

# Prosecutor steps down in hospital-related case

Prosecuting Attorney Bob Alsobrook is withdrawing from his role as prosecutor in an on-going investigation into financial irregularities at Saline Memorial Hospital.

Alsobrook today formally requested Circuit Judge John Cole to disqualify him (Alsobrook) from the investigation and the judge granted that request.

In making his request to the judge, Alsobrook noted that the State Police investigation is now "focusing on a different matter." His request for disqualification is based on the nature of that focus, he said.

The judge is expected to appoint a new prosecutor within the next couple of days and Alsobrook said he anticipates that his replacement will be a person outside the district.

Alsobrook emphasized that his request to be disqualified from the investigation is not being done because of any involvement of any hospital employee or hospital board member or because of his law partner's role as attorney for the hospital.

coming a political issue," he said. "I can't reveal what the new investigation is centering on, but it does involve a potential legal conflict of interest."

Alsobrook said he will share the reasons for his disqualification with the three candidates for Prosecuting Attorney if the State Police will give him authority to do so. The candidates for that position are his law partner, Dan Moudy, Joe Kelly Hardin and Dan Harmon.

The investigation at the hospital began March 7, two days after the administrator, E.F. Black Jr., unexpectedly resigned. Since that time, a Saline County grand jury has handed down indictments for the former administrator; his wife, Linda Black; and the hospital's former purchasing director, Jim Ralph.

More recently, another former hospital employee, Carla Hart, who was the director of medical records, has also been charged with theft of property.

E.F. Black, Linda Black and Ralph

raignment proceedings and July 19 and 20 were set aside as trial dates for the Blacks. Ralph's trial has not been scheduled and Hart is scheduled for arraignment May 7.

E.F. Black is charged with 20 counts of theft of property; Linda Black, one count; Ralph, 15 counts; and Hart, one count.

Other developments related to the investigation have included the filing of two foreclosure suits by local financial institutions against the Blacks. Those suits were filed by Union Bank of Benton and Benton State Bank.

In Union Bank's suit, the plaintiff also is asking for an injunction preventing the hospital from dispensing any escrowed funds to E.F. Black that have been set aside as part of a contract settlement. (Any monies due Black were put into an escrow account pending the resolution of the criminal charges he faces.)

The hospital board expects to begin receiving applications for a new administrator by June 1. It will be meeting in its regular monthly ses-



# Judge chooses prosecutor

Circuit Judge John Cole said today that Tom Tatum of Danville had been asked to serve as special prosecutor in the case involving financial discrepancies at Saline Memorial Hospital, but said Tatum had not yet decided whether to take the job.

Prosecuting Bob Alsobrook asked to be disqualified from the case Monday, citing a potential legal conflict of interest as his reason.

Tatum is prosecutor in the 15th Judicial District. Cole said making enough time available to prosecute the case would be a factor in Tatum's decision.

"He is willing to do it providing he has the time," Cole said. Tatum is currently trying a murder case in his district, the judge said.

"Tom wants to review the information and let me know," Cole said.

The judge said Tatum would make a decision by the end of the week.

If Tatum is unable to fulfill the role as prosecutor, Cole says he will appoint another prosecuting attorney or deputy prosecuting attorney from outside the district.

"Because of the strong public feelings and political ramifications which

could occur, I believe it would be better to have someone from outside the district," Cole said. "The public needs to have confidence in whom-ever is appointed," he added.

Judge Cole says he has no idea whether the special prosecutor will continue the case "by further grand jury or by direct action."

"The grand jury has the authority to call itself back into order at any time with or without the prosecutor's office," Cole said. He added that he wouldn't recommend that in a case as complicated as the one related to the hospital.

He said the grand jury that was empaneled to originally hear testimony in the case and the one which handed down three indictments would likely be the one to finish the case. He said members of the jury are still in session for all practical purposes.

Cole indicated that although he has the authority to appoint a special prosecutor from outside the district, he has no provision for paying someone to come in and prosecute a case. The only provision is for a \$40 fee, which Cole said was likely a 19th Century statute.

Tatum is a native of Yell County and has been practicing law since 1967, most of that time in Danville. He is a graduate of Arkansas Tech University at Russellville and the University of Arkansas School of Law at Fayetteville.

Alsobrook said Monday that the State Police investigation into hospital financial discrepancies was "focusing on a different matter." He said his request for disqualification was based on the nature of that focus.

The State Police investigation at the hospital began March 7. Two days prior to that, E.F. Black Jr., who had been administrator of the facility since 1976, unexpectedly resigned.

Since that time, Black and two other persons were indicted by the county grand jury and are charged with theft of property. The other indictments handed down were for Black's wife, Linda, and the hospital's former purchasing director, Jim Ralph.

As State Police investigators continued their probe at the hospital, a fourth person, Carla Hart, was also arrested on a charge of theft of property.



## opinion

### A good decision

It took a lot of courage for Bob Alsobrook to make the decision to disqualify himself as the prosecutor in the case involving financial discrepancies at Saline Memorial Hospital.

Although we are unaware of his reasons for the disqualification, we know Alsobrook truly wanted to prosecute the cases surrounding the former hospital administrator, the administrator's wife and two former employees. We laud his actions that resulted in indictments of three of the four persons charged in the case thus far.

Alsobrook says he would like to keep his disqualification from becoming a political issue. We couldn't agree more.

He indicated he could not reveal his reasons for turning the case over to a special prosecutor, to be named by Circuit Judge John Cole, but said the investigation was "focusing on a different matter" and could "involve a potential legal conflict of interest."

The reasons will likely come out in due course. Whatever the reasons, it must have been a tough decision. Alsobrook had opportunities to step aside in this case earlier, but felt strongly that he should stay and see the case all the way through.

We contend he should have made the decision to step down earlier, but we have no qualms with the manner in which he has handled himself, or the case, to this point.

The important thing now is for Judge Cole to move swiftly to appoint a special prosecutor. The special prosecutor should then move swiftly to make necessary decisions regarding whether to again impanel the Saline County grand jury.

Justice must prevail in this case. Bob Alsobrook has made a decision that leaves that responsibility in other hands. We hope they are capable ones.

DB



# Management group to conduct review

By LYNDA HOLLENBECK  
Courier Staff Writer

Saline Memorial Hospital Board has authorized HMP (Hospital Management Professionals Inc.) to conduct a two-day, on-site review of Saline Memorial at no cost to the hospital.

Two HMP representatives conducted a presentation of the firm's services at a board meeting Tuesday night. Speaking to the board were the company's president, Sheldon L. Krizelman, and the vice president of operations, Stephen R. Mason.

HMP is a company composed of several hospital administrators that manages non-profit hospitals, such as Saline Memorial Hospital. The firm operates in 11 states and has corporate offices in Nashville, Tenn., and various regional offices in other sites. It does not own any hospitals.

Krizelman, in speaking to the board, emphasized that the firm only serves as an "agent" for the hospital. Actual control of the hospital is retained by the board and medical staff, he said.

HMP has expressed an interest in acquiring Saline Memorial as a client. The president noted that the services his company provides are especially designed for hospitals in rural communities or those located outside metropolitan areas.

Should the board ultimately vote to hire HMP, that company would pre-

sent three "finalists" for the position of hospital administrator. The board would then make the final selection.

In response to questions about the firm's fee, Krizelman said — more than once — that it would not be possible to name a figure until the study of the facility had been done. "It would be unethical to name a fee without first looking at the hospital," he commented.

He did say, however, that fees are determined by factors other than the number of beds of the facility.

Board member Jim Curtis presented the motion to allow the firm to conduct its review of the hospital. When a vote was taken, those voting for the motion were Curtis, Mary Frances Izard, Jim Villines, Raymond Thomas and Jim Porter. Casting negative votes were Robert Haynes and J.B. Tittle.

It was noted, though, that the board will continue to explore other avenues in its search for a new administrator.

In other action Tuesday night, the board approved the purchase of defibrulators for ambulances that are to be used in the hospital's new ambulance service, which is scheduled to become operational May 1.

That equipment is being purchased from Physio Control, a company with headquarters in Redmond, Wash., for a cost of \$15,054.40.

Seven full-time and two part-time employees have been hired for the

ambulance service, associate administrator Melvin King told the board.

At the conclusion of its agenda items, the board went into executive session. When it reconvened in a public session, members unanimously approved the implementation of a call pay schedule as outlined by Tommy Gilbert, the acting administrator.

Employees who will be affected by the call pay plan include medical personnel in surgery, radiology, pharmacy and respiratory therapy departments and non-medical personnel in maintenance and data processing.

The pay scale for non-medical personnel will be \$15 per day Monday-Friday, \$20 per day Saturday and Sunday, and \$25 per day on holidays.

Medical personnel will receive \$1.50 per hour Monday-Friday, \$1.75 per hour Saturday and Sunday and \$2 per hour on holidays.

If employees are actually called back, they are to be paid overtime for the actual hours worked in addition to the stand-by pay.

The policy further stipulates that department heads are to be excluded from call pay, with the exception of respiratory therapy.

If additional personnel are needed and called in, they are to receive \$8, plus the overtime worked.

All employees called back would complete a call-back log and would be paid overtime for time worked rounded to the nearest quarter hour.

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# Hospital board schedules meeting to hear proposal

Saline Memorial Hospital Board has scheduled a special meeting for May 17 to hear representatives of Hospital Management Professionals (HMP) present the results of a two-day review conducted last week at the local hospital.

That event is tentatively set for 7 p.m. in a meeting room at the Benton Holiday Inn. The public is encouraged to attend.

