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TRANSCRIPT OF TAPE TAKEN AT HEARING ON
HOYT BROWN APPLICATION FOR DISABILITY PENSION
FIREMEN'S PENSION

May 27, 1963 - 1:30 P. M.

Present: Firemen's Pension Board Members; R. T. Mantlo, O. D. Hannigan, Jack Schmidt, Joe Lacy, Charles Green; Fire Chief Frank Kreps; Hoyt Brown and Attorney Charles Traylor; Mrs. Hoyt Brown; Dr. J. P. Hilton; Dr. Richard E. Troy; Mr. D. Palo; Mr. J. Loffreda; and City Attorney Gerald J. Ashby.

- Mr. Ashby: Now, it is stipulated that there need be no further proof on the qualifications of the doctors as experts in the field of neuro-psychiatry - that is, Dr. J. P. Hilton from Denver and Dr. Richard E. Troy from Grand Junction. Is that correct, Mr. Traylor?
- Mr. Traylor: That is correct.
- Mr. Ashby: In order to permit Dr. Hilton to return to Denver, (he has some problems with his teeth), we will put the Doctor on first.
- Mr. Ashby: Do you want to swear all of the witnesses now, Charlie; will that be all right with you?
- Mr. Traylor: Well, why don't we get the Doctor - Dr. Hilton sworn in first?
- Mr. Ashby: Dr. Hilton, will you raise your right hand? Do you solemnly swear that the evidence you are about to give will be the truth, the whole truth, so help you, God?
- Dr. Hilton: I do.
- Mr. Ashby: Will you state your name please?
- Dr. Hilton: J. P. Hilton
- Mr. Ashby: You are a doctor specializing in neuro-psychiatry? Is that correct, Sir?
- Dr. Hilton: Yes Sir, I am.
- Mr. Ashby: Where do you practice, Doctor?
- Dr. Hilton: Denver, Colorado.
- Mr. Ashby: How long have you been in the practice of medicine?
- Dr. Hilton: Thirty years.
- Mr. Ashby: I ask you whether or not, Doctor, you examined Mr. Hoyt Brown on February 24th of this year.
- Dr. Hilton: Yes Sir, I did.
- Mr. Ashby: And for whom was that examination conducted?
- Dr. Hilton: For the State Compensation Insurance Fund.
- Mr. Ashby: Is it not also true, that you were also examining him for the City of Grand Junction?
- Dr. Hilton: Yes, Sir.

Mr. Ashby: I ask you, if you could tell us of what that examination consisted?

Dr. Hilton: It consisted of a history of his condition and past life, and a neurological examination.

Mr. Ashby: From this examination, Doctor, were you able to form an opinion as to whether or not Hoyt Brown is so disabled that he will be unable to continue as a member of the Grand Junction Fire Department?

Dr. Hilton: Yes, Sir. I was.

Mr. Ashby: What is that opinion, Doctor?

Dr. Hilton: In my opinion, Mr. Hoyt Brown has a chronic nervous condition, which I do not believe is so disabling as to make him incapable of working, as a fireman for the Fire Department.

Mr. Ashby: Now, on what do you base that opinion, Doctor?

Dr. Hilton: I base this opinion on the improvement which he had made at the time I saw him, and on the fact that the condition which he has, an anxiety reaction, is a condition from which people do recover.

Mr. Ashby: He is, though, you feel, presently able to return to the job, or to do the job?

Dr. Hilton: Yes Sir. That is my opinion. If he is able to understand the nature of his condition, and prepare himself for reactions of being startled or fearful in his work.

Mr. Ashby: Is this a, this anxiety condition, is this a condition that can be said to be peculiar to Mr. Brown?

Dr. Hilton: No, Sir. This condition of course is common to all of us. The reaction of being startled or panicked or terror-struck is a normal reaction which we have, of course, all of our lifetime. Sometimes it is connected with specific circumstances, such as automobile accidents. The individual may remain for some period of time, afraid to ride in automobiles, or feel tense in automobiles. It's the association of fear with specific instance, and this in my opinion is not an abnormal condition. It is an exaggeration of a normal reaction, and can be treated as such. The treatment is to get the patient to understand this reaction and to prepare himself for it.

Mr. Ashby: Mr. Traylor.

Mr. Traylor: Now, Doctor, when you say that this patient should be prepared for the reactions that he is to experience when he returns to work, by that, do I assume that you mean that he should probably have some extensive psychiatric treatment?

Dr. Hilton: This would help him. He told me that when he had tried working, alarm bells and such would cause his heart to pound and cause him to shake and tremble, and such, and these are things which he can prepare himself for, understanding that this reaction is not an abnormal thing.

Mr. Traylor: How long would you believe it might take to prepare him for such eventualities?

Dr. Hilton: He told me he had been under treatment with Dr. Troy up until the time I saw him, and had last seen Dr. Troy three or four weeks before that. He was still taking medicine. This is the sort of problem that can be treated with the individual at work, with occasional interviews.

Mr. Traylor: Psychotherapy, I believe. Is the word they use?

Dr. Hilton: Yes, Sir.

Mr. Traylor: So you believe that by psychotherapy and other treatment he can be made to prepare himself to return to the job? Is that correct?

Dr. Hilton: This is my opinion .

Mr. Traylor: And up to this time, from the case history that you had, there was no doubt in your mind, was there, Doctor, that an anxiety state existed and that this man actually was afraid of driving a rescue car and (so much noise on tape could not make out next few words)

Dr. Hilton: This was my opinion.

