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NET OF SILENCE

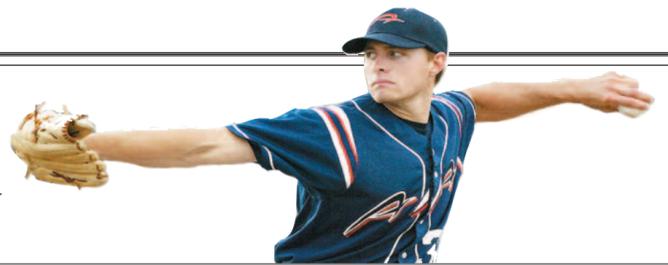
Free speech limits on the Web
SCI-TECH D1

Parks cope with thin budget
INTERIOR/ALASKA B1

CUTTING GRASS

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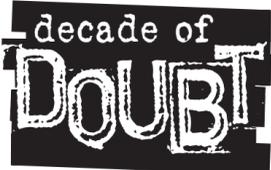
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SPORTS C1



A cry in the night

A horrifying discovery is made on the streets of Fairbanks

THE JOHN HARTMAN MURDER



www.newsminer.com/hartman

CONTENT WARNING: This series contains references to vulgar language and violent acts that may be objectionable to some readers and that parents may find inappropriate for their children.

Editor's note: This series is the product of a six-year investigation by former News-Miner reporter Brian O'Donoghue and his journalism students at University of Alaska Fairbanks.

PART 2 OF 7

By **BRIAN O'DONOGHUE**
Special to the News-Miner

Melanie enjoyed reading in bed, but restlessness often sent her back to a television for company. The pattern held true at the local women's shelter on this Saturday in October 1997. It was her 15th day taking

refuge from yet another explosive relationship. Past midnight she hunkered down reading. Within the hour, though, she was back in the living room, watching Conan O'Brien's late-night show.

The show featured an animal trainer and a bunch of his critters. Hearing pop singer David Bowie touted as the next guest, Melanie, being no fan, lost inter-

Please see **HARTMAN**, Page A8



More than an hour passed between the assault on John Hartman and the battered teen's discovery by a motorist traveling west on Ninth Avenue near this intersection with Barnette Street.

Habitat division returns to ADF&G

The Associated Press

JUNEAU — The state Division of Habitat has officially moved back to the Alaska Department of Fish and Game.

The move last week ends a five-year stint in the Department of Natural Resources that was brought on by former Gov. Frank Murkowski.

The 22 jobs cut by Murkowski and the 12 vacant positions he deleted with the move are not returning.

But state officials from both departments say that hasn't impeded Habitat staffers from doing their job of protecting Alaska's fish.

Natural Resources Commissioner Tom Irwin joined Fish and Game Commissioner Denby Lloyd in recommending that Gov. Sarah Palin return the habitat division to its original agency.

In February, Palin issued an executive order doing so.

Murkowski moved the division to ease natural resource development, renaming it the Office of Habitat Management and Permitting. conservationists criticized the action.

When Habitat biologists arrived in 2003, DNR instructed the biologists that "if some project would compromise the habitat, it was OK to say no," Irwin said.

"But we also asked, how can we get to yes without compromising the habitat or your principles? We don't want to be a state that says no, no, no," he said.

Irwin said he recommended the transfer partly to avoid the widely held perception that the division's habitat protection was

Please see **DIVISION**, Page A5

A SPRINKLE OF SUMMER



John Wagner/News-Miner

Kailah Titus, 6, plays in the sprinkler system at Chena Wayside Campground with her sister Jade, 12, and cousin Delenay White, 13, on a warm Sunday afternoon. With a 2002 statewide funding cut to recreation sites, parks have either seen a decline in maintenance or contracted out the management to private companies. For more information on the cutback, see page B1.

Special court for veterans addresses more than simple crime

The Associated Press

BUFFALO, N.Y. — The first clue that the Tuesday afternoon session in Part 4 of Buffalo City Court is not like other criminal proceedings comes just before it starts.

