



# Fatal Attractions

How Safe Are  
America's  
Amusement  
Parks?

By Jan Goodwin

Photos: Lester Lefkowitz/The Stock Market (this page);  
Elena Dorfman (opposite page, top).



Twelve-year-old Joshua Smurphat loved the Paramount Great America amusement park in Santa Clara, California, near his home. The whirl of the rides, the joyful shrieks of fake terror, the crowds, the excitement delighted him. Most of all, he loved his favorite ride, the Drop Zone Stunt Tower, in which passengers free-fall 224 feet—equivalent to 22 stories—in four seconds. On a warm Sunday afternoon in August two years ago, Joshua, his mother, Tami, two other friends and two children headed to the park.

Usually, Tami rode with Josh on the Drop Zone, but since some cars were out of service, a family friend escorted Josh and two young pals while Tami and the others watched from below. "When the ride was on its way down, my son flew out of his seat," recalls Tami. "I screamed and ran to the exit gate, thinking I could catch him." Plummeting at 62 mph, Joshua ploughed headfirst into the concrete base of the ride just five feet from where his mother stood. "Josh's head split open with the impact. My son's brains were on my shoes," says Tami, her voice quavering as she recounts the scene that has haunted her ever since. Splattered with Josh's blood, Tami collapsed. "No mother should have to see what I saw that day," she says.

Santa Clara Fire Department officials would agree. In 1996, three years before Joshua died, Fire Captain Rick Harsh conducted an evacuation drill of the Drop Zone ride. He noticed a three- to four-inch gap between the knob on the seat and the harness. "I expressed my concern to Great America theme park representatives," he said, "that a small person might be able to slide through this space." He suggested that the park have the manufacturer add a seat-belt type attachment "to prevent someone thin from slipping out. I remember talking about this with the Great America staff, so it was not something mentioned in passing," Harsh said. Paramount Parks, owned by Viacom, one of the world's largest media and entertainment corporations, added a safety strap only after the accident in which Joshua Smurphat died.

In an exhaustive report issued by the Santa Clara Police Department, investigators determined that a 14-year-old boy—a year younger than the legal limit for ride operators—was a volunteer worker at the ride the day of the accident, and that there were conflicting statements about whether the 16-year-old operator, who strapped Joshua in, had done an effective job. "Children should never have been operating the ride," says Ardell Johnson, Tami's lawyer in her suit against Paramount. "The Drop Zone is a piece of heavy machinery. You wouldn't let a juvenile operate a backhoe or a crane. It doesn't make sense."

(FC contacted Paramount repeatedly in an effort to get its perspective on the accident. Ultimately, Paramount refused to comment on grounds that the case is in litigation.)

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**Tami Smurphat with a photo of son Joshua, who died on a free-fall amusement park ride. Joshua (left), on a safer merry-go-round.**

## The Go-cart Tragedy

Last year a July 4th weekend family outing to the Hi-Speed Race Karts in Palatine, Illinois, turned into a tragedy with the death of three-year-old Shelby Kukich. According to Shelby's grandmother, Milena Kukich, the child was riding with her mother, Lindsay, when the go-cart in front spun out of control and collided head-on with theirs. "Shelby hit the steering wheel with her chest," says Milena. "There was no visible sign of trauma, but to be sure, my son, Denny, and his wife drove her to the nearest hospital. On the way, Shelby passed out, and started bleeding from her mouth." Seven hours later the friendly little girl with the big brown eyes died of multiple internal injuries.

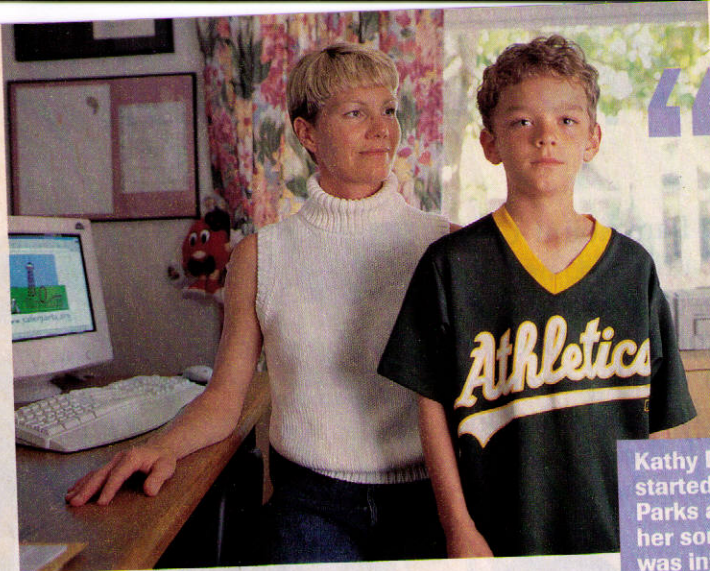
Shelby's mother had taken the precaution of asking the operator if it was O.K. for her child to ride. He told her it was. Lindsay had also seen other small children riding. What she didn't see was a sign stating: EVERY RIDER MUST BE FIVE FEET TALL. The go-carts also lacked seat belts.

