

Youths identified as 2 killed by train

Teen-agers were students at Bryant

By David F. Kern
and William Green
GAZETTE STAFF

ALEXANDER — Investigators Monday identified the victims of a fatal Union Pacific accident Sunday as two teen-agers — Don George Henry, 16, of Bryant and Larry Kevin Ives, 17, of Benton.

But authorities could not explain why the two Bryant High School students lay on the tracks and did not move before a Union Pacific train struck them.

Henry Ives, whose father is a Union Pacific engineer, and Henry were friends and would have been seniors in school this year.



Ives
Saline County Sheriff James Steed said. He said that according to the state medical examiner's initial report, "they were alive prior to be-

ing run over by the train." There were no notes or other indication that the deaths might have been suicide, he said. "You could speculate ten thousand things," the sheriff said.

Dr. Fahmy Malak, the state medical examiner, performed autopsies on the two youths Monday, but he would not release any information until more tests had been completed. "I can't tell you anything," until "certain tests" are completed, he said.

Friends, teachers shocked

Friends and teachers said they were shocked by the deaths. They said the youths did not appear to have any emotional problems and were average boys who were well-known and well-liked.

The youths were struck by a freight train that had three engines and 75 cars, a spokesman for the Union Pacific at St. Louis said. The train was going about 50 miles an hour and was northbound, from Shreveport to North Little Rock.

Whistles, bells sounded

They were lying within and parallel to the rails with their legs over the rails. As soon as the engineer saw them, "the train was placed in emergency, whistles were sounded, bells were sounded," but "there was no movement from the victims," a

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Train

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Union Pacific spokesman said.

It was not known how far the engine was from the victims when the engineer saw them and tried to stop, he said.

Asked if the victims appeared to be conscious, the spokesman said, "There was just no movement when the whistles and bells were sounded. No movement."

Ives and Henry were killed about 4:30 a.m. Sunday on tracks between the Shobe Road and Alexander Road crossings on the eastern edge of Saline County, Saline Chief Deputy Rick Elmendorf said.

James S. Shroyer of Little Rock was identified as the engineer.

Elmendorf said the boys had indicated to their parents about 12:30 a.m. Sunday that they were going rabbit hunting. A .22-caliber rifle and a flashlight were found at the accident scene and were thought to have been between the youths when the train struck them, officials said.

An Ives family spokesman who declined to be identified said, "No one really knows for sure what happened."

"Nobody can believe it. People still haven't realized what's really happened yet," Jody Washam, 17, a longtime friend of both boys, said in a telephone interview.

Washam said he had been out on the tracks at night with friends and it was not hard to know a train

was coming long before it arrived. But he said neither boy would have intentionally wanted to be hit by a train and they wouldn't have been using drugs, either. Washam, a next-door neighbor of Ives, said Ives was "a heavy sleeper."

Bryant High School counselor Lindell Dalrymple, who knew both boys, said they were "typical boys" and were planning on taking vocational training this year.

Dalrymple said that Henry was outgoing, "always happy, smiling, very extroverted and an average student." He said that Ives was "introverted, and quite serious minded."

Henry was a Baptist. Survivors are his father and stepmother, Curtis and Marvelle Henry of Bryant; his mother and stepfather, Gennie Sue and Fred Carpenter of Tampa, Fla.; a sister, Gayla Henry of Benton; a half-sister, Linda Jackson of Hope, and his grandparents, Mrs. George Henry of Magnolia and Cullie and Amanda Mae Clayton of McNabb. Funeral will be at 10 a.m. Wednesday at Roller-Drummond Funeral Home by Rev. Russell Rhodes and Rev. Anthony Williams. Graveside service will be at 3 p.m. Wednesday at Macedonia Cemetery at Magnolia.

Ives was a Baptist. Survivors are his parents, Mr. and Mrs. Larry Ives of Benton; a sister, Alicia Ives of Fayetteville, and a grandmother, Endora Haydon of Little Rock. Funeral will be at 2:30 p.m. Tuesday at Ashby Funeral Home. Burial will be in Pinecrest Memorial Park.

Deaths/Funerals

BENTON

Larry Kevin Ives, 17, of Benton, a senior at Bryant High School, died Sunday. Ives was a member of Sunset Lane Baptist Church. Funeral will be at 2:30 p.m. today at Ashby Funeral Home by the Rev. Edward Edmondson. Burial will be in Pinecrest Memorial Park. Survivors are his parents, Mr. and Mrs. Larry Ives of Benton; a sister, Miss Alicia Ives of Fayetteville, and a grandmother, Mrs. Endora Haydon of Little Rock.

BRYANT

Don Henry, 16, of Bryant, a senior at Bryant High School, died Sunday. Henry was a member of Sardis Road Baptist Church. Funeral will be at 10 a.m. Wednesday at Roller-Drummond Funeral Home, Little Rock, by the Revs. Russell Rhodes and Anthony Williams. Graveside service will be at 3 p.m. Wednesday at Macedonia Cemetery, Magnolia. Survivors are his father and stepmother, Mr. and Mrs. Curtis Henry of Bryant; his mother and stepfather, Mr. and Mrs. Fred Carpenter of Tampa, Fla.; a sister, Miss Gayla Henry of Benton; a half sister, Ms. Linda Jackson of Hope, and his grandparents, Mrs. George Henry of Magnolia, and Mr. and Mrs. Cullie Clayton of McNabb.

