

Sheriff critical of Malak

By Byron McCauley
GAZETTE BENTON BUREAU

BENTON — Saline County Sheriff James Steed Wednesday testified before the county grand jury that is investigating the deaths of two Saline County youths.

Afterward he issued a statement criticizing Dr. Fahmy Malak, the state medical examiner.

The grand jury is investigating the deaths of Kevin Ives and Don Henry.

Steed is being opposed in the general election by Larry Davis, a Republican who has been endorsed by Linda Ives, the mother of Kevin Ives. She said politics in the sheriff's office interfered with the investigation of her son's death.

'So little regard'

Steed volunteered to appear before the jury Wednesday. In his prepared statement he said he found it "very difficult" to understand why Malak "would exhibit so little regard for a thorough investigation of the forensic evidence presented to him by the Saline County Sheriff's Department."

"His lack of thoroughness has caused the families prolonged anxiety and considerable frustration for the investigation in terms of

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Steed

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my office, the Arkansas State Police and the FBI. I am truly sorry for the many complications his bizarre report has caused so many people."

Malak said the boys were in a drug-induced sleep when they were struck by a Union Pacific train Aug. 23, 1987. But Atlanta pathologist Dr. Joe Burton and a Florida pathologist recently concluded that the boys were murdered before they were put on the tracks. One had been stabbed, the other was beaten, apparently with the butt of a rifle.

'Seed of doubt'

Steed told a reporter last week that at the time of the deaths, "Malak was the only game in town," but that as the grand jury investigation continued, it put "a seed of doubt" [about Malak] in his mind.

In an interview Thursday afternoon, Steed said "it was not Malak, the man," he was criticizing, but that "Burton's findings showed us he [Malak] could have gone a step further" in his initial examination.

"I wanna make people aware. ... Blame me for what I'm responsible for, blame them [the crime lab] for what they're responsible for."

The jury Wednesday released a letter from Burton that also criticized Malak. Burton called Malak's initial work in the case "somewhat unprofessional." The letter accompanied Burton's final report which was released last week. The letter was not made public at that time.

Burton in his letter said he did not want to cause Malak any professional embarrassment, and that he has stayed away from criticizing Malak during the investigation. He also defended his own professionalism in analyzing the case, citing "a great feeling of understanding" because he said his own son was killed last December.

Malak couldn't be reached for comment Wednesday. He has refused to comment on the case since a hearing on it earlier this year.

Special prosecutor Dan Harmon said the grand jury is still pursuing several leads in the case, and hinted that the investigation could be completed by the end of the year. The next scheduled session is Nov. 18.

Transcript of Burton's letter to Saline County grand jury

The following is a transcript of a letter from Dr. Joe Burton addressed to the Saline County grand jury:

Dear Mr. Garrett, Mr. Harmon and Ladies and Gentlemen of the Grand Jury:

It has been my pleasure to have met each of you and to have worked with you during this investigation.

Saline County, the families of these boys and the community are extremely fortunate to have had men like (Deputy Prosecutor) Richard Garrett and (Special Prosecutor) Dan Harmon to have completely dedicated their lives during this time in an effort to uncover facts about these deaths and to have tried to bring the investigation to a sound conclusion. The state and county likewise are fortunate to have had members of the grand jury who are honest and who have been dedicated to uncovering the truth, listening to the evidence in an unbiased fashion and taking it on yourselves to actually look for and investigate various aspects of the deaths yourselves.

Enclosed with this letter is a final report concerning my investigation into these deaths. I feel at this time that I have exhausted all avenues of investigation into the facts and evidence now available. I have utilized consultants from the various aspects of the forensic sciences, not only in my own state but in other states to help me in the review and consideration of the evidence and facts of this case.

The report which you will have is not just my opinions and my considerations, but is a cumulative effort, taking into consideration opinions and observations made by other equally trained and qualified forensic pathologists and investigators who have a cumulative experience of some 100 years of crime scene-homicide investigation.

We have tried to be as careful as possible, not to have any personal motives or feelings enter into our consideration of the facts of this case. We have taken other postures and tried to prove that their deaths were simply accidents or due to suicide. However, none of us, when honestly evaluating this case, could arrive at those opinions or conclusions.

It has been alleged by some investigators within your state that possibly financial or political reasons might account for my conclusions in this case. Never, in my experience as a forensic pathologist, have financial or political reasons caused me to consider or give my opinion one way or the other because of such. Especially in this case where two families have the unexplained loss of sons, I have great feeling and understanding, since in December of 1987 my own 17-year-old son was killed. In no way would I set out to confuse an issue, which has already caused such considerable emotional strife for these families.

Financially speaking, the monies which have been paid to me by Saline County and the state of Arkansas at this point have not even covered the minimum amount of time

which I initially spent on the case. The many hours and days which I, my staff and other forensic pathologists have spent on this case have not been billed to Saline County, the families, or the state of Arkansas. I agreed to investigate this case well knowing the financial situation of the county and the state of Arkansas and it was never my intent to have great financial or political gain from this case.

In retrospect, I think that you will find that I have never criticized unfairly Dr. (Fahmy) Malak, (the state medical examiner), Dr. Malak's report, or his office. I personally feel that he has taken a posture in the case which is somewhat unprofessional. However, I do feel that his initial autopsies were thorough and that his initial opinions were not unfounded. I do not know Dr. Malak personally, I have no intention, or have I ever had any intention, of causing him any professional embarrassment. I have made every attempt during this investigation to completely stay away from directly criticizing Dr. Malak, police investigative agencies or other individuals who have had previous exposure to this case.

I must admit that I am somewhat hurt by the allegations that I have spent all of this time and given my opinions for reasons that are not completely professional. I think that my conclusions are based on solid forensic facts and evidence, that my opinions are not just mine but are those of others and unless someone can explain adequately the questionable circumstances and the forensic facts which I have brought to light, by some other logical and reasonable hypothesis, then to criticize my opinions and conclusions in such a way is totally unfair and unjust.

I hope that you, the members of the grand jury, the families of Larry Kevin Ives and Don George Henry, Richard Garrett and Dan Harmon know that everything which I have told you and all of the questions which I have raised with you have been honest opinions and conclusions and questions. I have asked for your help. I have asked for your opinions and I have considered all of them. I would like for you to know that this letter and this report which you are receiving does not necessarily conclude my attention to this case. I will take this case with me for the rest of my career. It will be a case that, until all questions are answered, will always be there in my mind. I have taken the case on vacation. I have taken the case to sleep and still I have questions which I cannot answer.

