military charged Schweitzer and his pilot with involuntary manslaughter. Because of the Status of Forces Agreement between the US and Italy that enabled us military personnel to operate in Italy. The Marines did not face any charges in Italy. And this caused an outcry in Europe.

Instead, the pilots were flown back to the US where they were court martialed. Their trial and US military court prolong the tragedies presence in the new cycle, both in the US and in Europe.

Reporter 4:59

They were flying too fast, and they were flying too low.

Military Press Official 5:04

We are cooperating fully with the local Italian authorities to determine why this happened and have Italian representation on our investigation.

Military Press Official 5:13

In terms of the agreement who has jurisdiction over those pilots, and terms of agreement in terms of the Status of Forces Agreement, the US military has jurisdiction.

Bill Clinton 5:23

I told the Prime Minister of Italy and I'll tell you, I will do everything I can to, to find out exactly what happened and take appropriate action and to satisfy the people of Italy that we have done the right thing. I understand why they're hurt and heartbroken and angry, and they are entitled to answers and we'll try to get them to.

Megan Burney 5:40

But that's not what happened. In fact, the trial's outcome arguably extended the suffering of the families by denying them needed closure. And perhaps surprisingly, it did the same for the pilots, the pilots who caused these deaths.

[theme music in]

I'm Megan Burney, and this is in the air.

In this series, we'll take a deeper look at this tragedy known as the Cavaliers the cablecard disaster, and the International fiasco it became at the time. We'll consider the implications of this disaster to better understand what it might tell us about who can and who should hold members of the world's most powerful military accountable.

This investigation will also discuss what being an ally to the US means for accountability. And who a lack of accountability harms the most.

I mean, was it all a missed opportunity for Americans to see what our country's superpower status has meant for people all around the world, including our allies, and also what it has cost us?

As for exactly what should have happened? Well, that's the controversy of it all.

In episode one, we'll hear Schweitzer's account of that day, and what he thinks should have happened differently.

[theme music out]

Today, we can only imagine what a live video of the accident would have shown. This was before the era of social media and instant broadcasting via cell phone. But if it had happened today, and such a video did exist, you'd probably know all about the cavaletti cablecard disaster. And it likely would have answered the questions that still remain.

Actually, there was a video record of the flight at one point, but no one has seen it. We'll hear more about this later. But first, here's what we do know. Italians have families of the victims. And even most Americans who follow the story in the media would say that Schweitzer and his crew were fooling around, taking a joyride, and flying too low and too fast on purpose.

Of course, no one thinks they sliced the gondola cable on purpose. But plenty of people who do believe the Marines were flying recklessly, that is without any regard for the potential danger to others, also believe that the whole episode reeks of American arrogance.

John Eaves Jr. 8:37

Our pilots were hot dogging through the middle of the Italian mountains flying too fast and too low. In a sort of Top Gun style, adventure.

Megan Burney 8:50

That's Johnny Eaves, Jr, the attorney who would later represent the families of the victims in court.

But on the other side, the Marine Corps, the United States government, and Schweitzer say this isn't so to this day. Schweitzer says that they weren't doing anything wrong, that there was no joy riding or hot dogging. He says they were doing exactly what they were supposed to be doing. But his maps didn't account for ski resorts and gondola cables. Schweitzer also says that his commanding officers failed to brief the crew on specific flight regulations.

Joe Schweitzer 9:27

You know, we were supposed to get a brief of all the low levels, how to fly them. That never happened. There's two different sets of low level rules there. You know, that was a big deal. So there was a 2000 foot flight restriction, right? The rules we had were 1000 feet, and that's what we briefed in fluid. Right? But then all of a sudden is like, hey, there's a 2000 foot flight restriction. Well, the question is, well, how do we not know this? Right? And, you know, all the things we briefed that day showed us it's 1000 feet. So again, if you go back to a rule based risk management model. What is the operator need? Needs all the rules!

Megan Burney 10:08

just like there were two sets of flying restrictions. There were also two sets of maps, a set distributed by the US and a set distributed by the Italians. And Schweitzer was looking at the US maps only why he wasn't using the charts provided by the country he was flying in. Just another thing that remains unresolved. But some have argued that it was standard procedure for all US forces at NATO bases to use maps provided by the US Marine Corps in government. And a detail like this is what might have helped the pilots in court.

Attorney David Beck 10:41

But we believe that the evidence as it stands today, and as it will stay, and when these trials are over, will show that it was a terribly tragic accident, not a result of criminal misconduct on the part of anybody.