Last December a permanent injunction was granted against Opossum Grape, Inc., the company that ran the Palatine park, forbidding them from operating go-cart tracks in Illinois. As for the Kukiches, not only have they lost a child they adored, they are left with over \$100,000 in hospital bills, according to Milena. Denny had just switched jobs, and the family's new health insurance coverage had not yet kicked in.

## Safe or Unsafe?

Every year some 300 million people visit America's amusement parks and take more than a billion rides. Yet despite these numbers, the industry is not federally regulated. John Graff, CEO of the International Association of





Kathy Fackler started Safer Parks after her son David was injured on a ride.

## As with ski slopes, we need

yet finalized, and annual ride inspections by the state won't start until one year after the regulations are adopted.

### The Littlest Victims

According to the CPSC, in the year 2000 there were an estimated 15,769 amusement-ride-related injuries and 19,286 go-cart injuries requiring visits to emergency rooms. Safer Parks reports that children account for two-thirds of all ride-related injuries. Preschoolers are at highest risk, followed closely by children age 7 to 13. "Children slipping under one-size-fits-all lap bars is one of the most common causes of ride-related injuries," says Fackler. "To my knowledge, amusement park rides are the only products marketed to children that are exempt from all federal mandates for child-safe design."

Adds Moulton, "The data dramatically understate the problem. To find out what's happening in theme parks, you look at hospitals near them." Yet only two of the 100 hospitals nationwide that CPSC monitors are located near large theme parks, says Moulton.

### A Life Is Changed Forever

In January of 2000 the alarm was raised about potential brain damage when the journal *Neurology* published a paper by Japanese neurologists documenting cases of subdural hematomas, or brain hemorrhaging, in people who rode giant roller coasters—even people in perfect health in their 20s.

Medical researcher Zipora Jacob was 42 at the time of her accident in 1995 and in excellent health, according to her husband, Chaim, when she boarded Disneyland's Indiana Jones Adventure ride, a state-of-the-art attraction featuring sharp turns and sudden drops.

When Zipora staggered off the ride, she started projectile vomiting, and complained of a severe headache, says Chaim, an M.D., molecular geneticist and professor at the University of Southern California. At a local hospital, Zipora's CAT scan, which showed she was bleeding in the brain, was misread and she was sent home. When she went into a coma, she was rushed to Cedars-Sinai Medical Center, where she underwent emergency brain surgery. Zipora had suffered the equivalent of "shaken baby syndrome"—tissue near the brain stem had been torn. Since then she has undergone three more surgeries to relieve pressure; she now requires a permanent shunt to drain life-threatening fluid from her brain. "My wife nearly died several times. It was particularly hard on our two children," ages 7 and 12, says Chaim. "She is a very different person now," he continues. "Before she was always optimistic; today she is worried all the time. Brain injuries do this. She has constant pain in her head. Our lives have been changed forever."

According to the Jacobs' lawyer, Barry Novack, Disneyland settled with the Jacobs for an undisclosed amount in 1999. Disneyland spokesperson Ray Gomez would not discuss the particulars of this case because it "is covered by a confidentiality agreement." However, he did express "deep regret over the few serious accidents that have occurred

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Amusement Parks and Attractions, says that's because the theme park industry's safety record is "outstanding," with injuries numbering only 1 in 23 million. "Congress has concluded several times that there was nothing to do at a federal level to improve the safety record," he says.

At least one Congress member takes issue with industry safety statistics and is fighting to have amusement parks federally monitored. At Congressional hearings last year on child safety in America's theme parks, Representative Edward Markey (D.-Mass.) concluded: "Amusement park rides have a higher fatality rate per distance traveled than scheduled airlines, passenger trains or buses, yet we allow them to escape federal regulation." He said we need to ensure that safety precautions are built in for the public.

Expanding on the subject, Markey spokesperson David Moulton says, "Parents should be aware that the industry takes no responsibility for injuries. You are on your own. Anyone who thinks these rides are safe because they're inspected by public safety officials is wrong." He continues, "Injuries and deaths have increased by more than 50 percent in recent years, and it's not just because more people are riding; the rides themselves are more dangerous."

In years past, rides were slower, gentler, at lower elevations. Today, in this \$9 billion-a-year industry, parks compete to have the wildest, biggest, fastest rides. There has been a sharp increase in what's known as "thrillability."