Mr. Traylor: So, up to the time that you saw him, based on his case history, you did state that he was suffering from a chronic anxiety reaction?

Dr. Hilton: Yes, Sir. This I so stated in my report.

Mr. Traylor: And I believe you also stated that he had reached the maximum improvement?

Dr. Hilton: This is by his own admission and by my impression of the progress he had made. He told me he felt that he was as well as he could ever get.

Mr. Traylor: Doctor, are you acquainted with the present work history - when I say the present work history - that work history that has developed where this man is now employed at Plateau Equipment Co.?

Dr. Hilton: He told me that he worked or tried to work a few times and was presently helping manage an apartment house and had gone to work for, I believe, it was the Plateau Equipment Co. Has he been there a week?

Mr. Traylor: Supposing it was developed that this man is having difficulty at the Plateau Equipment Company, which job is a rather menial job of sorting packages, etc. Nothing requiring any strain. But suppose that it developed that he is having trouble in doing this job also, would that make any difference in your opinion as to whether or not he can go back to the Fire Department?

Dr. Hilton: I don't believe it would. I don't believe this man is permanently disabled by this condition. I think its a temporary type of disability and it only occurs part of the time every day; it's not a continuous thing. I believe work is essential for this man, plus some psychotherapy as an out patient you might say.

Mr. Traylor: When you say an "out patient," you mean something like Ft. Lyons, or somewhere they go and get some -----

Dr. Hilton: Well, Dr. Troy is his physician. He could see him once a month for support until this reaction has disappeared completely, or as much as it will. We never get rid of this startled reaction anyhow.

Mr. Traylor: But it's true, is it not, Doctor, that some people are pre-disposed to mental stress and anxiety. In other words, some of us it wouldn't affect - this accident that he had. Others it might trigger or touch off a psychic reaction because of his pre-disposition, put us in pretty bad shape.

Dr. Hilton: This is true, Some of us are more vulnerable than others and we never know which occurrence will be the one to cause us to have these feelings of panic, but it is a condition which eventually does disappear.

Mr. Traylor: Now, you of course, are familiar with the type of work that they do there at the Fire Department. It has the rescue squad, and the firemen, and these men, of course, they have to make decisions. They have to move and take care of people and they have to fight fires and be prepared to meet emergencies. That's correct, isn't it?

Dr. Hilton: Yes, Sir.

Mr. Traylor: And, of course, this is the kind of thing that seems to have disturbed Mr. Brown, is it not?

Dr. Hilton: Yes, but by the same token, this reaction so often serves to prepare the individual for the task at hand. This is why I say

psychotherapy could help this man if it were approached from that point of view. But this is not a destructive process but a condition that any of us can have, and if you can learn to live with it, it will help him prepare himself for emergencies.

Mr. Traylor: Now, in your opinion I believe you stated that you felt that he had a 5% disability as a working unit. This statement is more for the Industrial Commission Workman Compensation sort of case than it is whether or not a man can presently do a job or not do a job. Isn't that correct?

Dr. Hilton: Yes, Sir. This would be similar to a man who has had a back operation for a disc. The usual amount of disability given them is 5% for instance. He does have some disability. This is granted.

Mr. Traylor: Well, then in your opinion do you feel that this man, although he has been incapacitated, should return to work say tomorrow and start right back in on his shift?

Dr. Hilton: I think he should try, yes Sir - with the help of Dr. Troy.

Mr. Traylor: Do you know from the history, whether or not the Chief and everybody else did try to help him get back?

Dr. Hilton: Yes, he tried several times, but always with a feeling that this was a destructive approach to the problem, because he would have these attacks of panic, and his heart pound and he'd shake and tremble and it seemed to be too much for him.

Mr. Traylor: Now this symptoms of your heart palpitation, your even vertigo, and your vomiting, etc. is a common characteristics of a chronic anxiety state, is it not?

Dr. Hilton: Yes, or a chronic feeling of panic.

Mr. Traylor: So his physical demonstrations did complement the findings that you and Dr. Troy made?

Dr. Hilton: Yes, these feelings are real and with the same feelings that the actor or actress has when they first appear on the stage. Their hearts pound, they shake and tremble. There is a feeling of panic and it disappears as soon as the task is begun. This is one of the approaches in psychotherapy with this type of case is to try and help the patient understand that this is not a destructive process. - - - - -

Mr. Traylor: I see.

Dr. Hilton: That he doesn't have heart trouble or head trouble or stomach trouble, and so on

Mr. Traylor: Assuming then - Well, although he doesn't have these organic troubles, actually they are as true in his mind as if he really had them, aren't they, Doctor?

Dr. Hilton: Yes, he could be taught to recognize them as feelings that go ordinarily with fears.

Mr. Traylor: Assuming then that Dr. Troy continues to work with Mr. Brown and that Dr. Troy tries as best he can, but is unable to make Mr. Brown, by his therapy treatments, overcome this fear, then is it necessary then to go into a hospital for some further treatment?

Dr. Hilton: It may become necessary. Yes.

Mr. Traylor: I don't think I have any further questions at this time.

Mr. Ashby: I have nothing more, Doctor. Chief Frank Kreps, I'm going to swear you. Do you solemnly swear the evidence you are about to give will be the truth, the whole truth, so help you God?

Frank Kreps: I do.

Mr. Ashby: State your name, please.

Mr. Kreps: Frank Kreps.

Mr. Ashby: How are you employed?

Mr. Kreps: Fire Chief of the City of Grand Junction.

Mr. Ashby: How long have you been the Fire Chief for the City?