Autopsy report studied

Other test results expected in deaths of area teen-agers

By LYNDA HOLLENBECK
Courier Staff Writer

Preliminary findings from the state medical examiner's office indicate that crushing injuries caused the deaths of two teen-agers Sunday morning on a Union Pacific railroad crossing in Saline County.

Saline County Chief Deputy Rick Elmendorf said results of a drug and alcohol tests have not been received.

A complete autopsy report is expected later from Dr. Fahmy Malek, he said.

The victims, who had been lying on the railroad tracks, were Larry Kevin Ives, 17, of Route 1, Benton, and Don Henry, 16, of Bryant. Both were scheduled to begin their senior year next week at Bryant High School.

No identification was found on either of the teen-agers' bodies and no clues to their identification were found at the scene, Elmendorf said. Positive identification was made just after noon Monday following autopsies by the state medical examiner and by comparison of dental records.

Elmendorf said there is no evidence that the boys were dead before they were struck by the train. No foul play is suspected, he said.

The accident occurred about 4:30 a.m. Sunday. A .22 caliber rifle and a flashlight were found at the scene and were thought to have been lying between the two youths.

The teen-agers had apparently walked to the area, Elmendorf said. No vehicles were found in the area.

The chief deputy reported that the engineer and two crew members had seen the teen-agers lying on the tracks, but were unable to stop the train in time. Neither boy moved as the train approached, nor gave any

indication of being aware of the train.

"Neither one of them made any attempt to get off the track with the sound of the train approaching," Elmendorf said. "The train crew was completely helpless. There was nothing they could do."

Elmendorf said deputies have not determined how fast the train was traveling at the time. Additional interviews with the engineer and crew members were to be conducted.

Funeral for Henry will be at 10 a.m. Wednesday at Roller-Drummond Funeral Home in Little Rock. A 3 p.m. graveside service will be held at Macedonia Cemetery near Magnolia.

Funeral for Ives was scheduled for 2:30 p.m. today at Ashby Funeral Home. Burial was to follow at Pinecrest Memorial Park.

Investigator Chuck Tallent is in charge of the investigation. Assisting at the scene were Lt. Ray Richmond, Deputies Kathy Carty and Pat Hawkins and Reserve Officer Larry Davis.

Police hunt clues in deaths of teens crushed by train

BY JIM LOVEL
Democrat State Desk

BENTON — The only thing Saline County authorities are sure of in the death of two teen-age boys, who were hit by a train early Sunday morning, is that foul play wasn't involved.

"We haven't ruled out anything, except foul play," Rick Elmendorf, chief deputy, said Tuesday.

Larry Kevin Ives, 17, of Benton and Don Henry, 16, of Bryant were crushed by a Union Pacific train about 4:30 a.m. Sunday as they lay on the tracks near the Arkansas 111 crossing west of Alexander (Saline County).

The boys were lying side-by-side on their backs with their heads between the rails and their legs over the south rail of the tracks, Elmendorf said. A .22-caliber rifle and flashlight they apparently were using to hunt rabbits was laying between them.

A preliminary autopsy report indicated both boys were alive before the train hit them, but Union Pacific officials said neither of the boys moved as the train, which included three engines and 75 cars, approached at 50 miles per hour.

The engineer saw the boys and sounded the train's whistles and bells but wasn't able to stop the train.

The bizarre event has investigators baffled, Elmendorf said.

"There's absolutely nothing on why neither one of them did nothing to get up off the tracks," Elmendorf said. "We're trying to come up with any feasible reason for something like this to happen."

The lack of clues about the incident have spawned a lot of rumors, he said. One rumor circulating claimed the boys had been tied to the tracks and shot, he said. However, he dismissed the rumor claiming the initial autopsy found "no stab wounds, no gunshot wounds and no blunt trauma to the head."

There was also no evidence of suicide, he said.

A final autopsy report, which includes blood tests for drugs and alcohol, is expected today or Thursday.

Ives was buried Tuesday afternoon in Pinecrest Memorial Park. Henry's funeral and burial is scheduled for today in Macedonia Cemetery at Magnolia.

... WEDNESDAY, AUGUST 26, 1987

Section **B**

Lab tests not complete in train deaths

SPECIAL TO THE GAZETTE

A spokesman for the state medical examiner, Dr. Fahmy Malak, said Tuesday that he had not completed laboratory tests for drugs or alcohol in the blood of two Saline County teen-agers struck and killed by a Union Pacific freight train Sunday.

The tests, "were not ready and we don't know when they will be ready," the spokesman, who declined to be identified, said.

Meanwhile, investigators are still trying to determine why the victims, Larry Kevin Ives, 16, of Benton, and Don George Henry, 17, of Bryant, did not move as the train, with whistles and bells sounding, approached them, Saline County sheriff's spokesman Rick Elmendorf said.

The teen-agers had told their parents they were going rabbit hunting at 12:30 a.m. Sunday, Elmendorf said. They were struck by the train about 4:30 a.m. as they were lying on tracks between Shove Road and Alexander Road crossings in the eastern part of Saline County.

Interviews planned in rail deaths

The Saline County sheriff's office is planning to interview the teachers and counselors of two local youths killed Sunday when they were hit by a train.

