

# Frese guilty in Hartman beating death

## 1st-degree murder count thrown out

**LARRY CAMPBELL**

For the News-Miner

ANCHORAGE—A jury here found George Frese guilty Tuesday in the sexual assault, robbery and murder of 15-year-old John Hartman more than a year ago.

In relatively quick order, the 12 Anchorage jurors decided Frese committed five of the seven counts against him, which included two counts connected with the robbery and assault of Franklin Dayton.

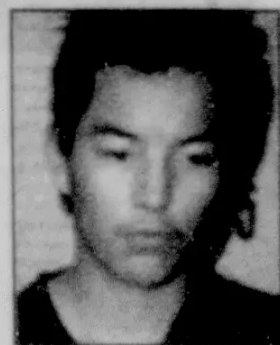
The jury had begun deliber-

ations late Thursday afternoon and had taken the three-day weekend off.

L a t e Tuesday morning, Frese sat sullen and silent as the verdict was read.

Later, led away in handcuffs, the 18-year-old muttered obscenities under his breath. Superior Court Judge Niesje Steinkruger ordered he be held without bail until sentencing.

Jurors convicted Frese of first-  
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**FRESE**

# FRESE: Guilty

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degree robbery and second-degree assault in the mugging of Dayton, a Koyukuk resident who was in Fairbanks attending a wedding and reception on Oct. 11.

The convictions concerning Hartman are more involved: three counts of second-degree murder; one standing by itself, another coupled with a conviction of first-degree sexual assault and the third coupled with a conviction of first-degree robbery. The jury did not find Frese guilty of the first-degree murder or manslaughter charges he also faced.

The young Hartman had been found lying in the street at Ninth Avenue and Barnette Street in the early morning of Oct. 11. He had been mortally beaten about the head and anally assaulted. He died later that day. Police said he'd also been robbed, although a wallet with cash the teen was supposed to have been carrying has never been found.

Jurors refused to comment as they left the courthouse. But prosecutor Jeff O'Bryant later praised their efforts. "My thanks goes to the people who had to undertake this task," he said of the jurors. "It couldn't have been easy for them." Frese's attorney, Bob Downes, said in court Tuesday that an appeal may be filed. He declined an interview with reporters after the trial.

Frese already faces sentencing on a third-degree assault conviction for threatening a person with a gun in September 1997, before the Hartman death. He is scheduled to be sentenced for all the convictions within the next month.

Three others remain to be tried for the same crimes. Prosecutors say Frese had been accompanied by Kevin Pease, Eugene Vent and Marvin Roberts in the late night, early morning crime spree in downtown Fairbanks.

Judge Steinkruger has yet to schedule dates and the location for those trials. Last year she ordered Frese's trial moved to Anchorage, saying pretrial publicity in Fairbanks would have made finding an impartial jury in the victim's hometown almost impossible.

During the two-week trial, jurors heard from a number of witnesses who told what they saw or heard—a young voice crying for help, a man being beat and robbed, four young men cruising downtown that night in a blue Dodge Shadow.

But hard physical evidence linking Frese to the crimes was scarce. Last week, the state's strongest piece of evidence, a photo of a boot sole bruise on the side of Hartman's face, was blasted by a criminologist from the Kansas City, Mo., police department. The acknowledged expert said the photo neither proved nor disproved O'Bryant's claim that the bruise came from Frese's boot.

Defense attorney Downes hit on that point hard in closing arguments last week. He also pressed hard at contradicting testimony from different witnesses.

In his closing, however, O'Bryant reminded the jury of Frese's own comments to police detectives back in October 1997 when they told the suspect his boot sole matched the injury on Hartman's face. "What's going to happen to me if he dies?" he asked the officers," O'Bryant said to jurors. "Why else would anyone say something like that?"

Frese had confessed his involvement to police during questioning and also implicated three co-defendants; Kevin Pease, Eugene Vent and Marvin Roberts. That statement was not allowed in the trial, however, after a judge ruled that Frese was in police custody and entitled to have a lawyer present at the time of questioning.