

Final Prosecutor's Report

PRESS RELEASE

Re: Death Investigation of Tamar Fellner on May 31, 2003 Raven Roller Coaster at Holiday World

The Spencer County Prosecutor's Office has reviewed the reports, statements, photographs and other evidence regarding the May 31, 2003 death of Tamar Fellner who fell from the last car of the Raven Roller Coaster at Holiday World. We met with the lead investigators, Clifton Lee White and Kristi Raibley of the Santa Claus Police Department and Spencer County Coroner Bob Duley. Finally, we reviewed a report from the Indiana State Police and Detective Brad Cieslack who were consulted to provide a separate analysis of the evidence in this case. After reviewing all the evidence in this case we find no indication of any crimes or criminal activity by any individual or entity. Furthermore, the evidence supports the Coroner's Office ruling that the death was accidental. All indications are that Tamar Fellner's own conduct caused her to fall out of the Raven Roller Coaster car to her death on May 31, 2003.

On May 31, 2003 Holiday World hosted an event called "Stark Raven Mad 2003." Roller coaster enthusiasts from around the country, including Tamar Fellner and her fiancé, Robert Weitzner, of New York attended the event. Before the event, records show the Raven Roller Coaster was inspected on May 31, 2003 and the roller coaster ran all-day and evening without any problems or guest complaints. Holiday World warned participants in "Stark Raven Mad 2003" that any attempt to interfere with safety mechanisms on any ride would subject the violator to removal from the park. At approximately 8:00 p.m. Tamar Fellner and her fiancé, Robert Weitzer, got into the rear seat of the rear car of the Raven Roller Coaster. A ride operator states she specifically recalls checking Tamar Fellner's seat belt and lap bar before the

coaster left the station. The coaster returned to the station and Fellner and her fiancé, Weitzner, stayed in their seats and decided to ride the coaster again. Another ride operator states she checked Fellner's seat belt and lap bar again before the coaster left the station. Fellner's fiancé, Robert Weitzner, also stated that he and Fellner were both restrained by the belts and lap bars at the beginning of the last ride and that both were checked by an operator prior to departure. At the time the last ride was in progress, three individuals in the Holiday World parking lot observed an individual matching the description of Ms. Fellner in the last car of the Raven Roller Coaster virtually standing up during the ride. Two of the witnesses were visiting the park and one of the witnesses was a tram operator in the park. Authorities verified the individuals could see the Raven from their vantage points. At the mid-course drop (Hill #5) Weitzner states Fellner fell out of the car and onto the tracks. Other passengers seated in front of Fellner and Weitzner stated after the last decline Weitzner began yelling and when the coaster returned to the station Weitzner told them that Fellner had fallen out. Weitzner, ride operators, and a passenger who was a doctor ran back along the tracks where they found Fellner lying under the wooden structure of the coaster at the last drop. The doctor and park medical personnel immediately began CPR until an ambulance arrived and Fellner was pronounced dead by Coroner Bob Duley en route to the hospital. Fellner's body was examined by a forensic pathologist at St. Joseph's Hospital in Huntingburg and his opinion as to the cause of death was exsanguination (blood loss) as the result of multiple injuries as the consequence of a forty-foot fall from the roller coaster. He further stated the injuries included multiple open and closed bone fractures to her body. Blood and urine toxicology results were negative.

When the coaster returned to the station without Fellner a ride operator noticed that Fellner's seatbelt was unfastened. The coaster was evacuated and then quickly secured by a Santa Claus Deputy Marshal. The car was examined and photographed. Fellner's seatbelt was found unfastened and each end was tucked between the cushion and the sidewall on both sides of her seat. The lap bar where she had been sitting was down.

The coaster car was then examined by an inspector from the Indiana Department of Fire and Building Services on June 1, 2003 and the lap bar and seatbelt where Fellner had been sitting was found to be free of defects and functioning properly. Afterwards, the car was also examined by an independent roller coaster inspector who also found the car and its restraining devices to be in proper working order. An engineer from an engineering firm also tested the coaster and car and concluded that the forces experienced on the Raven wooden roller coaster are well within industry accepted standards and if Ms. Fellner would have been properly seated in her seat, with either one of the restraining devices properly used, she would not have left the roller coaster vehicle. The independent coaster inspector also reviewed all documentation of the Raven including operator handbooks, training records, maintenance records, ride manuals, and verbal and written guest instructions and found them to be complete and consistent. His preliminary opinion based on the evidence he examined was that:

Ms. Fellner engaged in conduct contrary to the rules of operation and in disregard of the verbal instructions and posted written warnings. These actions resulted in Ms. Fellner placing her body in a position that the ride was not designed to carry human passengers. Once in this un-designed riding position, the forces exerted on the body resulted in Ms. Fellner leaving the passenger carrying area of the car and falling down through the wooden structure to the ground. The injuries sustained resulted in the unfortunate loss of Ms. Fellner's life.

The independent coaster inspector also stated his preliminary opinion was that the ride structure and ride vehicles have been maintained, operated, and used in accordance with the design standards and industry accepted standards. He concluded the Raven Roller Coaster is fit for use by the general public and that the ride will provide an enjoyable, safe experience for all passengers who are riding in the designed manner.

We believe it is also significant that there were no problems with the Raven before the incident and that there have been no problems since the incident.

Unfortunately, other than his original statement, we were unable to obtain further information from Ms. Fellner's fiancé, Robert Weitzner. He failed to return our calls or cooperate in the investigation despite several requests to do so. We continue to extend our sympathies to the family of Tamar Fellner and again I have been pleased by the thorough work of the investigating officers as well as the full cooperation of Holiday World under these difficult circumstances.

Jon A. Dart
Spencer County Prosecutor

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