Mr. Kreps: Since July, 1954.

Mr. Ashby: Would you explain to the Board what duties are required of the Firemen with the Grand Junction Fire Department?

Mr. Kreps: The Firemen - the line Fireman is required to take care of the equipment; be able to handle the fire hoses; lay-out; pick-up; handle the ladders; put the ladders up; use the ladders; know first-aid; handle first aid and rescue operations; drive the equipment; service and maintain it along with the usual duties of maintaining the fire house.

Mr. Ashby: Now, these then would and were the duties that were required of Fireman Hoyt Brown?

Mr. Kreps: That's right.

Mr. Ashby: Are there gradations in the service presently in the Grand Junction Fire Department other than Chief and Assistant Chief?

Mr. Kreps: We have officers, but other than that there are two men that are assigned to driving equipment regularly, and they are required to meet all of the rest of the requirements too.

Mr. Ashby: What is the situation with regard to the fire rescue unit? Is that special duty?

Mr. Kreps: No. That's assigned each day to those that are available to go on it. We have to assign a different man each day, for different duties, and it is a kind of form of rotation, though it isn't on a regular schedule.

Mr. Ashby: In other words, then, any regular member of the Fire Department might be called upon to serve on the rescue unit?

Mr. Kreps: That's right.

Mr. Ashby: How long was Hoyt Brown employed as a member of the Grand Junction Fire Dept?

Mr. Kreps: Let's see - He was employed in 47. I forgot the exact month.

Voice: Sept. 1953.

Mr. Ashby: Well, let's just leave this. Mr. Kreps, we can straighten this out later on.

Mr. Kreps: I would have to look up the records to get the exact date.

Mr. Ashby: Would it be fair to state that it was approximately nine years that he had been with the department?

Mr. Kreps: It is right at nine years.

Mr. Kreps: I said 1947 in error. Probably shortly after 1950 - the early part of 1950.

Mr. Ashby: During that time he had the regular duties as were described by you; including work on the rescue unit?

Mr. Kreps: Yes, Sir.

Mr. Ashby: What was the history or what was the story of Mr. Brown's employment as far as fulfilling his duties during this nine-year period?

Mr. Kreps: He held up his end of the job. He was satisfactory. There was nothing outstanding or there was nothing to be against him as far as his work was concerned. He was a little better in some things, and not so good in others. Just an average employee in the Fire Department.

Mr. Ashby: Now was this true subsequent to the accident which occurred - in which he was involved?

Mr. Kreps: Yes, it was.

Mr. Ashby: Now, sometime subsequent to his being involved in this accident he was given certain desk duties, was he not?

Mr. Kreps: After the accident, he was allowed to work on the radio because of his aversion to going out on the equipment.

Mr. Ashby: This is not a regularly, or a regular job with the Department, this radio job?

Mr. Kreps: It is not assigned as a specific job, no. It is on a rotation basis, too.

Mr. Ashby: In other words what you described originally as being the duties of a Fireman are the duties of all the Firemen?

Mr. Kreps: That's right.

Mr. Ashby: Mr. Traylor

Mr. Traylor: Now, Chief, when a man on your department feels that he can't take certain jobs, that in turn fouls up your rotation. It don't lend to the best operation of the crew, does it?

Mr. Kreps: No, it doesn't. If the department was large enough, we would probably have some specialized areas, but its being small, and it requires the men to do practically every part of the job.

Mr. Traylor: In other words, if Hoyt Brown returns to work for you, he will be required to do the duties with everybody else. You can't have any favorites or just give him some little job to do, can you?

Mr. Kreps: Only for just a temporary period. We use the desk job down there just on a temporary basis.

Mr. Traylor: And prior to the time when he secured another job, the time in which he had served on and off and being absent was getting to be quite a strain on you and the rest of the force, was it not?

Mr. Kreps: Yes, it left his crew rather short handed.

Mr. Traylor: And you, as the Chief, felt that some decision had to be reached; that either he had to come back to work and work steady, or else he had to try and find something else to do, wasn't that correct?

Mr. Kreps: That's right.

Mr. Traylor: And having observed him after the accident, would you say that in your opinion that he was able to take the rescue squad and go out and perform jobs like the rest of the firemen did?

Mr. Kreps: Well, he seemed to be able to, though he became sick quite frequently after reporting to work, and also while being on the desk. He wasn't required to go out on a piece of equipment only until Dr. Troy released him and said the only way we will find out is to let him assume full duty.

Mr. Traylor: If he returns to work as Dr. Hilton suggested, he would be required to perform his duties, would he not?

Mr. Kreps: Well, yes, we need a full-time man.

Mr. Traylor: I think that is all, Gerry.

Mr. Ashby: Charles, that is all that I was to put on. Do you want to go ahead with your

Mr. Traylor: Yes, we can go ahead.

Mr. Traylor: Dr. Troy, will you raise your right hand?

Mr. Ashby: Yes. Doctor, do you solemnly swear that the evidence you are about to give will be the truth, the whole truth and nothing but the truth, so help you God?

Dr. Troy: I do.

Mr. Traylor: Doctor, I believe that your qualifications have been admitted, and I would like to ask whether or not Hoyt Brown has been a patient in your office and is presently a patient in your office?

Dr. Troy: Yes. Mr. Brown has been a patient of mine since March 19, 1962.

Mr. Traylor: And during that time have you had occasion to take his case history and actually treat Mr. Brown?

Dr. Troy: I have.

Mr. Traylor: And based on his case history and treatment which you have administered to him, have you reached a conclusion as to what his present condition is?