Chief Deputy Rick Elmendorf said today the interviews will be conducted as part of a routine death investigation.

"It's a normal check we would do on any death situation," Elmendorf said.

The youths, 16-year-old Don George Henry of Bryant and Larry Kevin Ives, 17, of Benton, died when a Union Pacific train struck them early Sunday morning as they were lying on tracks near Alexander.

Tests by the state medical examiner's office showed no alcohol in the blood of either teen-ager.

Authorities will not know if the youths had been using drugs until tests by the medical examiner are completed next week.

Autopsies and dental records were used to positively identify the victims. No identification was found on either of the boys' bodies and no clues to their identity were found at the scene.

Teens

Continued from page 1A

Investigators have not found any evidence indicating the youths were dead before the train struck them, according to Elmendorf.

The engineer and crew members told deputies they saw the youths lying on the tracks, but could not stop in time. Sounding whistles and bells to alert the boys was futile. Neither boy moved as the train approached or indicated they knew the train was present, authorities have said.

The two boys had apparently walked to the site of the accident carrying a .22 caliber rifle and a flashlight. The rifle and flashlight apparently were lying between the boys.

Henry's father told deputies the boys took the rifle and flashlight with them as they left the Henry home, near the tracks, to go rabbit hunting.

Elmendorf said today the rifle was not loaded at the time of the accident.

No alcohol found in train deaths

BENTON Laboratory tests indicate there was no alcohol in the blood of two Saline County teens killed Sunday after being struck by a Union Pacific freight train near Alexander, the sheriff's office said Wednesday.

Dr. Fahmy Malak, state medical examiner, is waiting for completion of tests that will determine whether drugs were involved, sheriff's spokesman Rick Elmendorf said.

Don George Henry, 16, of Bryant and Larry Kevin Ives, 17, of Benton were crushed by a train as they were lying on tracks early Sunday, Elmendorf said.

The engineer and crewmen told investigators the boys did not move as the train, with bells and whistles sounding, approached, Elmendorf said, adding that the crew would be questioned again.

Sheriff James Steed said he is waiting for the result of drug tests before proceeding with the investigation. If the tests find no indication of drugs, he said, he will double his efforts.

Parents invite

Benton Aug 23

Autopsies on youths incomplete

Spec. 8-27-87

Autopsy reports on two teen-agers killed by a Union Pacific train early Sunday still were not complete Wednesday, said Investigator Chuck Tal-ent of the Saline County sher-iff's office.

During Don Henry's funeral Wednesday morning, the Rev. Russell Rhodes said Henry, 16, of Bryant, one of the teen-agers crushed by the train, "will shine like the bright morning star" in memory of family, friends and high school classmates.

"Don did not fall as a falling star to be forgotten ...," Rhodes said. "We can look toward that bright morning star and see Don."

More than 300 people, many of them high school students, gathered at the Roller-Drum-mond Funeral Home in Little Rock for the 10 a.m. services. The chapel was filled beyond capacity and three adjoining rooms were opened to seat the overflow.

Henry was killed when he and a friend, Larry Kevin Ives,

17, of Benton, were struck by a Union Pacific train as they lay on the tracks near Alexander. Police have no leads on why the two were laying on the tracks and didn't attempt to move when the train ap-proached.

Rhodes called the names of each of Henry's family mem-bers and told them to "take time to look into the morning sky and take joy and gladness in your heart" that they will see the youth again.

Tests show two killed by train had used 'pot'

By David F. Kern
SPECIAL TO THE GAZETTE

Tests on the blood of two Saline County teen-agers killed by a Union Pacific Railroad freight train August 23 as they lay on the tracks indicated they were "unconscious and in deep sleep" under the influence of marijuana, Dr. Fahmy Malak, state medical examiner, said Friday.

Larry Kevin Ives, 17, of Benton and Don George Henry, 16, of Bryant were crushed by a 75-car train traveling at about 50 miles an hour, officials said.

Tests soon after the accident indicated there was no alcohol in their blood, but tests for drugs took nearly two weeks.

Brief statement

The medical examiner's office released a brief statement when drug tests were completed.

"At 4:25 a.m. on August 23,

1987, Larry Kevin Ives and Don George Henry were unconscious and in deep sleep on the railroad tracks under the psychedelic influence of THC when a train passed over them, causing their accidental death," the statement, signed by Dr. Malak, said.

THC is tetrahydrocannabinol, the chemical name for the intoxicating ingredient in marijuana.

The accident occurred on tracks between the Shobe Road and Alexander Road crossings on the eastern edge of the county, Chief Deputy Rick Elmendorf said.

Statements from the train crew indicated the boys were lying within and parallel to the rails with their legs over the rails.

As soon as the engineer saw them, "the train was placed in emergency, whistles were sounded, bells were sounded," but "there was no movement from the victims," a Union Pacific spokesman said.

Traces of 'pot' found in teens killed by train

BY DOUG THOMPSON
Democrat Benton Bureau

ALEXANDER — Two Saline County youths were under the influence of marijuana when they died under the wheels of a train Aug. 23, the state medical examiner's office concluded in a statement released Friday.

The report also said the death was accidental.

Larry Kevin Ives, 17, of Benton and Don Henry, 16, of Bryant died about 4:25 a.m. Aug. 23, the report stated, as they lay asleep on railroad tracks near Alexander. The two had told their parents that they were going rabbit hunting.