Judge Robert Russell steps down from his bench and from the aloofness of his black robe. He walks into the gallery where men and women accused of stealing, drug offenses and other non-violent felonies and misdemeanors fidget in plastic chairs.

"Good afternoon," he says, smiling,

and talks for a minute about the session ahead.

With the welcoming tone set, Russell heads back behind the bench, where he will mete out justice with a disarming mix of small talk and life-altering advice.

While the defendants in this court have been arrested on charges that could mean potential prison time and damaging criminal records, they have another important trait in common: All have served their country in the military.

That combination has landed them here, in veterans treatment court, the

first of its kind in the country.

Russell is the evenhanded quarterback of a courtroom team of veterans advocates and volunteers determined to make this brush with the criminal justice system these veterans' last.

"They look to the right or to the left, they're sitting there with another vet," Russell said, "and it's a more calming, therapeutic environment. Rather than them being of the belief that 'people don't really understand me,' or 'they don't know what it's like' — well, it's a room full of folks who do."

If the veterans adhere to a demanding

one- to two-year regimen of weekly to monthly court appearances, drug testing and counseling for any combination of Post Traumatic Stress Disorder, depression, substance abuse or anger management, they could see their charges dismissed, or at least stay out of jail.

After counting 300 veterans in the local courts last year, the judge tailor-made the treatment court to address not only vets' crimes but their unique mental health issues.

Charles Lewis, who stood before Rus-

Please see **COURT**, Page A5

New report explores oil's role in Alaska economy

By **ERIC LIDJI**
Petroleum News

ANCHORAGE — The state of Alaska most likely earned more than \$10 billion this fiscal year from oil and gas operations, according to a new look at the role of the industry in the state economy.

The revenue figure is part of a larger report on how oil and gas operations figure into job creation, wages and charitable giving in Alaska, conducted by Information Insights and the McDowell Group for the Alaska Oil and Gas Association.

The industry group presented highlights of the report before the Anchorage Chamber of Commerce on June 30, the last day of the state fiscal year.

The \$10.2 billion revenue figure, which will be either validated or revised when the state releases year-end financial information, represents the reality of ever-rising world oil prices and the first fruits of a revised production tax enacted last fall, but retroactive to the

ON THE WEB

To view the full report in detail, visit the Alaska Oil and Gas Association's website at <http://www.aoga.com>

beginning of the fiscal year. Still, the number is surprising compared to recent revenues and forecasts.

The state made "only" \$5.1 billion from oil revenue in fiscal year 2007. And as recently as the spring forecast released this past March, state economists predicted that revenue from the oil industry would total just under \$9 billion this fiscal year.

According to the report, the state has collected more than \$75 billion in revenues from the oil industry since 1959, with nearly one third of that coming in the last 10 years.

The new report updates and

Please see **REPORT**, Page A5

Inside

Greatest gift

- Classified D2
- Comics C8
- Couples B3
- Dear Abby C7
- Interior/Alaska B1
- Opinion A4
- Our Town A3
- Sports C1
- Nation A6-7
- Science/Technology .. D1
- Weather A7
- World C5-6

Vol. CIV, No. 188
24 pages



Sourdough Jack sez:

"Never needed a dictionary — most folks just use four-letter words talking to me."

Pass the prosecco: Dictionary's new entries debut today

The Associated Press

Is it acceptable to serve edamame to a dinner guest who's a pescatarian?

Should you pour prosecco or soju for the winner of the Texas Hold 'em game you're planning near the infinity pool? And what's that wing nut in the corner saying about dirty bombs and nasty Noroviruses?