I thank all of you for allowing me to consider and investigate this case. If you have any questions of me concerning this matter, please do not hesitate to call me either through the special prosecutors or directly. If any of you are ever in the metropolitan Atlanta area where I now serve not just three counties, but a total of five as of this month, as the regional medical examiner, please give me a call and come by and visit if you have time.

Again, thank you for your consideration, cooperation and continued attention to this above case. It has been my pleasure working with you.

Burton's work respected, 2 pathologists say

BY DOUG THOMPSON
Democrat Benton Bureau

BENTON — Dr. Joseph Burton's professional abilities must be respected, said two Georgia pathologists who were contacted in the Arkansas Sheriffs Association's background check of Burton.

The association checked into Burton's credentials after Burton, medical examiner of metropolitan Atlanta, agreed to conduct second autopsies on Larry Kevin Ives, 17, and Don George Henry, 16.

The Bryant High School seniors were hit by a train Aug. 23, 1987, in Saline County. Dr. Fahmy Malak, the Arkansas medical examiner, ruled the deaths accidental shortly afterward and the Saline County sheriff's office said no foul play was involved.

The boys' parents later called for a grand jury investigation. The grand jury, which meets again Nov. 18, has ruled the deaths homicide.

The association checked into Burton's background before its May 16 announcement supporting Malak. Forty-three

Steed embraced train findings as political ploy, opponent says

Democrat Benton Bureau

BENTON — Saline County Sheriff James Steed's acceptance Wednesday of a Georgia medical examiner's findings in a local death case was "strictly a political maneuver," Steed's opponent, Republican candidate Larry Davis, said Thursday.

Larry Kevin Ives and Don George Henry died Aug. 23, 1987. They were struck by a Union Pacific train about 4:25 a.m. near Alexander. Dr. Fahmy Malak, Arkansas' medical examiner, and the sheriff's office determined shortly afterward that the deaths

were accidental.

A grand jury investigation was called at the request of the boys' parents.

Davis charged that Steed had failed to curb drug trafficking, and that this contributed to the deaths.

On Wednesday, Steed responded to Davis' charge that there would be a drug bust orchestrated just before the election.

Davis made the charge, Steed said, "knowing fully well it would jeopardize the successful completion of an investigation months in the planning stage and place the

lives of police officers from the Benton Police Department, Arkansas State Police, federal Drug Enforcement Agency and the Saline County (sheriff's office) at increased risk."

Davis, reached late Wednesday, denied having any inside knowledge of the impending drug raid.

"I had no inside information, no knowledge that this raid was going to occur other than that it has been my experience that Steed does this before election time," Davis said.

Steed also said he had not requested it.

"I'm not that dumb," Steed said Wednesday.

Gaines gave the Arkansas

Democrat the names of four people the association had contacted for opinions of Burton's work. Two were reached for comment.

"Joe's good. He's dogmatic at times, but you can't deny that he's good," Dr. James B. Hurst, Georgia's chief medical examiner, said Thursday.

Dr. Kenneth Alanzo, a former Georgia medical examiner, was more reserved.

"Dr. Burton is medical examiner for the counties surrounding Atlanta, and the law enforcement agencies and courts there seem very happy to have him," he said Thursday. He then declined further comment.

When informed Thursday of Hurst's and Alanzo's comments, Gaines said the two were "considerably more cautious than they were when they responded to us."

Gaines produced a copy of an Oct. 21 letter by Larry B. Howard, a retired director of the Georgia Division of Forensic Sciences. The letter also

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Burton

• Continued from Arkansas Page referred to Dr. William Anderson, chief deputy medical examiner for Naples, Fla., who collaborated with Burton in the Henry-Ives investigation.

"In my opinion, Dr. Burton and Dr. Anderson heavily favor their clients (in) their interpretations of available data," Howard said. Howard said in the letter that a third opinion in the Henry-Ives case was needed and he would be glad to give it, if provided with the evidence.

Howard is now a pathologist in the Montana medical examiner's office. He was out of state and unavailable for comment Thursday, a spokesman for that office said.

Gaines provided the name of a fourth expert, Roger Queen, a Georgia deputy prosecutor. But Queen could not be reached Wednesday or Thursday at the telephone number Gaines provided.

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Sheriffs association attacks credentials of medical specialist

He testified in investigation of deaths

By Phoebe Wall
GAZETTE STAFF

The Arkansas Sheriffs Association has attacked the credentials of a medical specialist who said the deaths of two Saline County youths involved foul play.

The director of the group, Cary Gaines, said Thursday he hasn't been impressed with Dr. Joseph Burton's resume and references.

"When we looked at Dr. Burton's credentials, they were not what they should've been," Gaines said.

Burton has been the center of attention in a much-publicized investigation in Saline County, where Kevin Ives, 17, and Don Henry, 16, died last year. His findings in the case have been at odds with those of Dr. Fahmy Malak, the state medical examiner.

Gaines said his organization went looking for background on Burton because it has come to the defense of Malak.

In the Saline County case, Malak said the two boys went to sleep on railroad tracks after smoking a large amount of marijuana. Burton was called into the case after a grand jury was called to investigate the case after the youths' families and a deputy prosecuting attorney doubted Malak's findings. Burton has decided the boys were killed by someone before the train hit them.

Group defends Malak

Burton, Gaines said, "is not even board certified."

"I spoke with doctors, law enforcement officers, medical examiners and an attorney and found that Dr. Burton's [credibility] wasn't as positive as we were led to believe. The sheriffs association has confidence in Dr. Malak. He is board certified."

Among the responses obtained by the sheriffs association is one that contends Burton "heavily favors" the position expressed by his clients.

The letter was written by Dr. Larry Howard, retired director of the Georgia Bureau of Investigation division of forensic sciences.

handling of one case several years ago.

According to the most recent information available from the American Medical Association in Chicago, both doctors have similar qualifications.

Malak was educated at Alexandria University in the United Arab Republic and is licensed to practice in three states and is board certified in pathology. Burton studied at Emory University, is licensed to practice in Georgia and is not board certified.

Burton defends himself

Burton de-emphasized the importance of certification.

"Do you think if I passed a test in 1940 that I'd be qualified today?" he said Thursday from Atlanta. "The test is that I'm respected and looked up to. I received scholarships in college and medical school. If no one knew my credentials, what I was capable of, maybe I would need it" certification.

Burton said besides being voted a fellow at the American Academy of Forensic Sciences in 1977, he did pass the forensic pathology part of the certification exam, but chose not to finish the anatomical pathology part because of a personal problem.

Certification not needed

Board certification isn't a big issue, according to Byron Dawson, the deputy director of the Georgia Bureau of Investigation in charge of forensic sciences.

