

BUC BATTLE

Goldpanners fall, 5-2
SPORTS D1



Hunting lottery winners announced SPORTS D2 ON THE HUNT



CAREER PATH

Students tackle their future
YOUTH C1

Clean water ballot measure a muddy mess among voters

By RENA DELBRIDGE
rdelbridge@newsminer.com

After Interior Democrats and their guests listened to both sides of the debate surrounding ballot measure 4, some were left wondering what the facts are.

"No one can make a decision based on this presentation," said David Bantz, who works in computing at the University of Alaska Fairbanks. He said both

ELECTION 2008



Ballot measure 4, also known as the Clean Water Initiative, was the topic of discussion at the Democrats' monthly Fahrenkamp Luncheon on Friday. Former mining executive Bruce Switzer

sides make many claims, and he's left wondering which are correct and where the information comes from.

spoke on behalf of Alaskans for Clean Water, a group formed to support the initiative. Switzer is a senior technical adviser for that group. Mining company Teck Cominco's Director of Corporate Affairs Karl Hanneman represented Alaskans Against the Mining Shutdown, a group formed to fight the initiative.

The initiative was designed to shut down the Pebble Project's proposed plans for a copper, gold and molybde-

num mine at Bristol Bay, known as the red salmon capital of the world.

"It's not about mining generally. It's about the Pebble Project, and the only way we could deal with that was through an initiative," Switzer said, adding that Bristol Bay and its environs are an environment too special to risk. "This ballot initiative is about salmon, and it's about Pebble."

However, some say if the initiative meets with voter approval and becomes

law, new rules could shut down new facilities and mine expansions across the state.

"There are valid concerns about the Pebble Project that shouldn't be addressed through a proposal that will adversely affect the entire industry," Hanneman said. "In fact, we can't even be sure what it is we're voting on."

If the initiative becomes law, state

Please see BALLOT, Page A7

TRIBAL RHYTHM



Participants and spectators of the Midnight Sun Intertribal Powwow join in a couples dance Friday behind the Carlson Center. The powwow continues today and Sunday with festivities kicking off at noon both days.

John Wagner photos/News-Miner

Powwow drum beat draws cultures together

By REBECCA GEORGE
rgeorge@newsminer.com

The Midnight Sun Intertribal Powwow kicked off Friday evening behind the Carlson Center with the grand entry as veterans and retired warriors entered the sacred circle in a procession accompanied by Lakota Thunder, a Grammy award-winning Native American drum group.

Veterans, present warriors, elders, parents and children entered the procession, and though each expressed their heritage uniquely, there was a single heartbeat with the ever-intensifying beating of the drum.

First Traditional Chief Donald



Above, members of Lakota Thunder, a Grammy award-winning Native American drum group, sing and drum together during the Midnight Sun Intertribal Powwow. At right, Cody Yellowfat, 11, a member of Lakota Thunder, takes in the scene at the powwow.



Please see POWWOW, Page A7

Producers list concerns over TransCanada line

By STEFAN MILKOWSKI
smilkowski@newsminer.com

JUNEAU — The major North Slope producers shared their concerns about a TransCanada natural gas pipeline on Friday in a discussion Revenue Commissioner Pat Galvin tried to paint as entirely predictable.

Top executives with BP, ConocoPhillips and Exxon Mobil all said they thought the Canadian pipeline builder was seeking too much profit, not taking enough of the project risk and asking too much of the main pipeline users — specifically, the three producers.

"We have some real concerns with the terms TransCanada is required to offer," BP's Dave Van Tuyl said.

The executives expressed con-

cerns about the requirements TransCanada would have to meet under the Alaska Gasline Inducement Act and about provisions TransCanada proposed in its AGIA application.

An executive with Chevron, another North Slope producer, echoed many of the concerns.

Galvin, representing Gov. Sarah Palin's gas line team, explained that under AGIA, TransCanada would still be able to negotiate shipping rates with the major producers and could

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White House says no to greenhouse gas control

The Associated Press

WASHINGTON — The Bush administration, dismissing the recommendations of its top experts, rejected regulating the greenhouse gases blamed for global warming Friday, saying it would cripple the U.S. economy.

