

Jury convicts 2 in Hartman murder case

Defense to appeal ruling

By MARGARET BAUMAN 8/20/99
For the News-Miner

ANCHORAGE—A Superior Court jury on Thursday convicted Kevin Pease and Marvin Roberts of second-degree murder in the 1997 kicking death of 15-year-old John Hartman of Fairbanks.

Pease, 18, and Roberts, 19, also were found guilty of robbing Hartman and of assaulting Franklin Dayton in separate incidents in downtown Fairbanks early on the morning of Oct. 11, 1997. The jury of 10 men and two women acquitted Pease and Roberts of sexually assaulting Hartman and of robbing Dayton.

Defense attorneys Dick Madson and Lori Bodwell said they would appeal.

In two earlier Superior Court trials, Eugene Vent, 19, and George Frese, 20, were also found guilty in the attacks on Hartman and Dayton.

As a court clerk read the jurors' first verdict, finding Pease innocent of first-degree murder, Pease raised his head and eyes upward with relief. But then came the guilty verdicts and Pease bowed his head. None of the jurors looked at the defendants as the verdicts were read and as they were polled individually by Superior Court Judge Larry Card.

"I quit. I'm not going to do this any more," said Madson, who along with Bodwell had called numerous witnesses who

placed Pease and Hartman at some distance from the places where Dayton was attacked and Hartman killed. "There was so much evidence it was overwhelming."

"They had to ignore every witness we put on," Madson said. "We had five eyewitnesses, totally sober."

Madson said jurors "obviously didn't follow" the instructions of Judge Benjamin Esch, who presided at the trial but not at the



ROBERTS



PEASE

verdict.

Hartman's mother, Evalyn Thomas, said in a telephone interview that she was both satisfied and disappointed by the verdict. Thomas said both Frese and Vent said Pease initiated the sexual assault on her son and that she was "disappointed that he got off."

Thomas, who was in attendance for most of the trial, was recuperating from a bicycle accident Wednesday and was not in court for the verdict. Carol Pease, the mother of Kevin Pease, said she was "very disappointed and upset by the verdict and my son is innocent."

See JURY, Page A-11

Continued from Page A-1

Most of Roberts' family left the courtroom quickly, saying he was innocent.

Assistant District Attorney Jeff O'Bryant said he felt the jury found some strength in testimony from the prosecution and its witnesses that Pease, Roberts, Vent and Frese were together on the evening of the attacks. O'Bryant said he believes people want to know more about the attack on Hartman, who was found mortally wounded on a downtown Fairbanks street corner.

"If you just accept the explanation that these four boys were out on a wilding and they got carried away, then you don't need to look to Chris Stone," he said.

Stone, who is still incarcerated at the Fairbanks Youth Facility for crimes that would be considered felonies if he were an adult, testified at the trial that he was with Hartman on the morning of the attack.

Much of the testimony Stone gave conflicted directly with that of another witness, the father of two youngsters whose home Stone and Hartman were at to visit with a third youth who was babysitting.

Stone said the man knew he and Hartman would be there to help babysit, but the man denied that, saying when he came home and found the three boys there he gave them cab fare and told them to leave.

Stone said that he, Hartman and a third youth took a cab from the College area to downtown Fairbanks, where they separated shortly before Hartman was attacked.

But Stone also testified that he himself was the victim of a similar attack in the area of Fort Knox a month before Hartman died. Stone, then 14, said he went on a ride with a group that included Dale Depue Jr. and Shawn Aldridge to what he thought was a visit to a mutual friend.

Stone said Depue was angry because Stone had had sexual contact with Depue's girlfriend and that he was attacked with kicks and billiard balls in socks and knocked unconscious.

Depue and Aldridge, both 18, were indicted in July on charges of first degree murder and evidence tampering in the beating and kicking death of Fairbanks taxi driver Maurice Smith on Aug. 1, 1998.

Hartman's mother said her son knew Stone from back when they played with the Redskins in Fairbanks junior league football. "They knew each other, but they never hung out together," she said.

While Stone testified that neither of them attended school on Oct. 10, 1997, at West Valley High, he didn't mention that Hartman was home-schooling at the time to make up a failed eighth-grade course and to do some ninth-grade work, Thomas said. He didn't want to repeat eighth grade, she said.

Thomas said she planned to scatter her son's ashes next year, when her oldest boy, Sean, 23, is released from prison in Arizona. Her 22-year-old twins, Robbie and Michael, live in Fairbanks, where Michael works for McDonalds and Robbie is a student at UAF.

Thomas said that while most people in Fairbanks had wished her well, it was time to get away from all the publicity. She said she will probably move to Anchorage, where she will look for work and volunteer for Victims for Justice.

Representatives of Victims for Justice gave Thomas support during the three trials, she said. She stayed for the past seven weeks in Anchorage with Karen Johnston, widow of Thomas F. Johnston, a music professor at the University of Alaska Fairbanks and who was himself the victim of murder.

Johnston said Thomas came a long way in resolving some of her own personal problems since the murder, "but she's always going to wonder about Chris."