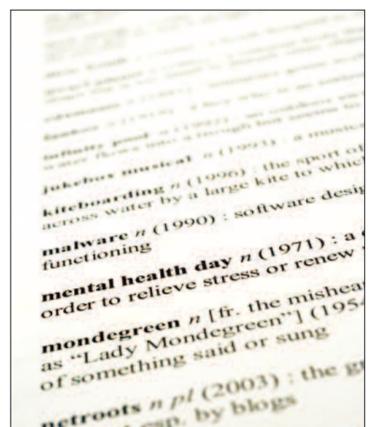
Before your next party, go ahead and consult the latest edition of Merriam-Webster's Collegiate Dictionary, which now includes edamame (immature green soybeans), pescatarian (a vegetarian who eats fish) and about 100 other newly added words that have taken root in the American lexicon.

The wordsmiths at the Springfield, Mass.-based dictionary publisher say they picked the new entries after monitoring

their use over years.

"As soon as we see the word used without explanation or translation or gloss, we consider it a naturalized citizen of the English language," said Peter Sokolowski, an editor-at-large for Merriam-Webster. "If somebody is using it to convey a specific idea and that idea is successfully conveyed in that word, it's ready to go in the dictionary."

Many of the new entries reflect the nation's growing interest in the culinary arts, including prosecco (a sparkling Italian wine) and soju (a Korean vodka distilled from rice). Others define new technology or products, such as infinity pool — an outdoor pool with an edge designed to make water appear to flow into the horizon.



The Associated Press

A list of new dictionary words is seen Tuesday at Merriam-Webster in Springfield, Mass. The words will be published in Merriam-Webster's Collegiate Dictionary, Eleventh Edition 2008.

Please see **WORDS**, Page A8

HARTMAN: Medics find a severely beaten teen on the street on a freezing fall night

Continued from Page A1

est. Slipping on a heavy sweater, she stepped onto the second-floor balcony, an airy structure screened from public view by heavy lattice.



Hartman

It was "northern lights cold," as Melanie put it during one of her appearances as a witness against John Hartman's accused slayers.

Hardly any traffic moved on Barnette Street, a main thoroughfare nearby.

Melanie briefly settled on an empty chair and smoked a cigarette. Then she climbed the outdoor stairs to the top balcony, which offered better vantage should the aurora dance.

Leaning on an upper railing, smoking, Melanie heard what she — a woman familiar with domestic violence — recognized as a "bad" smack.

The sound came from the direction of Barnette; trees and the roof of a neighboring building blocked direct view.



Frese

She heard another smack or slap, followed by a voice: "Help me. Help me."

"It was just really, really very scary," Melanie later said from the witness stand.

The faint pleas gave way to what sounded like damaging blows. "As loud as they were, it had to be extremely hard," she recalled, testifying at the trial of Eugene Vent, a 17-year-old whose confession provided early direction to the Fairbanks Police investigation.

She heard three, maybe four smacks. Then she heard another voice, deeper than the victim's. "I'd say older, and very intoxicated. And it had a Native accent."

Emotion colored that second voice. "I couldn't tell what he was saying, but it was in anger," she told grand jurors within days of the crime.

Her racial characterization drew questions when the case came to trial.

"There's no question in your mind, even though you could hear no words spoken? You know, distinct words," pressed defense attorney Dick Madson, "that it was a Native doing the speaking?"

"I heard a Native accent," the witness said.

Sounds of "horrendous punches" or kicks continued at what Melanie described as a measured pace, as if the assailant, or assailants, gave consideration to solidly landing each blow.

The pleading ceased. She raced for the shelter office.

"I said, 'somebody's getting beat out there.' I said, 'I can hear it connecting ... it's really, really, bad.'"

The counselor on duty followed as Melanie opened the shelter's front door. The pair stood in the threshold, listening.

The street was quiet. Returning inside, the counselor left summoning police up to Melanie, who



Brian O'Donoghue/UAF Journalism

A resident of the Fairbanks women's shelter was taking a cigarette break on the roof, Oct. 11, 1997, when she heard what she took to be a vicious assault taking place out of her view on the street below.

ON THE WEB

Visit www.newsminer.com/hartman for the complete "Decade of Doubt" series.