In a 588-page federal notice, the Environmental Protection Agency made no finding on whether global warming poses a threat to people's health or welfare, reversing an earlier conclusion at the insistence of the White House and officially kicking any decision on a solution to the next president and Congress.

The White House on Thursday rejected the EPA's suggestion three weeks earlier that the 1970 Clean Air Act can be both workable and effective for address-



The Associated Press

The Bush administration on Friday rejected regulating greenhouse gases, saying it would ruin the U.S. economy.

ing global climate change. The EPA said Friday that law is "ill-suited" for dealing with global warming.

"If our nation is truly serious about regulating greenhouse

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Off the menu



Dog — it's not what's for dinner
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Sourdough
Jack sez:

"If that powwow got any more fun, I'd change my name to Big Chief Jack!"

Unopened doors

Police tipped early on to look into Chris Stone's possible connection

Part 7 of 7

By BRIAN O'DONOGHUE
Special to the News-Miner

He wanted to believe the right people are paying for her son's 1997 murder. But Evalyn Thomas had doubts. "I do believe there were quite a few people not telling the whole truth," she e-mailed in April 2005. "Too many people with stuff to hide." Thomas later described a recurring dream she and a friend shared

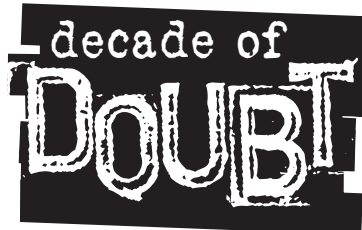
following the murder. John Hartman's mother saw herself concealed in bushes behind Chris Stone, her son's 14-year-old friend. He was watching her boy's beating. And it had to do with something Chris had done.

"Who knows about dreams, but it still makes me curious that two of us had the exact same dream," observed Thomas in another e-mail from upstate New York shortly before she died in a four-wheeler accident.

The mother's living nightmare

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THE JOHN HARTMAN MURDER



See the entire "Decade of Doubt" 7-part series online at
www.newsminer.com/hartman



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HARTMAN: Courts, investigators ponder Stone’s behavior the morning of the fatal assault

Continued from Page A1

began early Saturday, Oct. 11, 1997, when a motorist came upon a teen sprawled unconscious over pavement and curb. Medics raced the unidentified victim to Fairbanks Memorial Hospital. That evening, about 8 p.m., Thomas identified the 15-year-old on life support as her son.

Within hours, police received the first tips about Stone, the last person seen with Hartman prior to the crime.

Police heard two teens describe Stone’s controlling influence over Hartman during a party at Noah’s Rainbow Inn. An older fam-

ily friend urged police to investigate Stone’s own recent beating.

But detectives already had a group of suspects, backed by two confessions. By the time Hartman died that Sunday evening, police were moving to arrest four current and former basketball players from Howard Luke Academy, Fairbanks’ largely Alaska Native alternative high school.

Hartman’s last night out received little attention.

Two of the arrested young men — Eugene Vent and George Frese — later recanted their confessions. Other evidence gathered against the group of four was mainly circumstantial. Three Anchorage juries, weighing evidence against the various suspects

in separate trials, each returned guilty verdicts before anyone learned of Stone’s attention-drawing actions while his friend lay dying on a nearby street.

Courts still ponder that point a decade later.

‘Known to run’

As Hartman lingered in a coma that Saturday night, police investigator Peggy Sullivan heard friends describe Hartman slumping onto the motel room floor in an apparent seizure. Band mate Trent Mueller told her he urged Hartman to leave with him. But Hartman elected to stay with Stone and the latter’s friend, Elijah “EJ” Stephens.

Mueller didn’t like the influence the pair seemed to hold, according to the police report. “John was just sitting there with Chris and EJ, just dazed,” he said, “just like he was a robot and they were controlling his body.”

Sullivan also noted that Mueller referred to Stone as a “crack head” who had recently suffered a beating.

Earlier that morning, Stone had left a message at Barbara Ann Higgins’ home, pleading for a place to stay. The 41-year-old bartender found the message on her answering machine when she arrived home from El Sombbrero, a



Above: Chris Stone, seen here in a March 2006 photo taken at Monroe Correctional Complex in Washington state, says that events from the night John Hartman died in October 1997 are still fuzzy in his mind.

