



Fitterer calls issue a surprise

Posted: Sunday, Dec 20, 2009

By Cameron Probert

Herald staff writer

EPHRATA — Judge Richard Fitterer said never thought in June a reported collision on state Route 28 outside of Quincy would become an issue.

"It was a surprise to read about it (in October,)" he said.

The Grant County District Court judge said he was returning from an appointment with his orthopedic specialist and a trip to Costco, when he allegedly failed to yield where the highway narrowed, scraping against a truck, according to Quincy and Ephrata police reports.

"It was an unusual incident at the time to get stopped. I talked to the officer. There were a couple of officers there. I put my Costco stuff away and went down to the office and got ready to leave," he said. "I forgot about it until months later."

The Quincy police report became the center of a political controversy when former state Sen. Harold Hochstatter asked Prosecutor Angus Lee why nothing happened.

Lee's denial of receiving the reports, spurred a group including Prosecutor Candidate Albert Lin and Deputy Prosecutor Teddy Chow to release a statement saying Lee was lying, according to a recent report by Jerry Moberg, an attorney for the county's insurance company, Canfield and Associates. Lin sought the office of prosecutor opposing Lee.

The report called the statement — written by defense attorney Randy Fair, and signed by Chow — misleading and meant to serve Chow's political interests. Chow was listed as a Lin supporter on the candidate's Web site.

Along with stating Chow should be fired, Moberg said Chow and Lin should formally apologize for the statement.

"There is absolutely no evidence that would suggest that Judge Fitterer acted in any manner that violated the law. Yet, Mr. Chow's statements of an alleged cover-up are premised on the incorrect belief that Mr. Lee was covering-up his refusal to prosecute Judge Fitterer, when in fact, there was no reason or basis to even consider prosecuting Judge Fitterer."

The judge sees the events as a political gambit, saying he doesn't expect an apology.

"That's a determination that the perpetrators need to make," he said. "I can't force an

apology. I think the public knows what the truth is and that's satisfaction enough."

Except for his wife, no one has asked about the allegations since the issue came up in October, Fitterer said. He also spoke with Hochstatter, telling him he could bring any questions to Fitterer. They've agreed to have coffee.

"My wife was concerned about it. She was more concerned about what I had done to her car," he said.

The judge couldn't respond to the statement in October because judges can't appear to lend weight to any side in race within the legal system, he added.