HMP also is expected to propose the details of a management contract for the board to consider.

Dr. Jim Porter, board chairman, said a special invitation has been extended to County Judge Wayne Bishop and to members of the quorum court.

HMP, which has expressed an interest in acquiring Saline Memorial as a client, does not own hospitals. It serves as a managing agent for a number of non-profit hospitals; local hospital boards retain control of the hospitals the firm manages.

At a recent board meeting attended by HMP representatives, the board, in a split decision, authorized HMP to do the survey at the hospital. It was done at no cost to the hospital.

In addition to HMP, the board is also considering a single-administrator arrangement. Porter said "more than 20" applications for the position had been received by last Friday and additional applications are anticipated.

Porter said he has been "impressed with the professionalism and interest" of HMP and noted that the firm provides an "alternative that does not change the ownership of the hospital."

Porter said HMP received "good cooperation and positive feedback from department heads" during the two-day review. He indicated that he has been favorably impressed with HMP but said he will reserve a final decision until after he sees the company's proposal on May 17.

Two other board members, Jim Villines and Raymond Thomas, also said they have not reached any definite opinions concerning HMP or any particular individual for the administrator's position.

"I want to reserve an opinion until later when we study all of the applications," Villines said.

Thomas said he, too, is "open-minded" and has not yet formed an opinion in the matter.

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# Tatum meets investigators to decide on prosecutor job

Danville attorney Tom Tatum, who has been requested by Circuit Judge John Cole to serve as special prosecutor for an investigation at Saline Memorial Hospital, was scheduled to meet today with State Police investigators, according to Prosecuting Attorney Bob Alsobrook.

Last Monday, Alsobrook was granted a request to step down from that investigation. At the time Alsobrook asked Cole to disqualify him from the case, Alsobrook noted that State Police investigators had uncovered new information that could create a "a potential legal conflict of interest."

Alsobrook said Tatum is expected to decide after today's meeting if he will accept the request to serve as the prosecutor in that investigation.

Tatum serves as prosecutor in the 15th Judicial District, is a native of Yell County and has been practicing

law since 1967, most of that time in Danville. He is a graduate of Arkansas Tech University at Russellville and the University of Arkansas School of Law at Fayetteville.

Last week, Cole said making enough time available to prosecute the case would be a factor in Tatum's decision.

If Tatum is unable to fulfill the role of prosecutor, Cole has said he will appoint another prosecuting attorney or deputy prosecuting attorney from outside this district.

Cole also said he does not know if a special prosecutor would continue the case by further grand jury or by direct action. He noted that the grand jury has the authority to call itself back into order at any time with or without the prosecutor's office, but said he would not recommend that type of action in a case as com-

plicated as the one related to the hospital.

The State Police investigation at Saline Memorial began March 7, two days after the former administrator, E.F. Black Jr., suddenly resigned.

Since that time, Black, his wife, Linda, and Jim Ralph, the hospital's former purchasing director, have been indicated by the county grand jury and are charged with theft of property.

As the investigation continued, a fourth person, Carla Hart, was also arrested on a charge of theft of property. Hart was the hospital's former director of medical records.

Trials for E.F. and Linda Black have been scheduled for July 19 and 20. Ralph's trial date has not been set and Hart is scheduled for arraignment next week.



## Prosecutor to be named

An attorney from the state attorney general's office will be serving as special prosecutor for cases evolving from a State Police investigation at Saline Memorial Hospital.

Circuit Judge John Cole said today that he has been told that the attorney general's office will provide an attorney to act as prosecutor in the trials of the four persons who have been arrested during that investigation. Cole said he has not yet been told who the attorney will be, but has been assured that the office will be able to furnish a prosecutor. He said he expects to have the name of the attorney later today.

After local Prosecuting Attorney Bob Alsobrook asked to be disqualified from the investigation for what he called a "potential legal conflict of interest," Cole requested Tom Tatum of Danville to serve as special prosecutor for the investigation. However, after Tatum met with State Police investigators and reviewed the information they had obtained, he declined the request.

At that time, Tatum said he estimated the investigation would take 60-90 days and did not feel that he could spend that much time away from his district. (He serves as prosecuting attorney for the 15th Judicial District.)

## Hart pleads not guilty

Carla Hart, the former director of medical records at Saline Memorial Hospital, was arraigned today before Circuit Judge John Cole and entered a plea of not guilty to a charge of theft of property.

Hart, 35, of Benton, is charged with falsifying a hospital travel voucher for \$754.

She was arrested April 10 and was immediately released on bond. Her trial date has not been set.

William R. Wilson Jr. of Little Rock is serving as Hart's attorney.

Hart's arrest came during a State Police investigation into financial discrepancies at Saline Me-

memorial. That investigation began two days after the hospital's former administrator, E.F. Black Jr., resigned unexpectedly.

Since that time, Black, his wife, Linda, and Jim Ralph, the hospital's former director of purchasing, were indicted by a Saline County grand jury and have been charged with theft of property. E.F. Black is charged with 20 counts; Linda Black, one count; and Jim Ralph, 15 counts.

July 19 and 20 have been set as trial dates for E.F. and Linda Black. A date for Ralph's trial has not been scheduled.



## Hospital management

It appears likely at this juncture that a decision on who will manage Saline Memorial Hospital could be forthcoming before June 1, although the board of directors announced earlier that it would accept applications through May.

If the decision comes early, it likely will mean the board has decided to engage an outside management firm rather than a county-hired administrator to handle the day-to-day operation of the medical facility.

The hospital board has been seeking a way to solve the problem created when E. F. Black Jr. resigned as administrator and ultimately was indicted on 20-odd counts of theft of property involving the hospital.

A State Police investigation has been ongoing since that time and the board has been saddled with so many questions and problems regarding the investigation that replacing Black was not the highest of priorities in the beginning. Now, it is

Hospital Management Professionals (HMP) has made its initial pitch to the board and last week conducted a survey at the hospital to gather information on which to base its final cost proposal to the board. The proposal will be presented at a special meeting of the board at 7 p.m. May 17. That meeting is tentatively set for the Holiday Inn meeting room and the public is urged to attend and voice any opinions it may have regarding hospital management.

Although no board meeting was called to publicly ask questions of the HMP representatives last week, each member of the board met individually with the HMP people over a two-day period. No board member has indicated publicly that he or she favors a management firm over a new administrator, but sources indicate some favor it privately.

HMP appears to be a very professional organization. Its literature is professionally done; the people representing HMP during its initial meeting with the board and subsequent survey appeared professional; and newspaper articles and editorials from newspapers in towns where HMP operates have been complimentary.

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We urge the board to exercise extreme caution, however, regarding a "quick-fix" decision to solve management problems at Saline Memorial. The people of Saline County are interested in their hospital and want what's best for it. The board wants that, too.

The easy decision would be for the board to award a contract to HMP. The board could then throw out all the applications it has received, which number more than 20. The weight of the responsibility of choosing a new administrator would be tossed aside, also...

It is possible that the easy decision could be the best decision. But, no doors should be closed yet. The board should continue to accept applications until June 1 and should review those applications carefully and use whatever time is necessary to interview qualified candidates. HMP should be treated as one of those candidates.

We urge public participation at the May 17 meeting. That meeting will be the only way the board will have to gauge public sentiment. We urge the board to take the public's viewpoints seriously.

It's their hospital.

DB



## Prosecuting attorney

In the prosecuting attorney's race, which will be decided by voters of Saline, Grant and Hot Spring counties, Dan Harmon spoke out against his opponents by stating that he is the only candidate for prosecuting attorney who is seeking the office as a full-time position.

"The concept of a part-time prosecutor is outdated," Harmon, a Benton lawyer and former prosecuting attorney, said.

He said the law enforcement agencies in the county have spent over "\$1 million in the combat against crime."

Harmon also said the Saline County Hospital situation will not be resolved by January, 1985, and added that he is the only candidate who does not have a conflict of interest to handle the hospital situation. He said he has the "courage, experience and ability."

Dan Moudy, a Benton lawyer and currently chief deputy prosecutor, spoke before Harmon and stressed the experience he has gained while serving as deputy prosecuting attorney for over four years and as chief deputy for the last three years.

He also said the experience he has gained working with the county government through the quorum court and with other county officials gives him a good understanding of the community and county government.

Moudy said the "purpose of law" is

to shield the innocent, and keep a sword for those who violate the law.

Joe Kelly Hardin said his experience as a clerk to the Southern District of Missouri Court of Appeals, his experience as Benton city attorney and his college and law school background, including his appointment to the law review, make him the prime candidate for prosecutor. "I'm the only candidate with this particular background," he said.

Hardin, a Benton lawyer, said if elected he would "work full-time and overtime."



## **Special prosecutor not named for hospital investigation**

Circuit Judge John Cole of Sheridan said today he still has not been informed as to who will serve as special prosecutor for an on-going investigation of financial discrepancies at Saline Memorial Hospital.

Cole announced Monday that an attorney from the state attorney general's office would be serving as prosecutor in cases evolving from the State Police investigation at the hospital.

Thus far, that probe has resulted in the arrest of four persons, who are charged with varying counts of theft of property. They are E.F. Black Jr., the hospital's former administrator, who is charged with 20 counts; Black's wife, Linda, one count; Jim Ralph, the hospital's former purchasing director, 15 counts; and Carla Hart, the hospital's former director of medical records, one count. All have pleaded not guilty to those charges.

Trial dates for Ralph and Hart have not been set; July 19 and 20 have been scheduled for trials for E.F. and Linda Black.