Below: Seen below, from left, Marvin Roberts, Kevin Pease, Eugene Vent and George Frese, taken in July 2007 at Red Rock Correctional Center, a private prison in Eloy, Ariz.



restaurant and tavern where she worked with Stone’s mom.

The teenager and his mom were often at odds, and it wasn’t unusual for Chris to bunk at Higgins’ place. But this was the first time he had called in advance, and the tone of the message concerned her. Though it was late, Higgins called Stone’s mom. She was curtly informed the teen was already home.

The following evening, Thomas’ boyfriend called Higgins from the hospital relaying the news about Hartman. Higgins knew he was Stone’s friend. Aware that Chris had recently suffered a beating that sent him to the hospital, she wondered if the two assaults might be connected.

After work that Sunday, about 1 a.m., she visited police headquarters and made a full-page, hand-written report. “I have some names in Chris’ assault that will probably be included in this case,” she wrote.

“Chris is known to run away,” she added. “So if he thinks he’s in trouble, he will.”

Higgins preserved Stone’s recorded message for at least two months. Police didn’t follow up, she later testified, and a power failure erased it.

Detective Aaron Ring, chief investigator on the Hartman case, later said in court he didn’t recall seeing Higgins’ written statement or the Alaska State Troopers report on Stone’s assault. The detective had heard Stone was roughed up over a girl. “It wasn’t connected with this case,” he testified.

Wouldn’t name names

One night three weeks earlier, an employee at the Fort Knox gold mine, about 20 miles northeast of Fairbanks, came upon a battered youth hitchhiking by the company’s front gate. Mine security provided cold packs and contacted Stone’s family.

“He had bruising about his face and head and down his back,” noted trooper Richard Quinn, who interviewed Stone at the hospital shortly before 2 a.m., Sept. 18, 1997.

The teen said he couldn’t remember what happened.

EJ Stephens didn’t come home that night until after Stone landed in the hospital. Quinn contacted him. “Stephens indicated that Chris had ‘gone to the store with friends,’” reported the trooper. “Not cooperative with AST,” he added.

Though Stone’s memory eventually cleared, he refused to name his assailants. “It will just happen again,” he told Quinn.

“This case is closed pending cooperation from the victim,” noted the trooper’s final report, dated four days after Hartman’s assault.

A brother’s burden

Chris “Sean” Kelly, then 26 and wanted for parole violations, hid inside his mother’s house when he saw police approaching the front door that Saturday. But police weren’t calling about the older brother’s transgressions. They had reason to believe the unidentified boy in critical condition at the hos-

pital was Thomas’ youngest son, John Hartman.

A “terrible groan” from his mom brought Kelly flying downstairs.

Kelly didn’t mention it to police until months later, but he had been tipped the previous night that his kid brother might be in bad company over at Noah’s Rainbow Inn. He had spoken with a pair of sisters he knew at the low-rent motel and was assured “JG” appeared OK. So he put the warning out of his mind, he recalled in a 2004 interview.

Liann Peryea, who was then living at Noah’s with her younger sister, is pretty sure the warning came from her end. “People usually like to look out for their little brothers.” In those days, she said, the motel now known as College Inn was “not a great place for anyone to be hanging around.”

Peryea is reluctant to discuss the conversation she had that night. “Anything that could have been done should have been done that night,” she said in fall 2006.

With his younger brother still clinging to life, Kelly stormed over to Noah’s. By then, he knew JG’s friends had alerted police about Friday’s party. He expected yellow crime tape across Room 244.

He was angered that nobody in the hallway had seen police nosing around.

Guilt magnified the older brother’s distress. Not long before, according to Kelly, he had ripped off Calvin Bollig, a Fox drug dealer busted later that fall for running a \$1 million cocaine operation.

Was JG stomped in retaliation,

he now wondered?

The ignored warning ate at him. As Kelly told police following his arrest in January 1998, “I was too busy doing what I was doing to go get my little brother.”

Officers mainly wanted to know what the victim’s brother had heard through the prison grapevine about the four suspects already charged. Kelly described what he took to be an incriminating apology from Vent. He also urged police to look into the recent beating suffered by his brother’s friend, “Chris Stoneman.”