Dr. Troy: Yes.

Mr. Traylor: What, in the language of a psychiatrist, would you say he presently is suffering from?

Dr. Troy: Well I would - perhaps the easiest way to summarize this if I may would be a final paragraph of a letter I wrote to the State Compensation Insurance Fund on January 14th of 1963. The next to the last paragraph states "I hope this letter may explain the situation as I feel it to be. I do feel this represents essentially an obsessive phobic anxiety neurosis precipitated by the accident in January 1962. Had this accident not occurred or had another similar episode not occurred, I doubt that Mr. Brown would have developed these symptoms related to the excitement of unknowns of the emergency type of work that he has been doing for the previous nine years with the Fire Dept." I think I have another - as you can see I have done some work with Mr. Brown here. Paragraph here that may explain it even more effectively. In another letter to Chief Kreps in October, 1962 I stated "In summary Mr. Brown did have some anxiety and personality problems preceding the accident with the rescue squad, but the accident itself apparently has aggravated this condition, and though there has been some improvement, it has not been sufficient to allow him to return to full duty with the Fire Department."

Mr. Traylor: In that regard, Doctor, you have throughout your treatment urged Mr. Brown to return to the Fire Department and perform his duties, have you not?

Dr. Troy: I have. In this I think Dr. Hilton and myself and everyone would concur that Mr. Brown does need to be employed for his own health.

Mr. Traylor: And he did, as far as you know, and the case history shows, try from time to time to go back and perform his duties with the Fire Department, did he not?

Dr. Troy: He did and as Dr. Hilton mentioned, all of my efforts and I think all of Hoyt's efforts were to try and get him back to full duty with the Fire Department. We went so far as to put some psychological pressure on him by releasing him. As Chief Kreps said they did try him back on full duty and he became so anxious that he was ineffective, he developed physical symptoms, upset stomach, nausea, vomiting, dizziness; common symptoms of a rather overwhelming anxiety.

Mr. Traylor: Doctor, these chronic anxiety states that you and Dr. Hilton describe - they are just as real to the person that suffers them, as if you had cut your finger and actually saw it bleed. Is that not right?

Dr. Troy: I'm afraid our emotions are a part of human beings just as much as our bodies are, and the philosophy of separating mind and body - well sort of irritates me. We have all experienced, as Dr. Hilton said, episodes of anxiety, where our hearts pound, our pupils get wide, and our stomach ties in knots; our heart pounds like a trip-hammer; our pupils are like saucers; these are normal physiological reactions to normal emotions.

Mr. Traylor: Now, assuming that a man is suffering from this - sometimes described by psychiatrists as a neurosis following a trauma, would you think - would you have - an opinion as to whether or not a man performing duties such as required of these firemen, it would be safe to have a man trying to perform these duties when other people are depending upon his judgment and his cooperation?

Dr. Troy: No. I think we have all made efforts to get Mr. Brown back to his responsibilities with the Fire Department. He has tried it, tried it honestly I feel, and in situations of - well as I mentioned in this one paragraph "the unknowns". This is something that frightens all of us - is "the unknown." When he can't - doesn't

have the opportunity to prepare himself for an action; that the sudden emergency situation might well make him bolt and run.

Mr. Traylor: Doctor, for the benefit of we laymen, and I think you psychiatrists have a feeling that we know more than we do always - what I am trying to get over to the Board, through you, is this - some of us have some pre-disposition to a psychic injury. In other words, we don't know what event in our life might trigger off a complete neurosis, do we? Maybe with some small boy who is very attached to his father, the death of the father might cause that child to become, for some unknown reason, completely "wacky" as we laymen would describe it. Maybe someone has a car accident, they won't - can't drive a car thereafter. And this is not unusual from your eyes, since you see a lot of these people, isn't that correct?

Dr. Troy: That is correct.

Mr. Traylor: And what makes a person - when something - now this wreck he had, it's true, he didn't get all churned up and beaten up physically, but what triggered this psychic reaction it's difficult to say, isn't it?

Dr. Troy: Yes and no. In other words, if you would like I will try to explain this sort of thing. As you point out, in our personalities of each of us, we have our strengths and our weaknesses. Some stress may bother me a great deal and not affect you to speak of. Another stress might be quite upsetting to you and would be like water off my back. With Mr. Brown, this accident, by the very nature of it, the out-of-the-blue, the suddenness, the kind of thing that an accident really is - I think was the trigger, because Mr. Brown has always been one who had to, insofar as possible, prepare himself, as Dr. Hilton uses the words, to meet a stress situation. And in the years preceding this accident, he did a pretty fair, good job of being able to meet these stresses - prepared himself to meet these stresses - in the emergency situations that he ran into. This episode seemingly brought out all of the anxiety that he has not as yet been able to get hold of.

Mr. Traylor: I was going to lead into that, Doctor. Dr. Hilton seems to think that Mr. Brown should now return to the Fire Department, and start in his usual duties. You certainly have tried to work that out, have you not?

Dr. Troy: We have been working at it for about a year.

Mr. Traylor: And as of this moment, do you feel that Mr. Brown is able to return tomorrow and perform all of the duties that have been described by Chief Kreps?

Dr. Troy: No, I don't.

Mr. Traylor: And are you familiar with his problems that he is now having with the job he has now?

Dr. Troy: Yes, I am.

Mr. Traylor: And that job is not one, at least in your opinion, is it that would cause, you to have too much stress or strain?