# Meetings on hospital are slated

Tom Holcombe, chief of staff in the state attorney general's office, plans to meet with Attorney General Steve Clark today and with State Police investigators Thursday to discuss an ongoing investigation of financial discrepancies at Saline Memorial Hospital.

The attorney general's office has been appointed to serve as special prosecutor for cases related to that investigation, but Holcombe said no decision has been reached as to which person within the office will actually serve in the role of prosecutor.

"It could be me or it might be Steve Clark; or then it could be someone in our criminal investigation division," Holcombe said.

After the meetings today and Wednesday, Holcombe said the office will determine who will be acting as prosecutor.

Circuit Judge John Cole of Sheridan has requested the attorney general's office to provide a prosecutor for the hospital investigation since Prosecuting Attorney Bob Alsobrook of Benton disqualified himself because of a "potential legal conflict of interest."

State Police investigators began their probe at the hospital March 7, two days after financial irregularities were discovered. The day that discovery came to light, the former administrator, E.F. Black Jr., submitted his resignation to the hospital board.

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Since that time, a grand jury has indicted Black, his wife, Linda, and Jim Ralph, the hospital's former purchasing director, on theft of property charges. E.F. Black is charged with 20 counts; Linda Black, one count; and Jim Ralph, 15 counts.

Another former hospital employee, Carla Hart, who had been director of medical records, has also been charged with one count of theft of property. That charge involves the alleged falsification of a hospital travel voucher.

No trial dates have been set for Hart or Ralph, but July 19 and 20 are scheduled for the trials of E.F. and Linda Black.



# Special prosecutors named in investigation at hospital

Two attorneys from the Arkansas attorney general's office have been appointed to head the prosecution of cases evolving from a State Police investigation at Saline Memorial Hospital.

Mike Wheeler and Patricia Cherry are in the process of reviewing the file in the investigation, according to Tom Holcombe, chief of staff in the attorney general's office.

Holcombe said today he and Attorney General Steve Clark would participate in the file review with the two attorneys. Holcombe said Monday afternoon was spent going over the information and indicated the four would spend all of this afternoon completing the review.

Another spokesman for the attorney general's office, Robert Fisher, said it would probably a week to 10 days before any decision would be forth-

coming on how the attorneys will proceed in the case.

Circuit Judge John Cole requested a special prosecutor from the attorney general's office after Tom Tatum of Danville turned down Cole's request to serve in that position. Tatum said he anticipated the investigation would take another 60-90 days and said he did not have the available time to serve as special prosecutor.

Bob Alsobrook, prosecuting attorney, asked to be disqualified from the case on April 23, citing a "potential legal conflict of interest" as the reason for his request.

Cole granted the request and began the search for a special prosecutor.

Holcombe said there is "no way to tell" what direction the case might take at this point and offered no comment on the ongoing investigation.

The State Police probe began March 7, two days after E.F. Black Jr. resigned as hospital administrator amid rumors of financial mismanagement at the facility.

Black and his wife, Linda, were subsequently indicted by a Saline County grand jury on charges of theft of property. Jim Ralph, former purchasing director at the hospital, was also indicted on the same charges.

Alsobrook served as prosecutor throughout the grand jury proceedings.

Another former employee at the hospital, Carla Hart, was later charged with one count of theft of property.

Trials for E.F. and Linda Black have been scheduled for July 19 and 20. Trial dates for Ralph and Hart have not been set.



## Attorney general's appointees have prosecuting experience

The two attorneys appointed by Attorney General Steve Clark to head the prosecution of cases involving alleged financial misdeeds at Saline Memorial Hospital both have prosecuting experience, according to Robert Fisher, a spokesman in the attorney general's office.

Mike Wheeler and Patricia Cherry will head the prosecution, according to Clark.

Wheeler is a graduate of the University of Arkansas at Little Rock School of Law and was a deputy prosecutor in Sebastian County before joining the attorney general's staff about two years ago.

Cherry was an assistant prosecutor in Atlanta, Ga., for four years and spent a year as a law clerk for Frank Holt, a justice on the Arkansas Supreme Court, be-

fore joining the attorney general's staff about a year ago.

Circuit Judge John Cole asked the attorney general's office to prosecute the case after Bob Alsbrook, prosecuting attorney for the 7th Judicial District, asked to be disqualified because of a potential legal conflict of interest.

Cole requested Tom Tatum of Danville, prosecutor in the 15th Judicial District, to become special prosecutor, but Tatum declined, citing lack of time as the reason. Tatum said it would take 60-90 days, and he could not afford to spend that amount of time outside his district.

The attorney general's office is in the process of reviewing the file of the State Police investigation and is not expected to have any additional comment on the case for another week to 10 days.



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# Hardin, Moudy earn runoff spots

The race for prosecuting attorney for District 7 (Saline, Grant and Hot Spring counties) — one of the hottest races in Tuesday's Democratic primary — will not be determined until the June 12 runoff election.

Joe Kelly Hardin, 39, led the total voting in that race, followed by 34-year-old Dan Moudy. Dan Harmon, 39, the other candidate who had served in the office in 1979-80, finished third.

The vote total was 9,772 for Hardin, 8,565 for Moudy and 7,281 for Harmon.

In Saline County, the total was 5,588 for Hardin, 4,526 for Moudy and 4,168 for Harmon.

Moudy led in Grant County with 1,631 votes, followed by Hardin with 1,118 and Harmon with 655.

The order of finish in Hot Spring County was Hardin, Harmon and Moudy.

The total in Hot Spring County was 3,066 for Hardin, 2,458 for Harmon and 2,408 for Moudy.

Hardin, contacted shortly before

midnight Tuesday when he was leading in all of the district's three counties, said, "We're happy and want to express appreciation to all our good workers. We're real pleased with everything and tomorrow we'll start working toward the runoff."

Hardin, a former city attorney for Benton and Shannon Hills, said he was especially gratified to lead Saline County "since this is where the people know all the candidates. With three quality candidates in probably what was the most contested race, we feel we received excellent results."

Moudy, the chief deputy prosecuting attorney in the current administration of Prosecuting Attorney Bob Alsobrook, today said, "We're pleased to be in the runoff and we're ready to start campaigning again."

Moudy added, "I am very excited about being in the runoff and want to express my appreciation for the confidence the voters have shown in me. I am extremely grateful to my sup-

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As Prosecutor

# **Dan Harmon Never Lost A Criminal Case!**

... Nor was any conviction ever  
overturned by a higher court.

**DAN  
HARMON**  
PROSECUTING ATTORNEY  
DEMOCRAT

POLITICAL ADV PAID FOR BY DWIGHT FITE



# Some winners lost 5-30-84

Several names have been dropped from runoff and general election ballots following Tuesday's primaries. A few deserve special recognition, although they were not the top choices of the voters.

Some of them will be back as winners in future elections.

Thedford Collins ran a professional campaign and overcame many adversities, but managed to finish only fourth in a five-man race for the Democratic nomination to become the congressman from the state's 2nd district.

Collins is the only black man to ever seek the post, but he never ran on race.

Collins gained the respect of people throughout the district, but apparently the voters viewed the contest as a two-man race between two of the most recognizable names in Arkansas. A voter who has never heard of Paul Riviere has at least heard of Paul Revere and everybody has at least one Tommy Robinson story to tell, none of which are very flattering to either the state of Arkansas or Mr. Robinson.

Thedford Collins will be back to seek political office again. He is now better known and likely will be able to raise more money in his next campaign.

Locally, Rudy Westbrook has shown that a candidate with absolutely no political experience, but who is friendly and persuasive, still has a chance to serve in public office.

Everybody who met Westbrook during his campaign for county judge likely came away with a new friend. If he chooses to re-enter the political arena in the future, his chances of victory will be much increased.

He was up against stiff competition this time out, with Del Roberson being a longtime businessman and civic leader and Dean Boswell having served in political office over 20 years.

Dan Harmon finished third in his race for prosecuting attorney. Harmon was close to the second-place finisher in a race that kept local political observers guessing on the order of finish from the beginning.

Harmon served the district well as its prosecutor in 1979-80. Local voters probably have not heard the last of him.

We hope not.

Wendell Hall carried one of the three counties in the district race for chancery judge. Hall, 63, may not consider another campaign in the future, but he is a well-respected attorney.

There always will be good people who appear to be the losers in elections. Regardless of vote totals, these losers are winners in every sense of the word.



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# Moudy urges continuation of probe, nixes 'rumors'

Dan Moudy, runoff candidate in the race for prosecuting attorney, issued a prepared news release today urging the attorney general to "proceed immediately with the investigation of Saline Memorial Hospital" and indicated his family "has suffered tremendously from unfounded rumors and slanderous statements that have been maliciously spread solely for political reasons."

Moudy, who is currently chief deputy prosecuting attorney, finished second in a three-man race in Tuesday's Democratic Primary and will face Joe Kelly Hardin for the prosecutor's post on June 12. Moudy also is the hospital's attorney.

In a separate press release, Bob Alsobrook, the prosecuting attorney who has disqualified himself in the case involving financial discrepancies at Saline Memorial Hospital, reiterated that his disqualification "has nothing to do with Dan Moudy, my partner, or with any board member or employee of Saline Memorial Hospital."

Moudy insinuated that political workers for Hardin have attempted to implicate Moudy's association with the hospital as the reason for Alsobrook's disqualification. The April 23 edition of the *Benton Courier* states that Alsobrook emphasized that his request to be disqualified from the investigation was not being done because of any involvement of any hospital employee or hospital board member or because of his law partner's role as attorney for the hospital.