### Amusement Parks and the Law

Currently, the federal Consumer Product Safety Commission (CPSC) is empowered only to investigate accidents on traveling carnival rides. Regulation of rides at theme parks is left to the states, and according to Kathy Fackler, founder of the advocacy organization Safer Parks, eight states don't regulate permanent rides. Florida, with some 20 percent of U.S. amusement park business, regulates rides, but exempts any park that employs more than a thousand people. Consequently, "The majority of the top-grossing theme parks are not required to report accidents to any federal, state or local safety agency, even when someone dies," says Fackler, who started Safer Parks after her five-year-old son, David, was seriously injured on an amusement park ride. Fackler helped get California to pass its first theme park regulation law in 1999, but the law remains unenforceable: Regulations aren't



# to rate park rides for their amount of risk and danger. ”

here. We have learned from them, and that has helped us to make a safe park even safer,” he said.

## The G-Force Factor

“With these rides, it is not a question of the speed, but of the dynamics, the G-forces a person is exposed to, particularly the lateral G-force,” says Novack, who also has a Ph.D. in engineering. G-forces are multiples of gravity and are felt by fighter pilots, astronauts and car-crash victims when traveling at high speeds. “The human body is not able to adjust to rapid changes in lateral movements,” says Novack. “As the rides rapidly change direction, you may see small tears in veins, and sheering of brain tissue, which cause bleeding.

“When you go to a theme park, you expect it to have been planned to produce a safe, wholesome environment that gives you the perception of a thrill, without really exposing you to danger,” continues Novack. “That is not true. Yet for years these parks have resisted disclosing the frequency or severity of accidents and injuries.”

The lack of disclosure about ride injuries has caused some critics to suggest that amusement parks prefer to settle cases privately, rather than go to court and risk bad publicity. “When accidents occur, there is a big push on the part of the park industry to spin the account, to attribute the accident to irresponsible parents or wild children,” says Fackler.

There are currently G-force standards for amusement rides in Germany limiting to G-force 2 the lateral forces on passengers. According to Markey’s office, there are no G-force standards for rides in this country. Says Steve Elliott, a biomedical engineer and G-force specialist who worked for Disney for many years and is now a private consultant, “In general the industry should probably not have rides with greater than lateral G-force 2.”

Elliott says that some four to five percent of rides are above G-force 2, although he declined to identify them. “If guests are properly positioned and made aware of what is coming, if they maintain their posture, with their head and back against the backrest, they should be O.K.,” he says. When asked if such safety information should be stressed to

the public, Elliott said that lack of awareness might result in injury. “But you don’t want to scare them...either,” he added.

One amusement park, Playland, in Rye, New York, did put safety before profits two years ago when the owner, Joe Montalto, refused to open a new roller coaster after discovering that it generated lateral G-forces of twice the recommended German limit. Montalto was concerned about the snap of the neck. “What Playland did voluntarily is extremely unusual,” says Moulton.

## Water Fall

In 1997 a water slide collapsed at Waterworld USA in Concord, California, crushing to death 18-year-old Quimby Ghilotti and injuring 34 fellow students. Although everyone agrees that there were too many kids on the slide, parents and officials at Waterworld disagree on whether there was adequate supervision by park personnel. Nonetheless, the park settled. Quimby’s parents and others who were injured in the accident received an aggregate amount totaling in the millions. For Quimby’s mother, Victoria Nelson, the loss of her only child, an honor student, has been devastating. “I have been robbed of Quimby’s future,” she said.

While millions of people safely visit amusement parks every year, as rides become more thrilling, the hazards appear to increase. “I don’t understand how an industry that serves high-speed thrills to 300 million people every year can justify hiding known dangers from their customers,” says Fackler. “And I don’t understand how an industry that refuses to disclose safety records without a subpoena can claim safety as its priority. If we spend \$9 billion a year on rides, the public has a right to know how safe they are before we load our children on board.”

**FC**

**To support Representative Markey’s National Amusement Park Ride Safety Act of 2001 (HR 1488), which would give oversight of all theme parks to the federal Consumer Product Safety Commission, write to him at 2108 Rayburn Building, Washington, D.C. 20515.**

## Ten Tips for Staying Safe

- 1. Follow all posted rules and restrictions.**
- 2. Pull seat belts and lap bars tight, making sure they’re locked. Hold on to the handrails.**
- 3. Keep arms and legs inside the ride and stay seated. Don’t be misled by park ads that show riders waving. People are hurt every year when waving their hands or legs at the wrong moment.**
- 4. Remain in the ride until it comes to a final stop at the unloading point. If it stops**

- temporarily somewhere else, stay seated and wait for further instructions.**
- 5. Watch the ride first and look for riders the same age as your child getting off. Do they seem happy? Scared? Dizzy? Never force a child onto a ride.**
- 6. Don’t board a ride if it is poorly lighted or rusty. Chances are it’s also poorly maintained.**
- 7. Don’t wear clothes, jewelry or hairstyles that could get caught in the machinery.**

- 8. Obey height and weight limits. Children who are smaller may slip out of the restraints. Older, bigger kids might overload a ride.**
- 9. Make sure your child knows to follow all safety rules and never to horse around, run, climb or throw anything off of an amusement park ride.**
- 10. People who are elderly, pregnant, have heart conditions or are more than 10 percent overweight should not go on thrill rides.**