- Explore the murder victim's last known steps
- Read activity log notes about the 9th Avenue assault
- Read the ambulance run report on the "man down" incident

or so before departing with two women in need of a lift. Louise Lambert and her sister were bound for the Townhouse, a motel and apartment complex off 10th Avenue. Moses first swung by another apartment, where one of the women collected a few belongings. About 2:45 a.m., the trio cruised east on Ninth Avenue, passing the women's shelter.

Approaching Barnette, Lambert later told police, "I just had this flash of somebody lying on the ground."

Her eyes stopped on a prone form stretching across the curb into the roadway.

"Look right there," Lambert recalled shouting. "Look, look, there's a little boy."

Moses slowly rolled within about 6 feet of the stricken youth.

"I could see his breath was still coming out," the driver testified. "I could still see it in the cold air."

Moses thought the victim faced his car, but later he wasn't entirely sure. "He had so much blood on his head."

Lambert, in her taped interview with police, said nothing about blood. She mainly remembered wanting to help.

The others talked her out of it. "No. No," she recalled them saying. "Whoever did this might still be around."

That morning in 1997 no cell phone was available for calling 911, but the apartment wasn't far. They left to fetch help.

Pulling away, Lambert noticed the boy's pants appeared to have been pulled down.

shied from making that call. Her own domestic problems frequently ended with police at the door; several times Melanie had been the one charged.

She retreated to the balcony for another cigarette.

"I had a really, really, bad feeling, but I sat down for about five minutes to see if I did hear anything else," she recalled.

Passing cars weren't slowing down, which seemed reassuring. If someone down there needed help, she figured at the time, surely someone would notice.

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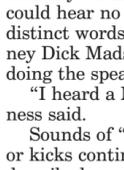
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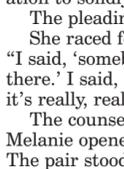
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Vent



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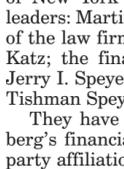
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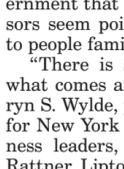
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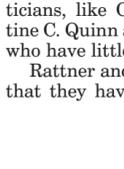
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Vent

ABOUT 'DECADE OF DOUBT'

This seven-part series offers no proof of guilt or innocence. It does document gaps in the police investigation that raise questions about the victim's last conscious hours. It points out that the group convicted of John Hartman's murder may have been prosecuted with forms of evidence identified later in national studies as contributing to some wrongful prosecutions elsewhere. And it shows how rulings from this state's courts have undermined Alaska Native confidence in the justice system by keeping juries from weighing all that's known about the crime.

Among the series' observations:

- The police investigation remained focused on suspects flagged through a pair of confessions, subsequently retracted, despite lab tests that yielded no supporting evidence.
- Jurors remained unaware that state crime lab experts couldn't match Frese's boots with photos of Hartman's bruises. Though it bore the lab's logo, the suggestive exhibit presented at trial was a non-scientific photo overlay assembled by police and the district attorney. Recent studies have shown that evidence lacking forensic merit often figures in convictions that are later overturned.
- Detectives referred to fictitious evidence throughout the interrogations that yielded confessions from Vent and Frese. Employing such trickery on suspects who profess no memory of a crime, while standard practice in 1997, today draws specific cautions in the nation's standard-setting criminal interrogation manual. The revisions reflect lessons learned from re-examining tactics used obtaining confessions later proven false in cases that sent innocent people to jail.
- The state's case strongly relied upon identifications made by an eyewitness standing 550 feet from a robbery. The distance raises the possibility of witness misidentification, which has emerged as the leading common denominator among hundreds of errant murder and rape convictions.
- Police paid scant attention to the last person known to have been with Hartman. Chris Stone, a 14-year-old self-described methamphetamine addict, had been hospitalized following a similar assault only weeks prior. And jurors never heard about Stone's attention-getting entrance into Carrs-Foodland about the time Hartman lay dying in the street. Also, no one involved in the Hartman case had access to Stone's sworn statement, sealed in an unrelated juvenile proceeding, suggesting, under one interpretation, awareness of his friend's plight.

