

# THE MORNING NEWS

## SUNDAY

NORTHWEST ARKANSAS' LARGEST DAILY NEWSPAPER



MAY FACE REMOVAL FROM OFFICE

# Police Accuse Coroner Of Stealing

BENTON COUNTY PROSECUTOR CLAIMS SCOTT TOOK MEDICATION FROM DECEASED PATIENTS

By Melissa Blakely & Jaclyn Houghton  
THE MORNING NEWS

**BENTONVILLE** — Benton County Coroner Kimberly Scott confiscated prescription medication from dead hospice patients for personal use, the Benton County prosecutor said Saturday. She may face removal from office following her Friday night arrest.

"It is a sad day for the county, but the laws must be enforced," Benton County Prosecuting Attorney Robin Green said at a news conference Saturday. "We hoped this information wasn't truthful, but it accumulated to the arrest last night."

Scott, of 1402 W. Pine St. in Rogers, was arrested in connection with two felony and two misdemeanor counts of possession of a controlled substance without prescription. Scott was contacted by telephone and

declined to comment Saturday. Scott's family also declined to comment during a visit to her residence on Saturday.

Green said Scott may also face other charges such as theft of property.

Green said she will decide in the next few days whether to ask the court to remove Scott from office. Scott is set to begin her second term of office in January after winning an uncontested primary race in May.

Scott had not resigned from office as of Saturday night.

"The removal of office is not taken very lightly. It's a very weighted decision to make," Green said.

Mike Ford, a former coroner employee, and Jessica Palmer, deputy coroner, tipped off investigators with the Criminal Investigation's Narcotics Division of the Benton County Sheriff's Office last week, Green said.

SEE CORONER PAGE 2A

FAST FACTS

RECOVERY LOG ENTRY

Evidence Recovery Log From Residence of Benton County Coroner Kimberly Scott

- Oxycodone — 40 pills
- Amitriptyline — 22 pills
- Phenergan — 11½ pills
- Pink pill — one pill
- Oxycontin — 59 pills



SOURCE: BENTON COUNTY SHERIFF'S OFFICE

WHAT THEY SAY

CLASS ACT

Some area students were asked their thoughts about going back to school Monday.

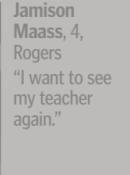
Are you ready to go back?

Jordan Maass, 9, Rogers  
"I'm ready ... I've had a great summer, but now I'm kind of ready to go back to work."



Jordan Maass

Jamison Maass, 4, Rogers  
"I want to see my teacher again."



Jamison Maass

Brian Rusher, 13, Rogers  
"I like coming here (the Rogers Activity Center) better than school."



Rusher

Brett Damico, 11, Rogers  
"I'm excited about meeting my friends again and trying to make some new ones."



Damico

Ronin Watts, 7, Springdale  
"We get to learn about science and stuff."



Watts

How do you prepare to go back to school?

Michael Taylor, 13, Rogers  
"I buy new clothes and shoes and go to bed early so I don't wake up tired."



Taylor

Blaine Clark, 13, Rogers  
Blaine buys new supplies and clothes and spends some time thinking about the right outfit to wear for the first day.



Clark

SOURCE: STAFF REPORT



**Michael Davis, a mechanic for the Fayetteville School District,** checks the operation of a bus' "eight-way" safety light system at the Fayetteville School District's bus barn in Fayetteville on Friday. Davis said the safty system incorporates four lights on the front of the bus, four lights on the back of the bus, flashing headlights, a stop sign and a crossing arm.

ZAC LEHR • THE MORNING NEWS

## AREA SCHOOL BUS DRIVERS SEE MANY BREAKING LAW

By Don Dailey  
THE MORNING NEWS • DDAILEY@NWAONLINE.NET

SPRINGDALE

**B**ella Vista school bus driver Jack Jump obeyed a new state law when he reported a motorist who ignored the flashing red lights on his bus, but the Benton County justice system

apparently had no procedure in place to process his report and prosecute the driver.

"Their first reaction was, 'What am I supposed to do with this,'" Jump said.

Richard Gerber, school bus driver trainer with the state Education Department's Division of Public School Academic Facilities and Transportation, said

experiences like Jump's are common.

A law that went into effect Jan. 1 requires bus drivers to report to their supervisors all instances of vehicles illegally passing their buses.

Drivers fill out a form with supporting evidence, such as the vehicle's license plate number or a description of the vehicle or the driver.

The law requires the form go to a supervisor who then must provide it to the local prosecutor.

An existing law says that, if it can be proven that a person is the owner of a vehicle that violated the bus-passing law, then that person is presumed to have been the driver.

SEE LAW PAGE 8A

## New School Year Marks Goodbye To Vacation

THE MORNING NEWS

**B**ackpacks bulge with new notebooks and pencils, crayons and rulers. New jeans and T-shirts drape chairs; new shoes rest in their boxes.