Megan Burney 10:56

And ultimately, Schweitzer's pilot, Captain Richard Ashby was acquitted by a military jury of all 20 counts of involuntary manslaughter. The Marine Corps dropped the charges against Schweitzer, closed the case and moved on. Full details of the court case, we'll come in Episode Three.

As you might imagine, the acquittal infuriated a lot of people in a lot of countries. 20 civilians were dead, and no one was being held accountable for it. And the financial settlement between the US and the Italian government and the victims families was hardly closure for those who lost their loved ones. No amount of money could ever bring back the person that they'd lost.

The pilots were and still are highly ridiculed by a lot of people. I mean, 23 years later, there are long Twitter threads and YouTube comments calling for their imprisonment.

At the time, the narrative of the international media painted them as two Top Gun cowboys who got off on a technicality.

But Schweitzer wants everyone to know there's more to it than that. For him, the acquittal wasn't closure either. He says that didn't give anyone the answers they needed, and that there should have been a full blown investigation into the Marine Corps as an organization. And that's why he's talking about it now.

Joe Schweitzer 12:21

I think everybody wished that we were fooling around. And you know, we were just breaking rules. And then this would just like be the story.

Where, where's, where's the comprehensive investigation of the granularity of this event that shows the causation is a true investigative report.

Megan Burney 12:48

In this series, we'll hear from both sides. And it will be up to you, the listener to determine if closure is even attainable, and if we as a society, are able to reckon with some of the uglier sides of being the lone superpower in the world.

But first, let's try to understand why this tragedy happened, and how these American pilots found themselves flying a fighter jet in the middle of an Italian ski resort.

The Center for data analysis reports that in 1998, there were upwards of 200,000 US troops in foreign countries.

With the end of the Cold War and the collapse of the Soviet Union, the United States entered the 1990s as a world remaining superpower. This meant that most instances of multilateral intervention, were usually spearheaded, supported, or even flat out called for by the United States. And it's also important to understand that the sincerity of a quote-unquote global consensus has to be weighed while also considering the nature of the relationships between the US and those other countries, and how that might impact or explain their participation in essentially us interventions. The dissolution of the former Yugoslavia, which happened across the 1990s in Europe, triggered involvement from the North Atlantic Treaty Organization, or NATO, in addition to working together in NATO, Italy in the US also have their own bilateral relationship, which was nearly five decades strong by 1998. We'll get more into the relationship between Italy and the US and what happened in Bosnia in Episode Four. For now, all you need to know is that 25 years ago, this region of the Balkans was stuck in a gruesome war, one defined by mass killings and genocide.

This is how Schweitzer Ashby and the rest of their Squadron ended up in northern Italy, deployed to prevent the death of 1000s of Bosnian civilians and accidentally causing the death of 20 vacationers.

Here's what Schweitzer told me about his deployment.

Joe Schweitzer 15:12

When we were deployed to Aviano, there was a, you know, a current deployment cycle with Marine Corps EA six B's to support the no fly zone over Bosnia right after the Dayton Peace Accords in '95. Right basically was, you know, just make sure the skies are safe and meet the let's just say the requirements of that treaty. At the time, Schweitzer was a young marine. He was 31 with three prior tours in the US Marine Corps, including a previous tour in Sigonella, Sicily in 1995. Also to support NATO efforts in Bosnia.

Megan Burney 15:50

In press photos from the disaster, he's clean shaven, he has a dimple in the middle of his chin, and what looks like a buzz cut under his uniform cap. But after nearly a decade of service, Schweitzer was actually planning to leave the Marine Corps. Before he left for Aviano, he decided that he wanted to go to law school, and he knew that Aviano was going to be his last deployment.

By February 3, his last deployment was in its final days. In fact, the flight through the Alps that day was likely to be his last flight as a Marine Corps captain. So he did something that we all do when trying to capture a memorable moment.

Joe Schweitzer 16:30

You know, that flight was one of the last flights before we were leaving, right? I decided to take video camera, right I wanted to have a memento of what I did.

So basically overlake Garda, doing what I love to do, probably maybe one of the last times I'm going to be deployed, right? beautiful mountains, right either side of the lake. I have nothing to do for three minutes. I take out the camera, I pan around, and I basically give myself a selfie before we knew what a selfie was doing what I love to do.

Megan Burney 17:03

After graduating from the Naval Academy in 1989, Schweitzer entered three years of aviation training, and then joined the EAA six B specialty aircraft team. This specialty team didn't belong exclusively to either the Air Force or the ground troops of the Marine Corps. It was what the military calls a purple force, a joint unit that supported land, sea and air operatives.