Dr. Troy: No, in this present situation, Mr. Brown is having problems in terms of decisions. What to most of us might seem simple, easy decisions because of this chronic underlying anxiety, are major problems to him, and major decisions. I agree with Dr. Hilton. I think as he goes on, that these things, as he feels more confident within himself, that these will become smaller decisions. But, in turn, I would be darn hesitant to ask him to be out on a fire and make a decision as to whether we approach it this way or that way.

Mr. Traylor: Now, in your treatment of Mr. Brown, you have had him, oh, many hours, have you not, I mean.

Dr. Troy: Yes, I have.

Mr. Traylor: Seen him for one period for examination?

Dr. Troy: I have seen him, oh dear, one - two - three - four - five - six

Both: A number of times.

Dr. Troy: Including having him in the hospital on one occasion.

Mr. Traylor: Now, based upon your personal conferences, and your treatment of Mr. Brown, do you have an opinion as to whether or not he is a malingerer? Now, first of all, let me say this, as I understand a malingerer, that is one who tries to fake something or get something for nothing and kind of slide along.

Dr. Troy: No, I do not feel that Mr. Brown is a malingerer.

Mr. Traylor: You may question, Jerry.

Mr. Ashby: Doctor, Dr. Hilton seemed to feel that what brings the problem on here is in essence the startling occurrence with which Mr. Brown is apparently not able to cope. He also seemed to feel that he should be able to cope with these problems. I go back to the last question that Mr. Traylor asked you. How does this Board know, or how do you know, in a situation of this type - you made the statement that you thought he was honestly trying to cope with this problem, - how do you determine that - how do you know he is not malingering - in this particular situation?

Dr. Troy: Two things. One, the symptoms of which Mr. Brown complains - the symptoms that he presents - in many situations, not only his problem with the Fire Department; his difficulty getting back to being able to drive his own car; the anxiety he has when others are driving; these things pretty well fit a clinical pattern. An example that I doubt seriously that any malingerer would be aware of was on a couple of occasions Mr. Brown was to go over to Denver to have examinations by a couple of doctors over there. With encouragement, pushing and everything we tried, Mr. Brown got as far as getting on the train, and became so anxious and fearful - of a non-specific fear - in other words he couldn't put his finger on "now why am I afraid?" A malingerer has to consciously know what he is trying to do. As I say, I doubt if there is one in ten thousand people who would come up with this symptom complex that goes along with the other symptoms he had previously presented. I put it in that combination, I'm sure it is many more than ten thousand. Secondly, is the anxiety that is evident in my contacts with him directly. In other words, a malingerer, for instance, can't put on a good show, but most of us, thank goodness, start seeing through this show after a little while. This has been a pattern, as I say, that just fits a clinical described entity.

Mr. Ashby: Well, as you know Doctor, this is not what we would call an antagonistic -

Dr. Troy: I realize that

Mr. Ashby: hearing. This hearing is purely to discover what the problem is,

and to enable the Board to make a determination. One other question, this may or may not be helpful. I know it might be helpful to me. Is it true that since we all know that we all at one time or another are put under stress and strain, and all of us have at least some reaction to that, or all of us I assume are normal, does it then follow that there are individuals, who being put under that, for some reason or another, cannot react to it as normal individuals. Is that what we are saying here?

Dr. Troy: Can you explain that?

Mr. Ashby: Well for example, we've said that Mr. Brown gets in these things and he goes into a panic. Maybe you or I might experience this and go into a panic. Does he then have a difficulty beyond that where he doesn't recover from this - this panic as we might in a particular situation? Is this something that stays with him? This is back to my previous question on the malingering idea. He can't cope with this as the rest of us might? Is that the problem?

Dr. Troy: In a way, yes, and in the way I'm speaking, Mr. Ashby, is - in these situations of startled, excitement, emergency decisions - now as Dr. Hilton points out, yes, thank goodness, most people can recover. There is an old saying that "every man has his breaking point." We saw a great deal of this in the second World War. What was really stress for one man, another man could go through. But enough of it, a man finally broke. But they recovered. But that doesn't mean that they would ever be able to go back and get on the front line.

Mr. Ashby: The point that I am trying to make - I assume that each fireman, when he hears that bell ring, there is probably some agitation which occurs. Now this same thing would occur to Mr. Brown. The average fireman is then able to go out and do whatever he has to do. Mr. Brown isn't apparently.

Dr. Troy: That's right. Mr. Brown is not able to get hold and cope with the anxiety that this engenders him.

Mr. Ashby: Until this gradually works off over a period of time, or does it ever work off?

Dr. Troy: As far as something like an emergency situation as this - well let's put it an everyday emergency situation where these things are heaped on day after day, it's possible that he may never be able to go back and function in that capacity.

Mr. Ashby: In other words, what you are saying is that if that fire bell rings today, he develops this problem; if it rings tomorrow he won't be in any better shape than he was today. Is that true?

Dr. Troy: If he were able to lay off ten years and get this anxiety - and develop confidence in himself again, maybe he could go back to it. But by the very nature of Mr. Brown's - I think this, as I mentioned in there, is more of an obsessive phobic thing than a simple chronic anxiety state.

Mr. Ashby: I have no further questions.

Mr. Traylor: I don't think I have any further questions.

Mr. Ashby: For the purpose of the record we will show that as admitted, the letter from Dr. Troy dated October 22, 1962 to Frank Kreps; the letter from Dr. Troy, dated Jan. 14, 1963 to the State Compensation Insurance Fund; and the letter from Dr. J. P. Hilton, dated Feb. 27, 1963 to the State Compensation Insurance Fund.