All appears ready for the early morning chaos that marks the first day of school in homes across Northwest Arkansas as more than 65,500 students prepare to return to classrooms Monday.

Some students will attend one of the 10 new buildings opening in eight districts in Washington and Benton counties. Decatur is the only school district in Benton County not opening a new building. Bentonville is opening three.

Elementary schools are opening in Springdale, Bentonville, Gentry and Siloam Springs.

SEE VACATION PAGE 9A



MARC F. HENNING • THE MORNING NEWS

**Richelle Bonneville, from left,** Taylor Graham, Tamara Phillips and Jessica Berry walk through the commons area at the new Gravette High School in Gravette on Saturday while participating in a public tour. The 129,039 square-foot, \$18 million high school opens Monday.

## GETTING STARTED

IN THE NEWS

### Decoy Deer Prank Turns Serious

**KENTON, Ohio** — It was intended to be a prank: steal a decoy deer, place it on a country road and watch as motorists swerved to avoid it. It ended with two teenagers suffering serious injuries when their car hit the decoy and rolled into a ditch.

FULL STORY, 4B

### Auto Shops See More Lady Workers

At barely 5 feet tall, Denette Allen of Fayetteville surprises a lot of people when she peeks around the hood of a Mercedes Benz she is servicing.

FULL STORY, 1D

### Couple Has A Blast

**LITTLE ROCK** — Life's been full of ups and downs for Brian and Tina Miser since they were married four years ago. They're human cannonballs, flying 85 to 110 feet out of Brian's homemade double-barreled cannon when the circus is in town.

FULL STORY, 7A



### Retiree Tells Stories Of Soldiers

**PRAIRIE GROVE** — The Union artillery fired a shot as huge snowflakes fell. The last snowflake drifted down with the final shot. This recollection from a re-enactment is one of many Prairie Grove Battlefield State Park historian Don Montgomery remembers during his career.

FULL STORY, 1H

### Bad Bosses Not So Uncommon

The movie title calls the ruthless, abusive and condescending bully of a boss the "devil." But Laura Cleveland's not so sure about the moniker.

FULL STORY, 1E



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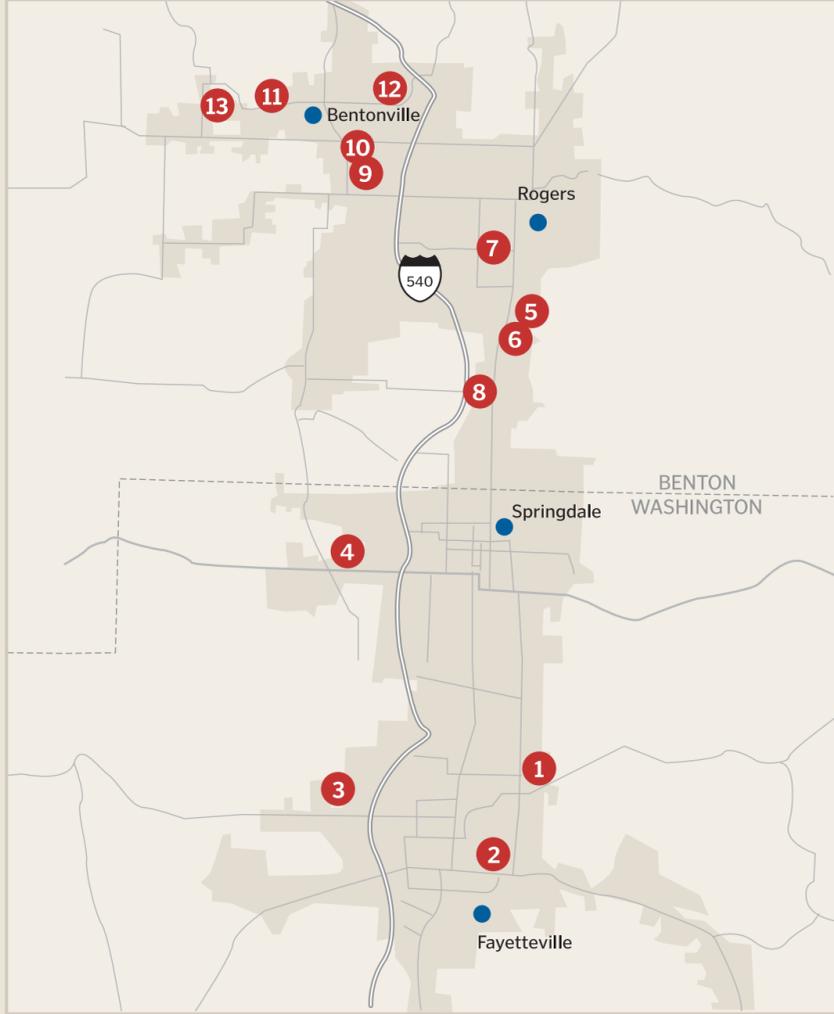
WEATHER, 6B

92/69  
BEAVER LAKE  
1,110.5 FEET



**Street Smart**

Schools are back in session Monday. Motorists who don't have children attending the following schools may want to avoid these busy locations. Some of the sites also are undergoing street improvements.



