

October 24, 1984

Owen Downs Madison, 39-7
Blue Hose Kick Lions, 19-14

Community Calendar

Halloween Parties Set

The Marshall Merchants Association is sponsoring an Operation Child Find Halloween Party on Main Street on Oct. 31 from 3 until 6 p.m. Children accompanied by an adult will be fingerprinted for identification purposes at Town Hall. Refreshments will be served. Participating merchants will also distribute treats to youngsters.

Mars Hill Elementary School will host the annual Fall Festival on Saturday, Oct. 27 from 3 until 9 p.m. at the school.

The Madison Manor Nursing Center in Mars Hill will host a trick or treat party on Oct. 31 from 5:30 until 7:30 p.m. The party is open to everyone. Residents of the nursing home will be distributing treats and refreshments will be served.

There will also be a costume parade through the facility at 7 p.m., with prizes awarded for the best costumes.

4-H Haunted House In Marshall

The Madison County 4-H Exchange Club will hold a haunted house on Monday and Tuesday, Oct. 29-30 from 7 until 9 p.m. on Walnut Creek Rd. in Marshall. Admission is \$1. Proceeds will benefit the club's exchange program.

Neighbors-In-Need Plan Walkathon

Neighbors-In-Need will hold its annual walkathon on Sunday, Nov. 4. The three-mile walk will begin on Athletic Street in Mars Hill in front of Meares Stadium between 2 and 4 p.m. The walkathon is Neighbors-In-Need's major fund-raising event. All Madison County residents are invited to take part as sponsors or walkers.

All proceeds from the walk will assist the elderly, needy and those in crisis in Madison County.

For more information, call Jean Taylor at 649-2367, Marian Plaut at 649-3048 or Jerry Jarrell at 689-2911.

In the event of rain, the walk will be held on Nov. 11.

Cookout, Hayride Planned

The Madison County Association for Retarded Citizens is sponsoring a cookout and hayride for disabled adults on Saturday, Nov. 3 at 3 p.m. Transportation will be provided. For more information, contact June Trevor at 689-2026.

Report Cards Distributed

Report cards were distributed to all Madison High School students on Oct. 22.

Board Of Elections Open Sat.

The Madison County Board of Elections office on Main Street in Marshall will be open Saturday, Oct. 27 from 9 a.m. until 3 p.m. for one-stop absentee voting. Nov. 1 will be the last day for one-stop voting in the Nov. 6 election.

Beasley Resigns

Marshall police officer Sgt. Michael Beasley resigned from the town police force Friday morning under pressure from town officials.

Marshall Mayor Betty Wild announced that Beasley resigned in a brief written statement delivered to Town Hall on Friday morning.

Beasley's resignation came less than 48 hours after Marshall officials decided to request his resignation and less than two months after he was promoted. Beasley joined the police force in December of last year. He was appointed by Mayor Wild after the termination of the former force.

Marshall officials met in executive session for 30 minutes last Wednesday to discuss Beasley's employment. Upon adjourning, Mayor Wild told The News Record that a letter would be sent to the officer on Thursday advising him that he would be fired if he did not resign.

Beasley, who was on leave at the time of the hearing, did not appear at Wednesday's called meeting. He was present during an earlier meeting at which Wild and town alderman Ed Niles heard complaints from Marshall residents.

In announcing the resignation, Mayor Wild said a replacement for Beasley will be considered at the next meeting of the town board scheduled for Nov. 5.

Grand Jury Indicts 7

The Madison County grand jury indicted seven people during their Monday session at the opening of the Superior Court term.

The grand jury indicted Bertie Gentry on five counts of assault with a deadly weapon. Brenda Johnson was indicted on two counts of transporting a child out of state in violation of a court order.

Johnson is accused of taking Lisa Johnson, 4, and Tonya Johnson, 5, to Tennessee while they were in the

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PATSY MAYNARD and the members of the Greater Ivy Youth Choir lead participants during Sunday's dedication service at the new athletic field.

Greater Ivy Dedicates New Athletic Field

By ROBERT KOENIG

The Greater Ivy Community Citizens Association held dedication ceremonies for the new athletic field at the Community Center Sunday afternoon. Morris McGough, executive vice president of the WNC Community Development Association, was the featured speaker at the ceremony which attracted more than 100 residents.

The new baseball field is the result of five years work on the part of members of the Citizens Association.

Patsy Maynard, president of the Greater Ivy organization, lead the audience in the dedication ceremony. The field was dedicated to "the glory of God in the growth and development of the Greater Ivy community, the moral, spiritual and physical development of the youth of the Greater Ivy community, the enjoyment of the adults, relatives, friends

and guests, and to the memory of the forefathers of Greater Ivy residents."

Bruce Phillips addressed the audience, telling them that the project took some 1,400 hours in volunteer labor over the five year course of the project. Phillips said the number of people working on the project were too numerous to mention by name, but gave special credit to the work of Dr. Grover Angel.

Among the other volunteers who worked on the project were: Troy Allen, Vono Anglin, Richard Bailey, Clifford Boone, Kathy Boone, Mack Boone, Jr., Ted Cutshall, Worley Cutshall and his son, Worley, Jr., Charles Deaver, Scott Devane, Charles Dugger, Steve Edwards, Max Gibbs, Robert Holt, Chris Maney, Patsy Maynard, Cheever Metcalf, Fred Norton, David Phillips, Jack Phillips, Mildred Phillips, Harry Potter, Jack

Radford, Bryan Ramsey, Jimmie Ramsey, Tommy Ray, Chris Robinson, Steve Thomas, Ambrose Wilson, Charlie Wilson, Wayne Wilson, Neal Willis and Eugene and Gerald Young.

Thanks were also extended to Dugger Electric and Phileo Hardware for donating materials and machinery to the project.