The medical examiner's report said Ives and Henry were "unconscious and in a deep sleep on the railroad tracks, under the psychedelic influence of THC (marijuana)," when they died.

Preliminary autopsy results had shown that the two boys were alive when the train hit them and that they had not consumed any alcohol that night. Final autopsy results were unavailable until Friday.

Saline County sheriff's investigators had indicated early on that foul play was not suspected. However, they had declined to speculate about what may have happened, pending completion of the medical examiner's report.

See AUTOPSY, Page 12A

Autopsy

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Spokesmen for the sheriff's office declined comment Friday afternoon.

Engineers on the Union Pacific train that struck the boys saw the youths lying on the tracks and attempted to warn them, investigators had said. But the train whistle and the shouts of the engineer and two crewmen had no apparent effect. The boys remained motionless on the tracks.

There was nothing that the train crew could do to stop the train from striking the two boys, according to investigators.

The boys had apparently walked to the site. Investigators found no abandoned vehicles nearby and also found no identification on the bodies. Confirmation of their identities came Aug. 24 through inspection of dental records by the medical examiner.

A .22-caliber rifle and a flashlight were found at the scene of the accident. Both were brought there by the boys, investigators said. The rifle, which was apparently lying between them at the time of the accident, was demolished, police said.

Report says drugs contributed to deaths of youths

By LEE BROCKWAY
Courier Staff Writer

Narcotics played a role in the deaths of two Saline County teen-agers on Aug. 23, the state medical examiner said Friday.

Dr. Fahmy Malak discussed the results of what are expected to be the final tests in connection with the deaths of the Bryant High School students who were hit by a Union Pacific train near Alexander before dawn.

In a written statement issued Friday afternoon, the state medical examiner's office said, "At 4:25 a.m. on Aug. 23, 1987, Larry Kevin Ives, 17, and Don George Henry, 16, were unconscious and in deep sleep on the railroad tracks, under the psychedelic influence of THC (marijuana), when a train passed over them causing their accidental

death."

The statement was signed by Malak and James T. Clark, executive director.

The boys were killed when they were run over by the train as they were lying on a railroad track near the Arkansas 111 crossing west of Alexander.

"We're satisfied with the ruling," said Chief Deputy Rick Elmendorf of the Saline County sheriff's office. "We don't question it."

Elmendorf added, "We accept the ruling as stated by Dr. Malak but should we get any new information or leads concerning this case, we will certainly follow up on them."

He said the agency has no reason to believe the deaths were anything other than an accident.

The engineer and two crew members saw the youths, but



Don Henry

Kevin Ives

were unable to stop the train in time. Elmendorf said neither moved or indicated any awareness of the train.

Authorities requested that autopsies be conducted and the comparison of dental records be used to positively identify the teen-agers, who were not carrying any identification.

The chief deputy said it is impossible to determine how long the youths were asleep before the accident.

Elmendorf refused Friday to say how much marijuana the boys had consumed. "I decline to comment on that," he said. "I don't know what purpose that would serve at this point."

However, the chief deputy did say "the amount of marijuana consumed by the boys was not enough to take their lives. It was enough to cause a deep sleep."

A source close to the investigation told *The Courier* the boys had consumed a large amount of marijuana before the accident.

Elmendorf said "there was evidence of marijuana" found at the accident scene, "but that doesn't mean we knew they had taken any." He declined to say how much of the drug was found and if the drug had been found on either or both of the boys.

When asked if any other drugs were found at the scene or

if the boys had consumed anything besides marijuana, Elmendorf said "absolutely not." He added that the marijuana had not been mixed with any other drugs.

Earlier tests indicated the youths had not consumed any alcohol prior to the accident.

When asked if the boys' parents were satisfied with the medical examiner's finding, he said, "I don't want to comment on what their feelings are."

Authorities found a .22 caliber rifle and a flashlight at the scene. The items were believed to have been lying between the youths.

Henry's father told deputies the boys took the rifle and flashlight with them as they left the Henry home, near the tracks, to go rabbit hunting.

The rifle was not loaded at the time of the accident.

Marijuana tests negative for outrage

**Robert
McCord**

Forum
Editor



I wonder if anyone in Saline County lately has repeated, even to himself, that tired old rationalization of the hip, "Marijuana doesn't hurt you"?

I wouldn't think they would dare since the tragedy four weeks ago. Two young men, one 16, the other 17, were run over by a freight train as they lay on the tracks at 4:30 in the morning near the eastern edge of the county. The engineer on the 75-car train applied the brakes the instant he saw them and sounded bells and whistles, but the noise did not arouse them.

The Medical Examiner's report said: "Larry Kevin Ives and Don George Henry were unconscious and in deep sleep on the railroad tracks under the psychedelic influence of THC when a train passed over them, causing their accidental death." THC, of course, stands for tetrahydrocannabinol, which is the intoxicant in marijuana.

Of course, a lot of pot smokers, young and old, simply chose not to believe it. Why would they want to upset their dream world?

But in two weeks of tests the medical examiner found no chemicals in their bodies other than massive amounts of marijuana. Police found no evidence of foul play, and there is not the slightest evidence or even suspicion of suicide.