All of this has contributed, in the eyes of many, to a decade of doubt.

"And it looked like he had either long underwear or boxer shorts on," she told police.

First responders

"Man down" was the description accompanying the 2:50 a.m. ambulance call out.

That could mean just about anything. Most likely the call involved a drunk. Or so paramedic-in-training Mike Gho figured, drawing upon his five years as a local firefighter.

The ambulance took off from the Seventh Avenue building that was then doubling as Fairbanks Police headquarters. It was three blocks to the victim's reported location. The three-member crew reached the scene within three minutes of the initial summons.

They had to hunt for the victim. "It was kind of hard to find because the lighting was low and it was dark out," testified Gho, who described the ambulance run in detail at all three trials.

Once they found the young man draped over the curb, the crew sought to determine if he was merely sleeping off a bender.

He didn't react to questions and shouts.

It was 8 degrees out, so hypothermia remained a possibility. Of more immediate concern, bruising and indentations were apparent on the patient's head, which rested on the pavement by a small pool of blood.

"There was some kind of trauma involved," the medic recalled. "We didn't know whether the person got hit by a car, whether he was beat up, but it was obvious some kind of trauma took place."

The medics observed as John Hartman straightened his arms and curled,

a behavior known as "decerebrate posturing." The movements, symptomatic of head injury, were noted in the run report, along with his pupils' lack of response to a flashlight, another sign of cerebral distress.

Working swiftly, the crew cut away the young man's camouflage shirt pull-over, exposing his chest for closer examination. Other than the bruises found about his head, the medics found no other obvious injuries. Using a "C-collar restraint" and a backboard to protect against neck or spine injury, they readied their patient for rush transport to the hospital.

Nearly two years passed between the "man down" incident and the Hartman trials. Though the medic acknowledged he didn't remember every detail, the victim's pants caught his attention. "Pants around knees," Gho had noted in his report alongside the patient's half-on-the-sidewalk, half-in-the-street position. The pants were corduroy, he added in court. It stuck in his mind that they were a "baggy type."

As the gurney was loaded, another medic advised dispatch they were dealing with a potential crime victim.

"ASSAULT, 9TH AVE & BARNETTE," states the 3:04 a.m. entry in the Fairbanks Police activity log.

The ambulance crew focused on caring for the victim — normal procedure in an emergency medical response — but inevitably disturbed a potential crime scene.

"Our concern, I guess," Gho explained in court, "was more on the patient."

Tomorrow: Wild night downtown

Brian O'Donoghue is a UAF assistant professor of journalism. Former students Gary Moore and Gabe Scott contributed to this report.

In New York, corporations seek another CEO as mayor

The New York Times

NEW YORK — At charity balls and board meetings, on putting greens and in telephone conversations, New York's corporate titans are on the hunt: Michael R. Bloomberg will end his reign as mayor in 18 months, and they are desperate to find someone from their ranks to take his place.

The executives searching for Bloomberg's replacement are considered some of New York's most influential business leaders: Martin Lipton, a founding partner of the law firm Wachtell, Lipton, Rosen & Katz; the financier Steven Rattner; and Jerry I. Speyer, chairman of the developer Tishman Speyer.

They have told colleagues that Bloomberg's financial independence, his lack of party affiliation and his corporate, by-the-numbers approach to management have created a golden age of New York City government that none of his would-be successors seem poised to reproduce, according to people familiar with the conversations.

"There is significant trepidation over what comes after Bloomberg," said Kathryn S. Wylde, president of the Partnership for New York City, which represents business leaders, and whose board includes Rattner, Lipton and Speyer.

So far, the roster of likely candidates is dominated by traditional Democratic politicians, like City Council Speaker Christine C. Quinn and Rep. Anthony D. Weiner, who have little or no business experience.

Rattner and Speyer are worried enough that they have been pressing Richard D.

Parsons, the chairman of Time Warner, to consider running for mayor. So far, Parsons is not interested.