Musical entertainment was provided at the opening of the ceremonies by the Timberwolf Band. The Greater Ivy Youth Choir also performed. The dedication ceremony was closed by the choir and audience joining in a chorus of "God Bless America."

Following the outdoor ceremonies, refreshments were served in the Greater Ivy Community Center.

New DWI Law Comes Under Scrutiny

By DONNA ALVARADO
The News and Observer

David E. Jones is keeping his fingers crossed that people haven't forgotten how tough the state's year-old drunken driving law is.

"The public's not as scared as they were at this time last year," said Jones, an analyst for the Governor's Crime Commission. "People may be backsliding."

The new law, which mandates stiffer penalties, was greeted with respect by drivers when it went into effect Oct. 1, 1983. Drunken driving arrests and deaths from alcohol-related accidents fell dramatically in the first six months.

But since then, arrests and deaths have been creeping back up month by month. In August, for the first time since the law took effect, more people were arrested for drunken driving than during the same month of the previous year.

Other state officials recently echoed Jones' concern about whether motorists are losing their fear of the new law.

"People were afraid to go out drinking and driving because the law first started," said Major Bert O. Mercer of the state Highway Patrol. "Being human beings, people tend to forget these things if they're not reminded."

The Safe Roads Act was championed by Gov. James B. Hunt, Jr. and passed by the General Assembly amid increasing public sentiment against drunken driving. Among the provisions designed to give it "bite" are:

Mandatory jail sentences for repeat offenders.

Mandatory community work service for many other offenders, at the discretion of the judges.

Automatic 10-day license revocation for people arrested with a blood alcohol level of 0.10 or more.

Elimination of plea bargaining to lower charges.

State officials point to recent statistics in raising concern about the public attitude toward the law. During the first six months after the law took effect, Highway Patrol arrests for driving while impaired dropped by 21.8 percent compared with the same period a year earlier under the old law. At the same time, deaths from alcohol-related accidents dropped by 27.7 percent from a year earlier.

But in the next six months, those decreases dwindled. Arrests during the second six months the new law decreased by only half as much—11.2 percent—as the first six months compared with those a year earlier. Arrests increased by 9.4 percent in August from a year earlier. The arrest rate declined again in September, by 14.9 percent.

But by other yardsticks, the new law still seems to be a success.

Those charged with DWI are being convicted at a higher rate. The conviction rate was 55.8 percent of those arrested from January to June, 1983 under the old law, and it rose to 69.3 percent from January to June, 1984. For people who registered a 0.10 or higher blood-alcohol level, the conviction rate soared to 94 percent from 79 percent under the old law.

"That shows the courts are handing out more convictions," Mercer said. "That's a pretty healthy increase."

A study of the first six months under the new law released in June by the Crime Commission showed that 33 percent of DWI offenders were sentenced to active time in jail. There was no comparable figure for 1983.

"My gut reaction is that it's much higher under the new law," Jones said. "Many more people are getting active jail time, but they're getting shorter sentences."

They are also being sentenced to perform community service, which is what County can range from walking around for a county agency to helping the American Red Cross staff

required, though not in all cases.

By the end of August, 19,704 hours of community service had been performed in Wake County by DWI offenders sentenced under the new law.

Community service is a beneficial side effect of the new law. A negative effect, court observers say, has been the clogging of court calendars. Isaac T. Avery III, an assistant attorney general who specializes in the DWI law, says the state's courts are falling behind in processing DWI cases at the rate of about 1,200 a month.

"Most of them are backed up," Jones said. "The sheer volume has a lot to do with it initially."

The crime commission's six-month study of the new law showed that it took nearly twice as long for a court to handle a guilty plea under the new law—7.3 minutes compared with 4.4 minutes under the old law. The new law's more complicated sentencing provisions are bound to slow things up, Jones said.

In Wake County, 74.3 percent of the DWI cases filed between Oct. 1, 1983 and March 31 of this year were still pending as of June 1. In Mecklenburg County, the rate of cases pending was 72 percent.

Jones said another factor contributed to the backlog; the legal challenges brought against the law in several courts, particularly Wake County.

The challenged provisions include parts of the law that require stiffer penalties or make it easier for a prosecutor to prove intoxication. Attorneys and judges who have issued rulings in favor of defendants say the provisions deprive defendants of their right of due process.

Parts of the law must often be challenged as unconstitutional. The automatic 10-day revocation of a driver's license of anyone who registers a 0.10 or higher blood alcohol level after he is arrested. Critics say the revocation, considered without a hearing, violates a driver's

from a breath-analysis machine operator in court to prove a driver's intoxication. Several Wake County District Court judges are routinely allowing defense attorneys to block the use of the affidavit and require the machine operator to testify instead. Critics say that use of the affidavit, rather than testimony from the operator, denies a defendant the right to confront his accuser.

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DWI Arrests Increase

According to State Highway Patrol Commander, Colonel David L. Matthews, Troopers made 3,611 D.W.I. arrests in August; 31 more than in August, 1983.

"This is the first time an increase in D.W.I. arrests has occurred since the Safe Roads Act went into effect on October 1, 1983," Matthews said.

"D.W.I. arrests for the other months have been substantially lower than those for the same months of the previous year. In five of the eleven months, since the law became effective, reductions of over 1,000 arrests occurred."

Matthews also pointed out that the number of alcohol-related accidents is not on the increase. "In July, 1984, we had one fatal and only one increase in alcohol-related accidents since the new D.W.I. law went into effect," he said. "The increase was slight, only a 1 percent increase July, 1983, but we're not seeing any increase since then. In fact, we're seeing a decrease in alcohol-related accidents in the months since the law became effective."



Daylight Saving Time Ends
Sunday at 2 A.M.
Be sure to set your clocks BACK one hour on Saturday