Experts in pharmacology at the medical center do not question the report. In other parts of the world, it's not unusual for people to die from using stronger forms of marijuana. And the marijuana available in Arkansas today is almost a different drug from what marijuana used to be. Ten years ago it

contained about 1 per cent THC; now it's not uncommon to find it as high as 14 per cent.

After all, marijuana is supposed to put you in a stupor. That's why people like it, isn't it? It's entirely possible that the boys heard the screeching brakes, the bells and whistles. Kim E. Light, a professor at the Med Center, explained that their brains might have been getting some of that information but were simply not able to process it.

Studies, such as the one completed this month by the National Institute on Drug Abuse, show that marijuana causes learning impairment, low motivational syndrome and loss of memory. In addition, there are problems of birth defects and, of course, the cancer-causing agents in the smoke.

Nevertheless, 1 out of every 10 Americans is a user. Not only do we smoke it but we grow it, especially in moderate and laid-back climes like Arkansas. Despite the fact that the Reagan administration keeps telling us that there is a war going on against drugs, last year's marijuana crop in this country is said to have been worth \$26 billion.

It's grown all over the national forests, protected by booby traps of the most sinister variety—fish hooks hung at eye level, trip wires tied to shotguns, sharpened stakes like those used in Vietnam. Among those injured in just the last few months was a turkey hunter who was blown 10 feet in the air and nearly killed when he stepped on a land mine beside a marijuana field in the Ouachita National Forest near Perryville.

The reaction of a weekly newspaper in Fayetteville that caters to hikers and campers (and the hip) is simply to advise everyone to stay out of the forests until growing season is over. Yet, while there's no outrage at booby traps, the newspaper and its readers are currently in high dudgeon because the Army wants to do some training in the national forests.

Similarly, at the start of football

season every year, some liberals always start decrying racism in sports — sending poor blacks out to abuse their bodies to provide entertainment for wealthy white folks on Saturdays and Sundays. Nothing is ever said (by white persons, that is) about the racism of drugs—drug-lords paying illiterate blacks \$1,000 a week to become soldiers in the dangerous drug world so they can sell rich white folks all the joints they want.

Jesse Jackson, speaking at the funeral of Len Bias, a star athlete killed by drugs, marveled that everyone recognizes the threat from the Ku Klux Klan but not from drugs. "If somebody came to a party and passed out a little sheet and a little rope, we would be insulted," he said. "But if they come and pass out a little dope, we figure that's their personal business. The fact is the little sheet and the little rope have never been as big a threat as the little snow or the little dope."

Marijuana is everywhere — the pockets of a social studies teacher in a Hot Springs junior high school, the sports cars of Little Rock bond daddies, the cab of a train that killed 16 people when it wrecked near Baltimore. It's what is causing every prison to be overflowing. A National Institute of Justice survey showed that 68 per cent of the persons arrested in Washington, D.C., and 80 per cent of those arrested in New York City in April were drug users.

Americans have got to get mad and demand that the federal government conduct a real war with a real leader in charge who has the authority and support to take the battle anywhere, in or out of our country, in order to end this scourge.

I wish those fellows running for president would shut up about the trade deficit and tell us what they would do to keep a couple of kids in Saline County from being able to buy enough marijuana to be run over by a freight train.

ARKANSAS GAZETTE Friday, September 25, 1987

Medical report obviously flawed

To the Editor:

I can't believe Robert McCord [Forum page, September 20] would swallow the ludicrous hooha foisted on the public by the medical examiner.

In the case of the Saline County teen-agers killed by a train, we are supposed to believe that after smoking massive amounts of marijuana, these youths sought out a remote section of a railroad track, linked arms, laid down on the ties, draped one leg each over the rails and went into a THC-induced trance, accidentally.

This report is so obviously biased and the conclusion so subjective and flawed that I pity anyone who has to rely on a medical examiner's report in a court of law.

My objective here is not to argue the pros and cons of the use of marijuana or any other drug. I simply want to see more objectivity and professionalism in the public records.

Mark North.

Hot Springs.

Section 2288

Father of youth killed by train seeks missing jewelry

BRYANT — Bryant resident Curtis Henry is appealing for compassion from the person who picked up a gold chain at the scene of his son's death.

Henry's son, Don, and a schoolmate, Kevin Ives, were run over by a train during the early morning hours of Aug. 18. At the time of his death, Don Henry was wearing a gold chain that had had sentimental value to both the boy and other members of the family.

"It was seen about 1:30 or 2 p.m. at the scene," Henry said. "We know it was there then, but

sometime later it disappeared."

Henry said he is not trying to punish anyone who may have taken the chain. "It's just something that means a lot to us and we would like to have it to keep."

The jewelry involved is a wide, herringbone chain, 18 inches in length.

Henry asks that whoever has the chain to mail it to him at 10 Pine Manor, Bryant, Ark., 72022.

"No questions will ever be asked," Henry said. "We just want to get it back."

Parents seek memento of son killed by train

BRYANT - The parents of a teen-age boy who was hit by a train and killed last August are trying to recover the only memento they have of their son - a gold necklace that apparently was taken from the scene of the accident.

George Henry, 16, of Bryant was killed Aug. 23 when he and Larry Kevin Ives, 17, of Benton lay on railroad tracks near the Arkansas 111 crossing west of Alexander (Saline County) and did not move before a Union Pacific train hit them.

Curtis Henry, George's father, said he knew how much the flat, 18-inch gold necklace meant to his son and would like it back.

