

# Aptos chief to be prosecuted for drill

By MARJ VON B

A criminal complaint will be filed against Aptos Fire Chief Richard Chinn, District Attorney Phil Harry told reporters this morning.

But apparently Chief Chinn was not notified about Harry's decision prior to the public announcement.

The chief, not known to be at a loss for words, said through a spokesman this morning "nobody has contacted us." And he refused to speak to reporters.

Harry stated in a written press release handed out to newsmen that he had decided to charge the chief with violating section 148.3 of the penal code, which prohibits falsely reporting an emergency to government agencies.

Chinn kicked off a disaster drill last week on Thursday morning by reporting a helicopter crash, in which 13 persons supposedly were injured, to the county communications center.

The district attorney said, "There is no doubt after listening to the tape recordings (of the radio calls made to the communications center) that he personally made a false report of an emergency."

Although Harry said of Chinn, "I am certain he had good motives in preparing and carrying out his 'emergency', I can not ignore his unilateral action in making a false report to the sheriff's communication department..." Harry noted that the "same call went out to the highway patrol and all other fire agencies and was picked

up and disseminated to third parties who took action based on false information."

As an example, Harry said Watsonville Community Hospital was the closest to the scene of the "accident", and the staff there "reacted by preparing for an influx of injured which did not occur, as Chief Chinn sent all the 'injured' to Dominican Hospital."

The Watsonville hospital staff heard about the emergency "third hand," Harry said, "and after moving beds and patients around, they found out 25 minutes later it was just a drill..."

This was disputed by Mrs. Doris Ruschin, director of nurses and acting administrator at the hospital in Mort Walser's absence.

Mrs. Ruschin stressed this morning that

the staff simply had "mentally prepared" for the emergency.

"We had not moved patients and beds," she said, "We held some beds or cots in the emergency room, but no one was deferred who needed treatment."

Harry said that while he recognized the "desirability of disaster drills," he charged that Chinn "had deliberately ignored" proper procedures for them and had "endangered lives" of personnel responding to the scene and those of citizens.

"He can't unilaterally conduct a drill, and he should have coordinated that drill with all interested parties," Harry declared.

A number of public agency heads involved have said they had discussed the prospects of such a future drill with Chinn but that no

specific time for it had been set.

At a meeting of Aptos Fire Commissioners this week, Chinn attributed criticism of the drill by other law enforcement agencies to their "poor performance" in the exercise.

He said that if Harry were to file a criminal complaint against him "all the garbage about all the rotten operations of some departments in the county are going to come out...because I'll see that they come out."

Of this statement, Harry said today, "I don't know what he's talking about."

"But I wasn't going to charge him before he said that, then I sure am going to afterward."

He added, "I am not going to be involved in any coverup. If there are any garbage operations, frankly, I want to know what they are, too."

Harry said further that if there needs to be a change in the procedure for such drills, Chinn is not the one to decide such changes on his own.

"If all the chiefs in the county could decide to call a drill on his own, we'd have chaos in the county. And pretty soon no one would show up," said Harry.

"They'd just say, 'Oh, it's just one of Chief Chinn's drills.'"

Though Harry said he "sympathized with Chinn's problem of how you get people to respond realistically," he added, "That's not his decision to make on his own."

The DA said he thought a jail sentence would be "inappropriate" for Chinn's alleged offense, and that he plans to ask the court for leniency (if Chinn is convicted).

Chinn is to be arraigned in Santa Cruz Municipal Court next Friday at 9:15 a.m., according to Harry.

Meanwhile, Chinn's spokesman said the chief had been asked not to "speak to anyone without his attorney" and that included making statements to the press.

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