Hardin, responding to the Moudy press release, said today he is "extremely concerned about Saline Memorial Hospital and I have pledged since the beginning of the campaign to vigorously prosecute anyone guilty of any criminal act."

"It is unfortunate that rumors do circulate during a political campaign," Hardin said. "However, I have, and will continue, to run a positive campaign," he added.

Moudy said Hardin was aware of the nature of the investigation that resulted in Alsobrook's disqualification.

"Mr. Hardin was made aware of the nature of the investigation approximately one week after the prosecutor disqualified. Hardin is fully aware that I have done nothing wrong," Moudy's statement said.

Hardin said the only information he received about the hospital came primarily from newspaper accounts. He said Alsobrook mentioned to him in the hallway of the courthouse that the investigation was centering on "other people" and that was the reason for his (Alsobrook's) disqualification.

Dan Harmon, the third place finisher in the Tuesday primary, said today he had not been made aware of the reasons for Alsobrook's disqualification.

"If they (Alsobrook and Moudy) told Joe something, they told only Joe — they didn't tell me," Harmon said.

The first paragraph of Alsobrook's prepared news release today read: "Some people think that I disqualified from the hospital case because of my association with Dan Moudy, but that is not true. Because of the nature of



the office, a prosecuting attorney must appear to be objective and impartial. The investigation of the State Police indicated that certain people, not connected with the hospital, could be indicted, and if so their indictments would be viewed by some as my being vindictive. I cannot be more specific."

Moudy said he has not said anything regarding the hospital investigation "in order not to hinder the Attorney General. However, some have taken my silence to indicate that I have something to fear. Nothing could be further from the truth."

Moudy also said his "business with the hospital is, and always has been a matter of public record. I have nothing to hide."

Moudy evidently was referring to an April 6 article in the *Courier* that indicated at that time he had been paid \$17,113.38 by the hospital since July 1, 1983, for professional fees.

Moudy said some people he has talked to during the campaign believed he received the money in a single payment as "hush money" during the hospital investigation. Hospital records indicate the money was paid on a monthly basis and based on the number of hours Moudy spent on hospital business as its attorney.

Moudy's press release indicated he wanted the investigation into financial discrepancies at the hospital fully investigated.

"I have requested the attorney general to immediately ask Judge (John) Cole to convene a grand jury so that the matter can be resolved," Moudy said.

"As the *Courier* once editorialized, the public has a 'right to know' and I believe the time is now," Moudy concluded.

In response, Hardin said, "I believe the investigation of the hospital has proceeded too slowly, in my opinion."

Hardin also said, "It concerns me that now that I have led the ticket, suddenly the chief deputy prosecutor wants something done after having dragged his feet for so long."

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## Local hospital case progressing

No recent developments have come to light in an ongoing investigation into financial discrepancies at Saline Memorial Hospital, but Thursday Tom Holcombe, chief of staff of the state attorney general's office, said, "Progress is being made."

Holcombe's statement was made to quell rumors that the attorney general's office might not prosecute the case after all, but Holcombe said a meeting is on schedule next week with Prosecuting Attorney Bob Alsobrook, who disqualified himself in the case.

The attorney general's office was asked to provide a special prosecutor for the investigation after Alsobrook requested Circuit Judge John Cole to disqualify him from

that probe. At the time he requested to be disqualified, Alsobrook gave his reason as "a potential legal conflict of interest." He did not elaborate on the nature of the conflict.

Mike Wheeler and Patricia Cherry, two attorneys with the attorney general's office, were chosen to head the prosecution of cases related to that investigation.

The financial irregularities at the hospital were revealed in early March. On March 5, the former administrator, E.F. Black Jr., resigned suddenly and two days later the State Police probe officially began.

Since that time, a county grand jury has handed down indictments for Black, his wife, Linda, and Jim Ralph, the hospital's former direc-

tor of purchasing. Black was charged with 20 counts of theft property; Linda Black, one count; and Ralph, 15 counts.

A fourth person, Carla Hart, who was formerly employed as director of medical records at Saline Memorial, was later charged with one count of theft of property for allegedly falsifying a \$754 travel voucher.

The hospital board has been accepting applications for the position of administrator and a meeting is on schedule at 6 p.m. Tuesday to study applications from individuals and proposals from at least one hospital management firm. However, the board chairman, Dr. Jim Porter, said he does not anticipate a decision being made at that session.



# Hospital board narrows administrator applicants

By LYNDA HOLLENBECK  
Courier Staff Writer

The Saline Memorial Hospital Board came a step closer to filling an administrator vacancy Tuesday night by reviewing 65 applications that have been submitted for that position and narrowing the applicants down to 10.

The board also revealed it will decide next week whether to employ a single administrator or hire an outside management firm.

Only one outside management firm, Hospital Professionals, Inc., has been allowed to make a formal proposal to the board.

The administrator position has been open since March 5 when the former administrator, E.F. Black Jr., resigned in the midst of the discovery of financial irregularities at the hospital. Black was later indicted by a county grand jury and is charged with 20 counts of theft of property.

In an executive session that began shortly after 6 p.m. and concluded at

sons we plan to consider, along with a proposal to manage the hospital from Hospital Management Professionals."

At the next meeting, which is scheduled for 6 p.m. Thursday, June 14, the board plans to decide whether to choose a single-administrator form of administration or the offer from HMP of Brentwood, Tenn., Porter said. If the decision is made for a single administrator, contact will be made with the five remaining candidates and interviews scheduled with the ones who are still interested in applying for the post, he said.

When the board reconvened following that lengthy executive session, the first action taken was to formally accept the resignation of Associate Administrator Melvin King. King's resignation was effective June 1, at which time Porter said he resigned for personal reasons. King is planning to pursue a career in hospital administration, according to Porter.

The only other action taken then was to schedule the June 14 meeting.

former agent for Xonics which is currently involved in bankruptcy litigation.

The equipment the hospital had purchased from Xonics is in storage in Little Rock and can be possessed for a remaining payment of \$79,041, Gilbert said. All but \$97,000 of a total of \$507,000 has already been paid to the company, he said.

For an additional \$15,000, Medical Imaging has offered to install the equipment and relocate existing equipment, thus completing the transaction that would have been done through Xonics, Gilbert said.

The total cost of this plan would be "roughly \$94,000," Gilbert said. That amounts to approximately \$3,000 less than the original cost of the total package, he said.

"It is our understanding that the warranty for our equipment will be assumed by El Cent, the company that is taking over Xonics in what is basically a reorganization-type bankruptcy procedure," Gilbert said.

He noted that said attorneys for the



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In an executive session that began shortly after 6 p.m. and concluded at 9:45, the board selected the 10 top contenders, Dr. Jim Porter, board chairman, said at the close of the meeting.

"The board members plan to review the resumes of those 10 applicants and each board member will rank them from 1 to 10," Porter said. No names of applicants were revealed.

"When we meet again, we will narrow the applicants down to five per-

sons we plan to consider, along with a proposal to manage the hospital from Hospital Management Professionals."

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The only other action taken then was to schedule the June 14 meeting.

Prior to the closed session, the board approved the recommendation of Tommy Gilbert, acting administrator, to cancel a contract with Xonics Corp. of Chicago for the purchase and installation of radiology equipment to be used in the hospital's radiology department that is currently under expansion. The board also approved Gilbert's recommendation to proceed with the project through Medical Imaging Services Inc., the

former agent for Xonics which is currently involved in bankruptcy litigation.

The equipment the hospital had purchased from Xonics is in storage in Little Rock and can be possessed for a remaining payment of \$79,041, Gilbert said. All but \$97,000 of a total of \$507,000 has already been paid to the company, he said.

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"It is our understanding that the warranty for our equipment will be assumed by El Cent, the company that is taking over Xonics in what is basically a reorganization-type bankruptcy procedure," Gilbert said.

He noted that said attorneys for the bankrupt company, the hospital's lawyer, Dan Moudy, and the attorneys for Medical Imaging have said they do not believe any legal problems will develop from this procedure.

Gilbert said the only alternative left would be to file litigation against Xonics and he pointed out that this could result in a prolonged delay in implementing the radiology expansion.

Brentwood  
6-6-84



# Prosecuting attorney

## Hardin and Moudy hoping for position

Joe Kelly Hardin will face Dan Moudy in Tuesday's runoff for the office of prosecuting attorney from the 7th Judicial District, which includes Saline, Hot Spring, and Grant counties.

Hardin ran first and Moudy ran second in the May 29 election, with Dan Harmon finishing third.

Moudy, 34, is the current chief deputy prosecuting attorney. During the campaign, Moudy has emphasized that his good working relationship with the law enforcement officers in the district, his four years' experience as a deputy prosecutor, and his seven years' general law practice gave him the "experience, understanding, and know-how to get the job done."

Moudy has stated that if he is elected and a backlog of cases develops during his term in office, "my deputies and I will try cases on a daily basis until the backlog is brought under control."

In a press release on June 1, Moudy urged the attorney general to "proceed immediately with the investigation of Saline Memorial Hospital" and indicated that his family "has suffered tremendously from unfounded rumors and slanderous statements that have been maliciously

spread solely for political reasons." He is the hospital's attorney. The press release made clear that Moudy advocated a thorough investigation of financial discrepancies at the hospital.

"I have requested the attorney general to immediately ask Judge (John) Cole to convene a grand jury so that the matter can be resolved."

A separate press release issued by Bob Alsobrook, the prosecuting attorney who disqualified himself in the case involving financial discrepancies at Saline Memorial Hospital, reiterated that his disqualification "has nothing to do with Dan Moudy, my partner, or with any board member or employee of Saline Memorial Hospital."

