

Drowning victims' parents say hotel too cheap for safety.

Pool lacked fence, lifeguard, jury told.

The Boston Globe Wednesday, January 31, 1996

By Judy Rakowsky
GLOBE STAFF

Three teen-age brothers from Brooklyn would not have drowned in a hotel pool in Andover three years ago if the owners and managers had not scrimped on money for a lifeguard or a fence around the pool, a lawyer for the boys' parents told a federal jury yesterday.

"This disaster was totally and completely avoidable." said Frederic Halstrom, who represents Walter and Sauping Chin. "The aquatic safety system was none."

George and Vincent Chin, 16 year-old, and their brother Winston, 13, drowned despite rescue efforts by hotel employees, according to court documents.

The Chins are suing the franchise and corporate parents of the Andover Ramada Inn as well as its manager, Gail M. Simms, alleging they were negligent in securing the pool and preventing tragedy. The Chins acknowledge they turned down a \$1.8 million settlement offer before trial.

Paul Chin, a surviving brother who has videotaped his brothers and cousins - who did not know how to swim - jumping on the rope between the deep and shallow parts of the pool, said his family wants to prevent future catastrophes by bringing about safety improvements.

The Chin boys' uncle, Steven Yee, paid for the four boys, their sister, and his own three children to go with a tour group to Boston during April vacation week. The tour had booked 38 rooms at the Ramada, where groups from the same travel agency had stayed several times that prior year, Halstrom said.

The regular bookings by Chinese-American travel agencies of groups with children should have prompted the owners and managers to take precautions, he said.

The group had checked in at 9:30 p.m. after arriving in Boston. Yee, not knowing there was a pool on the premises, took a shower while the others settled in. Halstrom said, Yee's son, Stephen, 11, discovered the pool and several of the boys put on shorts and jumped into the shallow end paying no heed to the sloping bottom. While playing, the boys unwittingly moved into the deeper end, which dropped 9 feet, he said.

A pool maintenance man, Pedro Meija, noticed the boys playing in the pool but said nothing, according to Halstrom, despite a posted ruling that no one under age 14 was allowed in the pool without an adult.

Meija did not mention the swimmers to co-workers, Halstrom said.

Meija, in fact, stopped to chat with another employee who was on his way to close the pool at 10 p.m., delaying his arrival by crucial minutes, Halstrom said.

When Meija and the employee, Pablo Jaquim, and night manager, Phillip Russo arrived at the pool, the boys were already submerged and two of the employees did not have the aquatic rescue skills to save them, Halstrom said.

The town of Andover had no legal requirement for a fence around the indoor pool. The Chins maintain that state law requires a fence around the pool, while the hotel owners say it does not.

Fine Hotels Corp., Hospitality Franchise Systems, Ramada Franchises and hotel manager Simms are being sued in the case.

The corporate parent of the hotel had standards that required a fence around the pool and another ladder in the deep end. However, despite an alleged awareness of the requirements by hotel and corporate officials, Halstrom said no steps were taken.

There was only a sign warning swimmers that no lifeguard was on duty, Halstrom said.