

Construction crane falls, kills 5

Contractor previously was negligent

By James Clifford
Associated Press

SAN FRANCISCO (AP) — A crane plummeted from the 16th story of a building under construction Tuesday, flattening a school van, several cars and smashing into an office building across the street. At least five people were killed, 21 injured and five left missing, authorities said.

"It felt like an earthquake," said Merrill Lynch Vice President Joe McLaughlin, who was in the damaged office building. "I looked out and saw two bodies. One construction worker's boots were sticking up through a mass of jagged metal."

In the aftermath of the accident that rained concrete and twisted steel on one of the busiest intersections in the financial district, a prosecutor said criminal negligence charges twice previously had been filed against the project's general contractor for accidents on Los Angeles construction sites.

There were conflicting statements on what was happening before the crane fell. Fire Chief Fred Postel said it was hoisting steel beams, but the general contractor said the crane was being repositioned from the 16th to the 20th floors.

A piece of the crane at least three stories long dangled from the side of the building under construction two hours after the 8:30 a.m. accident. Police roped off the area and ambulances rushed in and out.

The street was littered with flattened cars and a mangled motorcycle. Gas was cut off to the damaged 21-story office building for fear of an explosion.

"The wreckage looks absolutely incredible — steel beams look like pickup sticks," said Acting Mayor Angela Alioto, sitting in while Mayor Art Agnos tours the country urging tourists to return in the wake of the Oct. 17 earthquake.

At an afternoon news conference at the scene, Alioto said experts could not immediately determine the cause of the collapse. She also said streets in a four-square-block area would be closed for at least a week for cleanup and repairs, and the California Street cable car also

was shut down.

Alioto said the dead were four construction workers, all from the Seattle area, and the woman driving the school van, operated by Laidlaw Transit Inc.

"It's pretty rough," said Laidlaw Senior Vice President Howard Wallack. "They (other employees) are pretty upset, and we are arranging a chaplain and psychologist to go over to our offices."

The fire chief said five people were listed as missing in the twisted steel and broken concrete.

Three hospitals reported receiving 21 victims, four in serious condition. Most of the rest had minor injuries.

Swinerton & Walberg Co. of San Francisco, the general contractor on the job, said the crane was being repositioned from the 16th story to the 20th story, the second such repositioning of the project.

The crane, model No. SN355 manufactured by American Pecco of Millwood, N.Y., had a capacity of 17 tons. The site was last inspected by the state Occupational Safety and Health Administration on Aug. 11. The project, which began in January, has not been cited for safety violations, the company said in a news release.

Criminal negligence charges were twice filed against Swinerton and Walberg in 1981 and 1986 for separate accidents on the Los Angeles sites, said Los Angeles Deputy City Attorney Michael Guarino.

In 1981, charges were filed after a crane collapsed and an unknown number of people were killed, Guarino said. The case was dropped because prosecutors could not get the kind of charges they wanted to the jury, he said.

Prosecutors wanted to prove only culpable negligence in the case, Guarino said, but the state labor code requires that prosecutors prove wanton and willful disregard for human safety, he said.

In the 1986 case, Guarino said, Swinerton and Walberg was a co-defendant in a case stemming from a construction site accident that killed three ironworkers after the steel superstructure of a 21-story office building was overloaded.

That case resulted in a civil compromise in which Swinerton and Walberg agreed to sponsor a safety seminar for downtown Los Angeles contractors and to donate an unknown amount to a labor safety board, Guarino said.

According to Washington state Department of Labor and Industries records, the San Francisco project's crane subcontractor, The Erection Co. of Kirkland, Wash., was fined for safety violations at least four times before 1987, three times in 1987 and once in 1988, said department spokesman John Akins.

The company is appealing the last reported fine, which was imposed after a worker fell to his death while working on the Pacific First Center in downtown Seattle in August 1988, Akins said.

Attempts to reach Adam Jones, president of The Erection Co., were not successful and telephone calls to company offices were not returned.

In Tuesday's accident, debris rained down on a taxi driven by Issa Massarweh, who had two passengers at the time. The cab's back window was smashed.

"I don't know where my passengers are," he said. "I threw myself under the dashboard." He told his passengers to duck and when he next looked, they had left. He was unharmed.

"I heard a loud bang and stepped up and saw the tail end of a crane," said stockbroker Don Trabert, who saw the accident from his office in the Bank of America Building.

Department says it tried to suppress subpoenas

By James Rowley
Associated Press

WASHINGTON (AP) — The Justice Department said Tuesday it had sought to quash subpoenas issued by Pan American airlines for documents in government files about the in-flight bombing of Pan Am Flight 103 over Scotland that killed 270 people.

In a brief statement Tuesday night, the department said it moved, in a sealed court request last week, to quash the subpoenas served on six government agencies.

While federal judges in Brooklyn, N.Y. and Washington declined to grant the government's request, Pan Am was directed to narrow its request for information.

The department said Pan Am lawyers were told to submit a draft court order seeking information about how the suitcase with the bomb made its way aboard the flight bound from London to New York.

The department still reserves the right to challenge the request for a court order, said spokesman David Runkel.

The department's disclosure came as a government source who declined to be identified said investigators had traced clothing fragments from the suitcase that contained the bomb to a shop in Malta, lending credence to the theory that the route of the suitcase originated on that Mediterranean island.

British newspapers previously had reported the Malta clothing connection.

Runkel said the department moved to quash the subpoenas on the grounds that information in government files was part of an active criminal investigation and thus did not have to be produced.

Investigators are trying to pin down just who placed the suitcase on a Frankfurt-bound plane in Malta and how it was transferred to the Pan Am plane which proceeded from Frankfurt to London, where it became Flight 103 bound for New York.

Pan Am is trying to obtain government information about the case to defend a civil case in Brooklyn by the estates and families of people killed in the crash.

An insurance investigator hired by the airline concluded that the government was warned an hour before Flight 103 took off that a bomb might be aboard, but did nothing, according to part of the investigator's report released early this month by Rep. James Traficant, D-Ohio. CIA spokesmen have characterized that report as nonsense.

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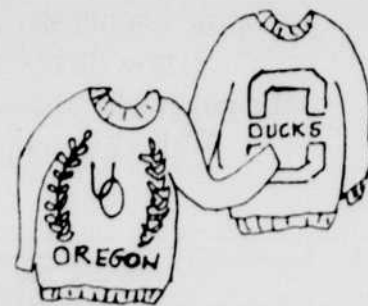
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