July 9, 2014

SSA Excom & Board of Directors

The SSA Competition Rules include a provision for the disqualification of a pilot from future SSA contests if the pilot has demonstrated a problem or a history of safety related problems during participation in one or more contests. This provision is included as Rule 9.13 (attachment #1). The Rule 9.13 process is initiated by a complaint from a Competition Director or Contest Manager. The complaint is reviewed by an Investigating Committee consisting of the Chairman of the Contest Committee and the SSA Rules Subcommittee. The Investigating Committee is to present its findings in writing to the SSA Board of Directors, along with a recommendation for action. Such recommendation may be for no action, counseling, probation, restriction to certain types and/or levels of competition, a ban from competition for a specified period, or a permanent ban. The final action taken shall be determined by the Board of Directors.

A Rule 9.13 Complaint (attachment #2) regarding unsafe flying by Frank Paynter was received on June 27, 2014 from John Godfrey, CD at the 2014 18M Nationals at Minden, NV. The complaint focused on Frank’s poor thermalling techniques and tendency to fly dangerously close to other gliders.

This Rule 9.13 Complaint followed Frank’s disqualification from the 2014 18M Nationals for unsafe flying (attachment #3). As described in attachment #3, the Minden contest organizers became aware of several complaints about Frank’s flying both at the Minden contest and at previous 2014 contests. Two of the Minden complaints were made in writing by Pete Alexander (attachment #4) and Dennis Linnekin (attachment #5). Prior to making a formal complaint to CD John Godfrey, Dennis had posted his flight on OLC and included a detailed comment about Frank’s unsafe flying (attachment #6). Both Pete and Dennis are very experienced, highly respected competition pilots, and are very used to flying with lots of other gliders in close proximity. The Minden disqualification decision was made, in accordance with the SSA Contest Rules, by that contest’s 4-member Contest Competition Committee together with the contest manager and a local airport representative. The decision was unanimous among those 6 persons.

Upon notification of Frank’s disqualification at Minden, Ken Sorenson as Contest Committee Chair, forwarded that information to the contest manager of the 2014 Montague 15M/Open Nationals that was about start the next week. Sorenson suggested that the organizers discuss this matter with Frank if/when he arrived to fly that contest. Shortly afterwards Sorenson received a communication from Montague CD Dale Bush indicating that they wanted to keep Frank out of that contest for safety and liability reasons (attachment # 7). Frank did indeed withdraw from that contest as requested by Bush. In consideration of the Montague withdrawal request, and concern by the Rules Committee that there would be additional such withdrawal requests from the other 2014 contests Frank was planning on attending, John Godfrey, as the Minden CD, filed the current 9.13 Complaint in order to put the handling of Frank’s situation into the formal Rules process intended to deal with such a situation.

Frank was the subject of a previous Rule 9.13 complaint in 2013 for the same issues -- poor thermalling techniques and flying too close to other gliders. The 2013 complaint was submitted by John Good, CD at the 2013 Seniors contest (attachment #8). At that contest, there were numerous complaints by pilots about Frank's thermalling. John received complaints on four of the five contest days. Sorenson was flying at the contest and received several complaints as well. The 2013 Rule 9.13 complaint resulted in a recommendation from the Investigating Committee to the SSA Board that Frank be put on probation for the remainder of the 2013 season (attachment #9). The Board accepted that recommendation, and Frank successfully completed his probation by flying several contests during the rest of 2013 with no formal complaints.

The Rule 9.13 Investigating Committee (the Rules Committee) has reviewed the information and flight traces associated with the Minden disqualification. The flight traces were also reviewed by Karl Striedieck in a joint on-line flight visualization session with Frank and Dennis. Particularly troubling to the Committee is the two-year pattern of reported unsafe flying in/near thermals and a widespread reputation Frank has acquired among his fellow competition pilots as someone who flies too aggressively around other gliders. Few pilots are willing to submit formal complaints, but some have complained directly to rules committee members, and some experienced pilots have decided to just “stay away from Frank” if possible.

Given the previous Rule 9.13 Complaint in 2013, this recurrence of the same complaint in 2014 is considered particularly serious by the Investigating Committee. Accordingly, the Committee unanimously recommends that Frank Paynter be ineligible as an entrant for all SSA-sanctioned contests for the remainder of 2014, and ineligible as an entrant for the SSA Nationals, the Seniors, and the Region 5N Perry contests in 2015. The rationale for the 2014 ineligibility is to provide a reasonable time period for Frank to determine what the problem is with his flying and to develop appropriate solutions. The rationale for the 2015 restriction is to allow Frank to return to glider racing at smaller, lower pressure, contests in order to demonstrate that he has satisfactorily resolved the safety problem. Frank’s situation will be reviewed by the Committee following the 2015 soaring season to determine if it is appropriate to remove all restrictions after 2015. A key consideration will be a written explanation to the Committee from Frank explaining his understanding of the cause of the problem and what has been done to fix it.

The Committee’s decision to make this recommendation was difficult because of Frank’s many contributions to the SSA and to the competition community; however, the safety of his fellow contest pilots (including Frank) must be our primary concern. We look forward to seeing him fully back on the contest circuit once it has been determined that he can fly safely with us in a competitive environment.

On behalf of the Investigating Committee, Ken Sorenson, Contest Committee Chair