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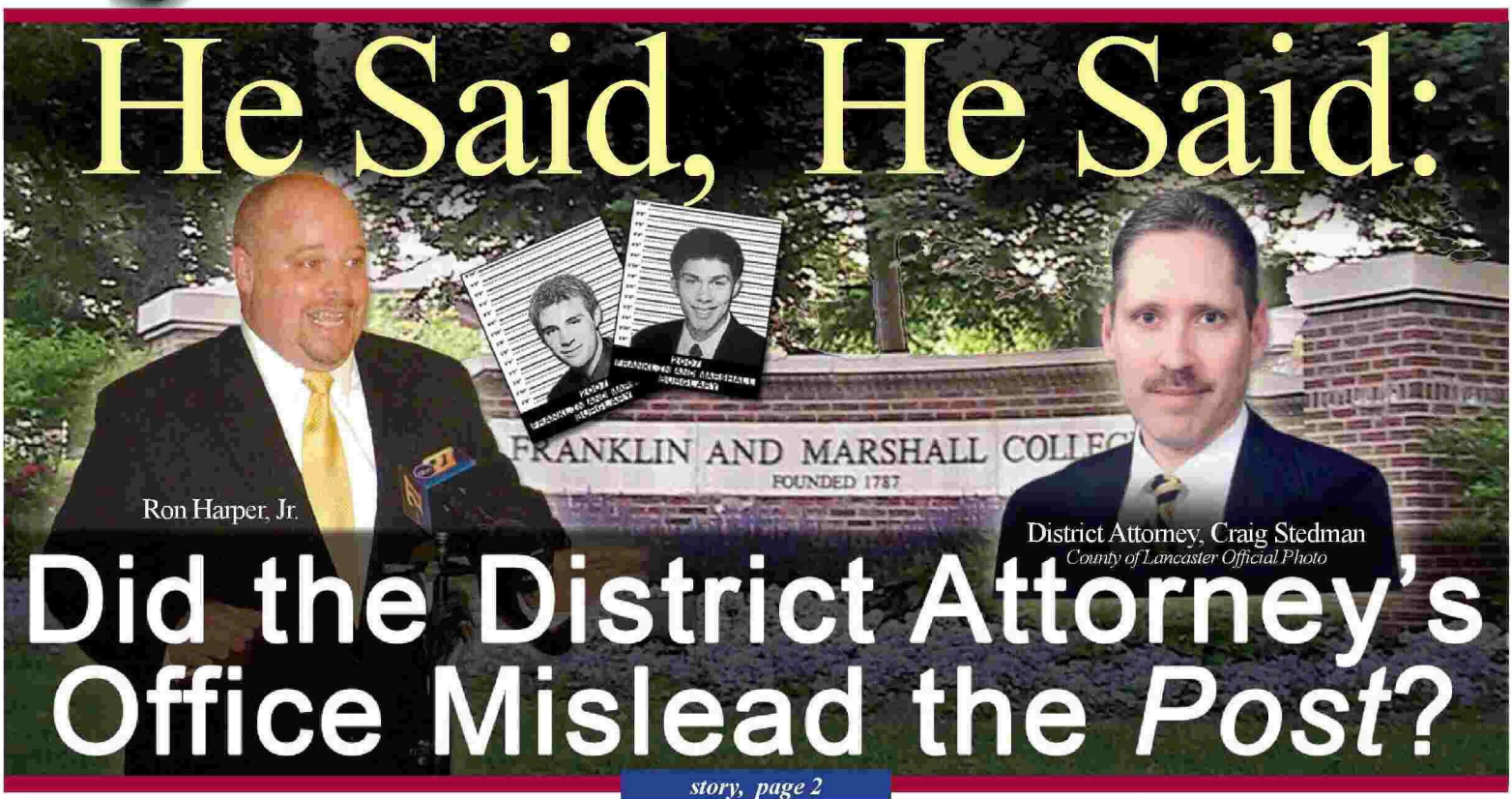
FREE*

LANCASTER POST

nothing but the truth...

He Said, He Said:



Did the District Attorney's Office Mislead the *Post*?

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Stiffed! Does the DA Protest Too Much?

by Ron Harper, Jr., *Lancaster Post*

Was the *Lancaster Post* "stiffed" by the Lancaster County District Attorney's office? Or, as the District Attorney Craig Stedman asserts, am I making up charges against his office? Let us look into this.

As reported in the May 30, 2008, edition of the *Lancaster Post*, we reported a story that told of three privileged kids -- two of whom were basketball stars at Franklin & Marshall College --who broke into a bar and stole some booze.

The *Post* reported that a deal had been struck, where the felonious basketball players would plead guilty and they would get Acclerated Rehabilitative Dispensation (ARD). In other words – it would be wiped from the record after a relatively short period of time. We reported that the deal was to go down three weeks later on June 20, 2008.

Guilty pleas are when the defense attorney and the prosecutor come to an agreement what will happen. Of course, given the way this case had been played out (my newspaper was stolen, and I and my co-publisher were arrested, and I was beaten up by Franklin & Marshall police), I was anxious to go to the hearing.

A few days before the scheduled "guilty plea," I phoned the DA's office to inquire about the case. Court cases routinely get delayed or cancelled, so it's always a good idea to call and find out the status before going to the courthouse. I was told that the "guilty plea" was cancelled and that a "pretrial conference" was scheduled for July 24, 2008. I made a note of that, naturally.