Moudy said his "business with the hospital is, and always has been a matter of public record. I have nothing to hide."

Hardin responded to Moudy's June 1 press release by stating, "I believe the investigation of the hospital has proceeded too slowly, in my opinion." He also said, "It concerns me that now that I have led the ticket, suddenly the chief deputy prosecutor wants something done after having dragged his feet for so long."

cerned about Saline Memorial Hospital and I have pledged since the beginning of the campaign to vigorously prosecute anyone guilty of any criminal act." He noted that "It is unfortunate that rumors do circulate during a political campaign. However, I have, and will continue, to run a positive campaign."

In a telephone conversation Thursday, Hardin said that he had instructed his campaign workers to speak "on the positive points" of his candidacy and to avoid discussing any rumors. He said that rumors often circulate during campaigns and are "a part of politics," and the best thing to do is to ignore them.

Hardin has emphasized throughout his campaign that the crucial issue is his emphasis upon "new incentives and new programs" in contrast to the "weak record" of the incumbent administration, in which Moudy is the chief deputy prosecuting attorney.

Hardin explained that one of the most important of his "new programs" involved procedures that would provide more rapid and efficient trials for offenders. He said that Hot Spring County in particular had suffered from a substantial case

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# Prosecuting attorney

Continued from page 1

backlog under the present administration, and he proposes to eliminate the backlog by trying all of the cases as quickly as possible. If elected, he said he would make it his policy that upon receipt of the case file from the police or sheriff's office of the particular county, he would set a trial date. Most cases could be disposed of within 90 days from the receipt of the file, he believes.

He has also said that he plans to institute new training programs, such as giving courses in evidence, constitutional law, and other important matters to law enforcement officers. Hardin argues that such training would help the police and sheriffs give better presentations of their evidence in the courtroom, thus impressing the jury and leading to "stiffer sentences."

Hardin observed Thursday that a problem in the run-off will be getting the voters back out to the polls. The Presidential race has attracted so much publicity since early in the year that "people were almost tired of politics before we started our campaign," he remarked. Hardin said that he had been engaged in exhaus-

tive door-to-door campaigning in the months before the May 29 election, but his strategy in the run-off has been more "media-based because we didn't want to force ourselves on people who were getting tired of politics."

Hardin said that he appreciated the support of third-place finisher Dan Harmon, because Harmon is a "peer and a fellow trial lawyer." Harmon said immediately after the election that he expected the run-off to be a "close race" and that he planned to vote for Hardin. "I think he'll work the hardest and I feel the people of the 7th District deserve a hard-working prosecutor," Harmon stated.

Hardin was particularly pleased that Harmon had complimented his capacity for hard work, saying that "my work ethic is the biggest thing I have going for me." He said he had worked especially hard during his time as Benton city attorney from 1979 to 1982.

Both Moudy and Hardin have urged voters to get back out to the polls on June 12.

Moudy could not be reached for additional comments Friday and Monday morning.



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## Hardin wins in District 7

*Continued from page 1*

Hardin stated that the situation at Saline Memorial Hospital had weakened Moudy's candidacy in Tuesday's voting. Hardin has argued that Moudy, who is the hospital's attorney and the current chief deputy prosecuting attorney, had not acted rapidly enough in supporting the investigation of financial discrepancies at the hospital.

Hardin was referring to some of Moudy's political advertisements and a June 1 press release in which Moudy stated, "I have nothing to hide," urged the attorney general to "proceed immediately with the investigation of Saline Memorial Hospital," and indicated that his family "has suffered tremendously from unfounded rumors and slanderous statements that have been maliciously spread solely for political reasons."

Hardin said that it is a mistake "to spend a lot of time denying things in a campaign and it's better to pursue a positive track." He also indicated that Moudy has not been open enough in explaining to the people what was happening at the hospital. "When the public wants to know about an issue, they'll speculate," he noted.

As prosecuting attorney, he plans to "keep everything out in the open," he said.



# Joe Hardin wins runoff with Moudy

By LEE POWELL  
Courier Staff Writer

Joe Kelly Hardin defeated Dan Moudy in Tuesday's runoff election for prosecuting attorney from District 7, gaining 12,933 votes to 9,897 for his opponent.

Hardin won easily in Saline County, garnering 7,902 votes while Moudy received 5,517.

In the other two counties in District 7, Hardin won in Hot Spring County, 4,094 to 3,322, and Moudy defeated Hardin in Grant County, 1,058 to 937.

Hardin said late Tuesday night that the crucial issue in contributing to his victory was his emphasis upon bringing offenders "quickly to trial, clearing up the case backlog, and sending them to prison." The former Benton city attorney said that an important factor in his success was that he stressed his "positive points and ran on what we would do as prosecuting attorney" rather than making negative statements.

Moudy said Wednesday morning that "I called Joe last night and extended congratulations to Joe and his wife, Martie."

"I would like to say thank you to those who voted for me and a special thanks to those who worked so long and hard in my campaign," Moudy



Joe Kelly Hardin

said.

Moudy noted that he plans "to get back to work and get back to a normal family life." He has not had time to analyze the campaign yet, he indicated.

Hardin stated that he respected both of his opponents in the race, including Moudy and third-place finisher Dan Harmon, describing them as "capable lawyers."

As prosecuting attorney, Hardin said his chief goals will be "to crack down on violent crime, burglary, theft, and hot checks, and to facilitate moving the process faster." He believes that "people are tired of criminals getting out on bond and walking the streets a year or so" before they have to appear at a trial. He said "it's not much of a deterrent if they know they'll walk the streets" a long time before a trial, and he also argued that defendants deserve a speedy trial for their own welfare.

Hardin stressed during the campaign that he would clear the court docket of criminal cases by getting cases to trial within 90 days of the filing of charges. Hardin said that his comfortable margin of victory was somewhat surprising in light of the fact that "we started third in the race as an unknown, the youngest of the three." But he said he had gradually gained ground throughout the race, thanks to the hard work of his family, friends, and campaign workers, all of whom were volunteers.



# Saline Republican Committee calls for further investigation

6-1984

The Saline County Republican Committee, meeting Monday night at Benton State Bank Community Room, passed a resolution urging the continuation of an investigation into financial discrepancies at Saline Memorial Hospital.

The resolution states: "The people of Saline County have waited long enough for the investigation of our hospital (and the related shady "deals") to be completed and the results announced. Rumors, insinuations, allegations and charges are running wild — and the citizens are tired of the apparent stalling and/or cover-up.

"We do not know whether the Governor's office is responsible, to protect political cronies; or the Attorney General's office, to protect the high and mighty; or the local Policicoes, to protect their friends. One thing is certain: all of the officials involved are Democrats."

The resolution continues by stating: "The Saline County Republicans request, in fact **DEMAND**, that the investigation be vigor-

ously pursued and the public be kept informed — regardless of where the trail leads or who may be guilty. No one should be spared because of their influence or political connections.

"The alleged misdeeds committed, and the possible cover-up by an all-Democrat cast, surely confirms the need for the two-party system! 'Bentongate' is another (bitter) fruit of one-party domination of government. Of course, greed and human avarice have also contributed to the wrongdoings. At the same time, some innocent people have been hurt by the rumors and smears, and they deserve to have their reputations cleared."

The investigation mentioned in the Republican Committee's resolution began March 7 at Saline Memorial Hospital, two days after the former administrator, E.F. Black Jr., resigned unexpectedly during the discovery of financial irregularities. During the course of that investigation, conducted by State Police, Black, his wife, Linda, and two other hospital employees were arrested on charges

of theft of property. Those other employees, who have since resigned, are Jim Ralph, who had been director of purchasing, and Carla Hart, the former director of medical records.

Arrests for E.F. and Linda Black and Jim Ralph followed the convening of a Saline County grand jury, which handed down indictments for the three. Hart's arrest came about later.

For some time, no new developments have been revealed in the case, which was transferred to the state attorney general's office after Prosecuting Attorney Bob Alsobrook of Benton asked to be disqualified on the basis of a potential legal conflict of interest.

Initially, Tom Tatum, an attorney from Danville, was asked to serve in the role of special prosecutor but declined after deciding that the investigation would take more time than he has available. After exploring several options, Circuit Judge John Cole requested Attorney General Steve Clark to provide a prosecutor and two lawyers on his staff were ultimately assigned to the case.



# Joe Hardin will prosecute local hospital case

By LYNDA HOLLENBECK  
Courier Staff Writer

An investigation that began in early March at Saline Memorial Hospital took a new turn today when Circuit Judge John Cole of Sheridan appointed Joe Hardin of Benton to serve as special prosecutor for the four cases that have evolved from that State Police probe that was initiated after financial discrepancies were discovered at the medical facility.

In his chambers at the Saline County Courthouse, Cole, at 9 a.m., officially swore Hardin in as the prosecutor for those cases pending against E.F. Black Jr., the hospital's former administrator; Black's wife, Linda; Jim Ralph, the hospital's former director of purchasing; and Carla Hart, the former director of medical records at the hospital. All have been charged with theft of property.

Hardin will be serving as special prosecutor without pay, as he promised he would do in his recent successful campaign for prosecuting attorney, Cole said.

Another offer to serve as special prosecutor was made during the recent campaign for prosecuting attorney by Benton attorney Dan Harmon, who finished third in that initial three-man race that was later determined in a runoff election between Hardin and the other candidate, Dan Moudy of Benton. Hardin's offer to serve as prosecutor followed the one Harmon had made.

Today, the judge noted that any other developments that might possibly result from the investigation at the hospital will also be handled by Hardin.

