

Nature-based learning



Arkansas Democrat-Gazette/BENJAMIN KRAIN

Kate Madsen and her brother Max Madsen examine a stuffed great horned owl during a Little Wild Ones program at Pinnacle Mountain State Park on Thursday. The nature-based education program introduces 3- to 6-year-olds to native Arkansas animal species through stories, crafts and activities every Thursday morning.

Drugmaker's attorney fee: \$181 million

Award goes to Texas firm for winning Risperdal case

JOHN LYNCH
ARKANSAS DEMOCRAT-GAZETTE

Pulaski County Circuit Judge Tim Fox on Thursday ordered "wrongdoers" Johnson & Johnson to pay nearly \$181 million in fees to the attorneys who won a record \$1.21 billion fine for Medicaid fraud against the drugmaker on behalf of Arkansas.

In his 18 pages of findings, Fox said the party that harmed Arkansas taxpayers should foot the legal bill as provided by state law.

"It is the court's opinion that it is reasonable for the entirety of the responsibility for payment ... to be shifted under the [Arkansas Medicaid Fraud False Claims Act] to the wrongdoers in this litigation, and that no portion of such attorney's fees should be borne by the citizens of the State of Arkansas or the Arkansas Medicaid Trust Fund," the judge wrote. "The taxpayers are not to be out any monies incurred in bringing [deceptive trade or Medicaid fraud] actions against wrongdoers."

The \$180.85 million award represents about 15 percent of the \$1.21 billion fine Fox imposed on the company last year after a jury determined that the New Jersey-based manufacturer, through its Janssen Pharmaceutica subsidiary, had committed

Medicaid fraud and violated the state Deceptive Trade Practices Act in its labeling and marketing of the antipsychotic drug Risperdal.

The fine — the largest in state history, according to Fox — represents 238,874 instances of Medicaid fraud — one for every Medicaid-funded Risperdal prescription written between December 2002 and June 2006 — and 4,569 deceptive-trade practice counts, one for every copy of a November 2003 "Dear Doctor" letter that falsely described Risperdal as having no significant link to diabetes.

Johnson & Johnson attorneys who challenged the demand for fees argued that \$2.2 million to \$3.8 million would be appropriate based on the amount of time the prevailing lawyers devoted to the litigation.

That argument was without merit, Fox wrote.

The jury verdict is already on appeal before the Arkansas Supreme Court, and the company said Thursday that it would also appeal the decision on legal fees.

"We continue to firmly believe Janssen did not violate the Arkansas Medicaid Fraud False Claims Act or the Arkansas consumer fraud statute, and, therefore,

See **FEE**, Page 7B

Constable held in gun inquiry

Agents say he's a felon who possessed fully automatic firearms

CHAD DAY
ARKANSAS DEMOCRAT-GAZETTE

A Phillips County constable was ordered detained Thursday after federal authorities say they discovered that he was a felon who had stashed more than 30 firearms in his home, including fully automatic AK-47-style rifles.

James Weldon King, 50, of Helena-West Helena



King

was elected constable of St. Francis Township in November, but according to court papers, he was convicted of at least one felony in Mississippi in the late 1980s and has never served a five-year

prison sentence ordered in that case.

Under Arkansas law, felons are barred from holding public office. They are also barred by state and federal law from possessing firearms.

Yet after King won the May 2012 primary election, federal authorities say, he began openly carrying a gun and wearing a constable uni-

form, badge and utility belt.

He also began driving a car marked with a constable decal and has been seen taking his child to school while "attired as a constable," according to federal agents.

King didn't officially take office as constable until January.

During a brief hearing at the federal courthouse in See **CONSTABLE**, Page 10B

Firing due to excess aid for 1, UCA says

DEBRA HALE-SHELTON
ARKANSAS DEMOCRAT-GAZETTE

CONWAY — A University of Central Arkansas financial-aid employee fired this week acted irresponsibly when he kept authorizing aid for a student who has since become a key witness in the criminal case against ex-Chief of Staff Jack Gillean, UCA records show.

UCA President Tom Courtway agreed to release Andrew Linn's personnel file late Thursday in response to a request under the Arkansas Freedom of Information Act.

Courtway fired Linn, 28, who was assistant director of scholarships, after Linn refused to resign Monday, Katie Henry, UCA's interim general counsel, confirmed.

Gillean was charged in October with three felony counts of commercial burglary and other offenses. Authorities say he gave Cameron Stark, a now-former student, two UCA keys and his key card so that Stark, 24, could burglarize professors' offices and steal tests.

Gillean resigned June 15, just days after Linn reported that someone had stolen four potentially addictive pills from one of Linn's desk drawers at UCA.

Police said they used security video footage to identify the thief as Stark. Stark was later given limited immunity from prosecution in exchange for his cooperation.