"There are good forensic pathologists that are not board certified," Dawson said. "But if other pathologists are going to challenge him, I'd think Burton would want to be."

He paused.

"Dr. Burton is for hire. What's wrong is being for hire for the sole purpose of muddying the water. He's widely known in the defense community as an expert witness for hire — he'll testify against whoever they have on the other side. My quarrel is that he has no allegiance to anybody except himself."

Dawson said that Burton's criti-

cism of other medical examiners' work is not personal. Burton "is just convinced in his own mind that he's the only guy who knows the truth," Dawson said.

Burton said he has been involved in cases in 30 states and in three countries, testifying for both the prosecution and defense.

"I've testified over 3,000 times, but I don't advertise. It's by word of mouth," Burton said. "I charge much less than most people. I've spent over 100 hours on the Arkansas case and I've only billed Arkansas for the initial exam and two trips."

He insists the negative accusations on his reputation are dirty politics in Georgia.

"All this information is coming from people who have nothing but jealousy," Burton said. "People in Georgia's state crime lab are not physicians and we're reviewing cases where they've made errors."

Burton said he never has and doesn't now criticize Malak's examination, but "unless you can logically explain the unusual circumstances of the boys' deaths, they could and would never be called accidental."

JPs differ over drug fund furor

By LYNDA HOLLENBECK
Courier Staff Writer

Dissension is apparently brewing among members of the Saline County Quorum Court in regard to a political controversy involving Sheriff James Steed.

When Steed announced he planned to provide money from a drug enforcement fund for a Saline County grand jury investigating the 1987 deaths of two Bryant teen-agers, Justice of the Peace Doyle Webb accused the sheriff of making that decision because he anticipated the Quorum Court would pass an ordinance appropriating money for the probe from the sheriff's office budget.

Webb said he had been planning to introduce such an ordinance at the court's next meeting.

Earlier, Steed had said he did not want to take money from the drug enforcement fund. The grand jury had recommended the money come from that source in an interim report in which

the jury stated the boys deaths were "definitely homicide."

Thursday night, three members of the Quorum Court took issue with Webb's position in the matter and accused Webb of practicing partisan politics "to the detriment of the integrity of the Saline County Quorum Court."

Vicki Robinson, John Rowland and Oris Marie Reed signed a statement to that effect.

Webb is the only Republican member of the Quorum Court and is actively working in the campaign of Republican candidate Larry Davis, who is seeking to unseat Steed in the Nov. 8 election.

In the statement released by the three JPs, it states that "the court, as a body, never took a position in the Sheriff Steed vs. Grand Jury debate."

The statement goes on to accuse Webb of being "more

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JPs

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than just casually interested in the Saline County sheriff's race, being an outspoken supporter of the challenger."

The final paragraph states: "It was never, at any time, necessary for the Quorum Court to become involved in this controversy. The situation (Webb's comments) was, from the beginning, manipulated to bring embarrassment to Sheriff Steed."

Webb, who saw the document written by Robinson, defended his position today.

"As those justices of the peace know, I have never brought partisan politics into the Quorum Court," he said. "I have never made a decision whether someone should serve on a board or commission because they are a Democrat or a Republican. I have always based it on their integrity and ability to serve."

Webb referred to an incident involving one of the JPs who signed the statement in protest of his comments. "Specifically, I am referring to Mrs. Robinson when in the past she refused to vote for Calvin Brown on the hospital board because he was a Republican."

Webb added, "Foremost, partisan politics were not involved because it was a unanimous vote of the Quorum Court, which is hard to dispute. In fact, Mrs. Reed, who sponsored the ordinance (that would have taken money for the grand jury from the county general fund), after my statement regarding the sheriff's statement that he would not be the 'sugar-daddy' for the grand jury and that he 'didn't care' to Mrs. Ives, told me she would not have sponsored

the ordinance. In fact, she voted against her own ordinance."

Webb was referring to two incidents in using quotes from the sheriff. When Steed was asked about taking money for the grand jury from the drug enforcement fund, he told a reporter he did not intend to become a "sugar-daddy" for the grand jury.

The "didn't care" statement refers to an incident that occurred in the sheriff's office several months ago. In the presence of a reporter, Steed responded to a complaint from Linda Ives, mother of one of the victims, by saying, "Lady, I don't care" after Ives complained about the victims' clothing being submitted to the state Crime Laboratory. The victims' families had registered complaints about the medical examiner's office's handling of the autopsy and subsequent tests.

In making that comment, the sheriff apparently was saying he did not care that Ives did not like the fact that the clothing had been sent to the Crime Lab. Steed was not saying that he did not care about what had happened to Ives' son.

The funding for the grand jury was the topic of an ordinance that was rejected at a recent Quorum Court meeting. At that meeting, justices of the peace unanimously defeated the ordinance that would have offered additional funding from the county general fund to the grand jury.

"I have never attempted to speak on behalf of the entire quorum court and don't believe my statements were of that nature," Webb said today. "We did vote unanimously after I made my plea to the court based

on the sheriff's statements and attitudes to grand jury and to the Ives family.

"After my statement, members of the court asked me if I would have the ordinance prepared to reappropriate funds from the sheriff's office budget to the jury and I agreed that I would," Webb said.

JP Gerald Brewer, who chairs the Quorum Court's Budget Committee, did not sign the statement drafted by Robinson and also signed by Rowland and Reed. However, Brewer said today he had never discussed the possibility of taking money from the sheriff's salary to pay for the grand jury probe.

Brewer said that action could not have occurred without the full approval of the Quorum Court.

The plan to take the money from the drug enforcement fund was initially brought up by County Judge Parker Johnston in a discussion with Circuit Judge John Cole.

After meeting Friday afternoon with Carl Allen, grand jury foreman, and Special Deputy Prosecutor Dan Harmon, Steed agreed to give the grand jury \$8,000 from his office's drug enforcement fund, which presently contains approximately \$16,000.

County investigators had initially said the deaths of Don Henry, 16, and Kevin Ives, 17, did not result from foul play and the state medical examiner later issued an accidental death ruling.

The boys were struck by a Union Pacific train at 4:25 a.m. Aug. 23, 1987, as they lay on a track near the Shobe Road crossing.

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Lenton Curran 10-28-88*

TIP OFF

Medical examiner rumors

It was *deja vu* when supporters of Medical Examiner Fahmy Malak questioned the credentials of the out-of-state pathologist who has contradicted Malak in the celebrated Saline County rail deaths case. Malak supporters said the out-of-stater isn't certified in pathology. Remember when it came out that Malak was medical examiner for six years before he was board certified in forensic pathology? The stumbling block for Malak was the forensic pathology portion of the certification requirements. The out-of-stater *has* passed the forensic pathology portion of the exam.