"Hardin will have the authority to appoint whomever he wants to act as special deputy prosecutors," Cole said. However, those appointments are subject to the judge's approval.

"He can use the attorney general's office or decide not to use their services, whatever he wants," Cole said. "I have every confidence in his ability, as I believe the people do, and I'm now confident that the whole thing (the investigation) is on its way to being resolved."

Cole said that anyone other than

without financial compensation and noted that any funds that might be required for this purpose would have to come through an appropriation from the county quorum court.

The need for a special prosecutor arose when Prosecuting Attorney Bob Alsbrook of Benton asked to be disqualified from the investigation because of a "potential legal conflict of interest."

Judge Cole initially requested Tom Tatum, a prosecuting attorney from Danville, to act as special prosecutor, but Tatum declined, citing time as a factor.

After Tatum was no longer an option for consideration in the issue, the judge asked Attorney General Steve Clark to handle the prosecution and two attorneys on his staff were subsequently appointed to serve in that capacity.

Since those appointments were made, no new developments in the investigation had been announced.

Hardin has not said whether the attorney general's office will continue in the prosecution process.

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Trials for E.F. and Linda Black are presently scheduled for July 19 and 20. No dates for the Ralph or Hart trials have been announced.

E.F. Black, Linda Black and Ralph were indicted by a Saline County grand jury and Hart's arrest came about later. E.F. Black is charged with 20 counts of theft of property; Linda Black, one count; Ralph, 15 counts; and Hart, one count.



Joe Kelly Hardin



# Joe Hardin vows to 'get to bottom' of hospital probe

Joe Hardin, the Benton attorney who recently was elected prosecuting attorney, said today he would "go back as far as necessary, maybe as far back as the time that Black (E.F. Black Jr.) became administrator, if need be" in an investigation of Saline Memorial Hospital and vowed to "get down to the bottom of it."

"I can promise that," said Hardin, who was officially sworn in Tuesday as special prosecutor for that investigation which began in early March during the midst of the discovery of financial discrepancies at the hospital.

Circuit Judge John Cole of Sheridan appointed Hardin as the special prosecutor and commented at the time that Hardin would have the option to use the services of the attorney general's office or to select deputy special prosecutors from other sources.

After Prosecuting Attorney Bob Alsobrook of Benton asked to be disqualified from the hospital probe for an unspecified legal conflict of interest, Cole requested an attorney from Danville to serve as special prosecutor for the investigation, which, to date, has resulted in theft of property charges being filed against the hospital's former administrator, his wife and two other former hospital employees. When the Danville attorney, Tom Tatum, declined the request, Cole asked Attorney General Steve Clark to conduct the investigation.

Today, Hardin said he has made no decision regarding the use of the attorney general's staff or other sources for assistance in the investigation. "After I get the State Police files, I'll have a lot better idea about what I will need," he said. "I should have a decision by the end of the week — Monday, for sure."

Hardin said he conferred Tuesday with Alsobrook and hopes to talk with State Police investigators and the attorney general today.

He declined to comment on a Saline County Republican Committee resolution, made earlier this week, in reference to the hospital investigation. That group drafted a resolution which, in essence, accused Democratic officials of being involved in a possible cover-up of the investigation, calling the situation a "Bentongate."

In regard to those allegations, the attorney general today said, "Mazander (Republican committee chairman Charles Mazander of Benton) is just playing politics. I found it rather interesting that he called it 'Bentongate' when it was their party that started Watergate."

Clark also stated, "It doesn't matter who is involved or what party they are affiliated with. Rumors are just running rampant."

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"There's a new rumor every day," the attorney general commented. "The stories make the rounds in the coffee shops every morning. In some cases, ~~anybody who had any connection~~ at any time with anyone at the hospital is presumed by some people to be guilty. We're not going to deal in rumors; we're going to deal in facts."

Clark also said that his office had never been formally appointed to prosecute the hospital case. "The original conversations involved Tom Holcome, Patty Cherry and Mike Wheeler and we sent word that we would take the case."

He said he was asked last week if his office would be willing to assist Hardin if he should be appointed special prosecutor and was told by Cole that Hardin's appointment was a possibility.

Clark contends that "the case has ~~been moving forward~~" and said that he had been considering requesting an appropriation from the Saline County Quorum Court to handle expenses incurred during the investigation.

As of this morning, Clark said that he has never talked with Hardin in regard to the case.

Hardin is serving without pay in his capacity as as special prosecutor.



# The hospital case...

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6-22-84

## Grand jury recall expected; Harmon to be deputy

A Saline County grand jury may be called into session next week, according to Benton attorney Joe Hardin, who is serving as special prosecutor for an investigation at Saline Memorial Hospital.

Hardin, who was officially sworn in Wednesday as the special prosecutor for that probe, said today he plans to request Circuit Judge John Cole to convene the grand jury and he predicted that it might possibly meet for as long as "30 days."

Hardin said he met today with State Police investigators and Mike Wheeler and Patricia Cherry of the attorney general's office and now has all of the information that has been gathered during the investigation to this point.

He mentioned that the two attorneys at the attorney general's office were "nice and informative" and noted that they had talked with State Police "two or three times."

However, he said he now realizes

that the case will require "a lot of work" and believes it would be easier to handle the prosecution with a local deputy prosecutor. He expects that person to be Benton attorney Dan Harmon, who finished third in the recent race for prosecuting attorney, a position Hardin won. During the course of that campaign, both Harmon and Hardin offered to serve as special prosecutors for the hospital case.

Hardin said he anticipates that Judge Cole will sign the order appointing Harmon to the deputy special prosecutor post on Monday and that he will also sign an official order directing that all information pertaining to the investigation should be submitted to him (Hardin).

"I know pretty much what the current charges are (in regard to the four persons who have been charged with criminal offenses in connection with the probe)," Hardin said. Then he added, "We might want to refine

some of those charges."

He said he will be checking out "all the rumors going around" and is looking into the cost of an independent audit of the hospital.

The county grand jury was in session March 29 and 30 and handed down indictments for the hospital's former administrator, E.F. Black Jr.; Black's wife, Linda; and Jim Ralph, who, at that time, was the hospital's director of purchasing. E.F. Black was indicted on 20 counts of theft of property; Linda Black, one count; and Ralph 15 counts.

Later, Carla Hart, who had been the hospital's director of medical records, was charged with one count of theft of property in connection with the alleged falsification of a travel voucher.

The investigation at the hospital began March 7, two days after Black's resignation was announced in a special meeting of the hospital board.



# Grand jury to reconvene Wednesday; 24 set to testify

Twenty-four people will initially be subpoenaed to testify before the Saline County grand jury regarding alleged financial irregularities at Saline Memorial Hospital, according to Joe Hardin, special prosecutor.

According to Hardin and Dan Harmon, special deputy prosecutor, the grand jury will convene beginning at 9 a.m. Wednesday.

Hardin announced Friday that Harmon would serve as special deputy prosecutor.

The grand jury will be in session Wednesday and July 3, "and all other days subsequent to July 3, 1984, that the grand jury deems necessary," according to a letter sent by Hardin and Harmon to Jimmy Seals, circuit clerk.

Harmon said today the 24 subpoenas listed on the request to the circuit clerk are "just a start."

"I wouldn't doubt there wouldn't be 100 (people subpoenaed)," Harmon

said.

Hardin added that he has a computer printout of all hospital employees, which numbers over 400. Hardin said some of those employees likely will be called to testify and indicated former employees also would be called.

The hospital's former administrator, E.F. Black; Black's wife, Linda; and Jim Ralph, who at the time was the hospital's director of purchasing, all were indicted in March by the grand jury and they all were listed among those to be subpoenaed to appear before the grand jury.

Carla Hart, former director of medical records at the hospital, was later charged with theft of property and also will be subpoenaed, according to the request sent to the circuit clerk.

Dr. Jim Porter, Raymond Thomas, Robert Haynes, Mary Francis Izard, Jim Curtis, Jim Villines and J.B.

Tittle, all hospital board members, also will be subpoenaed to testify before the grand jury.

Others scheduled to testify include Ron Morris, controller at the hospital, and Tommy Gilbert and Melvin King, both former assistant administrators.

Hardin said Lib Carlisle, Ken Hughes, Eddie McCray, John Fred Walton and Wayne Bishop will be called to testify to determine what possible association Black may have had with the Rivendell land purchase.

Hardin said Bob Alsobrook will testify before the grand jury because he was prosecutor until he resigned and Dan Moudy, attorney for the hospital, also will testify.

Frank Mitchell and Dale Swesey of the Arkansas State Police also will be subpoenaed to testify and Hardin said Bill Reid, their superior, also will be called.

"We're going to track down all those rumors," Harmon said.

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"We're encouraging anybody who thinks they know something to come forward and make their desire to testify before the grand jury known," Harmon added.

Hardin said an ad will be put in the paper asking anyone who has information to come forward. "There may be someone out there who has important information that we don't know about or have a lead on now."

Hardin also said that other people may be subpoenaed if their names are mentioned during testimonies and it is determined their testimony would be pertinent.

"We're going to get anybody who has done anything wrong and restore confidence in the hospital," Hardin said.

He said Circuit Judge John Cole is in the process of drawing up an order requiring all agencies involved to turn over their evidence to the special prosecutor. He said the order will be

filed before Wednesday.

"We want to make sure we have all the evidence," he said.

Hardin said he will appear before the Saline County Quorum Court July 2 and request a fee, "probably about \$25 an hour," be paid to Harmon while he works on the case.