Memory improves

Available police records indicate Stone wasn’t interviewed until Monday, more than 48 hours after Hartman’s fatal beating. The teen calmly described sharing a cab to Stephens’ house on Laurene Street. He said he last saw Hartman when they parted company at the end of the block.

“Higgins said you sounded upset,” Ring said in that taped session.

Stone blamed his agitation on the prescription pills taken at Noah’s.

“You’re not just afraid?”

“No,” Stone said.

“Because that’s the information we have — that you might have been there when he was assaulted,” the detective said. “Saw what happened and were threatened by these guys.”

Stone repeated that he left Hartman and went looking for his mother at El Sombbrero. Finding the place closed, he said he continued to Carrs-Foodland, made a few calls and eventually caught a cab home.

But Melissa Stephens had lingered by the window after her son EJ arrived home from Noah’s. Her front alcove offered a view up Laurene Street to Airport Way’s access road. She watched Hartman and Stone turn right, striding off together.

“It looked like they were going somewhere with a purpose,” she testified in the final Hartman trial.

A few months after the murder, Stone was arrested as an accessory in a rape case. In August 1998, Ring and then-Sgt. Dan Hoffman visited the 15-year-old at Fairbanks Youth Facility.

“I did see Kevin Pease that night,” volunteered Stone, who credited newspaper photos with jogging his memory of the suspect’s presence near the supermarket payphone.

Nine months had elapsed since the murder. For the first time, Stone recalled a small blue car, packed with “white or Native kids,” hovering by the liquor store entrance. He had a good look at

ON THE WEB

Visit www.newsminer.com/hartman for more on “Decade of Doubt.”

- Chris Stone discusses his poor memory about the night of Hartman’s suffered his fatal beating.

- Troopers transcript: Chris Stone’s sealed March 1998 juvenile statement.

- Prison letters from Chris Stone

- Police report regarding Elijah “EJ” Stevens

- January 1998 prison interview with Chris Kelly, Hartman’s brother.

- Spring 2005 e-mails from John Hartman’s mother.

- Police statement: Family friend urges police to look into Stone’s recent beating.

- Police transcript: August 1998 interview with Chris Stone at Fairbanks Youth Facility.

- Eugene Vent’s current motion for a new trial.

the car, he said, when he walked back outside through that door.

Witness faces scrutiny

Prosecution of the Hartman suspects was delayed more than a year by legal battles over the admissibility of Frese’s and Vent’s confessions, the district attorney’s failure to inform grand jurors of possible alibis, and complications arising from the extensive pre-trial publicity.

To ensure fairness, the trials were eventually moved to Anchorage. In February 1999, Frese became the first to face a jury. Vent’s turn came in July. Marvin Roberts and Kevin Pease were tried together that August.

Stone, the last person known to have seen Hartman alive and the witness who later placed Pease with a blue car outside the supermarket, held a major part in the state’s case. The teen’s reluctance to name his own assailants, meanwhile, garnered attention with each courtroom appearance.

“We stopped at, like, a dead end,” Stone testified during the first trial, describing a joyride with friends that suddenly exploded. “When we were getting back in, I was assaulted. They hit me, like, with (billiard) balls. They were wrapped up in socks.”

Prosecutor Jeff O’Bryant elicited Stone’s declaration that none of the Hartman suspects were involved.

“Who was it?” defense attorney Bob Downes asked under cross-examination.

“Dale Lapue, Mike,” Stone mumbled. “God, I can’t remember the rest of the guys. Mike something. And Chad something. And there was another guy I didn’t even know.”

Stone described the car used joyriding as brown or tan. He swore he didn’t know why “friends” had turned on him.

Candor follows arrests

Five months after Frese’s trial ended with a guilty verdict, the News-Miner reported arrests in another murder case. “Trio pleads innocent in death of cabbie,” read the headline.

Dale Depue, Sean Aldridge, both 18, and 28-year-old John Holloway were accused of killing a cab driver missing since the previous summer. Maurice Smith’s taxi had been pulled from the Tanana River loaded with rocks. That spring, a hiker stumbled across his body in the woods north of town.

The arrests coincided with the opening of Vent’s trial, at which Stone described his own beating in greater detail. He portrayed Dale Depue as the instigator. Stephens was present, he said, but hadn’t joined in the assault.