The executives' courtship of Parsons shows how much they value a business resume over party affiliation; Rattner, for example, is a prominent Democratic fundraiser, but Parsons is a registered Republican.

"There is significant trepidation over what comes after Bloomberg."

— Kathryn S. Wylde, Partnership for New York City president

Bloomberg, who founded the financial information giant Bloomberg LP, appears to be as anxious about his successor as any business leader. At a private dinner in 2006, even he encouraged Parsons, a native New Yorker, to run for mayor.

Parsons, who once worked for Gov. Nelson A. Rockefeller, would not detail the conversations but said in an interview that "what the business community wants is

not just a businessman but a Bloomberg-type businessman, who is not beholden to special interests."

Business leaders, of course, have a vested interest in recruiting one of their own, like Bloomberg, to run for mayor. The Bloomberg administration is considered an ally to many corporations, especially developers. Rezoning projects under his watch have opened large swaths of the city to new construction. And Bloomberg travels in the same orbit as many of the city's elite; he goes to their functions and they to his; he gives to their causes and they reciprocate.

But the discussions also highlight a sense, inside and outside the business world, that Bloomberg has redefined the expectations — and, some contend, the qualifications — for the office of the mayor.

In interviews and surveys, New Yorkers broadly express worry that the city may revert to a traditional partisan-infused bureaucracy as they canvass the field of Bloomberg's would-be successors.

Many in the business world say the city should consider overturning the term-limits law that will force Bloomberg from office, after eight years, on Dec. 31, 2009. Polls have shown the public overwhelmingly opposed to such a change, despite their fondness for Bloomberg. But his admirers are not easily giving up.

"I think it is a good thing for us to revisit," said William C. Rudin, a real estate executive who is chairman of the Association for a Better New York. "Two terms for a mayor is too short."

WORDS: Current events and topics

Continued from Page A1

Others reflect current events and much-discussed news topics, including dirty bomb (a conventional bomb that releases radioactive material) and Norovirus (small, round single-stranded RNA viruses, such as the Norwalk Virus).

And then there's "mondegreen." In a category of its own, it describes words mistaken for other words. A mondegreen most often comes from misunderstood phrases or lyrics.

It comes from an old Scottish ballad in which the lyric "laid him on the green" has been confused over time with "Lady Mondegreen."

Among the best-known modern examples: "There's a bathroom on the right" in place of Creedence Clearwater Revival's "There's a bad moon on the rise" and "Scuse me, while I kiss this guy" in place of "kiss the sky" in the 1967 Jimi Hendrix classic "Purple Haze."

Even Sokolowski, a word expert by trade, has a favorite mondegreen: "Lucy in the sky with diamonds," as sung by the Beatles in 1967, made obvious sense to the preteen Peanuts comic fan as "Lucy in the sky with Linus."

Merriam-Webster's editors were so amused by the mondegreen concept that they plan to ask people to submit their favorites on the publishing company's Web site.

Mondegreen, first spotted in print

in 1954, was among tens of thousands of words the wordsmiths watched for decades. That and others make the cut for the dictionary based on how widely they are used in publications ranging from newspapers to technical manuals.

"They can float for decades. What that means for the most part is that they've been used in more spoken forms than they were found written until recently," Sokolowski said.

John Morse, Merriam-Webster's president and publisher, said the cleverness of many Web-related terms makes them easy to grasp and gives them staying power. Webinar (an online meeting) is new, along with netroots (political grassroots activists who communicate online, especially in blogs).

"There's a kind of collective genius on the part of the people developing this technology, using vocabulary that is immediately accessible to all of us," he said. "It's sometimes absolutely poetic."

Allan Metcalf, executive secretary of the American Dialect Society and an English professor at MacMurray College in Illinois, said he thinks the entries that grew from the popularity of cooking shows and international cuisine will be the among most lasting and useful of the newcomers.

"I'm kind of used to laughing at the choices these editors publicize, but this time I'm impressed," he said.