

Father seeks grand jury inquiry

Says 5 officials stifled investigation of girl's death

BY JOHN HAMAN
Democrat Conway Bureau

MARSHALL - The father of a Marshall girl who died mysteriously in September 1989 at a junior class party is calling for a grand jury investigation and has tried to get criminal charges against five officials for interfering with the investigation.

Ron Ward, father of Olivia "Janie" Ward, turned over affidavits on Nov. 5 to Deputy Prosecuting Attorney George Stephens of Marshall requesting charges of hindering prosecution against Prosecuting At-

torney H.G. Foster of Conway, state Medical Examiner Fahmy Malak, ex-deputy prosecutor Judith Conway, Searcy County Coroner Thomas Martin and Searcy County sheriff's deputy George Sutterfield.

"Janie" Ward, 16, a junior at Marshall High School, was found dead by ambulance attendants about 8:30 p.m. Sept. 9 in the back of a pickup truck parked near an ambulance service.

An Arkansas State Police investigation found witnesses who said Ward was drinking beer from a keg at a junior

class party about 7 p.m. when she fell backward from the porch and struck her head.

Ward claims his daughter may have been murdered, and the officials are trying to cover up the murder because the child of a local public official is a suspect in the killing.

After an extensive investigation, Foster recommended in February that no charges be filed in the death.

"This is insane," Foster said when he found out about Ward's attempt to file criminal charges. "This is b***** cut See FATHER, Page 8B

Father

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"George (Stephens) looked at the affidavit, reviewed it and there is nothing there." No charges against the officials will be filed, he said.

Ward said he also presented Stephens with a 1,200-signature petition asking Foster to remove himself from the case and for another prosecutor to call for a grand jury investigation into the death.

"It's all surrounded by an aura of mystery," Ward said. "She was beaten to death. It's

the only obvious conclusion you could come to."

Foster said he will not call for a grand jury investigation because he is satisfied with the state police inquiry, and the grand jury would cost Searcy County tens of thousands of dollars.

Upon hearing of Ward's petition drive last week, Circuit-Chancery Judge David L. Reynolds of Conway signed an order appointing Prosecuting Attorney John Frank Gibson of Monticello to take over the case, review the investigative file and make a decision on whether a grand jury should be called.

Reynolds said Foster has

not filed the order because Circuit Judge Francis T. Donovan of Conway said he would order a grand jury investigation of Reynolds' and Foster's behavior if the order is filed.

Donovan would not comment Tuesday when asked if he would order a grand jury review.

"I have nothing to say to you," he said.

Foster said media reports have not delved deeply enough into the case file to accurately reflect the investigation.

"Any time you have a situation and you look at pieces of it, you end up with the seven blind men and the elephant," Foster said. "To my knowl-

edge, not one of the reporters has gone all the way around the elephant and opened their eyes."

Foster said the FBI has investigated the case, but FBI Special Agent Ron Wolfe, an agency representative, said he knew of no investigation.

Although authorities have accepted the fall from the porch as the cause of death, several facts cloud the case.

Ambulance workers and a witness who identified the body told the Arkansas Democrat Ward was dressed in a white pin-striped T-shirt, blue jeans, tennis shoes, a bra and panties at the bank parking lot.