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Cops Invade Last Chance



Five "private property, no trespassing" signs on the locked gate leading to the Last Chance community had little effect on sheriff's deputies' plans to storm the settlement as part of a "training exercise."

Jennifer Teeter

by Jerry Busch

The Last Chance community is one of the most secluded settlements on the west coast. Nestled into the quiet redwoods and oaks of the hills north of Davenport, it has no phones, no PG&E, no water lines.

The majority of Last Chance's residents live solitary, rugged life styles in the best old frontier tradition.

Last week, the peaceful serenity of the Last Chance settlement was shattered by an extended visit from five deputies of the Santa Cruz County Sheriff's Department.

Dressed in plain clothes and driving poorly marked four-wheel drive vehicles, the deputies pulled up Last Chance Road at about 11:00 Wednesday morning, November 28th.

All the officers were armed — one had his badge stuck in a boot and a handgun strapped across his bare chest, Pancho Villa style.

Adopting what one resident described as a "cavalier, bandallero attitude," the officers proceeded to march and drive across some 20 private parcels of land, questioning residents, trampling yards, looking in windows, threatening property owners and parking vehicles in at least six private driveways.

One woman — who wished

to remain anonymous — and her two children were brusquely chastised for living in "substandard, impoverished conditions."

Many of the Last Chance citizens requested anonymity, expressing fears of possible reprisal on the part of the sheriff's department.

Another woman — and women seemed to bear the brunt of the posse's intimidation tactics — was informed that, by barring an officer from entrance to her home, she was tacitly guilty of concealing evidence.

Numerous residents were told by deputies that the sheriff's department had imminent plans to "red tag" the illegal residences in the community and have the buildings destroyed by a bulldozer.

"It was outrageous," said one resident, who declined to be identified. "They came in like gang-busters, and gave us the impression that they could go snooping around everywhere."

"We have families up here that are now living in daily fear," he continued. "Who knows when they will keep their promise for a return engagement?"

In front of the last house on Last Chance Road, deputies found four marijuana

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SCHAC's Back

Signature gathering efforts began in Santa Cruz this week to place a rent stabilization initiative on the city's March 6 ballot. The initiative is essentially the same as Measure B which was narrowly defeated by 74 votes in November.

However, City Attorney Rod Atchison issued an opinion earlier in the week stating that, according to the Elections Code, the measure cannot be brought before voters until Novem-

ber 1979.

Bruce Van Allen from the Santa Cruz Housing Action Committee (SCHAC) disagrees, saying relevant sections of the Elections Code place a time limit only on measures voted on at "special elections."

Van Allen contends the March municipal election is considered a general election because city council seats will be voted on.

The city charter defines a general municipal election

"as one for filling elective office," Atchison told the *Independent*.

Atchison also said the next section states that all other elections are to be considered special elections.

SCHAC will continue to circulate its petitions in hopes of qualifying for the March ballot, Van Allen said. He said SCHAC is prepared to go to court over the eligibility dispute but hopes that is not necessary.

—G.L.

Last Chance _____ from front page

plants growing. The same house yielded several plants from inside rooms, when deputies entered the house without a search warrant.

Whether the plants were seized legally is one of the finer points of the law, and is dependent upon the extent to which the officers had "probable cause" to believe marijuana was visible from outside the house.

An officer may not search "back yards" or other areas conventionally off limits to the public. He can only look from such "public thoroughfares as sidewalks, driveways and public trails," says Tom Kelly of the district attorney's office.

None of the deputies apparently carried any kind of warrant, and despite numerous queries by residents, no warrant was produced.

Ironically, the residents were told by deputies that the group was a warrant-serving detail.

Deputies also told residents that the detail was on a training mission. Still another story was that the deputies had heard reports of a "large field of marijuana" growing in the Last Chance area.

No field was located — no arrests were made.

Last Chance people searching for an explanation were scoffed at or ignored by the deputies.

Why, then, did two four-wheel drive vehicles containing five sheriff's deputies drive 15 miles into the mountains to descend on Last Chance?

The answer to this question is supposed to be provided by the police report, which is available to the press. Unfortunately, the police report in this case is inadequate, even in the eyes of Public

Relations Sergeant Michael Aluffi.

"The report is a little short," admits Aluffi. "The deputy who wrote the report (Deputy Joseph Henard) told me that he had seen one marijuana plant growing within the Last Chance settlement, prior to the date of the seizure."

The report maintains that the deputies came across the marijuana while on warrant-serving detail, yet the nearest warrant served that day was in Boulder Creek.

The possibility that Deputy Henard had prior knowledge of marijuana plants is belied by the search party's lack of a warrant. Warrants are not always necessary — but for five deputies to caravan miles across rough country, guns in tow, with not so much as a search warrant to insure a successful bust, seems a bit ludicrous to many Last Chance residents.

When asked if Deputy Henard would be reprimanded for his questionable performance, Sgt. Aluffi responded, "There is a possibility."

Don Harris, a resident of Last Chance who sits on the Santa Cruz Community Action Board (CAB), stated that he will make a move at the next meeting to set up a police activities review board similar to the one suggested by the defeated CALM initiative. □

Union _____ from front page

the city, declined on Wednesday to comment on CEA charges that city management sought to "ignore and destroy the rights of the Employees Association." □