Further details emerged during Stone’s final Hartman trial appearance that August and from his testimony at Holloway’s trial in 2000. Why had he protected the kids who beat him up?

Stone explained at the final Hartman trial that his “close friend” Sean Aldridge begged him to shield the person he viewed as his brother. “He was like, can you not go tell?”

Aldridge and Depue, who were raised in the same household, eventually confessed to chasing and beating Smith after luring him into the woods. It was Holloway, their martial arts teacher, according to the pair, who slit the cabbie’s throat. Both testified for the state.

Holloway and Aldridge were each convicted of second-degree murder. Though Depue’s plea bargain resulted in a lesser charge of manslaughter, Judge Charles Pengilly gave him 15 years, triple the usual sentence. “He has an

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Murder victim’s last steps

About 1:15 a.m., John Hartman, Chris Stone and Elijah “EJ” Stephens share a cab from Noah’s Rainbow Inn to Stephens’ home on Laurene Street.

Hartman and Stone last observed together at end of block. Stone said pair shook hands and parted company. “EJ” Stephens’ mom, Melissa Stephens, said pair continued on together.

Stone said he went to El Sombbrero in hopes of finding his mother, but tavern was closed.



Around 1:35 a.m. a resident of the women’s shelter on 9th Avenue hears the sound of a fight on street below.

About 1:45 a.m., Stone alarms employees with his entrance into Carrs-Foodland supermarket. The night manager calls his mother, who arranges a cab home.

About 2:45 a.m., a motorist cruising east on 9th Avenue comes upon a teenager sprawled across the curb near Barnette Street. Hartman never regains consciousness and dies the following evening.

Corduroy vs. camouflage: John Hartman’s missing pants remain a puzzle

The murder victim wore another teen’s blue corduroys down around his knees.

Chris Stone, who outweighed the victim by about 50 pounds, testified that John Hartman was wearing those blue cords when they ran into each other that morning at the Geist Road McDonald’s.

“He was joking about it because they were huge on him,” Stone recalled in a 2006 interview.

Yet friends and family recalled Hartman sporting his camouflage pants and a matching jacket. The apparent discrepancy went unnoticed

for more than a year. Conflicting claims echoed through a series of trials.

Trent Mueller, who was one of Hartman’s band mates, and E.J. Stephens both remember Hartman attired in his new Desert Storm-style camo pants and jacket during a party that evening at Noah’s Rainbow Inn. That’s consistent with the last view Hartman’s mother had of her son leaving her pull-tab shop with



Reynaga

Stone earlier that afternoon.

In a 2004 interview, Stephens said Stone and Hartman ducked in and out of the party in Room 244 that night. The pair were drinking in some other room, he said, suggesting Hartman may also have changed elsewhere in the motel.

Stone said Hartman acquired his cords several weeks earlier. That much is confirmed by Mary Reynaga, a mutual friend. The pants were blue “Jinko,” cords, she recalled in a 2006 interview. Stone left them at her house after getting soaked in a water fight.

A few weeks later, her “guy friend” mentioned he liked corduroys.

“Chris left some cords,” she told Hartman, gifting him with the ill-fitting pants medics found down below his knees.

“He always wore big clothes,” Reynaga said.

Over the years, Hartman’s pants switch was a hot topic in letters to the editor critical of the police investigation. The recurring subject upset the victim’s mother.

“My son also happened to slip in water after I saw him that day,” Evalyn Thomas wrote in a letter pub-

lished in 2002. “One of his friends has a pair of Chris Stone’s old pants at her house — that she gave to my son so he had dry pants on. What’s the big deal?”

Fairbanks police detective Aaron Ring, principal investigator on the case, shared her view. “It’s not surprising that teenage boys would share clothes,” he testified in Eugene Vent’s 1999 trial. His own nephews swap clothes “quite a bit,” he said.

Hartman’s camo pants, meanwhile, never surfaced.

— Brian O’Donoghue

HARTMAN

Continued from Page A4

unbroken criminal record since he was 9,” said the judge, adding that Depue was capable of repeating such violence “in an instant.”

Unopened door

The final Hartman trial featured legal skirmishes over defense attempts to portray Depue and his associates as alternative suspects. “They’re trying to just make Depue look like a bad guy,” said O’Bryant, objecting to a defense disclosure of his arrest as a suspect in the cabbie’s murder.