These Prowler jets the EA six B's are radar jamming jets that aren't weaponized, what they do is fly ahead of other troops and transmit electronic signals that interfere with the opposing forces radar and jam their signaling systems so they can't attack the American troops. And to do that, the planes have to fly really low to the ground. Hence the low altitude training mission on that fateful February day in northern Italy. The one that Schweitzer videotaped as a memento.

After flying support missions over bosnia for months at normal higher altitudes. The squadron at Aviano wasn't prepped for low level flights. Here's how Schweitzer described it.

Joe Schweitzer 18:14

We all knew we weren't flying enough. Right? But it's like, that's the way it was. Right? Our CEO tried to get a second, a fourth jet. Right? If you look at my, you know, one of the things we track is crps combat readiness percentage, right? My CRP before the mishap was about 78%, which is like five or six points higher than somebody that gets out of like, the basic training, right? Because we're doing the same stuff over and over again. 4% of four or 5% of our missions over there were low levels. Right, because we're just we're flying over Bosnia.

Now, could we issue we have said, hey, let's just not fly low levels, because they're too dangerous. Right, but but I don't think anybody was at that stage right, then. Right. And the other piece is, look, you knew you weren't flying as much as you should. But it's like, you're not gonna say no, because this is my job.

Megan Burney 19:21

Even though aviation crews hadn't been flying low levels as a part of their mission in Bosnia. Reports from the time say that both American and Italian defense officials said that training missions like these were necessary for all NATO pilots for the maintenance of their skills.

But the flight that February day was the cruise first flight through the Alpine region.

Joe Schweitzer 19:44

You know, if you look at cabin Ashby's flights that deployment, he was lucky he was flying four flights a month. We had three aircraft, right? So, so you're putting you know,

you do the odds, you know, when the aviation mishap - not mishap - the aviation new plan for 1998 comes out. And, you know, it's deemed that you need 10 to 12 sorties flights a month to be proficient. That's, that's a big Delta. And how do you not look at that? How does that not play into this?

Megan Burney 20:21

So Schweitzer is telling us that in addition to flying with the wrong maps, and under incorrect flight instructions, that he believes his crew was not prepared to fly low levels that day.

[Interview tape]

Megan Burney 20:33

Do you think that aviana was somewhat?

Joe Schweitzer 20:37

Maybe not, you know, destined for a disaster to this extent, but some sort of mishap. I would say if you had the big data that we have now, I would say without a doubt.

Megan Burney 20:48

An article by the New York Times published in the wake of the accident, says that official accounts of the flight Drew, quote, "a vivid picture of what began as a routine training mission, laid out with military precision. But to those on the ground looked like a joyride." end quote.

People on the ground said that the plane was zooming over rooftops and skimming the waters of nearby lakes. The Italian Prime Minister is even quoted as saying the flight practically scraped the ground.

Schweitzer and the flight data used in court however, say the plane was 5000 feet over Lake Garda, just minutes before the plane encountered the ski gondola which was suspended at approximately 370 feet from the ground. So how did the plane lose all that altitude?

Schweitzer says that a false horizon - a trick on the eyes - in the mountains led Ashby the pilot to believe that they were flying at a higher altitude than they actually were. Picture it - it's late in the afternoon in the dead of winter, deep in a valley flying through the shadows of mountain peaks at 500 miles per hour.

Schweitzer also says that they were flying over a gradual incline. So the ground was coming up beneath them. And at that speed, the altimeter, the gauge on the plane that measures altitude, wasn't reading the incline quick enough. The last altitude reading that the plane recorded showed that they were somewhere around 825 feet, just seconds before the crash.

Joe Schweitzer 22:21

We're flying at a constant altitude. Alright, so our MSL or mean sea level altitude is constant, which is the only time in the data that it's plus or minus, like 50 feet. Right?

Because if you look at the terrain, everything we flew over is like this, you know, just it's up down. It's all round. So the pilot is constantly updating his altitude, right? It's not like he's flying straight and flat. Right? It's pretty challenging. Right? So he's constantly moving his altitude. In the valley, we're actually at constant altitude for 30 seconds. Right. And basically, the mission data recorded takes a snapshot every 11 seconds. So we're at constant altitude, but there's a gradual. This is the the valley, there's a gradual incline. Right? It's It's It's you know, you can't really you can't tell right moving at that speed.

Megan Burney 23:12

A pretty big misconception about this accident is that the plane was flying under the lift and flew up into the cable when it snapped. But they actually flew in above the wire. Here's Schweitzer he calls Ashby by his nickname, trash.