"Wow," I thought, "the ARD must have been taken off the table, and there is going to be a trial." The pretrial conference that was scheduled for last Friday is an administrative event – nothing of note happens, so I didn't even bother going.

I went to Lancaster County Court Administration this past Wednesday and asked what the next scheduled event was for the "three boys." Their answer? The case was done and over on June 20, 2008!

What? How could that be? Wasn't I told by the DA's office that the guilty plea was cancelled and the pretrial conference was scheduled?

I went to the Clerk of Courts to pull the case files and, to my amazement, the deals giving the boys the ARD was signed on June 20 by Judge Howard "Bud" Knisely. But what about the cancellation of that June 20th hearing? Why was there a pretrial conference scheduled in July when the deal was already signed and sealed a month earlier?

For readers not familiar with this story, our story reported a high-level court house source who told me that F&M president John Fry had reached out to Lancaster County District Attorney Craig Stedman to "go easy" on the boys.

Soon after publishing the story a firestorm erupted after the *Post* hit the streets. The DA angrily denied that anyone in his office talked with anyone from F&M. The college, rather than answer legitimate questions about their involvement with the deal, sent a uniformed officer with a letter threatening to arrest me if I dared to step onto F&M property. When the *Post* placed a constitutionally-protected newspaper box in the public right-of-way on Marietta Avenue, F&M police stole the box. One of the accused student's fathers went around and stole our newspapers our of Turkey Hills stores (who later refused to carry the *Post* without explanation!).

Next, my co-publisher, Chris Hart Nibbrig, and I went to replace the newspaper box that was stolen by F&M police. While we were doing so, an F&M gardener said about our box staying in the public right-of-way, "We'll see about that." A few minutes later, a half a dozen uniformed F&M police surrounded me, threw me to the ground and hand-cuffed me and my partner and took us into custody. Under the guise of searching me, Sgt. Ed Carroll molested me before taking me off to their jail for over two hours.

F&M charged me with bogus charges that were able to be refuted with my videotape of the events of that day. Interestingly, F&M dropped the charges against me a few days after "the boys" got their ARD deal on June 20. Did the DA's office not want me at the hearing? That's what occurred to us.

The Pennsylvania's Constitution, in part, directs that "All courts shall be open;" to the public and the press. The idea of a free press watching over the court proceedings keeps everyone honest. So did the feloniously convicted Derek Hines, Brad Scovill and Casey Snyder get to avoid - not only the hand-cuffs, searches and jail because of their connections -- but also have a quiet guilty plea and sentencing away from the glare of the media?

*... **story continues on page 6***

CALENDAR EVENTS

Case Calendar Event Type	Schedule Start Date	Start Time	Room	Judge Name	Schedule Status
Formal Arraignment	02/27/2008	9:00 am			Cancelled
Pretrial Conference	04/14/2008	9:00 am	Courtroom A	Judge James P. Cullen	Continued
Guilty Plea	05/20/2008	2:30 pm	Courtroom 8	Judge Dennis E. Reinaker	Moved
Pretrial Conference	06/17/2008	1:30 pm	Courtroom 10	President Judge Louis J. Farina	Cancelled
Guilty Plea	06/20/2008	2:30 pm	Courtroom 3	Judge Howard F. Knisely	Cancelled
Pretrial Conference	07/24/2008	9:00 am	Courtroom 3	Judge Howard F. Knisely	Cancelled

Lancaster Clerk of Courts Official Criminal Docket. Notice the "Cancelled" Guilty Plea on June 20th.

continued from page 2...

Stiffed! Does the DA Protest Too Much?

Stedman, when questioned, refused to respond to the specifics of the public record which shows the June 20th court time cancelled and the July 24 scheduled. According to Lancaster Court Administration, someone from the DA's office asked for the June 20th hearing to be cancelled and the July 24th hearing scheduled on June 23. Why did the DA's office ask for a hearing to be cancelled and another one scheduled when the deal was already done at the time of the request? Was it done to put time between "the boy's" guilty plea and when the pesky Post would discover the deal? It sure seemed so.

The court calendar is reproduced, which can be verified on the county's website, shows the dates. (According to Court Administration, the July 24 hearing was cancelled on the next day by a judge). DA Stedman says that Assistant District Attorney, Chris Larsen, directed the secretary to tell me the June 20th hearing was as scheduled. Why do I remember otherwise, and why did I know that July 24th date in my head if the secretary didn't give me that date? And, moreover, why did the public court calendar verify everything that I was saying and contradicting what Larsen was saying?

Stedman said "the date was not changed, your allegations are baseless, your conspiracy theory is baseless."

I contacted the Judge involved in the case and discussed getting a copy of what happened and what was said. Normally, it's difficult for someone not involved with a case to get a copy of this document called a transcript but given the circumstances, I feel the public has a right to hear what was said and what happened.

Oh and the sentence? Each received:

- Two years of Probation
- $650 fine
- Perform 100 hours of community service (not at the school!)
- No contact with Iron Hill Brewery, the establishment they ripped off.

ARD is worthwhile program that serves its purpose in helping those who make a stupid mistake. It allows the first-time offender to take steps to remove the mistake from his record and move on with his life.

Tom Zeager of Justice & Mercy, a non-profit organization which focuses on prison reform and re-entry issues, said in the original article that he didn't have a problem with the ball players receiving ARD, but he wants poor people to receive the same deal, even though they do not have the money and connections the ball players do.