Mr. Ashby: Now you have one other letter you wanted entered, did you not? You want that read into the record? The one about the train.

Mr. Traylor: I have quite a few things here, Gerald. I'll get them in as we go along.

Mr. Ashby: All right.

Mr. Traylor: Call Hoyt Brown, please.

Mr. Ashby: Raise your right hand. Do you solemnly swear that the evidence you are about to give will be the truth, the whole truth and nothing but the truth, so help you God?

Mr. Brown: I do.

Mr. Traylor: Your name is Hoyt Brown?

Mr. Brown: Yes, Sir.

Mr. Traylor: You have lived in Mesa County most of your life, have you?

Mr. Brown: All of my life.

Mr. Traylor: All of your life?
Gerald, with your permission, I think I'll lead him a little bit.
I think we'll get through a lot faster.

Mr. Ashby: That's all right.

Mr. Traylor: About when you were sixteen or seventeen, you worked for the Pepsi Cola Bottling Co., did you not?

Mr. Brown: Yes, Sir.

Mr. Traylor: Then in 1945, when you were 17 you joined the Navy. Is that right?

Mr. Brown: Yes, Sir.

Mr. Traylor: And you were a storekeeper on Guam. Is that right?

Mr. Brown: Yes, Sir.

Mr. Traylor: Served in the Navy about 18 months. Is that correct?

Mr. Brown: Yes, Sir.

Mr. Traylor: Received an honorable discharge?

Mr. Brown: Yes, Sir.

Mr. Traylor: No medical disabilities?

Mr. Brown: No, Sir.

Mr. Traylor: When you came out of the service in 1946, you first worked for your brother, is that right?

Mr. Brown: That is correct.

Mr. Traylor: And then shortly thereafter, in 1946, you went to work for the City.

Mr. Brown: Yes, Sir.

Mr. Traylor: And you worked in the Water Dept., the Highway Dept., and the Shop Dept. for about six years, is that correct?

Mr. Brown: Yes, Sir.

Mr. Traylor: And in 1953, I believe you started at the Fire Department?

Mr. Brown: Yes, Sir.

Mr. Traylor: And, what classifications or what work did you do there to get up - you were first what?

Mr. Brown: Well, first you are on probation. At that time for six months. Then you become a second-class fireman and then a first-class fireman.

Mr. Traylor: And you were at the time that you were required to leave the Department, a first-class fireman? Is that correct?

Mr. Brown: Yes.

Mr. Traylor: On your shift at least, were you Senior, next to the Captain and Lieutenant there?

Mr. Brown: Yes, Sir, or No, Sir, Mr. Hannigan and then I.

Mr. Traylor: Prior to the time of your accident, what were you required to do in the way of performance of duties?

Mr. Brown: My main duties was driving for Lt. Mantlo, and when Lt. Mantlo was off duty, I replaced him as Lieutenant on the Rescue Squad, and the rural and also when Captain O'Key was off, Lt. Mantlo would take the Captain's place, and I would take the Lieutenant's place. If both of them was off, I was moved up, and took the Captain's job - the full station.

Mr. Traylor: Did you seem to have any particular trouble up to January, 1962?

Mr. Brown: No, Sir.

Mr. Traylor: Now, in addition, I believe quite a few of you men down there moon-lighted, as we call it - you have other jobs in addition to your fire department jobs.

Mr. Brown: Yes Sir.

Mr. Traylor: Now, what job did you have - off-duty job did you have - in addition to your Fire job?

Mr. Brown: Well, I had several. One of them was driving truck for Grand Wholesale. For approximately two years, I worked as a mechanic at a wrecking yard out here.

Mr. Traylor: Did your wholesale job require you to drive a truck, actually to be on the road?

Mr. Brown: Yes Sir.

Mr. Traylor: Were you on the road both in the summer and in the winter?

Mr. Brown: Yes, Sir.

Mr. Traylor: Did you have any difficulty with driving that truck?

Mr. Brown: No, Sir.

Mr. Traylor: As far as you can recall, did you have any trouble driving the Rescue Squad or being on the fire wagon when you were on duty?

Mr. Brown: No Sir. Everybody hates it a little bit.

Mr. Traylor: Well, you were there approximately nine years?

Mr. Brown: Yes, Sir.

Mr. Traylor: What was your record of absenteeism - in other words, did you have a fairly good record of not being absent all of the time, or were you sick quite a bit? Before January 1962?

Mr. Brown: In my belief, it wasn't too bad a record.

Mr. Traylor: You had, at the time you were required to - excuse me. At the time you had the accident you had almost ninety days sick leave accumulated, did you not?

Mr. Brown: Yes Sir.

Mr. Traylor: Now this accident happened, January 11, 1962, is that correct?

Mr. Brown: Yes Sir.

Mr. Traylor: And as I understand it, both vehicles were totaled out.

Mr. Brown: Yes Sir.

Mr. Traylor: After that time you were put on the desk, were you not?

Mr. Brown: Yes Sir.

Mr. Traylor: The Fire Chief and the people were trying to help you by putting you on a job that would be not as much strain as driving the cars, isn't that correct?

Mr. Brown: That is correct.

Mr. Traylor: Did you have trouble, even on the radio desk?

Mr. Brown: Yes, Sir.

Mr. Traylor: You have heard Dr. Troy describe - you were afraid - is this in our language, instead of the psychiatrist's language - were you afraid of something, is that ?

Mr. Brown: - Subconscious to me, Dr. Troy brought that out. That was what was bothering me.