Joe Schweitzer 23:29

The valley was was a road that was going to take us to the target, which was a 12,000 foot mountain. So we made the correction. Right? We're going up the valley. Everything looks good. I can see the mountain right right in front of me. And I think you know what it comes down to his trash sees a wire, right? It's actually below us. It's below us. We're up here. He thinks even though we're above it, he thinks we're co altitude with the wire. So he stuffs the nose

Megan Burney 23:58

So Ashby aka trash thought the plane was even with the wire. And in a last ditch maneuver, he directs the nose of the plane down and to the left to avoid it. And when the plane dove, Schweitzer's wing, the right hand wing of the plane, snapped the cable. It just flew right through it.

Joe Schweitzer 24:18

And I looked up and there was that wire. And you know, I just thought was gonna take my head off, so I ducked and I ducked right off the nose. There's a thud yellow flash and I just shelled climb, climb climb, and that was my instinct and we we basically zoomed and gain altitude and I would say for about, it seemed like you know, couple seconds nobody said anything, but it was like holy smokes What just happened?

Megan Burney 24:49

The yellow flash. That was the gondola car. It and 20 passengers pass over the plane in an instant. Fifteen minutes later, the crew landed the damaged aircraft safely at base, leaving behind the mangled mess of metal and bodies, the blood in the snow.

John Eaves Jr. 25:17

They were completely devastated by this tragedy, it was so unexpected. They were on a, they were all on vacation, you know supposed to be having a fun time enjoying their family.

Megan Burney 25:35

This is Johnny Eaves, Jr, the attorney we heard from earlier. So far, he's the closest I've gotten to finding out more about the victims.

John Eaves Jr. 25:44

You know, never could they foresee that a jet would be flying that low that fast to the middle of the mountains, you know, and cut a gondola cable that would require their loved ones to be trapped in a gondola for eight seconds before it hit the ground.

Megan Burney 26:07

When the crew landed back at base, they were told just how bad the accident was. They were sent to the hospital on base for the night. And the next day, they had to sign the death notices for the 20 gondola passengers. Then they were put under investigation by the Italian government.

Joe Schweitzer 26:24

All of a sudden, the most personal event you're involved in, is now an international media spectacle. And you were basically branded as a criminal before the facts are even out there. And during the Fallout, Schweitzer struggled to accept the reality of it all.

It's just, you can't describe it. It's just, it's just like, it's, it's like this huge weight. And every day you have to make harder decisions and basically figure out how you get through this. And you just you just feel very alone.

Megan Burney 27:00

He says that the crew didn't hear much from Marine Corps leadership in the days and the weeks after the accident. And while everyone else was sure that he was a reckless killer, he was still trying to figure out how it all happened. And what that meant for who he was.

Joe Schweitzer 27:18

Because all of a sudden your life changes and they're no longer is at that moment. They're no longer is a trajectory. Right? You're just right there. And you're trying to figure out what happened. And then you're questioning everything you did in the past.

Megan Burney 27:31

He says that the Italian me called him jokey at the time. That's jokey spelled G-I-O-C-H-I, which means "you play" in Italian.

Joe Schweitzer 27:42

It kind of severs your connection with who you are right now. With where you came from. Right? You could say before I got into the cockpit, you know, February 3, there was a trajectory of Joe. Right? I knew where I was, I knew what it was like in the cockpit. I

knew where I was going. I knew how to be in a jet. I knew how to do my job. Right? So there was a trajectory, and then all of a sudden, the moment happens and you know, that's where I you know, you struggle to kind of get that that baseline of who you are.

So not only did those people die, but a part of me died. And it's it's being alive but being kind of half dead.

Megan Burney 28:33

Remember that selfie before we call them selfies.

Joe Schweitzer 28:36

You're like, how did we get there? How do we hit the wire? I'm really good. I'm really good in the front seat and trash is the best pilot in the squadron. Right? How do we get there? And then all of a sudden I remember Oh my God, I smile the camera right over Lake Garda.

Megan Burney 28:52

He's talking about that videotape he was recording during his last flight as a marine. At this point, Schweitzer had the videotape in his possession. When he and the crew landed back at Aviano, he immediately took the tape out of the camcorder and replaced it with a blank one. He and Ashby left the camcorder in the plane, knowing that it would be seized as a part of an investigation they all knew was imminent. But only he and the crew knew the camera had been used.

So he's sitting at base trying to process it all and watching the nightmare play out on a constant news loop. When he begins to panic about that tape and his smiling face into the camera right before hitting the wire. I can barely deal with it all myself for myself, let alone share that with anybody else. That that tape was the physical manifestation of my survivor guilt.