Source: Staff Report

- 1 Mission Boulevard, east of Crossover Road, near McNair Middle School and Vandergriff Elementary School, is heavily congested without additional traffic created by the schools, including school buses.
- 2 Huntsville Road, east of Crossover Road, is under construction, slowing traffic in the area, including to Happy Hollow Elementary School.
- 3 Ruppel Road and Persimmon Street are in the finishing stages of construction providing access to the new Owl Creek School.
- 4 Jones Road, north of U.S. 412, is under construction from 412 past Har-Ber High School.
- 5 Old Wire Road, south of New Hope Road. The school affected is Old Wire Road Elementary.  
For those going to Old Wire Elementary School: Old Wire Road is one lane southbound only. Exit the school south on Old Wire Road to Post Road and turn right. At First Street, go straight on Post Road to U.S. 71B. Do not attempt to turn left from Post Road. To go south on U.S. 71B, take First Street to Pleasant Grove Road to U.S. 71B.
- 6 First Street, south of New Hope Road. The schools affected are Russell Jones Elementary School, Birch Kirksey Middle School and the new Rogers High School Sophomore Campus.  
Suggested routes for those going to Kirksey Middle School, Jones Elementary or Rogers High School Sophomore Campus: Enter First Street from New Hope, Dyke or Nursery roads. Leave the area by proceeding south to Post Road if going north on U.S. 71B. Go to Pleasant Grove Road if going south on U.S. 71B. Do not go north on First Street.
- 7 New Hope Road, between Eighth Street and Dixieland Road. School affected is Bonnie Grimes Elementary School.
- 8 Concord Street, south of Pleasant Grove Road. School affected is Tucker School.
- 9 Street work is under way on "J" Street. The school affected is Bentonville High School.
- 10 "C" Street and Arkansas 102 are congested. The schools affected are Mary Mae Jones Elementary School and the new Ruth Hale Barker Middle School.
- 11 Arkansas 72 westbound is a congested roadway. The schools affected are Elm Tree Elementary School and Spring Hill Middle School.
- 12 "S" Street and Central Avenue are congested streets. The schools affected are Washington Junior High School and Apple Glen Elementary School.
- 13 In Centerton, Seba Road. Work is under way in preparation for the new Centerton-Gamble Elementary School.

CHAD GAY • THE MORNING NEWS

**LAW: Existing Statute Left Open Whether Reports Go To Police Departments Or Prosecutor's Offices**

CONTINUED FROM PAGE 1A

If the owner can prove he wasn't the driver, he won't be held responsible.

Local prosecutors and law enforcement officials who talked about the law to The Morning News said they were reluctant to pursue a case in which they believed they couldn't prove an accused person was the actual driver.

The emphasis placed on the law varies greatly among school districts, based on the number of reports turned in.

With the help of students on his bus, Jump got a license plate number of a vehicle that passed his stopped bus in May.

Prosecuting Attorney Robin Green confirmed Jump's affidavit went through her office, where it was given to deputy prosecutor Paul Bridges who then passed it onto the Criminal Investigation Division at the Benton County Sheriff's Office.

Sheriff's Capt. Mike Sydoriak said he had received Jump's affidavit recently along with three others from the Gravette School District, but he wasn't sure what he was supposed to do with them.

"My investigators are too busy to be working on misdemeanors," Sydoriak said.

Sydoriak said he talked to Green about the affidavits on Tuesday after calls from The Morning News, and she decided her office would handle them.

Green said Wednesday she is going to coordinate an investigation with the Sheriff's Office into Jump's information.

"Sounds like this is what we are going to have to do on each of these cases," Green said.

Green said she wants to take a "no nonsense" approach with people who pass buses illegally, but will balance that with the constitutional rights of drivers.

"I want to make certain we have enough information to make a valid and lawful arrest of the appropriate person, and just knowing the vehicle does not necessarily tell us who the driver is," she said.

Gerber said he's heard from bus drivers in several school districts who say they have turned in several forms but have never heard anything more.

"All I know is the drivers are supposedly turning in their reports," Gerber said. "I don't know where the breakdown is, (with) the driver, the school or the prosecutor."

Tommy Davenport, director of transportation for the Fayetteville School District, said the law is not very practical.

"We find it extremely difficult to complete that form," Davenport said.