Mr. Traylor: And it is true, is it not, that the Chief, when you couldn't perform your job, finally had to say, "Well you either got to get going, or else I got to get someone to replace you."?

Mr. Brown: Yes, Sir.

Mr. Traylor: Now, when Dr. Troy finally told you, if he did, that you couldn't, as far as he was concerned, you shouldn't go back to the Fire Department, I think that was in the January letter, did you look for another job?

Mr. Brown: Yes Sir.

Mr. Traylor: And, did you - could you find anything that you could do or thought you could do?

Mr. Brown: I went to work for the Plateau Equipment Company.

Mr. Traylor: And how did you get that job?

Mr. Brown: Through the State Employment Service.

Mr. Traylor: And, how do you get along on your present job down there?

Mr. Brown: Touch and go. I don't know from one day to the other whether I'm going to have a job.

Mr. Traylor: What do you do down there, what's your job?

Mr. Brown: It's a combination of you might say - stockman, salesman, preparing of hydraulic hoses, delivering, picking up.

Mr. Traylor: You are not responsible for any big decisions down there, are you?

Mr. Brown: No Sir.

Mr. Traylor: Do you drive some now?

Mr. Brown: Just in town.

Mr. Traylor: Have you had occasion to drive out of the City or take a trip anywhere with your car and drive it yourself?

Mr. Brown: There was one time on the job that I was required to go to Silt.

Mr. Traylor: Did you refuse to go?

Mr. Brown: Yes Sir.

Mr. Traylor: What's the problem on the road if you have one?

Mr. Brown: It's a feeling that's hard to describe. I just start tensing up and get light-headed and first thing I know I've lost complete control of - get sick to my stomach. I just can't drive.

Mr. Traylor: Do you have any trouble with the telephone, even down at your place, there?

Mr. Brown: Yes Sir.

Mr. Traylor: What seems to be the problem there? I mean -

Mr. Brown: Well, it's my belief that I'm afraid that I am going to make a mistake that will cost my boss some money. I made one mistake that cost him \$50.00. I believe that is the fear of making another one, maybe costing him more.

Mr. Traylor: Now, you have a wife and one child, is that right?

Mr. Brown: Yes Sir.

Mr. Traylor: How old is your child?

Mr. Brown: She is six.

Mr. Traylor: And are you now still taking medicine?

Mr. Brown: Yes Sir.

Mr. Traylor: And do you still confer with Dr. Troy?

Mr. Brown: Yes Sir.

Mr. Traylor: And, were there two instances where you were supposed to go to Denver, and you got on the train, and became ill and had to get off?

Mr. Brown: A total of three.

Mr. Traylor: The first time, how far did you get?

Mr. Brown: To Palisade.

Mr. Traylor: Did the trainman stop the train and put you off?

Mr. Brown: Yes Sir.

Mr. Traylor: The second time, were you on the train and undressed and in bed?

Mr. Brown: Yes Sir.

Mr. Traylor: And then you had to get out of bed and get off the train?

Mr. Brown: That is correct.

Mr. Traylor: Do you feel that tomorrow that you could go down to the fire station and take over your regular duties?

Mr. Brown: No Sir.

Mr. Ashby: Mr. Brown, do you feel that you have a tendency to give in to these problems, or do you feel that you are trying to combat them?

Mr. Brown: I honestly feel that I am trying to overcome them.

Mr. Ashby: How do you approach that from your own standpoint?

Mr. Brown: I keep myself busy, and as I just stated, I use the medicine.

Mr. Ashby: This doesn't seem to help your position any - your feelings any?

Mr. Brown: No Sir.

Mr. Ashby: What was the problem down - specifically with the Fire Department - as far as the work down there that you were finally called upon to do?

Mr. Brown: I don't believe I understand -

Mr. Ashby: Well, what was the thing that occurred there at that time, when you were on the desk for example that upset you?

It was -

Mr. Brown: I just can't explain to you what caused it.

Mr. Ashby: Was it the entire routine down there, or was it the bells - or

Mr. Brown: The closest I can come to it I knew would be just everything would bog down - the tenseness that's down there, the bells. You never know when the phone rings what it is or how bad it is, and just everything in general.

Mr. Ashby: Did you during the time that you went back for employment there, have occasion to go out on the truck for the rescue squad?

Mr. Brown: Yes Sir.

Mr. Ashby: Were you able to perform that work?

Mr. Brown: No Sir.

Mr. Ashby: Did you not go on the truck (too much coughing on tape)

Mr. Brown: Yes Sir.

Mr. Ashby: And what occurred then, weren't you able to do what duties were required of you?

Mr. Brown: I - one time I went out on the truck. I got the truck in operation and give Lt. Mantlo water and so on. It was a minor fire, but I had this fear all the time of making a mistake on the truck.

Mr. Ashby: Is this with you, a fear of making a mistake - is that the problem?

Mr. Brown: I can't answer that. I don't know.

Mr. Ashby: Was there only one time that you went out on the truck? After you reported back?

Mr. Brown: As I recall, just once on the truck.

Mr. Ashby: Did you go out with the rescue squad at one time?

Mr. Brown: Yes Sir.

Mr. Ashby: What happened on that particular run?

Mr. Brown: Well, there was two runs that day - the first one, before we even got there. What I mean, I - this feeling that Dr. Hilton described as panic - I couldn't describe it.

Mr. Ashby: Apparently you were not driving.

Mr. Brown: No Sir. I was in charge.

