

Deputies defamed, jury says

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A U.S. District Court jury determined Monday that a film connected to the deaths of two Bryant teen-agers defamed two Pulaski County deputies.

The jury deliberated 11 hours before determining Lt. Kirk Lane and Lt. Jay Campbell should be compensated almost \$.6 million for the damage done to their reputations by the film "Obstruction of Justice: The Mena Connection."

The deputies had sought more than 26 times that amount — \$16 million in damages. However, they said they are more than satisfied that their names have been cleared.

Lane was awarded \$289,000 in punitive and compensatory damages and Campbell was awarded \$309,750. Filmmaker Patrick Matrisciana is to pay 25 percent of the damages. His company, Integrity Films, and its parent company, Citizens for an Honest Government, are to pay 75 percent of the damages. Jeremiah Films, also named in the suit, was not ordered to pay damages.

Matrisciana's attorney, John Wesley Hall, said he planned to enter a motion for a directed verdict from Judge Warren K. Urbom. Urbom, who heard the case, was not in Little Rock Monday. The verdict was heard by Judge James R. Moody shortly before 5 p.m. About 4 p.m. the jury foreman sent a message to Moody, saying the jury had agreed the deputies

had proven their case and the jury had arrived at amounts for compensatory damages, but not made a determination on punitive damages. Compensatory damages reimburse actual losses, while punitive damages punish wrongdoing. Each deputy received \$200,000 in punitive damages.

Campbell and Lane sued Matrisciana and his corporations in 1997 over a single line in the film. Accompanied by a graphic, the narration said the two were "implicated" by "eyewitnesses" in the deaths of Kevin Ives, 17, and Don Henry, 16, of Bryant.

Matrisciana gave control of the project to Linda Ives, mother of Kevin Ives, and Jean Duffey, former head of the now-disbanded Seventh Judicial District Drug Task Force.

The boys were found on railroad tracks near Alexander after they were hit by a Union Pacific train about 4:30 a.m. Aug. 23, 1987. The deaths were ruled accidental by then-state Medical Examiner Fahmy Malak, who said the boys were hit by the train while in a marijuana-induced coma. After Linda Ives and husband Larry held a press conference and expressed dissatisfaction with how the deaths were handled, a prosecutor's hearing was held, a second autopsy was done and the deaths were ruled homicides by a 1988 Saline County grand jury.

Campbell and Lane testified

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last week they never knew they were suspects in the case and they had nothing to do with the deaths. At the time of the deaths, they were off duty, their work records show. Campbell said they were "probably asleep."

They also presented a parade of character witnesses including:

- Richard Stephen Holland, a reserve officer with the Benton Police Department and a close friend of Lane;

- Charlie Collins, a sergeant with the Pulaski County Sheriff's Office;

- James Handley Jr., chief of University of Arkansas, Little Rock Police;

- Brian A. Marshal, a 28-year veteran with the FBI; and

- Dallas County Sheriff Donny Ford.

Campbell said he had considered a run for sheriff of Garland County, but the allegations in the film would make a political race "humiliating" for his family, he testified.

Campbell's brother and Lane's wife testified about the effects the allegations have had on the family lives of the deputies.

Campbell said he believes they were "implicated" by former 7th Judicial District Prosecuting Attorney Dan Harmon because they were investing drug trafficking. Harmon was allegedly involved in while a 1988 Saline County grand jury was investigating the deaths. Harmon was appointed special prosecutor for that grand jury. He was convicted in 1997 of running the 7th Judicial Drug Task Force as a criminal enterprise.

Duffey testified Harmon made allegations about her in news stories that eventually resulted in her firing. She said she believes those allegations were made to discredit her so she would not discover Harmon's drug trafficking. She took drug-activity evidence gathered by her task force to the

U.S. attorney's office in 1990.

Linda Ives testified that Harmon told her early in 1988 that Campbell and Lane fit the description of the killers. In December of that year, she said he told her the killers would be called before the grand jury the next day. Campbell and Lane were among those who testified the next day. He never named the deputies as suspects, Ives testified.

Former Saline County sheriff's deputy John Brown testified that he had urged the filmmaker not to include any names in the film, "for a variety of reasons." Brown was assigned to review the case when Sheriff Judy Pridden took office in 1993. A significant portion of the file on the case was missing, Brown testified.

Brown said he first heard of Campbell and Lane in connection with the case from either Linda Ives or Herman Reeves, a former constable who had done some work on the case and now a Saline County justice of the peace.

Ives and Duffey both testified that Brown lied on the stand about wanting to remove names from the film.

Brown told her "over and over" that it was Campbell and Lane who killed the two boys, Linda Ives testified. She said she now believes the two deputies were the "actual hands-on killers" of her son and Henry, based on the 14-volume Arkansas State Police file on the murders.

Duffey testified that she was in the courtroom and heard Brown lie on the stand.

Hall introduced a video clip, cut from the final film, in which Brown named Campbell and Lane as suspects in 1994. Duffey and Ives both said they want perjury charges filed against Brown. They have turned their files over to the Department of Justice.

David Manasian, who edited the tape, testified that Brown gave him the deputies' names

in a phone conversation. He kept notes on that conversation that he later typed. Both the handwritten notes and the typed version were provided as evidence.

Manasian said Brown told him the boys had escaped from Harmon at the tracks and were apprehended by Campbell and Lane at the grocery store. That theory has the boys placed on the tracks by another law enforcement officer.

Hall rested his case Friday afternoon and the jury began deliberations about 4:10 p.m. without hearing from Ronnie Godwin. Godwin allegedly told Arkansas State Police investigators that he saw two men he believed were police officers beating two teenagers on the parking lot of the Ranchette Grocery in Alexander about 2:30 a.m. the day of the deaths. His statement, included in State Police files obtained by Ives under the Freedom of Information Act, did not include any identification of the men or the boys.

Hall wanted to call Godwin to the stand to ask if he could rule out Campbell and Lane as those two men. Godwin was subpoenaed by the deputies' attorneys and released Tuesday at noon when his statement had not yet been questioned. Hall retained a private investigator who was not able to find Godwin by Friday afternoon.

The jury was not allowed to hear Ives' testimony about Godwin reportedly telling her Tuesday that he "would not answer that question." Hall said Godwin was followed after court Monday and that he was afraid to testify. Matrisciana said that was because many people connected with the investigation of the deaths, including the film's main cameraman, have also died.

No charges have ever been filed in the alleged murders and the case remains open but inactive.

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