ARKANSAS DEMOCRAT • TUESDAY, NOVEMBER 1, 1988

Malak should be looking for a job

A Voices letter from
LINDA MILLER
Alexander

I think it is interesting that the governor wants to give Dr. Fahmy Malak a raise. Considering all the cases he has made mistakes on lately, I would think he would be looking for other employment.

In most cases when you make several errors in a short time in your work, you are either demoted or fired. And considering the importance of the job Malak is *supposed* to be doing, I think he should be seeking employment elsewhere.

I sat in a hearing where Malak testified on his findings concerning the two boys killed in Alexander. I found the man to be extremely arrogant, rude, unsympathetic and cruel, not to mention unprofessional and not too knowledgeable on the effects of marijuana.

I am not a pathologist or a drug user, but even I know that it would be close to impossible to smoke 20 joints in a few hours and lay my body neatly beside my friend on a railroad track. If I had smoked that much I doubt I could even find

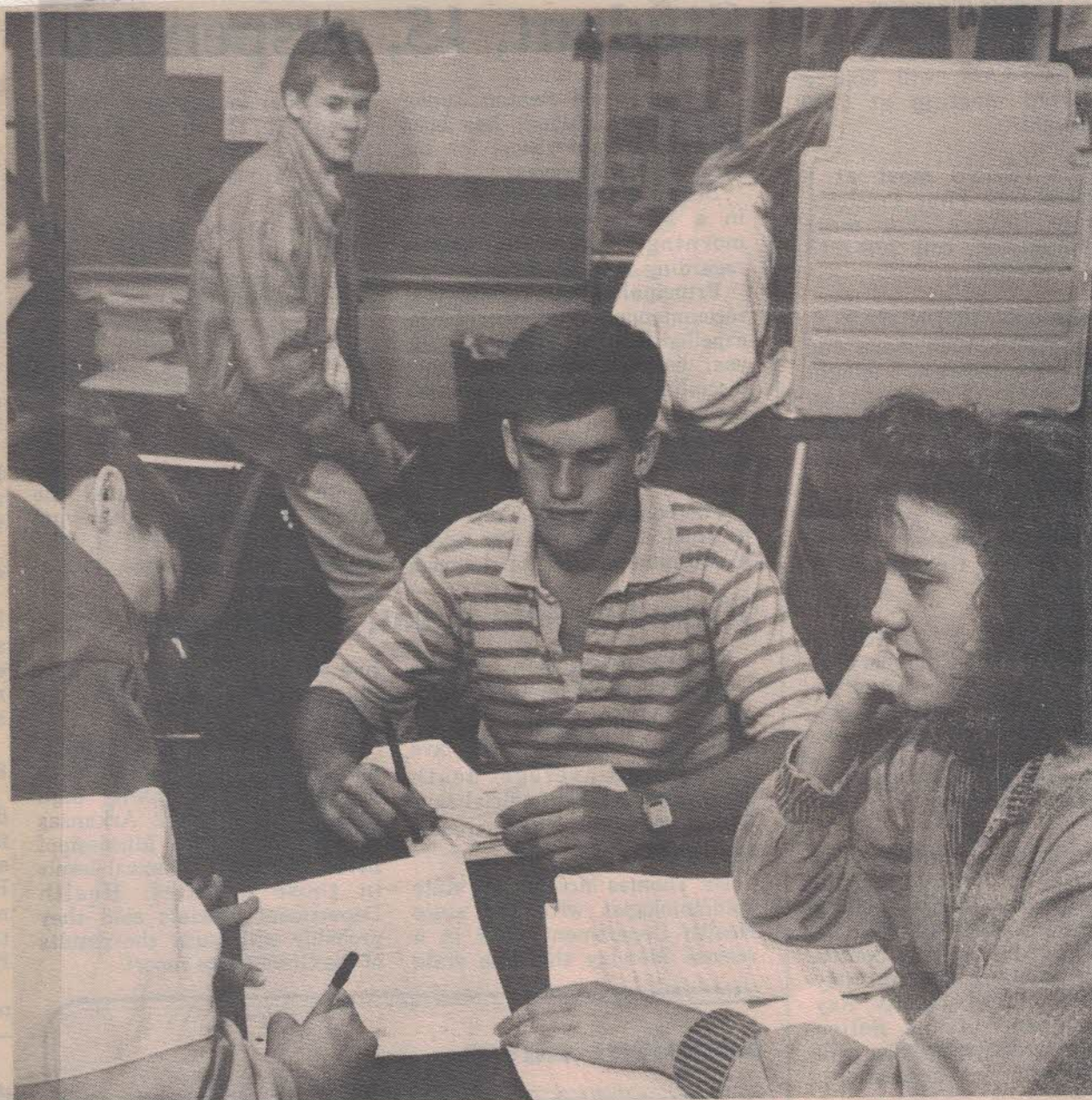
the tracks, let alone lay down straight between the rails in such a manner.

He also stated that if anyone was responsible for the boys death, it was the engineer for not stopping the train in time — as if that were within the realm of possibility. I thought that statement was not only cruel but stupid.

There are several other cases in question that the almighty Malak has made rulings in error: the man at the rest home and two children who were killed, all ruled as accidental or natural causes. So by all means, let's give this great man a raise. You always reward employees for not doing their jobs.

I think the governor needs to read the papers and review the facts a little more before he starts handing out raises. If he wants to give someone a raise, give it to someone who deserves it — like our teachers who bravely go into the classroom to teach our children or the families of victims who have to fight to find out the truth about their loved one's death.

Benton Courier 11-1-88



Courier photo by Phillip Felton

Election time

If the fate of the presidential election was left to Bryant Junior High School students, Vice-president George Bush would be our next president with nearly 85 percent of the vote. In a mock election Monday, 91 percent of the school's students registered, and 90 percent of the registered students voted, according to 9th-grade civics teacher Judy Pennington. If the students show any indications of how their parents will vote, Tommy Robinson will keep his job, Sheriff James Steed will lose his, and the library millage will fail. Shown signing in to vote is, left, Laura Halpine. Acting as deputy clerks are, from right, Lajuana Grady and Eric Cloud. In the background are Stephani Winkler at the voting machine and Jason Ives.

letters to the editor

Writer criticizes Steed

Editor,

I noted with interest in the Oct. 21 edition of *The Benton Courier* that our very own sheriff, James (I stand by my record) Steed, has stated that he believes that the deaths of Kevin Ives and Don Henry "may have been a homicide." First of all, I say that standing on a record like Steed's, it is a wonder that he isn't confined to a wheelchair. I'm glad Steed finally realizes that these deaths are homicides, however, I'm saddened by the fact that Saline County's highest ranking law enforcement officer is the last one to come to this conclusion.