Sen. Jimmy Jeffress, D-Crossett, the legislator who sponsored the bill requiring drivers to report

**"I want to make certain we have enough information to make a valid and lawful arrest of the appropriate person, and just knowing the vehicle does not necessarily tell us who the driver is."**

**ROBIN GREEN**  
Prosecuting Attorney



vehicles, said he understands how Davenport feels.

He said the Department of Education developed the form with the help of the Arkansas Prosecuting Attorney's Association, which wanted drivers to collect as much information as possible so that prosecutions would be more likely.

"I don't see how, as a bus driver, I would really take the time to do it (fill out the form)," Jeffress said.

The existing law that allows anyone to report violators left open whether such reports should go to police departments or prosecutors' offices. Jeffress said his legislation was meant to provide a reporting protocol that everyone could understand.

His thinking was that drivers would collect enough information to allow local prosecutors to at least send out letters putting motorists on notice that it was believed they passed a school bus, he said.

"Unfortunately, bureaucracy, the red tape, has bogged the whole thing down."

The Rogers School District has found a way to make the system work, officials there said.

Ron Young, transportation supervisor for the Rogers School District, said bus drivers in the district began reporting bus-passing scofflaws at the beginning of the 2005-2006 school year.

Rogers city attorney Ben Lipscomb said his office received 89 driver reports last school year with 20 court summonses and 34 warning letters issued. No action was taken on the other 35, because the evidence didn't support the complaint.

Rogers District Judge Doug Schrantz said no trials have been scheduled yet, and he only recently began signing affidavits for warrants.

Schrantz said he sees no problem with the law because drivers are given a chance to prove someone else was driving their car.

Springdale City Attorney Jeff Harper said his office received 13 reports from bus drivers during the 2005-2006 school year and all were investigated by the Springdale Police Department, although only one resulted in a citation.

The other 12 had problems that precluded prosecution such as incomplete license numbers or bad descriptions of vehicles and drivers.

Dana Samples, transportation

director for the Springdale School District, said he's not bothered that his drivers' reporting efforts yielded a single citation.

"We believe Jeff Harper and his staff have been diligent," Samples said.

When a driver in the Fayetteville district does complete a form, it is faxed to the Fayetteville Police Department or the Washington County Sheriff's Office.

Washington County Sheriff's Lt. John Moore said the Sheriff's Office does receive information from bus drivers from time to time, but in his experience there is usually not enough evidence to pursue prosecution.

Fayetteville City Attorney Casey Jones said his office has received few reports from bus drivers.

Jump believes the new law is helpful with the never-ending effort to get motorists to obey school bus laws, but said it's frustrating for drivers if their efforts don't get results.

"I do not want to be the one to get off a bus and run around the front and see some kid crushed," Jump said.

**LEGAL SPEAK**

**WHEN MUST A DRIVER STOP FOR A SCHOOL BUS?**

A driver must stop his car whenever it is meeting or overtaking — from any direction — a school bus that is stopped and flashing its red warning lights for the purpose of loading or unloading passengers, including on multilane roads and highways. The only exception is when the bus is stopped on a street or highway that has a dividing strip at least 20 feet wide and the driver is approaching in lanes opposite the bus.



**MAJOR CHANGES THIS YEAR IN STATE LAW PROHIBITED PASSING A STOPPED SCHOOL BUS:**

- Fine range was increased to \$250 to \$1,000 — up from \$35 to \$500.
- The negligent homicide charge a motorist can expect if he hits and kills someone while violating the law was upgraded to felony.
- Violators' driving licenses are automatically suspended for a minimum of 21 days and a maximum of 1 year.
- Up to 400 hours of community service may be ordered — up from a maximum of seven days.

SOURCES: NATIONAL ASSOCIATION FOR PUPIL TRANSPORTATION; ACT 2128 OF THE 85TH ARKANSAS GENERAL ASSEMBLY

**FAST FACTS**

**THINGS KIDS SHOULD KNOW ABOUT SCHOOL BUS SAFETY**

- The bus driver and others cannot see you if you are standing closer than 10 feet to the bus. Stay out of the danger zone.
- If something falls under or near the bus, tell the driver. Never try to pick it up yourself.
- While waiting for the bus, stay in a safe place away from the street.
- When you get on or off the bus, look for the bus safety lights and make sure they are flashing.
- Be alert to traffic. When you get on or off the bus, look left, right, left before you enter or cross the street.
- When the driver says it is safe to cross the street, remember to cross in front of, not behind, the bus.
- Stay in your seat and sit quietly so that the driver is not distracted.
- Some school buses now have seat belts. If you have seat belts on your school bus, be sure to learn to use it correctly.

SOURCE: STAFF REPORT



**Tim Day, third party examiner and driver trainer** for Springdale Schools, checks the mud flaps on a school bus Thursday as he illustrates what is required during a pre-trip bus inspection, which is required each time a bus leave the Springdale bus lot.

EUGENE WILLIAMS • THE MORNING NEWS