Linn's personnel file See **UCA**, Page 10B

New stop sign



Arkansas Democrat-Gazette/RICK McFARLAND

A sign alerts motorists Thursday that a new stop sign has been installed at Kavanaugh Boulevard and North Pierce Street in the Heights neighborhood of Little Rock.

JPs vote for fancier span, commit \$20 million to it

NOEL E. OMAN
ARKANSAS DEMOCRAT-GAZETTE

Justice of the Peace Teresa Coney of Little Rock provided Pulaski County Judge Buddy Villines the decisive 10th vote Thursday night to pass a proposal committing \$20 million in county road and bridge money toward construction of an enhanced Broadway Bridge.

Coney's unanticipated absence from the regular Quorum Court meeting last week because of a death in her family helped persuade Villines to put off a vote on the project until next month.

But state highway officials indicated they needed to

know this week what design to work on, prompting the county judge to call Thursday's special meeting.

All 15 justices of the peace were present after two hours of discussion and all 10 listed sponsors voted for the ordinance "expressing the willingness of the county to share" the cost of "America's Bridge," which Villines said would be a double-arch "basket" design, cost \$79 million and be painted red, white and blue to honor the nation's war veterans.

"It was a 2-to-1 vote," Villines said after the meeting, noting the ratio of votes for and against. "It was only close

because you had to have 10, but it was a 2-to-1 vote.

"This Quorum Court said tonight that this was something important enough that we need to invest in it for the long-range benefit of the community. Obviously, I agree with that. I'm proud of them."

Besides Coney, those voting in favor were Justices of the Peace Robert Green of North Little Rock, Curtis Keith of Mabelvale, Wilma Walker of College Station, Bob Johnson of Jacksonville and Julie Blackwood, Donna Massey, Lillie McMullen, Tyler Denton and Kathy Lewi-

See **BRIDGE**, Page 7B

Parole Board approves inmate early-release rules

ANDY DAVIS
ARKANSAS DEMOCRAT-GAZETTE

Almost eight years after the state Legislature passed a law allowing for the early release of state prison inmates to halfway houses, a state board on Thursday approved rules governing the releases.

The Arkansas Parole

Board has released dozens of inmates under Act 679 of 2005, but until Thursday, it did not have rules, beyond what's spelled out in the law, specifying which inmates are eligible, Chairman John Felts said.

Felts said he hopes the releases will become more common once the rules take

effect on March 2.

"This is an opportunity for them to start that transition back into society, yet still be in a structured environment," Felts said.

The law, meant to free up space in state prisons, allows for inmates to be released to halfway houses up to a year before they become eligible

for parole.

It requires the Parole Board to determine that "there is a reasonable probability that an offender can be placed in a transitional housing facility without detriment to the community or himself or herself."

The Parole Board must also impose a curfew requiring

the offender to be confined at the halfway house during certain hours.

The offenders are still considered inmates. Those who leave the halfway house without permission can be charged with escape.

Under the rules passed Thursday, inmates consid-

See **INMATES**, Page 10B

His cousin slain at 14, boy forever changed

Emmett Till's kin to speak in NLR

CATHY FRYE
ARKANSAS DEMOCRAT-GAZETTE

Simeon Wright didn't get to attend his 14-year-old cousin's funeral in Chicago.

It was September 1955, and Simeon had to stay in Mississippi for the trial of the two white men accused of killing Emmett Till.

Simeon, then 12, knew his cousin had died a horrible death. But it wasn't until he saw a photo of Emmett's body in *JET* magazine that he realized the depth of the hatred behind his cousin's murder.

As he stared at the picture of Emmett's bloated and dis-

figured body, Simeon finally understood that the color of someone's skin — even that of a 14-year-old boy — could provoke unspeakable violence.

It was a defining moment in Simeon's life.

For the thousands of Americans who also saw that photo, Emmett's slaying became a pivotal event during the formative days of the civil-rights movement. Even some white segregationists were appalled.

"When people saw that picture, it changed their

See **TILL**, Page 7B



Arkansas Democrat-Gazette/BENJAMIN KRAIN

Simeon Wright, now 70, was 12 when his cousin Emmett Till was killed while visiting him in Mississippi.

Till

• Continued from Page 1B

hearts, their minds," says Simeon, now 70. "They were all right with segregation, but to see the hatred that fueled it ..."

The photos of Emmett's body were published at the insistence of his mother, Mamie Till Bradley.

Those photos and copies of *JET* magazine are now on exhibit at the Laman Library in North Little Rock.

The exhibit — For All the World to See: Visual Culture and the Struggle for Civil Rights — shows how the media helped transform the civil-rights movement by making Americans look at the reality of racial bias and quotes Bradley's words.