Regarding the fact that he gave "his" money to the Grand Jury ... James, if you hadn't fouled up the investigation from the start, there would be no need for this grand jury!

I am glad that Steed didn't investigate the mass murders in Russellville committed by R. Gene Simmons ... he might have ruled that case an accident also.

Joe Walker
Benton

Davis-Robinson ad causes political stir

By LYNDA HOLLENBECK
Courier Staff Writer

A quarter-page advertisement that appeared Tuesday in *The Benton Courier* has created a political stir between the Democratic and Republican parties.

The ad, purchased by Larry Davis, the Republican candidate for Saline County sheriff, welcomed Congressman Tommy Robinson to Saline County.

Robinson was in Benton Tuesday morning for a ribbon-cutting ceremony and parking lot/road dedication at Saline Memorial

Hospital.

Democratic Party officials say the ad was improper because they view it as an attempt to link Davis to Robinson, the former sheriff of Pulaski County.

"The ad was obviously an attempt to connect Larry Davis with Tommy Robinson when in fact they probably have never met," said Ray Baxter, secretary-treasurer of the Saline County Democratic Central Committee. "Certainly there's no connection between the two."

Baxter said Davis' ad was

"like all other Republican ads," which he said contain "one deception after another. It's about what you would expect."

Baxter was primarily referring to the presidential campaign ads of George Bush when he used the term "deception," he said.

Davis said he "wholeheartedly" supports Robinson and will vote for him Nov. 8, as he has done in the past.

"The Republican Party does not require its candidates to take a loyalty oath as the Demo-

cratic Party does," Davis said.

Davis said he is puzzled as to "why the Democratic Party didn't take out an ad welcoming Robinson. I'm not tied to any party. I vote for the person, not the party."

Davis said he could not support Warren Carpenter, Robinson's Republican opponent. "Carpenter is a Neo-Nazi. I could never vote for him. I thought Tommy Robinson was a good sheriff and he's been a

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good congressman."

Doyle Webb, chairman of the committee working to elect Davis, noted that Robinson bought two full-page ads in state newspapers four years ago when President Reagan made a visit to Little Rock. The ads welcomed the president to the state, Webb said.

"Whether Robinson is a Democrat or a Republican, he's still our congressman and that was Larry's thinking when he asked me to place the ad," Webb said. "He wanted to welcome him (Robinson) to Saline County."

Benton resident Lib Carlisle, who serves as chairman of the state Democratic Party, was out of town today and could not be reached for comment.

Bryant High School students pick Bush

By LYNDA HOLLENBECK
Courier Staff Writer

BRYANT — If Bryant High School students have their way, Vice President George Bush will be elected president Tuesday.

The high school participated in a mock election Wednesday as part of a nationwide program.

"The State Department of Education encouraged high schools to participate in this so that they could get statewide and national results," said Lynn Cole, chairman of the Social Studies Department at the school.

The election was sponsored by the school's Social Studies Department, Social Studies Club and Advanced Government Class.

Cole said the students "participated very well and we had a large number to help get ballots printed, collected and counted."

Bryant students overwhelmingly elected Republican George Bush as president. In that race, a total of 923 votes was cast. Bush received 771, which is 83.5 percent; Democrat Michael Dukakis garnered 139 votes, or 15 percent. Other candidates on the ballot included: David Duke, representing the Christian Populists Party, who received 8 votes, which is 1 percent; Earl F. Dodge, candidate for the Prohibitionists Party, 1 vote, or 0.1 percent; Ron Paul, candidate for the Libertarian Party, 3 votes, or 0.3 percent; and Lenora B. Fulani, candidate for the New Alliance Party, 1 vote, or 0.1 percent.

In the race for 2nd District Congressman, 929 votes were cast. Democrat Tommy Robinson, who currently holds the

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seat, received 688 votes, or 74 percent; and Warren Carpenter, the Republican challenger, received 241 votes, or 26 percent.

In the race for Saline County sheriff, students cast a total of 923 votes. James Steed, the Democrat, who presently holds that office, received 336 votes, which is 36.4 percent; and Larry Davis, the Republican candidate, received 587 votes, or 63.5 percent.

A total of 842 votes were cast on the library millage issue. Students voted 481, or 57.1 percent, to 361, or 42.8 percent, to approve the millage.

Several aldermanic races were on the ballot.

In the race for Ward 3, Position 1, 850 votes were cast. Terri Dill received 152 votes, or 17.8 percent; Judy K. Hogue received 497 votes, or 58.4 percent; and Georgia Babbitt received 201 votes, or 23.6 percent.

In Ward 2, Position 1, 840 votes were cast. Raymond E. Evans received 285 votes, or 33.9 percent; and George Sedberry received 555 votes, or 66.1

percent.

In Ward 1, Position 2, 813 votes were cast. Joe R. Gillespie received 177 votes, or 22 percent; George "Butch" Scaife received 165 votes, or 20.2 percent; Jimmie Lee Grant Lott received 169 votes, or 20.7 percent; Mickey Booher received 106 votes, or 13 percent; Dr. Daniel A. Lieblong received 74 votes, or 9.1 percent; and Virginia Mauldin received 122 votes or 15 percent.

Amendment 1 (Commission for Judicial Discipline, Suspension, Removal and Disability Retirement) passed, with 607 voting for it and 299 voting against it. The vote total was 906, showing 66.9 percent favoring passing and 33.1 percent against passage.

Amendment 2 (Jurisdiction of Matters Relating to Juveniles and Bastardy Amendment) also passed. Of the 866 votes cast, 632 favored passage and 234 were against it. That would be 72.9 percent for the amendment and 27 percent against it.

Amendment 3 (An Amendment to Prevent Abortion Funding and to Restrict Abortion) passed, with 53.2 percent supporting it and 46.7 against it.

Out of a total of 932 votes, 496 were for the amendment and 436 were against it.

Amendment 4 (An Amendment to Repeal the Personal Property Tax on Household Goods: To Require a Vote of 60 Percent of the Legislature or Approval by Popular Referendum to Levy or Amend Any Tax; and to Authorize a Consolidation of Procedures for Motor Vehicle Registration) was also approved, with 563 voting for it and 375 voting against it. Out of the total of 938 votes, 60 percent favored passage and 40 percent were against passage.

Out of a total of 895 votes cast in the referred question from Act 686 (known as the Arkansas Waste Disposal and Pollution Abatement Facilities Financing Act of 1987), 634 voted for the measure and 258 were against it. That represents 70.8 percent for it and 29.1 percent against it.

