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United States Attorney
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PRESS RELEASE

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“FORMER FIRE INCIDENT COMMANDER PLEADS GUILTY TO MAKING FALSE STATEMENTS”

Spokane – Today, James A. McDevitt, United States Attorney for the Eastern District of Washington, announced that Ellreese N. Daniels, age 47, a resident of Chelan County, pleaded guilty to making two false statements during a Forest Service administrative investigation of the Thirtymile Fire fatalities. U.S. District Judge Fred Van Sickle has scheduled a sentencing hearing for July 23, 2008.

According to the plea agreement, on the afternoon of July 10, 2001, Ellreese N. Daniels was acting as the Crew Boss of the Northwest Regulars # 6 and the Incident Commander for the Thirtymile Fire that was burning in the Chewuch River Canyon on the Okanogan – Wenatchee National Forest. Efforts by two Forest Service engines to fight spot fires along the Chewuch River Canyon Road triggered the re-engagement of the fire by Mr. Daniels and members of his crew. Mr. Daniels and thirteen members of his crew became entrapped by the fire while fighting those spot fires. Four Forest Service firefighters in Mr. Daniels’ crew were later killed on a rock scree when the fire burned over their position.

During the subsequent administrative investigation, Mr. Daniels denied that the Forest Service engines had checked in with him as the Incident Commander when the engines arrived at the fire. During the same administrative investigation, Mr. Daniels claimed that he had repeatedly directed entrapped members of his crew who had congregated on a boulder on a rock scree next to the road to return to the road. This claim led to a conclusion that those who perished in the fire had disregarded a directive by Mr. Daniels as Incident Commander.

According to the Information Superseding the Indictment, Mr. Daniels made two materially false statements in writing. First, Mr. Daniels falsely claimed that while he was Incident Commander, he did not remember talking either on the radio or in person to any of the crew members of the two fire engines, which were designated as Engine 701 and Engine 704,

when those fire engines arrived at the Thirtymile Fire on the afternoon of July 10, 2001, and before those engines proceeded from the location where the Defendant and the Northwest Regulars # 6 were resting up the Chewuch River Canyon Road; when in truth and in fact Mr. Daniels knew that Engine Foreman Harry Dunn, who was driving Engine 701, had checked in with him upon arrival at the fire by stopping briefly at the Defendant's location and confirming face-to-face with Mr. Daniels that the engines would proceed up the Chewuch River Canyon Road to patrol for spot fires.

Second, Mr. Daniels falsely claimed that while he was the Incident Commander, he told Squad Boss Tom Craven and the other entrapped firefighters who were with Tom Craven on the rock scree in a loud voice to come down from the rock scree to the road, but that the firefighters did not come down from the rock scree; that Mr. Daniels told them a second time that "they should come down and hang out on the road," but "they proceeded not to come;" and that he subsequently yelled at those firefighters on the rocks to come down to the road as a big funnel of fire approached their position; when in truth and in fact Mr. Daniels knew when he signed and delivered the declaration that he had not told Squad Boss Tom Craven and the small group of firefighters who were with Tom Craven to come down from the rock scree to the road.

U.S. Attorney McDevitt stated that Mr. Daniels' guilty pleas correct the record both to the critical event that resulted in the entrapment of two squads of the Northwest Regulars # 6 and to the conduct of the four firefighters who died on the rock scree, specifically that those firefighters did not disregard a directive. Mr. McDevitt expressed the hope that the case will encourage the Forest Service and other federal wildland firefighting agencies to continue their efforts to improve the safety of suppressing wildland fires. Improving the safety of wildland firefighting depends in part upon participants being truthful with investigators about what occurred.

Each count of making a false statement carries a maximum penalty of one year imprisonment, a \$100,000 fine, and up to one year of court supervision after release.

This investigation was conducted by the United States Department of Agriculture, Office of Inspector General. This case is being prosecuted by Tom Hopkins and Tim Ohms, Assistant U.S. Attorneys for the Eastern District of Washington.