"It's one of the things he cherished," he said. "His mother gave it to him and he wore it all the time - even slept in it."

Henry said he knew his son had been wearing the necklace when he left home, and two men had seen it at the scene.

"I'm hoping somebody's conscience gets to them and they return it," he said. "I'm not trying to catch someone or raise the devil. I just want it back in my hands."

Henry said information about the necklace could be mailed to 10 Pine Manor, Bryant, Ark., 72022.

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Twelve Pages



Courier photo by Lynda Hollenbeck

Parents of two Bryant teen-agers who were run over by a train are not satisfied that the crushing blows from the train caused their sons' deaths. Participating in a news conference today, from left, are Linda Ives, Larry Ives, Curtis Henry and Marvelle Henry.

obstacle appears to be the state crime lab.

In their efforts to obtain necessary criteria for another autopsy, the parents learned that lung tissue samples had been obtained and say they previously had understood these tissues were not available.

All of the parents have vowed to pursue the probe until they can know for certain that the official ruling is the correct one.

"We will pursue it until we're satisfied beyond a doubt" that all questions have been answered, Larry Ives said.

Don Henry and Kevin Ives were characterized by their parents as "happy, typical teenagers" who were popular with their peers. Neither was classified as a "trouble-maker," yet the parents believe the impression created by authorities is to the contrary.

Official accounts as to the cause of the two boys' deaths are not accepted by friends of the youths, according to their parents. "No one accepts it," Linda Ives stated.

Curtis Henry spoke with his son at his home between midnight and 1 a.m. and said he could detect no evidence of marijuana influence in his son. Shortly after that, the boy left with Kevin Ives to go rabbit-hunting.

Reports from authorities indicate that both of the youngsters would have had to have inhaled as many as 20 marijuana cigarettes prior to 4:25 a.m. when the train passed over them, Linda Ives said.

All accounts state that both boys were lying side by side on their backs with their heads between the rails and their legs positioned over the south rail of the tracks. Their arms and hands were to their sides "looking straight up," according to one report.

The engineer and crewmen told investigators the boys did not move as the train approached with bells and whistles sounding. The speed was approximately 50 mph.

Reports from railroad personnel on the approaching train stated the boys were partially covered by what appeared to be a green tarpaulin. Authorities say they never saw the tarpaulin and contend the train crew had experienced an "optical illusion," yet one of the parents states that someone at the scene observed a tarpaulin some distance away from the tracks a few hours after the train passed over the boys. It was not collected as evidence and apparently disappeared sometime after that incident.

Parents question investigation

By LYNDA HOLLENBECK
Courier Staff Writer

LITTLE ROCK — The parents of the two Bryant teenagers who were run over by a train during the early morning hours of Aug. 23 want a grand jury investigation into their sons' deaths.

The two victims were Don Henry, 16, and Kevin Ives, 17. Both would have been seniors this year at Bryant High School.

The deaths occurred on a railroad track near the Arkansas 111 crossing west of Alexander and were ruled accidental but, in a news conference today at Otter Creek Holiday Inn, Curtis and Marvelle Henry and Larry and Linda Ives said they have many unanswered questions.

They say they have been searching for answers during the six months that have passed since the two boys died, yet they know very little.

"We know no more today that we did then," Marvelle Henry said.

The official ruling from Dr. Fahmy Malak, state medical examiner, indicates that the two teen-agers had been rendered unconscious due to the "psychedelic influence of THC (marijuana) when a train passed over them causing their accidental death."

That quoted passage is from a copy of the official autopsy report of Kevin Ives. The ruling for Don Henry is the same, except the word "psychedelic" is not included.

The boys were lying across the tracks in identical positions. Neither moved as the train approached or showed any awareness of the approaching vehicle, railroad personnel stated.

"No one has assured us that marijuana will put you in a position to be unconscious," Curtis Henry said. "In fact, everything we have read or learned about it says 'no, it won't.'"

Experts on the topic have indicated to the parents that nausea and other discomforts will prevent a person from smoking enough marijuana to be rendered unconscious, according to Linda Ives.

"We're not ruling out murder," Curtis Henry said.

Saline County investigators apparently never seriously considered murder as a possibility. Initial reports from sheriff's investigators stated there had been "no reason to suspect foul play" and all of the parents contend the deaths were never investigated as a possible homicide.

"We're not satisfied with the way the authorities conducted

the investigation," Curtis Henry said. "No one knew what happened ... there was too much speculation."

"We want the ruling overturned if the evidence leads to that," he added. "If everything proves the ruling is correct, we'll accept it, but if not, we want it overturned."

The parents wanted a second opinion on the results of samples and specimens and engaged the services of an out-of-state pathologist whom they now believe did not follow through with tests he had agreed to do. They were never billed for his services, but had been told at the onset the fee would be \$200 per hour. The ultimate ruling from this pathologist coincided precisely with Malak's findings, even though he did not repeat requested tests and others they wanted done.

The parents obtained two court orders authorizing the release of all data, information and tissue samples from all of the agencies involved in the investigation in order to have an independent autopsy conducted by an independent forensic pathologist. Everyone involved has been reluctant to provide information to the families, Linda Ives said, but the major

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The Benton Courier

112 Years of Continuous Service to All of Saline County

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Parents skeptical deaths were accident

By LYNDA HOLLENBECK
Courier Staff Writer

When two Bryant teen-agers were run over by a train in the early morning hours of Aug. 23, county investigators at the scene and a subsequent ruling from the state medical examiner's office categorized their deaths as accidental.