Act 1 (The Standards of Conduct and Disclosure Act for Lobbyists and State Officials) was approved. Of the 872 votes cast, 618 were for passage, with 254 against it. That represents 70.8 percent favoring passage to 29.1 percent against passage.

Benton, Harmony Grove students 'vote'

Two-hundred and 82 students in Benton Junior High's ninth-grade civics class this week had the opportunity to cast ballots in a mock election, according to Ruths Samples, civics teacher.

The clear winner for president was Vice President George Bush, the Republican candidate. He defeated Democratic nominee Michael Dukakis by a vote of 66-32 percent (187-91). Four votes went to other candidates.

In the 2nd Congressional District contest, incumbent Congressman Tommy Robinson, a Democrat, defeated Republican challenger Warren Carpenter by a 70-30 percent margin (198-85).

Saline County Sheriff James Steed, a Democrat, was winner over Republican candidate Larry Davis by 57-43 percent (161-127).

The 1-mill issue for the Saline County Library won by a narrow margin of 51-49 percent

(143-133) in the mock election.

In the District I justice of the peace contest, Republican candidate Larry Shearon defeated incumbent Democrat Oris Marie Reed by a vote of 57-43 percent (161-103).

In the District 13 JP contest, Republican candidate Lindsey Bryant defeated Democrat Carolyn Counts by a margin of 57-43 percent (161-109). Incumbent Mike Chandler, a Democrat, was defeated by Counts in the March 8 primary election.

In the District 10 JP race, students gave 64 percent of the vote to Republican Archie Dougan with 36 percent of the vote going to incumbent A.Z. Gault, a Democrat (179-105).

All four of the proposed amendments to the state Constitution on the ballot passed overwhelmingly, Samples said.

Samples said the mock election is held each election year at

the school in order to prepare students to be informed voters, Samples said.

HARMONY GROVE

In a similar mock election Monday at Harmony Grove High School, students voted for their choices for president and Saline County sheriff.

Sixty-four percent of the students voted for Vice President Bush with 36 percent voting for

Dukakis.

In the sheriff's race, Davis received 76 percent of the student's votes and Steed received 24 percent.

The elections were conducted as a service to the school and as means to encourage high school students to become involved in the American political process.

The school's journalism class acquired photocopies of voter

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Students

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registration cards and ballots from County Clerk George Ramsey's office in the Saline County

Courthouse. The class is composed of Jwan Melton, Tasha Norwood, Jodi Thompson, Trish Barnett and Shannon Valenzuela.

Sheriff's race gets even hotter

By LYNDA HOLLENBECK
Courier Staff Writer

As election day draws closer, the campaign for Saline County sheriff is becoming the area's hottest race.

On Thursday, both candidates received endorsements they believe are significant to their campaigns.

Congressman Tommy Robinson has endorsed Sheriff James Steed in the race and the Chauffeurs, Teamsters and Helpers Union, Local 878 of Little Rock, gave its endorsement to Larry Davis, the Republican challenger.

Robinson's endorsement of Steed followed a political stir that occurred this week between the two parties. The issue concerned a *Benton Courier* quarter-page ad that had been purchased by Larry Davis, the Republican candidate for sheriff.

In the ad, Davis welcomed Robinson to Saline County. The congressman was scheduled to speak at a road/parking lot dedication at Saline Memorial Hospital.

Davis said he purchased the ad because he has always supported Robinson and will continue to do so. He said the Republican Party does not require its candidates to take a loyalty oath to support all of the party's candidates.

The Democratic Party does require such an oath.

Steed said he is pleased to receive Robinson's endorsement. "I like it. I'm glad he did it. Tommy and I are friends, anyway."

The sheriff added that "with Tommy, you don't know what he's gonna do or say."

Steed said he had talked to Robinson's campaign aide, Ed Frye, and was told that the congressman would be endorsing him in the race.

"He's been sheriff (of Pulaski County) and we've worked together," Steed said.

Lilburn "Lib" Carlisle, chairman of the state Democratic

party, indicated today that Robinson endorsed Steed because the two are old friends who had worked closely together as sheriffs of adjacent counties.

"I think it's a typical move," Carlisle said of the Davis-Robinson advertisement. "The Republicans are always using Franklin Roosevelt and Harry Truman as examples, trying to tie on to their coattails ... Now they're doing the same thing on a local level. You'll notice there's no mention of 'Republican' in that ad."

Doyle Webb, who is serving as chairman of the committee working to elect Davis, said the Teamsters endorsement came about "because they're interested in good, honest government in Saline County. They're interested in good government, no matter where it is."

Some of the Teamsters members live in Saline County and in other counties in the state, he said.

Webb noted that the union has endorsed Robinson in the race for Congress and Vice President George Bush for president and also endorsed Webb two years ago when he was a candidate for Justice of the Peace.

"Predominantly, the Teamsters support Democrats, but they're not tied to any particular party. Teamsters support individuals," Webb said.

The Teamsters donated \$1,500 to Davis' campaign, Webb said. That is the largest individual contribution to the campaign and the only one that has not come from local sources, according to Webb. The money will be used to purchase additional newspaper and radio advertisements, he said.

Webb said the state Republican Party has not made any donation to Davis' campaign. "We have asked and have not received. They don't have funds. This has strictly been a local camp."

Webb estimated that "approximately \$6,000-\$7,000" has been



Tommy Robinson

spent on Davis' campaign, with most falling into the \$25 and \$10 category. "That's the best kind," he added.

Steed said he has not spent much on his campaign, but did not specify an amount. "I've never spent a lot of money to run for sheriff."

Steed is seeking his fifth term as sheriff. He was elected in November 1978 and took office in January 1979.

Davis said today he is "not a politician. I'm a law enforcement officer."

Davis denied that he has used the deaths of two Bryant teenagers as a "political football," an accusation levied by Steed.

Davis was referring to the Aug. 23, 1987, deaths of Don Henry, 16, and Kevin Ives, 17. The sheriff's office investigation of the boys' deaths has become an apparent issue in the campaign.

"I think there needs to be a change in the sheriff's office," Davis said. "I'm not running for sheriff on one issue. I have three sons and a wife ... I think Saline County needs strong, tough law enforcement on drug dealers, drug offenders and burglaries that happen in Saline County."

Probe leads to East Coast

By **LYNDA HOLLENBECK**
Courier Staff Writer

Deputy Prosecutor Richard Garrett and Special Deputy Prosecutor Dan Harmon have spent the past few days interviewing East Coast residents believed to have information of possible significance to the grand jury investigating the deaths of two Bryant teen-agers.