“He’s a bad guy,” countered Judge Benjamin Esch, citing Stone’s account of Depue’s role in the Fort Knox assault.

The judge instructed jurors to disregard the references to Depue being locked up, but he refused to block the defense from trying to link the two assaults. “We’ll get a chance to maybe see if they can make me believe it.”

Toward that end, the defense attempted to put Brandy Hudspeth on the witness stand. She was prepared to testify she had heard Depue and his friends talk about “knocking heads” the night of Hartman’s assault. The date stood out, she stated at an evidentiary hearing, because that Friday, Oct. 10, marked Depue’s 17th birthday.

Before heading out that night, recalled Hudspeth, who was 15 at the time, Depue and his friends groused about being broke. They returned home with \$160 in cash, she said. Though Hudspeth saw the cash, the rest amounted to hearsay, Esch ruled, so no jury ever heard what she had to say.

Troopers handled the cabbie’s 1998 homicide. Fairbanks police had jurisdiction in Hartman’s 1997 murder. As lead prosecutor for both cases, then-Assistant District Attorney O’Bryant was positioned to ensure possible connections were explored.

“I believe there was inquiry,” O’Bryant said in a 2002 interview. “Not obviously that night. But later on, when that information surfaced, I believe there was inquiry made. To what extent? Or how in depth? I don’t recall.”

Paul Keller, the detective who headed the Hartman investigation until his retirement in fall 1997, agrees police looked into Stone’s assault and Depue’s possible involvement in the murder. “All this was investigated and sorted out,” Keller said in a recent e-mail for this story.

But even after Depue’s arrest, Detective Ring saw no need to delve further, not with trials already under way for those he deemed responsible for Hartman’s murder. “There was no evidence that there was anyone but these individuals there,” he said in a 2002 interview.

His testimony in the final Hartman trial that August established that Fairbanks police never looked beyond associates of the group prosecuted. “Did you ever investigate any other suspects?” Ring was asked.

“Initially, other friends of Eugene’s,” said the detective, referring to Vent. “Names he had given me that turned out to be false, that sort of thing.”

“Only people associated with these — somehow associated with these four boys?”

“Yes,” testified the lead detective on the Hartman case.

In his closing argument, Roberts’ attorney complained that the investigation’s tight focus left open questions regarding a possible connection between the murder and Stone’s earlier assault.

“Coincidence?” Dick Madson asked jurors. “Who knows? But strange. But we’ll never know because that’s an avenue that was never driven down, and it was a door that we never looked behind.”

New evidence

From her booth overlooking checkout stands, money counter



John Hartman’s mother, Evalyn Thomas, and his brother, Michael Kelly, are seen in front of a memorial in their home in October 1998, one year after the 15-year-old’s murder.

Karan Bilyeu warily eyed the teenager who had come rushing through Carrs-Foodland’s front door about 1:45 a.m. Saturday, Oct. 11, 1997.

His hasty entrance commanded attention, agreed night manager Sheryl DeBoard. “I thought ‘people are going to come in running after him.’”

Jan DeMasters had the front register. Stone appeared “agitated,” she recalled, in a way that put the night crew on alert. “He wasn’t obviously walking in for a loaf of bread and peanut butter.”

More than anything else, employees agree, the youngster radiated fear. “Looked scared to death,” recalled Marney Osborne in a 2004 interview. “I have three boys. So I can tell that it was obvious he (Stone) was very afraid.”

The night manager inquired if there was someone she could call.

“You can’t call my mom,” DeBoard recalled being told by the teen. She thought she also heard him mention a friend being hurt — though his exact words later escaped her.

He had her call El Sombrero, in case someone remained inside the closed tavern, as well as the Greyhound Lounge. She couldn’t reach the people he wanted, so DeBoard called his mother.

Maggie Stone had a cab fetch her son.

“Teen dies in hospital after downtown attack,” proclaimed the headline in Monday’s News-Miner.

“Oh my God,” DeBoard recalled wondering. “Did this have something to do with him?”

News accounts indicated the case was solved. No one from the store called police.