He said he will also request that funds be provided for a court reporter.

The court reporter, Hardin said, will also serve as a secretary if correspondence is required.

Hardin said funds may also be needed to pay for witnesses who will have to be subpoenaed from out of town.

In his campaign for 7th District prosecuting attorney, Hardin pledged to prosecute the hospital case free of charge if he won, and he said that is what he is doing.

The grand jury was in session March 29 and 30 and indicted Black

with 20 counts of theft of property; Linda Black with one count and Ralph with 15 counts.

Later, Hart was charged with one count of theft property in connection with the alleged falsification of a travel voucher.

The investigation at the hospital began March 7, two days after Black's resignation was announced in a special meeting of the hospital board.

Alsobrook asked to step aside as prosecutor in the case in April.

The state attorney general's office was then asked to serve as prosecutor after Tom Tatum of Danville was offered the position of special prosecutor, but turned it down.

Cole then officially appointed Hardin last Wednesday.

Hardin conferred with the attorney general's office and with Alsobrook last week. He said he also met with State Police investigators and secured all the files involving the case.



Delbert Mickel Jr.  
6-25-84

# Blacks' attorney files two motions

Two motions were filed Friday by Delbert Mickel Jr., the attorney for E.F. and Linda Black who are charged with theft of property in connection with an ongoing investigation at Saline Memorial Hospital.

One motion asks that the court dismiss all charges against the two defendants on the basis that the prosecution has not complied with motions for discovery and a bill of particulars filed some time ago by the defense attorney.

Black is the former administrator of Saline Memorial Hospital and Linda Black is his wife. He is charged with 20 counts of theft of property and she is charged with one count. Both were indicted by a Saline County grand jury in March.

The complaint states that a request for this information was given to Prosecuting Attorney Bob Alsobrook on April 23. Alsobrook reportedly told the defense counsel that he could not obtain the investigative file and information pertaining to the particular charges and then later withdrew as prosecutor in the case, the motion states.

During May, the defendants' attorney requested State Police to provide the pertinent information and documents pertaining to the charges in the indictments and that request was refused, the motion states.

A request for this information was later made to the attorney general's office but nobody in that office could ascertain who had the case file or whether it was actually in that office, according to the motion.

The defendants contend that they cannot prepare any defense to the charges contained in the indictments and that their rights to discovery and fair trials as guaranteed by the sixth amendment to the U.S. Constitution, the state constitution and the rules of criminal procedure have been violated.

The other motion filed in the case asks that Linda Black be granted a separate trial from her husband.

When the couple appeared at arraignment proceedings before Circuit Judge John Cole, their trial dates were scheduled for July 19 and 20. No motion to separate the trials was entered at that time.



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Benton Courier

## Kudos for Hardin

It is rare when a candidate wins a political race and gets the opportunity to keep a campaign promise before he takes office.

Joe Hardin has been given that opportunity and his promise is being fulfilled.

Hardin promised during the race for prosecuting attorney that he would prosecute the case surrounding financial discrepancies at Saline Memorial Hospital without charge if he were elected prosecutor. One of his opponents, Dan Harmon, was the originator of the promise and now Hardin has engaged Harmon as special deputy prosecutor in the case.

Hardin has vowed publicly to "get to the bottom" of the case and has said he will call everyone before the Saline County grand jury who may have any information surrounding the case.

He indicated the jury may be in session as long as 30 days.

Hardin wasted no time in urging Judge John Cole to reconvene the grand jury. That panel is due to meet at 9 a.m. Wednesday.

The hospital case has been an open book since early March when E.F. Black Jr., the hospital administrator at that time, resigned amid rumors of financial irregularities at the facility. Black, his wife, and the former director of purchasing were subsequently indicted by the grand jury when it last was in session.

Rumors have run rampant.

Hardin says every rumor will be quelled before the case is completed. He has gone so far as to indicate that anyone who is not subpoenaed to testify, but believes he or she has information which may be valuable to the case, will be allowed to speak before the grand jury.

Hardin has made all the right moves so far. We have no reason to believe his direction will change. It is time for all the facts to come out. Saline Countians will not rest until justice has prevailed.

We believe Hardin will do everything possible to make sure that happens.

DB



# Recalled jury <sup>626</sup> due to convene on Wednesday

The Saline County Grand Jury that met last March to look into financial discrepancies at Saline Memorial Hospital will be called back into session at 9 a.m. Wednesday to take another look at that situation.

The 16 persons who composed the original panel will initially be serving as jurors, according to Joe Hardin, special prosecutor for the case which, to date, has resulted in theft of property charges filed against the hospital's former administrator, the former administrator's wife and two other persons formerly employed at the facility.

Hardin said today that the 40 persons from whom the original panel was formed will be recalled, but that the 16 jurors chosen during the last session will form the initial jury. He also said Circuit Judge John Cole has called an additional 60 persons as potential jurors because of vacation plans and other commitments that might make it difficult for the original 16 to serve on the grand jury. He also noted that some people might not be able to serve due to the length of time the grand jury is expected to be in session. Last week, he predicted the session could last up to 30 days.

After 16 persons are named to the panel, which may include all or part of the original jury, two alternates will be chosen during the initial action Wednesday morning, Hardin said.

He mentioned that the "scope of this grand jury will be much larger (than the earlier session)."

Among those called as witnesses for the opening day of the grand jury investigation are E.F. Black, the former administrator at Saline Memorial; Linda Black, his wife; Jim Ralph, the former director of purchasing; and Carla Hart, the former director of medical records.

However, Hardin said today he has been informed by Hart's attorney, Bill Wilson, that she will be taking "the fifth amendment" and will not be testifying before the panel.

The prosecutor said he has not heard from attorneys for the other persons who are charged with criminal offenses pertaining to the hospital probe, but said he "would assume their attorneys will be there and advise them of the same thing."

Also scheduled to testify Wednesday are members of the hospital board, Dr. Jim Porter, Raymond Thomas, Robert Haynes, Mary Frances Izard, Jim Curtis, Jim Villines and J.B. Tittle; Tommy Gilbert and Melvin King, who formerly served as associate administrators of the hospital; Ron Morris, who is controller at the hospital; and Lib Carlisle of Benton, who serves as state chairman of the Democratic Party.

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Frank Mitchell and Dale Swesey of the State Police, who have been the investigators on the hospital probe, will be testifying. Lt. Bill Reid, who serves as supervisor of Mitchell and Swesey, is also to be a witness.

Named on the second call for grand jurors are:

Janis Rafferty, Ovinell Thomas, Sharon L. Pearson, Evelyn K. Cox, Donald M. Chaney, William B. Selah, Teresa R. Keltner, Bobby P. Johnson, Sarah A. McGriff, Karen L. Carter.

Thomas N. Ritchie, Victor G. Besancon, Thomas B. Brown, Linda D. Howard, Lottie M. Ammons, George D. Himes, Claudia A. Cox, William W. Honeycutt, Esta M. Westbrook, Daisy L. Curtis.

Estalee Grant, Willie Mae Harrington, Janice M. Hall, Marshall Austin Stanely, Glen C. Hunter, Grisham A. Phillips Jr., Una S. Hobby, Patti A. Bokony, Fredna H. Blankenship, Nancy L. Phillips, Mildred Hockersmith, Granvil C. Thurmond, Robert G. Denman, Judy E. Davis, Carl Elijah Nanny, Thurman S. Williams.

James B. Butler, Donald L. Clark, Herman S. Quantz, Inez Brown, Stella Hilton, Ronald L. McKinney, Royall R. Thomas, Darcy M. Stonesifer, Bernace M. Jones, Josephine M. Van Alstin, Mary L. Roetzel, Edward R. Holt.

Clifford S. Hargett, Patty J. Hardesty, Meda H. Kyzer, Emogene Scott, Mary Sue Hutcheson, Carroll D. Whitfield, George A. Howard, Charles E. Thomas, Martha L. Jennings, Georgia E. Lovell, Tilford W. Cole.

The original panel included Joseph A. Gaylo Jr., who served as foreman; John C. Harding, Norma Jean Corley, Carlos C. Beavert, Randy L. Blue, James Alfred Harris Jr., Raymond O. Bermingham, Emmett F. Fagan, Frank W. Tracy, James W. Reasons, Marilyn L. Coursey, Frances J. Pel-

ton, Norma J. Gilland, Sherman W. Lancaster, Rita, M. Rich and Floyd M. Melson.

Others who were named in that first call and who remain potential jurors include:

Craig R. Millard, Wilna O. Myers, Annie H. Jones, Leo M. Bryant, Freddie J. Cullins, Kathy A. Sanders, John H. Meisner, Carolyn M. Carter, Miquel F. King, Nancy E. Frank, Lisa R. Wilson, Tommy J. Caldwell, Lisa D. McCarty.

Mercedes Burks, Wanda E. Crook, Daniel L. Howard, Lucy P. Shelton, Lucille A. Lambert, Ronald L. Wright, Bobby C. Carter, James F. Thomas, Agnes P. Courtney and Stella M. Taylor.

Assisting Hardin with the prosecution is Dan Harmon, who has officially been sworn in to serve in the capacity of deputy special prosecutor.

Harmon commented that he is not a candidate for any political office and said he is not interested in being a deputy prosecutor.

Those comments were made in keeping with Hardin's promise to quell all rumors that have surfaced in regard to the investigation. "We are trying to be as above board as possible," Hardin said.

Prosecutors sometimes use grand juries to test their evidence or to uncover additional information for use in criminal cases. An indictment is handed down when grand jurors are persuaded by the evidence that the prosecutor has reason to try a case.