The parents of Don Henry, 16, and Kevin Ives, 17, have never believed their sons' deaths were accidents. Instead, they fear the boys were murdered. After six months of quietly seeking answers with little success, the parents have gone public with their beliefs.

In a news conference Monday at Otter Creek Holiday Inn, Curtis and Marvelle Henry and Larry and Linda Ives stated they are seeking a grand jury investigation. They do not believe county investigators adequately investigated the deaths and have serious questions about the ruling of Dr. Fahmy Malak, state medical examiner.

Earlier today, the two fathers met with Malak and arranged to pick up tissue samples later today. These are to be used for tests being conducted by an independent forensic pathologist.

Larry Ives said Malak was "obliging" and agreed to provide everything detailed on a list prepared by the other pathologist. Malak did not give the two men a satisfactory explanation as to why he had refused previous attempts to obtain those samples, however, he said.

The family had obtained two court orders that specified they were to receive all tissue samples and information pertaining to the case. Ray Love, a private investigator, had presented the court orders to Malak on previous attempts, the parents say, but Love's requests were denied.

Today, Malak appeared to have no knowledge of the court orders or the earlier requests, Ives said.

"He indicated he was doing this out of the goodness of his heart, that he didn't have to," Ives said. "He said he had family, he had teen-agers, and he understood why we would want another opinion."

"He seemed to be unaware of the second court order," Ives said. "He acted surprised to see it and insinuated he had not released the samples before because he had been unaware of this. Love pointed out that he had presented it to him before, but he (Malak) never admitted he had seen it."

Samples to be picked up today will include lung, heart, liver,

pancreas, spleen, kidney, adrenalin, brain (cortex) and appendix tissues.

The family will be charged approximately \$150 for copies of X-rays and slides that were done during the autopsy, Ives said.

"He didn't say a lot about his ruling," Ives said, "but he insinuated he didn't blame us for wanting a second opinion. He said if it was his son, he would also want one."

Saline County Sheriff Jim Steed said he is "comfortable with the investigation we did to this point."

The sheriff said, "There was nothing at the scene of the accident that was visible that would make anyone think it was a homicide. That's the reason we do an autopsy. If there were injuries that were not consistent with being run over by a train, these should have been detected by Dr. Malak and I have complete confidence in him."

Steed said he has "a lot of sympathy for these people. They have been through a terrible tragedy and they want to make certain this is really how their sons died."

Malak ruled that the two teen-agers were unconscious due to the "psychedelic influence of marijuana," which many experts have questioned, the boys' parents state.

"I am definitely not an expert in the field of marijuana," Steed said. "I have not talked to the same experts they have. I have talked to some doctors who know more than I do and they say that scientifically they are learning more about its (marijuana's) effects all the time."

"We did an investigation, we collected all the evidence there was to collect ... we interviewed I don't know how many people and nothing in those interviews led us to believe there was anything to indicate that it was anything but a strange accident," the sheriff stated.

Steed said he could not answer "why they would lay down on the tracks like that." The boys were lying across the tracks in identical positions. Neither moved as the train approached or showed any awareness of the approaching train, railroad personnel stated at the scene.

All eye-witness accounts state that both boys were lying side by side on their backs with their heads between the rails and their legs positioned over the south rail of the tracks. Their arms and hands were to their sides "looking straight up," according to one report.

Steed was steadfast in his confidence in Malak's abilities. "If he says it, that usually makes it so. But we all make mistakes, no one is perfect."

He said the case is in an "inactive status, but not closed."

Experts on marijuana have indicated to the parents that nausea and other discomforts will prevent a person from smoking enough marijuana to be rendered unconscious, according to Linda Ives.

In their earlier efforts to obtain necessary criteria for the second autopsy, the parents learned that lung tissue samples had been obtained and say they previously had understood these tissues were not available.

"We will pursue it until we're satisfied beyond a doubt" that all questions have been answered, Larry Ives said.

Linda Ives has written this "open letter" to the sheriff:

"Sheriff Steed, you have stated that you are satisfied with the investigation your department has conducted in the death of my son, Kevin Ives, and his friend, Don Henry. You have also insinuated that our dissatisfaction with the investigation stems from the personal tragedy that we have suffered. I

would like to point out to you, as well as the public, some of the reasons that we are dissatisfied:

— "It is a fact that the area was never roped off and not a 'protected crime scene."

— "The area could not possibly have been searched thoroughly for evidence of a crime. Whenever family and friends go down to the scene and recover a foot, the gun stock and other parts of the gun Kevin and Don had as well as other personal belongings, I consider this evidence of how well the area was searched."

— "We were informed and concerned about reports that two persons had heard gun shots shortly before the 'accident.' SCSO assured us that tests would be done on the gun Don and Kevin carried. The tests were never done."

— "We were assured from the very beginning that SCSO would request assistance from the state Police. Col. Goodwin informed me that a request was never received in his office. It is a fact that there is no State Police report of any kind filed on the 'accident.'"