Mr. Brown: We had a near miss on the way out there - which by the time we got there I was in no real condition to take care of the patient. We brought him in to the hospital. Shortly after that we received another call for a boy that had injured his head out here on what they call the falls. He was out of his head. Usually in a case like that why you can go ahead and restrain them without hurting them, but this boy - I don't know what caused me, but I would back away from him. The driver had to actually do the restraining himself.

Mr. Ashby: I have no further questions, do any members of the Board have any questions to Mr. Brown?

Mr. Ashby: Just let the records show that the letter dated March 22, 1963 from Traylor, Ela, Kladder and Harshman, addressed to me shall become a part of the record without any further proof. Also a letter addressed to the Board of Directors, Firemen's Pension Fund, dated October 18, 1962, from Hoyt E. Brown, be a part of the record; the other one, an affidavit by Mr. R. J. Harrison, dated the 24th day of May, 1963, concerning Mr. Brown and his getting off of the train at Palisade, as Mr. Brown has previously testified to also be admitted as part of the record. We will let the record show that there is admitted as a part of the record, the work record of Fireman Hoyt E. Brown, as prepared by Frank Kreps, for the year 1962, subsequent to the accident - well, prior to and subsequent to the date of the accident on January 11th.

Mr. Ashby: Do you swear that you will tell the truth, the whole truth and nothing but the truth, so help you God.

Mr. Loffreda: (Sworn in) I do.

Mr. Traylor: Would you state your name for the record please?

Mr. Loffreda: Joe Loffreda.

Mr. Traylor: How do you spell that, Mr. Loffreda?

Mr. Loffreda: L-O-F-F-R-E-D-A.

Mr. Traylor: What is your position at the Plateau Equipment Company?

Mr. Loffreda: I'm the Manager.

Mr. Traylor: And this Plateau Equipment Company is owned by your father?

Mr. Loffreda: Right.

Mr. Traylor: And did you have occasion to hire Mr. Hoyt Brown?

Mr. Loffreda: Yes Sir.

Mr. Traylor: What is his job with the Plateau Equipment Company?

Mr. Loffreda: Shipping, serving and receiving clerk, shop man. Things of this nature.

Mr. Traylor: Did you know Mr. Brown prior to the time that he was employed?

Mr. Loffreda: No Sir. I did not.

Mr. Traylor: How did you happen to have him referred to you?

Mr. Loffreda: He came down from the State Employment Agency.

Mr. Traylor: Do you have occasion to work rather closely with Mr. Brown there in the shop?

Mr. Loffreda: Yes, I do.

Mr. Traylor: Have you had occasion to observe his demeanor in his work?

Mr. Loffreda: I don't quite understand.

Mr. Traylor: Well, have you had an occasion to watch him as he worked?

Mr. Loffreda: Right, yes.

Mr. Traylor: What have you noticed about him, regarding his work in general? - Just tell us what he does and how he does it.

Mr. Loffreda: He is real conscientious and tries very hard. He makes quite a few mistakes, and is not learning as fast as I think he should.

Mr. Traylor: Does this job - this job doesn't require any very serious decisions or anything does it - just you take in supplies, is that right?

Mr. Loffreda: Right. He has to rebuild hose assemblies and things of this nature, and he should be able to pick out the right type of hose for the right job. It entails a little knowledge and there are some decisions that have to be made. They are not real great.

Mr. Traylor: How long has he worked for you down there?

Mr. Loffreda: About three months, I think.

Mr. Traylor: And in this time, three-months period, in your opinion, should he be more progressful?

Mr. Loffreda: He should. He should have a working knowledge of all the lines that we run.

Mr. Traylor: What, have you noticed, when he does make a decision; have you noticed any difficulty in making decisions?

Mr. Loffreda: Yes. He hesitates and is quite nervous about it.

Mr. Traylor: Is he hard working?

Mr. Loffreda: Very hard working.

Mr. Traylor: Does he have occasion to work at odd hours, if you ask him?

Mr. Loffreda: Yes, he sure does, sometimes we have to get emergency shipments out at night, and he comes down and helps us on that.

Mr. Traylor: Does he take the telephone? Does he use the telephone?

Mr. Loffreda: Yes, on occasion he does.

Mr. Traylor: Have you ever noticed any problem he has with your telephone?

Mr. Loffreda: Yes, he seems to be a little nervous talking over the telephone, especially long distance - - -

Mr. Traylor: Now, you and your father have discussed whether or not Mr. Brown may continue, is that right?

Mr. Loffreda: Yes, we sure have.

Mr. Traylor: What is the problem?

Mr. Loffreda: Well, if this nervousness, or whatever is causing it, is going to be permanent, why we are going to have to let him go. If it can be overcome in time, why I sure think it is worth working with him on it.

Mr. Traylor: You - You have developed a liking for Mr. Brown. You would like to keep him there, wouldn't you?

Mr. Loffreda: Right. His willingness, my goodness, if we can get a man that willing to work why we are more than happy to have him, but still we have to have some results too.

Mr. Traylor: Has Mr. Brown been ill at any time since he has been working for you?

Mr. Loffreda: Yes, he has missed quite a few days. This is one of his big problems with us. We need a man that can be there every day of the week.

Mr. Traylor: What does he seem to have?

Mr. Loffreda: The last case it was a virus or flu. It seems like he picks up everything that is going around. Seems like it hits him harder than it does other people.

Mr. Traylor: I have no more questions.

Mr. Ashby: I have no questions. Does any member of the Board wish to question Mr. Loffreda?

Mr. Traylor: I think that is all.

Mr. Ashby: Do you think that is all Mr. Traylor?