Harmon said he and Garrett traveled to New Jersey and North Carolina, where they talked to "two people." Harmon said they learned "a few things that very well could be helpful. We couldn't find the primary person we were looking for, however."

Harmon said the investigation has continued longer than originally anticipated because of several factors. One factor is a need for "additional help," Harmon said.

"Essentially, Don Birdsong (State Police investigator) has done all the work that has been done," Harmon said.

The grand jury has been investigating the mysterious circumstances that led to the Aug.

23, 1987, deaths of Kevin Ives, 17, and Don Henry, 16. The boys were struck by a Union Pacific train at 4:25 a.m. as they lay motionless on a track near the Shobe Road crossing. Members of the train crew reported that they were partially covered with a green tarpaulin that investigators did not recover at the scene.

Two days after the boys died, Saline County investigators said there was no reason to suspect foul play and Dr. Fahmy Malak, state medical examiner, ruled the deaths accidental.

The grand jury, with the assistance of out-of-state pathologists who performed autopsies of the victims' exhumed bodies and did additional tissue and clothing tests, have determined that foul play occurred before the boys sustained the injuries caused by the impact of the train. Forensic evidence has revealed that Henry was stabbed in the back and Ives had sustained a facial beating, which is believed to have been inflicted by the butt of a rifle.

Harmon was critical of Malak's action in the case.

"Dr. Malak made a mistake that was compounded by stubbornness and arrogant pride," Harmon said. "What is more difficult to understand is the attitude of Crime Lab officials in trying at all costs to support Dr. Malak."

Throughout the grand jury probe, prosecutors have said the deaths of the two boys were related to illegal drug trafficking in Saline County.

"If a thorough and complete investigation is done, we as a community will be sending a terrible message to the drug dealers and thugs and, even worse, a terrible message to our children," Harmon said.

The boys' deaths have become an issue in the campaign for county sheriff.

"I have read every letter and article written about the boys' deaths and one letter called Sheriff James Steed a fine, decent person," Harmon said.

"So is Larry Davis (Republican candidate)," Harmon added. "Both have pledged to thoroughly investigate these two murders."

Teens' deaths cast shadow over sheriff's race

BY DOUG THOMPSON
Democrat Benton Bureau

BENTON — The outcome of the Saline County sheriff's race could hinge on whether voters believe the Democratic incumbent, James Steed Jr., erred in investigating the 1987 deaths of two Bryant High School seniors.

Steed said Friday that his Republican challenger, Larry Davis, a political newcomer and a former deputy sheriff, and Davis' supporters were trying to make a one-issue campaign out of something that never should have been a political issue.

But Davis said the deaths were a symptom of Steed's overall failure to control the county's drug problem. Davis contends that the deaths could be drug-related.

"I am not running on that one issue," he said. "I have three sons to raise in Saline County. I want strong, tough law enforcement."

Steed and Davis also face write-in candidate Lewis Biggs, a former Pulaski County deputy whom Steed has defeated before. Biggs could not be reached for comment Friday.

Two years ago, Steed beat a Republican opponent with 89 percent of the vote in traditionally Democratic Saline County. But as Tuesday's election approaches, Steed has publicly backed away from his initial positions in the Ives-Henry case.

Larry Kevin Ives, 17, and Don George Henry, 16, were struck by a train near Alexander about 4:25 a.m. Aug. 23, 1987. Steed never went to the scene of what was believed to be a train accident. His deputies — including Davis — searched the area. They failed to find a gold chain necklace and the foot of one of the boys, later discovered by family members.

Within two days of finding the boys' bodies, the sheriff's office announced it had ruled out foul play. Dr. Fahmy Malak, the state medical examiner, declared the deaths accidental soon after.

The boys' parents demanded a grand jury investigation. They got one. On Sept. 9, the grand jury ruled that the deaths were homicides. On Oct. 11, Davis was publicly en-

dorsed by Linda Ives, mother of Larry Ives.

A connection between the deaths and drug trafficking in Saline County has not been proven, but the grand jury's investigation has looked into drug trade. Drug charges have been filed against four people not connected with the deaths of the boys.

"There's one good thing to come out of this year's election," Steed said. "From the president's race on down, everybody is talking about war on drugs. And people in Saline County have realized that we are not immune. I won't say we've lost the drug war, but we're not winning it. With the case of the two boys on everybody's mind, hopefully there will be public support when we want to do something, and to do anything will take more money."

Steed said his office investigated the Ives-Henry case thoroughly but could find no leads.

"We couldn't prove anybody guilty, but we proved a lot of people innocent, and sometimes that's the best you can do," Steed said. "The family, understandably, does feel that is enough. Sometimes, the public doesn't like it, and you don't like it. But it is the best you can do."

"I think that when people look over the 10 years I've served in this office and weigh that against this incident, I think they will come down on my side even if they think I made a mistake on this," Steed said.

So is Steed personally convinced the boys were murdered?

"I'm convinced there is enough evidence to show that the case should continue to be investigated as a homicide," Steed said.

Davis said that the Ives-Henry case is just the latest and clearest example of why Saline County voters are dissatisfied with Steed.

"They want a change in the sheriff's office. I hope they believe that I'm the man to make that change," he said. "I'm not a politician. I'm a law enforcement officer. I want to tell people if they report a crime, I'll hold up my end as sheriff."

If elected, Davis says he will investigate all drug-related cases and open substations in parts of the county bordering Pulaski County, where the drug trade is heaviest.

Davis said he believes he will get strong support in unincorporated areas of the county.

"I feel like I'll get half of the votes in the city. The city is not as affected because they are served by the Police Department, but I think they will think of their friends and neighbors in the county and support me."



James Steed



Larry Davis

South Pulaski/Saline

Serving southwest Little Rock and Saline County

ARKANSAS GAZETTE Sunday, November 6, 1988

Teens' deaths shadow sheriff race

By Byron McCauley
GAZETTE STAFF

Three men are vying for the position of Saline County sheriff in a race that appears to have boiled down to a sparring match between two candidates.

The candidates are incumbent Sheriff James Steed, a Democrat; Larry Davis, a Republican; and write-in candidate Lewis Biggs.

Steed, 43, of Benton, has been sheriff since 1979 and is seeking a sixth term.

Davis, 31, of Benton operates the Burger Place restaurant in Benton. He was a county sheriff's deputy from 1984-87 and is a 1985 graduate of the Arkansas Law Enforcement Academy. He is married and has three children.

Biggs, 53, of Alexander is a patrol sergeant for the Cammack Village Police department. He ran for county sheriff in the 1988 primary election and lost his bid for sheriff in the 1986 election.