— "Three train crew members reported a green tarp partially covering the boys as they lay on the tracks. One of the crew saw where it landed and

shined a light on it. He also informed SCSO where it was. SCSO assured us they would personally interview the train crew rather than rely on the railroad investigator's report. They did not. They now tell us that this green tarp was an 'optical illusion.'"

— "There was information given to SCSO that could have developed into a possible lead into the case. They never even contacted anyone regarding this information. We did at our own expense."

— "Don's stepmother found another partial bag of marijuana in Don's jean's pocket on 2/5/88 — nearly six months after the 'accident.' SCSO said they turned their clothes inside out, but somehow, they did not find this. If something like this was overlooked, what else?"

"These are just a few of the things regarding SCSO's investigation that we are unhappy over — some of the things we know about. I shudder to think what we do not know about."

"And last of all, Sheriff Steed, you have no firsthand knowledge of this investigation that you are so proud of. You did not even bother to go down to the scene nor have you ever contacted us personally regarding the death of our sons."

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ARKANSAS' NEWSPAPER



Arkansas Democrat photo by Curtis H.

SEEK INVESTIGATION — Curtis and Marvelle Henry talked to reporters Monday about the death of their son, Don George Henry, and another Saline County

youth, Larry Kevin Ives. The boys were killed Aug. 23, 1987, when hit by a train near Alexander. The parents want a grand jury investigation into the matter.

Parents seek fatality inquiry

Questions linger in boys' deaths under train

BY MAX PARKER
Democrat State Desk

Parents of two Saline County youths killed by a Union Pacific train last summer said Monday they want a grand jury investigation into the teens' deaths.

Larry Kevin Ives, 17, of Benton and Don George Henry, 16, of Bryant were killed about 4:25 a.m. Aug. 23, 1987, while lying across railroad tracks near the Arkansas 111 crossing west of Alexander. Their deaths were ruled accidental.

"It's been almost six months now, and we don't have any more answers than we did five months ago," said Marvelle Henry, Don Henry's stepmother. "We've just got more questions."

"I'd like to get enough evidence contrary to the findings to get a grand jury investigation," said Larry Ives, father of Kevin Ives.

The parents, who said they were tired of not getting answers to their mounting questions, met with reporters Mon-



Larry Kevin Ives



Don George Henry

day at the Holiday Inn Otter Creek Conference Center.

"We have been from the East Coast to the West Coast, and we keep reaching a dead end," said Curtis Henry, Don Henry's father.

Dr. Fahmy Malak, state

medical examiner at Little Rock, performed autopsies on the teens Aug. 24, 1987. In autopsy reports, he said the two were "unconscious and in deep sleep on the railroad tracks, under the psychedelic

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Inquiry

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influence" of marijuana when a train passed over and killed them.

Statements taken from the train's crew said the boys did not move as the train approached at 50 mph with horns blowing and bells sounding.

Dr. Don McMillan, chairman of the department of pharmacology at the University of Arkansas for Medical Sciences, said Monday it would be very hard to prove that marijuana use left the teens in what appeared to be an unconscious state.

"If you used a very large quantity of it, I don't think you could get in an anesthetic state where someone could operate on you," said McMillan, who for about 15 years has received grants from the National Institute on Drug Abuse to study effects of marijuana.

He said it is unusual for someone to become unconscious from marijuana use. For someone to become inebriated to the point that he would lie on train tracks because of THC "is highly unusual," he said. THC is tetrahydrocannabinol, the active ingredient in marijuana.

While the parents don't deny their sons smoked marijuana, they had enough doubts about Malak's ruling that, in September 1987, they obtained two Saline County Circuit Court orders asking for all tissue samples and test data performed during the autopsies.

They are scheduled to get the samples and information sometime this week when Malak returns to his office. Malak was testifying out of town in an unrelated case and was unavailable for comment Monday.

The parents said they plan to send the samples to an out-of-state pathologist for testing.

"We just cannot accept at this point one man's opinion," Henry said. "All we're trying to do is prove beyond a doubt.

Right now, we're not swallowing what we've been told."

Another aspect of the case that bothers the families is that initial reports from Saline County authorities said there was no reason to suspect foul play.

Railroad personnel also said the boys were covered from their knees to their upper thighs by what appeared to be a green tarpaulin.

In a statement taken Sept. 14, 1987, Jerry H. Tomlin, conductor of the train, said, "After the accident, I observed that the tarp was at this time down beside the creek."

Yet, authorities denied the tarpaulin existed and contend the train crew experienced an optical illusion, Henry said.

The autopsy report also said about 1.9 grams of marijuana was found in the left front pocket of Kevin Ives' pants. That was the only drug documented in official reports.

Henry said he went to the Saline County sheriff's office Monday to re-examine his son's clothing. He said a deputy produced a second bag of marijuana in Don Henry's pants. The deputy explained the bag was somehow overlooked during the initial investigation, Henry said.

"If that was overlooked, who knows what else could have been overlooked?" Henry said.

At a glance

- The parents of two Saline County teen-agers killed last summer by a train near Alexander want a grand jury investigation into the deaths.
- One question is whether the boys' use of marijuana would have knocked them out to the point they were unaware of the approaching train.
- The train crew claimed to see a green tarp covering the legs of the boys, but law authorities said it was just an optical illusion.
- To illustrate that evidence may have been overlooked, one father said a second bag of marijuana was found when he examined his son's clothes. The first bag was found after the accident in the pocket of the other boy.

Questions raised