Joe Schweitzer 29:52

You know, you saw you saw the all the images you saw CNN and it's just like, you see the crash scene you see the coffins all lined up in, in the church, and you're like, if I basically give this tape in, right, I'm gonna see my smiling face next to the blood and stuff for the rest of my life.

Megan Burney 30:12

So he consulted with his crew. And the night after the accident, he tossed the tape into a bonfire behind the bar.

The camcorder didn't have playback capability. So no one. Not even Schweitzer has seen what was on that tape, and no one ever will. And everyone who's followed the disaster has been left wondering what happened that day. Were they fooling around? Or were they in the right? Maybe the tape would have explained it all.

Today, Schweitzer says he doesn't think he would have survived the aftermath if the tape had made it to the public. But he does regret destroying it. For one, he acknowledged that it was the wrong thing to do. And he also says that the tape probably would have proved their innocence, if anything.

Joe Schweitzer 31:06

If the tape was out there right now, right. As far as the, you know, the court martial and everything, it basically would have proved everything we said, right, there was nothing bad. We're doing nothing wrong. But my smiling face, if that was there, I don't know if I'd be here right now. I mean, that's it. So, so, did I really care about my career? I don't know. But more importantly, was me being able to deal with me.

Megan Burney 31:44

Ultimately, investigators found cellophane wrapping and the blank tape in the plane. And then one of the crew members in the backseat offered up information about the tape in exchange for immunity.

Schweitzer in the crew spent 40 days in Italy, unsure of what was going to happen. He says he fell into slumps of survivor's guilt, mixed with inexplicable waves of happiness that he survived, then feelings of loneliness and abandonment. Until eventually, the crew was unceremoniously escorted out of Italy and sent home to the States.

Joe Schweitzer 32:20

We left with two F-16s from the base with live air to air missiles that escorted us to the end of a tie in airspace. Because this thing was so hot politically. That's, that's pretty intense.

Megan Burney 32:36

And once they landed at Camp Lejeune in North Carolina, it was only the beginning of a year-long trial.

Joe Schweitzer 32:42

I mean, we landed we went in the hangar space with our Squadron, they greeted us and everything but there was still you could tell there was the splitting, and the sides. Right, and that started to happen more and more, you know, when we got back, so that was just another thing for a year of knowing that, you know, people are gonna side with you and people aren't and that's just the way it is.

Megan Burney 33:14

Then, immediately after the trial over the flight related charges ended in their acquittal, Schweitzer and Ashby were court martialed again. This time for destroying the videotape.

They were charged with obstruction of justice and conduct unbecoming of an officer. Schweitzer pled guilty. He was dismissed from service with the Marine Corps and stripped of all his

veterans benefits. Ashby, however, tried to fight the charges, but ultimately was sentenced to six months of break time, on top of his dismissal. But neither outcome really satisfied anyone in the long run. And at the time, it especially upset the families of the victims. Johnny's Jr, the attorney from earlier was in the courtroom when he was acquitted, sitting with the families of the victims

John Eaves Jr. 34:07

By declaring the pilots not guilty, there was nobody taking responsibility and, and so it was just sort of no no closure for the families.

Megan Burney 34:22

And after it all, almost 23 years later, Schweitzer agrees that his acquittal wasn't a satisfactory end.

Joe Schweitzer 34:30

I think you know, a lot of times in history, the, the first version of the truth is not the whole truth, and maybe even Far from it.

I basically put my life on the line for my country, my organization, and if something terrible happened, and I did something, I just hope that there is a fair, thorough and impartial investigation to understand the truth and to me, I just, it didn't happen.

And I think to me is, you know, again, not only for the victims' families, but for other aviators that are out there. You know, there were so much data, so many lessons learned that were just, you know, for lack of a better term buried, and 10 years after the trials, he tried to appeal the case.

Megan Burney 35:23

But despite losing, he still thinks there should have been a deeper investigation.

Joe Schweitzer 35:29

I would want an investigation - it wouldn't, you know, prove my guilt or innocence one way or the other it would have, it would have basically provided a comprehensive investigation of the mishap that extracted systematic lessons learned that needed to be put back in the organization.

Megan Burney 35:54

Next time on in the air,

John Eaves Jr. 35:56

What is it like to live knowing that you're going to die for eight seconds and eight seconds can be a long time when you think of it in that perspective.

Joe Schweitzer 36:06

It's two guys, against, against your government - ever go, ever play that game? That's a tough one to play, especially when you believe in being part of that team.

Megan Burney 36:29

This episode was recorded and produced by me. Megan Burney, edited by Alia Malek and featured music by the westerlies the whole other Patrick Patrick oculus, delicate Steve and tower of life. Thanks for listening.

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