Steed and Davis have been at odds

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- Details on statewide issues, presidential and congressional races are in the election section elsewhere in today's Arkansas Gazette.

throughout the campaign. Davis has criticized Steed about drug enforcement activities, and about Steed's investigation of the deaths of two Saline County youths who were run over by a train last year. A grand jury is investigating the deaths. Linda Ives, the mother of one of the youths, has endorsed Davis.

Steed has accused Davis of using the grand jury as a "political football." He has called Davis' political tactics a "bit of grandstanding" that is "totally unprofessional and dangerous."



JAMES STEED



LARRY DAVIS



LEWIS BIGGS

Steed recently testified voluntarily before the Saline County Grand Jury. He then criticized Dr. Fahmy Malak, the state medical examiner who said that Don Henry and Kevin Ives were in a drug-induced sleep when struck by the train.

Out-of-state pathologists who conducted additional tests said the boys were murdered. Steed previously had supported Malak.

All other Saline County countywide positions are uncontested.

Local ballots feature lively races

An assortment of interesting races dot local ballots across the state.

They range from races for sheriff in Saline and Sebastian Counties to an annexation fight at Jonesboro. There's a competitive mayor's race at Pine Bluff, too.

At Fort Smith they are voting on something that would actually affect two states.

The city is seeking a second penny sales tax Nov. 8 to finance the construction of a reservoir on Lee Creek in southern Crawford County.

The proposed 634-acre lake would supply 10 million gallons of water a day to Fort Smith, Van Buren and surrounding areas of western Arkansas and eastern Oklahoma. Two city lakes in northern Crawford County now produce about 21 million gallons of water a day.

Strib Boynton, city administrator, said the sales tax would generate about \$9.25 million a year. About half of that would be paid by people living outside the city.

The money would go to pay off the \$37.5 million in general obligation bonds needed to finance the construction of the dam, the treatment plant and installation of transmission lines. The tax would remain in effect four to five years, or until the principal and interest are paid," Boynton said.

Without the tax, he said, the city would be forced to pay for the project through longer-term water revenue bonds, which would cost the city about \$67.5 million over a 20-year period. Boynton said the cost would be borne through increases in water rates ranging from 85 percent for residential users to 200 percent for some high-volume users, including many of the city's main employers.

Even with the additional tax, water rates are expected to be adjusted upward by 6 to 7 percent for residential users and 30 percent for high-volume customers.

Fort Smith residents approved a 1-cent sales tax in September 1985 to pay for streets, bridges and related drainage.

The same area of the state is seeing a competitive sheriff's race.

For the first time in 16 years, the name of Sebastian County Sheriff Bill Cauthron — the longest serving law enforcement official in the county's history — will not appear on the November ballot.

Cauthron retired earlier this year to accept an appointment as head of the state Crime Laboratory. And, as a result, this year's race has drawn more attention than recent ones.

"I've heard that it's going to be

one of the hottest races going," Republican candidate Paul Rivaldo said.

"I don't think there's any doubt about it," added Democrat Gary Grimes. "This is probably the most important race in Sebastian County in years."

Grimes and Rivaldo each have extensive law enforcement training and experience and both expect the race in Arkansas's third-largest county to go to the wire.

Grimes, 40, lives in Rye Hill. He was born in St. Louis and has worked as a deputy sheriff in Sebastian County and Jefferson County, Mo., served as a policeman in a St. Louis suburb, as a criminal investigator with the Burlington and Northern Railroad and is now a director of administration for the Arkansas and Missouri Railroad. He has attended law enforcement schools in Arkansas, Oklahoma and Missouri.

Rivaldo is 54 and lives in Barling, where he is chief of police. He was born in Chicago and moved to Arkansas in 1961 after being discharged from the Army at Fort Chaffee. Rivaldo worked his way up through the ranks of the Fort Smith Police Department to become a major in charge of the detective division. He has attended Arkansas and FBI training schools.

Grimes said he believes he has

the upper hand in the election because of his experience in the sheriff's department and because he has been "factual and honest" throughout the campaign.

Rivaldo said an important consideration in the race is his current position as Barling police chief.

He also mentioned his endorsement by the Arkansas Chiefs of Police, saying, "I can get help — on a first-name basis — from these chiefs across the state."

If elected, Grimes said, he would work to expand protection in the outlying areas of the county and would start drug awareness programs in the schools and churches.

Youths' deaths at issue

The sheriff's race in Saline County is interesting because one of the campaign issues has been Sheriff James Steed's performance in the investigation of the mysterious deaths of two Saline County youths.

A grand jury is investigating the deaths of Kevin Ives and Don Henry, who were run over by a train in August 1987. The state medical examiner declared the deaths were accidental, but other pathologists have said they were murdered.

Steed is opposed in the general election by Larry Davis, a Repub-

lican who has been endorsed by Linda Ives, the mother of Kevin Ives. She said politics in the sheriff's office interfered with the investigation of her son's death. Steed has denied that. He volunteered to appear before the jury and was recently critical of the state medical examiner's handling of the case.

In the Pine Bluff mayor's race, Mayor Carolyn Robinson said her Republican opponent, W.F. "Bill" Bettwy, isn't after the job of mayor.

"He's after Carolyn Robinson," she said.

Robinson, a Democrat, said Bettwy's efforts to change the city's present form of government to a city manager system are aimed directly at her style of running the city.

Bettwy disagreed, saying he wants to keep the present system of government — one with a mayor and city council — but wants to hire a city manager.

"I want to do something to introduce some professionalism that is not there at the present," he said.

Bettwy, 70, a retired American Airlines pilot and real estate investor, was a member of the Vienna, Va., City Council from 1958-1960. That city hired someone to run its government and Bettwy wants to do the same in Pine Bluff.

Bettwy's proposed system disturbs the 51-year-old Robinson, who is in pursuit of her second term as mayor.

"Actually my opponent can't quarrel with the progress that Pine Bluff has made in the past four years."

At Jonesboro, the most heated race isn't over an elected office. It's a proposed annexation that would add 7,500 people to the city's population of 31,000 and would almost triple the land area covered by the city.

It would also gain about 3,300 customers for the city's electric utility. Those 3,300 customers are now served by the Craighead Electric Cooperative and the cooperative doesn't want to lose them. The cooperative has gained allies from other cooperatives in the state and nation and they are waging an expensive campaign to defeat the annexation. There have been estimates the opponents will spend more than \$100,000 on the campaign.

Proponents of the annexation contend Jonesboro needs the annexation to manage its growth and to extend its tax base to take in people who use city services on a regular basis.

Arkansas Gazette reporters Rodney Bowers, Bryan McCauley and John Rice continued this article.