Following the trials, the night manager mentioned the terrified kid’s memorable entrance to Shirley Demientieff, a longtime customer. The Native activist alerted defense lawyers. Stone’s behavior while his friend lay dying came under scrutiny for the first time.

Only a ‘paranoid feel’

In May 2001, Esch again presided as Roberts’ lawyer argued for a new trial citing jailhouse retractions from Arlo Olson, the state’s key witness, and DeBoard’s encounter with Stone at the supermarket.

The store manager assured the judge that Carrs Foodland’s liquor store door was locked by that time of night, casting doubt on Stone’s claimed encounter with Pease. She said he dashed into her store in a panic.

“I did not come running into the store. I walked into it,” Stone countered. “Yes, I had a paranoid feel about me, because I was very high on pills that I took. It had nothing to do with anything real.”

Esch struggled reconciling their conflicting accounts.

“She (DeBoard) was very believable about her perception that Stone was fearful,” the judge noted. “However, such an observation is consistent with Stone’s own testimony that he was paranoid because he used drugs earlier, that he was afraid of the person who stared at him near the pay tele-

phones or both.”

He denied Roberts’ request for another trial.

In a 2003 opinion upholding the exclusion of Hudspeth’s testimony and Esch’s evaluation of what DeBoard had to say, Alaska’s appellate tribunal summarized defense arguments suggesting Stone engaged in a cover-up.

“Roberts’ theory was that Depue ... and Aldridge were actually the people who had robbed and killed J.H. He represented that Stone had been assaulted by Depue and others approximately three weeks before J.H.’s death. He also represented that they drove a tan or beige four-door car similar to the one observed by (Franklin) Dayton and Stone before they were assaulted.” Roberts further contends, the court noted, “that Stone had lied about not being present” during the attack that claimed his friend’s life.

In a 2004 interview at Seward Correctional Center, Depue said he had nothing to do with Hartman’s death. He also said he was out of state at the time of the Fort Knox assault, though both Stone and Stephens portray Depue as the one who started it. Depue said he is aware the group convicted of Hartman’s murder professes to be innocent. “Who knows?” he said. “It could all be show.”

“I’m guilty of my crime,” the former Lathrop High student added. “But it was just kid stuff that got out of hand. Maybe that’s what happened to them.”

Juvenile’s disclosure

No one involved in the original Hartman trials appears to have known about Stone’s comments in an unrelated juvenile criminal proceeding.

Under a plea deal in a December 1997 rape case, Stone was required to discuss how he and another teen detained a girl at knife-point while her friend was sexually assaulted in another room. She played along, he insisted, and hadn’t acted scared.

“You ever been scared, Chris?” a trooper asked in that March 1998 interview.

“Yes, I have,” Stone responded. “I’ve been scared to death. I was scared when I was in jail. I was scared when I got the hell beat out of me. I was scared when my best friend died.”

“So you know what fear’s like right?”

“Yes.”

“So,” the trooper said, “do you whimper or whine?”

“Yes, I do.”

“Every time?”

“When I’m scared to death, as she puts it, I do,” Stone said. “I’m not calm. I’m not just sitting there. I’m looking around my shoulder — I am freaking out.”

The juvenile’s statement first surfaced through a public records request for an adult co-defendant’s files. In 2006, the eight-year-old interview with Stone was cited by Vent’s current attorney as further cause for a new trial.

In a motion arguing against that request, Assistant District

Attorney Helen Hickmon characterized Stone’s comment as so open to interpretation as to be meaningless. She emphasized her point with a list of ready explanations:

- Stone could have been scared because his friend had been killed.
- He saw who did it.
- He could identify the perpetrator and feared reprisals.

“Or perhaps,” the state’s attorney concluded, “Stone was afraid he’d be attacked in jail for his own crimes against humanity.”

DeBoard reviewed the teen’s statement for this story. Stone’s description stopped her cold.

“That is what Mr. Stone looked and felt like when he walked — no, ran! — through that door,” the former supermarket manager said. “He was freaked out.

“And I think it’s natural for another human being to heed another human being if they’re scared. That’s why we were so drawn to him.”

Dread he can’t explain

A letter from a county jail in Washington hinted at a break.

“Prosecutors, investigators, detectives and reporters all hunted me as a kid,” Stone wrote in fall 2005, “wanting to get the facts of that night — to keep remembering about it. None cared how I was affected by it all.”