"I couldn't bear the thought of people being horrified by the sight of my son. But on the other hand, I felt the alternative was even worse. After all, we had averted our eyes for far too long, turning away from the ugly reality facing us as a nation. Let the world see what I've seen." — Mamie Till Bradley

 At 14, Emmett was a confident boy who loved to make people laugh. He grew up in Chicago, supported by a single mother and surrounded by extended family.

Still, in August 1955, he couldn't wait to visit his relatives in the Mississippi Delta.

Mamie warned her son that things were different down South, that he would have to watch his mouth and mind his manners when he encountered white people.

Emmett listened but didn't really understand, says Simeon, who well remembers the day his cousin arrived for that summer visit, wearing both an excited grin and a silver ring that had belonged to his deceased father, Louis Till.

It was cotton-picking season, but the boys managed to squeeze in hours of fun when they weren't in the fields.

One afternoon, Simeon, Emmett and the other boys went to a grocery store in Money, a small community a few miles from the Wrights' home. The store, owned by Roy Bryant, was being run that day by Bryant's wife, Carolyn.

Maybe Emmett wanted to make his cousins laugh. Maybe he was showing off. To this day, Simeon still doesn't know what motivated Emmett to do what he did.

But as the boys prepared to leave, Emmett wolf-whistled at Carolyn Bryant.

Simeon and the other cousins panicked. They piled into the car and tried to explain to Emmett that in the Jim Crow South, you didn't even look at a white woman.

Their fear soon proved



Arkansas Democrat-Gazette/BENJAMIN KRAIN

Simeon Wright on Thursday recalls the night his cousin, Emmett Till, was abducted as Wright tours the For All the World to See: Visual Culture and the Struggle for Civil Rights exhibit at Laman Library in North Little Rock.

contagious. Emmett became frightened and begged them not to tell any of the adults what he'd done, Simeon says.

"He was having a wonderful time. We didn't want to spoil it."

And, he adds, Emmett was worried that Simeon's father, Moses Wright, would send Emmett back to Chicago early to keep the teenager safe from retaliation.

So for three days, the boys held their silence.

But in the early morning hours of Aug. 28, 1955, heavy footsteps and unfamiliar male voices in the Wright home woke up Simeon and Emmett, who were sharing a bed in one of the bedrooms.

"We're looking for the fat boy from Chicago," one of the men told Moses Wright.

At first, Simeon thought something bad must have happened in Chicago, that the two men had come to tell Emmett he had to go back.

Then he heard his mother pleading and crying, offering the men money if they would just leave.

One of the men was Roy Bryant. The other was Bryant's half-brother, J.W. Milam.

Bryant seemed to waver when offered money, Simeon recalls. But Milam remained unmoved, angrily telling Emmett to hurry up and get dressed.

Emmett, by now apprehensive, hastily complied. He left the bedroom without saying a word.

Milam told the Wrights that he and Bryant were going to whip Emmett but would bring him back home afterward.

For four long hours, Simeon lay in bed, listening to cars pass by and wondering if his cousin was in one of them.

But when morning arrived with no sign of Emmett, the Wrights knew: He wasn't coming back.

 The body pulled from the Tallahatchie River three days later was so disfigured that the sheriff had to rely on a

ring found on the victim's finger for identification.

Simeon was present when the sheriff pulled out the ring and asked Moses Wright to identify it.

The ring was silver, bearing the engraved initials "L.T."

"That's Bobo's ring!" Simeon blurted.

Emmett, who often went by the nickname "Bobo," had been wearing the ring when he arrived in Mississippi. He even let Simeon wear it for a few days, despite the fact that it was too big for the younger, slimmer boy.

The sheriff ordered that Emmett's body be placed in a sealed casket and buried in Mississippi.

But Mamie Till Bradley fought that order and managed to get her son back to Chicago for a service and burial. Thousands of people stood in line, waiting to view his mutilated body.

On Sept. 23, 1955, Milam and Bryant were acquitted in a jury trial, but they later confessed to the murder in *Look* magazine.

Moses Wright testified at the trial. Then he packed up Simeon and moved to Chicago, knowing his family would never again live in Mississippi.

It's been nearly 58 years since Simeon left the South.

But Thursday, he stood next to the portion of the Laman exhibit that features his cousin and recalled vividly the events of that summer and how they destroyed the innocence he had managed to hold onto in spite of segregation.

Even now, the scent of honeysuckle takes him back to the long, hot days of berry-picking, working the cotton fields and the two weeks he spent with his big-city cousin, the boy who wanted to make people laugh.

 Simeon Wright will speak at 6:30 p.m. tonight at the Laman Library during a reception for the official opening of the exhibit.

opposed the expenditure.

"I've heard more probably on this from constituents than any other issue I've dealt with in six years," Reed said. "I think that I had two that contacted me pro and, I don't know, 10 or 15 'no.' I usually don't hear from that many people."