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# E.F. Black first witness before grand jury

## Ten original jurors, 9 others picked

By LYNDA HOLLENBECK  
Courier Staff Writer

Sixteen jurors and three alternates were selected today to serve on a Saline County grand jury that is hearing evidence pertaining to an investigation into financial discrepancies at Saline Memorial Hospital.

Of the 16 who compose the actual jury, 10 served previously when the grand jury met for two days in March during the early days of the investigation.

At the close of that session of the grand jury, indictments were handed down for three persons: E.F. Black Jr., the former administrator of the hospital; his wife, Linda; and Jim Ralph, the former director of purchasing at the facility.

E.F. Black was charged with 20 counts of theft of property; Linda Black; one count; and Ralph, 15 counts. A fourth person, Carla Hart, who had been the hospital's director of medical records, was later charged with one count of theft of property. All entered not guilty pleas during arraignment before Circuit Judge John Cole.

E.F. Black was the only witness called to testify during the grand jury's morning session today and was expected to be recalled during the afternoon session. Black went into the courtroom at 10:38 a.m. and remained until 11:50 a.m., about five minutes before a lunch break was declared.

As Black left the courtroom, he was approached by reporters and asked if he would make any comments. His reply was, "No."

Expected to appear during today's afternoon session, in addition to Black, are his wife, Linda, Lib Carlisle, Ken Hughes, Eddie McCray and John Fred Walton.

The 10 original jurors who are serving during this term of the grand jury include: Joe Gaylo, who acted as foreman during its prior session and is continuing in that capacity; Raymond Bermingham, Rita Rich, Norma Jean Corley, James Reasons, Norma Gilland, Frances Pelton, Randy Blue, James Alfred Harris Jr. and Marilyn Coursey.

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Excused from service this time for work-related reasons were Sherman Lancaster, John C. Harding, and Floyd Melson. Frank Tracy, who also served previously, was excused because Raymond Thomas, a member of the Saline Memorial Hospital Board, is one of his employees.

When he granted Tracy's excusal, Judge Cole said he had been aware of the relationship between Thomas and Tracy during the jury's first session but, at that time, had not thought it would have any bearing on the evidence presented to the grand jurors. Today, however, he said that situation may have changed and it might create a problem.

All the members of the hospital board have been subpoenaed to testify before the grand jury.

Carlos C. Beavert and Emmett F. Fagan, who also served during the jury's original session, did not answer roll call today. The judge explained that the sheriff's office had only a two-day period to make contact with persons on the grand jury list, as well as the witness list, and many had not received their notification.

The six persons who were selected today to complete the panel are John Meisner, Daniel Howard, Bobby Carter, Sharon Pearson, William Selah and Sarah McGriff. Chosen as alternates were Daisy Curtis, Estalee Grant and James Butler, who also attend all of the sessions of the jury.

The selection of the jurors took a little more than an hour. After selection was completed, the jurors were sworn in by Circuit Clerk Jimmy Seals.

At that point, the hearing was closed to anyone other than the jurors; the two prosecutors, who are Joe Hardin and special deputy Dan Harmon; and the witnesses who give their testimony individually. The judge does not remain present for the questioning of the witnesses.

Two witnesses who have been subpoenaed to appear before the grand jury, Jim Ralph and Melvin King (one of the hospital's former associate administrators) have not yet been served their subpoenas, Harmon said today. The short notice given the sheriff's department was cited as the reason they had not yet been subpoenaed.

Carla Hart, who was also subpoenaed to testify, will not be appearing due to an arrangement between her attorney, Bill Wilson, and Hardin, that allows her to plead the fifth amendment to the constitution without appearing before the panel.

Other witnesses will include hospital board members Thomas, Dr. Jim Porter, Robert Haynes, Mary Frances Izard, Jim Curtis, Jim Villines and J.B. Tittle; hospital controller Ron Morris; the hospital's other former associate administrator, Tommy Gilbert, who served as inter-

im administrator until his recent resignation; Prosecuting Attorney Bob Alsobrook; hospital attorney Dan Moudy; County Judge Wayne Bishop; and State Police investigators Frank Mitchell, Dale Swesey and Bill Reid.

The grand jury is expected to be in session 20 to 30 days.

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Photo by Steve McHenry

Prospective grand jurors fill up the spectator section of Circuit Courtroom at the Saline County Courthouse Wednesday morning before the selection process begins. Ten members of the original grand jury, which met in late March, and six other jurors

and three alternates were chosen today to serve on the grand jury, which is hearing evidence relating to alleged financial irregularities at Saline Memorial Hospital.



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## Panel is back in session; Alsobrook is first witness

The Saline County Grand Jury that was called into session Wednesday to investigate a situation involving financial irregularities at Saline Memorial Hospital reconvened at 10 a.m. today.

The first person to appear before the jury this morning was Prosecuting Attorney Bob Alsobrook, who disqualified himself from the investigation a short time following the first session of the grand jury.

At the time Alsobrook requested Circuit Judge John Cole to disqualify him from the investigation, Alsobrook did not reveal the reason he was stepping down and only said it was for a "potential legal conflict of interest."

Alsobrook appeared before the jury for approximately 20 minutes and was followed by hospital board member Jim Villines. Villines remained in the jury room slightly more than an hour.

As he was leaving the courthouse, Villines said he is "relieved to finally see the investigation come to some sort of conclusion and I hope we can eventually lay it to rest."

He added, "I'm ready for it to be

over."

Scott Lovell of the certified public accounting firm of Yoakum, Lovell and Co., who testified Wednesday, appeared briefly before the jury today.

Following Lovell's appearance were Benton businessmen John Fred Walton and Eddie McCray. They were the final witnesses before the jury took a lunch break at 12:30 p.m.

Jim Ralph, the hospital's former director of purchasing, was expected to testify during the afternoon session. Ralph, who was one of three persons indicted during the grand jury's previous session, is charged with 15 counts of theft of property.

Dan Moudy, the attorney for the hospital, was also scheduled to testify during the jury's afternoon session.

The grand jury will be meeting Friday, beginning at 9 a.m. No session will be held Monday but a session is scheduled Tuesday. Joe Hardin, who is serving as special prosecutor for the investigation, said additional subpoenas will be served early next week.



# Grand jurors make long day; Black's testimony is lengthy

By LYNDA HOLLENBECK  
Courier Staff Writer

The 19 people who were sworn in as grand jurors Wednesday at the Saline County Courthouse more than earned the \$20-per-juror-per-day compensation during the first day's session of the county grand jury that is hearing evidence related to an investigation of financial mismanagement at Saline Memorial Hospital.

The session that began at 9 a.m. with the roll call of potential grand jurors didn't adjourn until almost 7:30 p.m. The jurors were told to return at 10 a.m. today for another session, although initially the panel had not been scheduled to reconvene until next Tuesday.

Shortly after 10 a.m. Wednesday, Circuit Judge John Cole had completed questioning the potential jurors and the 19 who qualified were then sworn in by Circuit Clerk Jimmy Seals.

Most of the Wednesday session was taken up with testimony from E.F. Black Jr., the former hospital administrator who was indicted on 20 counts of theft of property when the panel met in March.

Black was the first witness called during the morning session and was recalled again Wednesday afternoon. His wife, Linda, who also was indicted during the March session of the county grand jury, was the last witness to testify Wednesday.

The Blacks were among six witnesses called before the grand jury Wednesday.

Neither Black nor his wife appeared before the March grand jury.

Others who appeared before the panel Wednesday were Raymond Thomas, a member of the hospital board; Scott Lovell of Yoakum, Lovell and Co., a certified public accounting firm that has conducted audits of the hospital; Lib Carlisle, an owner of Lambeth-Thomas Real Estate and Insurance Co.; and Ken Hughes, an employee of Carlisle's company.

Serving as special prosecutor for the investigation is Joe Hardin, prosecuting attorney-elect. Dan Harmon, who was also a candidate for the prosecuting attorney position, is the deputy special prosecutor.

Carla Hart, who was the hospital's former director of medical records, was later charged with one count of theft of property. She had also been scheduled to appear during the proceedings but through an arrangement made between her attorney, Bill Wilson, and Hardin, will not be testifying. The agreement allows her to



plead the fifth amendment to the constitution without appearing before the panel.

Three persons who had served as grand jurors during a March session were excused for employment conflicts. Another juror — Frank Tracy of Benton — was relieved of duty because hospital board member Raymond Thomas is employed in the business he owns and Thomas, along with other board members, was subpoenaed as a witness.

Questions asked of the potential jurors concern whether the person is a registered voter, if he or she has ever been convicted of a felony, if anything in the general subject matter of the investigation would likely create a problem, and — the question that posed the greatest obstacle for most — would the length of time (20-30 days) the grand jury is expected to meet create a severe hardship?

Many claimed the time factor would cause serious hardships that could not be resolved and were excused from service.

Others who are expected to testify will include the other members of the hospital board, Dr. Jim Porter, Jim Villines, J.B. Tittle, Mary Frances Izard, Robert Haynes and Jim Curtis; hospital controller Ron Morris; the hospital's former associate administrators, Tommy Gilbert and Melvin King; Prosecuting Attorney Bob Also-~~brook, hospital attorney and chief~~ deputy prosecutor Dan Moudy; County Judge Wayne Bishop; and State Police Investigators Frank Mitchell, Dale Swesey and Bill Reid.

Hardin said prior to the opening session of the grand jury that as many as 100 persons may be testifying. "We're encouraging anybody who thinks they know something to come forward and make known their desire to testify before the grand jury."

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