Stone, then 22 and serving time for passing a stolen check and other charges, agreed to be interviewed about the crime he said drove him from Alaska.

“I think maybe the Lord has set this up for you to help me.”

March 9, 2006, a jailer escorted the lanky, big-shouldered inmate into a cleared cafeteria at Monroe Correctional Complex, a 95-year-old state prison housing 2,500 male inmates.

“I just woke up,” he said sheepishly.

Much of that night in October 1997 is a blur, Stone said up front. Seizures he dates to the Fort Knox assault affect his memory, he said. He’s left with bits and pieces: Drinking wine elsewhere in the motel; glimpses of a kid who later gave him a hard time; Hartman’s seizure.

Parting company with Hartman — that’s Stone’s sharpest memory. But he’s not entirely sure.

“I really even,” Stone paused, “doubt that things happened the way from, you know, after we left the hotel. I mean, just everything from we left the hotel till my mom being in my face waking me up — telling me JG’s dead. It seems just like a one terrific nightmare.”

Stone said he didn’t see Hartman’s beating. “Wasn’t there with him,” he said, adding more firmly: “I wish I was. I mean as I wasn’t as big then, but I don’t think it would have happened. I was still 6 foot tall ... I was a big kid, 185, 200 pounds.”

He hadn’t gotten over the traumatic events of that year.

“When I see a car drive by, a car full of people and late at night,” Stone said, “I panic.”

He can’t point to a cause.

“I don’t live in an actual fear of



Matt Hage photos/News-Miner

Evalyn Thomas displays a thank you card received from an anonymous organ transplant recipient who now carries a kidney that belonged to her deceased son, John Hartman’s other kidney, liver and heart ventricles were all surgically transplanted to other patients.

anything in particular,” Stone said. “But I live in fear of the abstract things that I don’t know.”

And he’s nagged by the questions over Hartman’s last steps. “I just want this all to be done with, figured out and, hopefully,” Stone said, “I can figure out why I’m a spaz. Why I freak out.”

The inmate talked for more than an hour, resolving little. Like so many others ensnared in the crime’s aftermath, his memories of that night churn from drugs, booze and time.

“I told you all I know,” Stone wrote from prison following the interview. “Maybe there were keys there and we just don’t know it. Like I said in the interview, whoever hurt my friend, I want justice to find them — if it hasn’t already.”

Lives lost

For Hartman’s mother, the continuing litigation remained an open wound until her death in 2005.

“Each time I go through everything all over again,” Thomas said in 2003 upon learning jury error might result in a new trial for Roberts and Pease.

“Do you know what that’s like?”

Time’s passage left others mourning as well.

“They took my boy’s life away for no reason,” Hazel Roberts said several years ago. “Somebody needs to pay for that.”

Marvin Roberts, who turned 30 in November, would have been paroled by now had he taken the state’s offer and testified against his former teammates. He sticks by that choice. “I’m innocent,” he said in a telephone interview from Red Rock, the private prison in Arizona housing Alaska’s long-term offenders. “I wasn’t going to say I did it.”

Years ago, discussing the case with a student video crew, Roberts alluded to blue moments when his patience snaps and when he, too, can’t resist pointing the finger.

“I can’t always control it. Some days, I do get angry at them.”

He meant Fairbanks Police.

“I figure it all started with them,” said Roberts, looking straight into the student crew’s camera. “They had this case solved from day one. They wouldn’t look at other leads. They put four of us together. Said, ‘You guys did it. That’s it. Case closed.’”

From the state’s perspective, those four guilty verdicts, representing the collective judgment of 36 Anchorage jurors, certify that justice was delivered in fair measure.

And don’t try to tell the former Fairbanks district attorney the case he brought against Hartman’s murderers held room for reasonable doubt.

“You tell his mother,” O’Bryant said last spring, “there wasn’t evidence in the bruises on her son’s face.”

Brian O’Donoghue is a UAF assistant professor of journalism. Former students Cary Curlee, Robinson Duffy, Mark Evans, Laurel Ford, Russ Kelly, Theresa Roark, Frank Shepherd and Abbie Stillie contributed to this report.

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 George 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 Eugene 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.