The Arkansas Highway and Transportation Department had agreed only to replace the aging bridge across the Arkansas River between Little Rock and North Little Rock with a safe, efficient and functional substitute that would cost an estimated \$59 million. The more costly, double-arch "basket" design brings the total cost to \$79 million. The \$20 million difference had to be borne by some entity other than the Highway Department.

The bridge Villines envisions includes a white arch and a red arch with the deck trimmed in blue. Other details would include a list of all recipients of the Medal of Honor, the nation's highest military honor for valor, by state; a registry of all the nation's wars, leaving spaces blank for future conflicts; and another section to honor peace.

The proposal attracted support from veterans organizations and others who preferred Villines' design to a span similar to the Main Street Bridge that the department had proposed.

But critics were also sprinkled among the crowd of 50 people attending Thursday's meeting. They by turns argued that the \$20 million could be better spent on other county road needs, that the department's design was not only satisfactory but also beautiful in its simplicity and that the 90-year-old

bridge could be maintained indefinitely and doing so was the environmentally sensible thing to do.

Under the proposed agreement with the state, the county would pay the \$20 million in three almost-equal payments over three years, beginning with a payment of \$6,666,666 after construction bids are received but before the contract is awarded.

The county's share would come partly from its road and bridge reserve, which now totals \$9 million. The county sets aside about \$1.5 million annually to provide local match funds with other money that may become available. Villines also would use the \$1.5 million going to the reserve annually over the next four years to pay for the bridge, or an additional \$6 million.

Villines also expects that the recently approved temporary half-percent statewide sales tax for road construction will produce \$2.5 million each year for the next 10 years for the county. His proposal would utilize that revenue from the years 2014, 2015 and 2016.

Denton said he hoped the people for and against the bridge could find a way to overcome their disagreements because "bridges are intended to bridge divides and not create them."



Human trafficking alleged

Tulsa police say man forced women into prostitution

DAVE HUGHES
 ARKANSAS DEMOCRAT-GAZETTE

Tulsa police arrested a Fort Smith man and woman who are suspected of taking women from Arkansas and forcing them into prostitution.

Clarence Fredrick Holden, 25, was arrested Tuesday night and charged with one count of pandering and two counts of human trafficking. He was being held Thursday at the Tulsa jail in lieu of \$102,500 bond, according to jail records.

Destiny Hope Niles, 24, was arrested Tuesday night and charged with soliciting prostitution within 1,000 feet of a church. She was being held Thursday in lieu of \$1,500 bond.

Deron DeAngelo Maxey, 25, of Oklahoma, who was arrested along with Holden and Niles, was charged with drug possession. He was being held Thursday in lieu of \$15,000 bond.

The three were arrested by police vice officers conducting an investigation of massage parlor and prostitution operations advertised on the website Backpages.com, ac-

ording to a Tulsa police news release.

Officers contacted a woman who was advertising on an escort page and made arrangements to meet her at a Tulsa motel, police spokesman Jillian Roberson said.

The news release stated that during a conversation with an undercover officer, Niles said she would provide a massage with a sexual act at the end for \$150.

When officers identified themselves, Niles said she was being held against her will and was forced to go to Tulsa from Arkansas. She led officers to a room at the motel occupied by Holden and Maxey, and they were arrested, Roberson said.

Further investigation showed that multiple women from Arkansas were forced to go to Tulsa to engage in prostitution, Roberson said.

The other women were released but Niles was arrested, Roberson said, because witnesses said she was working with Holden rather than for him.

The Tulsa Police Depart-

ment's Special Investigations Unit has been cracking down on massage-parlor operations proliferating in Oklahoma, Roberson said, and is continuing its investigation into the human-trafficking allegation. She said she had no information on the identities of the women who were released or where they lived in Arkansas.

According to Arkansas Department of Correction records, Holden was convicted in 2010 in Sebastian County on a breaking and entering charge. He also was convicted in Sebastian County in 2012 on charges of possession with intent to deliver marijuana and possession of drug paraphernalia. He pleaded guilty on March 10, 2012, in Crawford County Circuit Court to misdemeanor marijuana possession and failure to appear charges, for which he was fined \$100 and ordered to perform 150 days of community service, according to court records.

Niles has no criminal record in Sebastian or Crawford counties.

Fee

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no fees should be awarded," Teresa Mueller with Janssen Pharmaceutica said Thursday.

"The \$180 million fee awarded today is not a 'reasonable' fee. Risperdal continues to help patients around the world who suffer from the debilitating effects of schizophrenia and bipolar mania."

The fees will go to the Texas law firm Bailey Perin Bailey of Houston, hired by Attorney General Dustin McDaniel with approval from Gov. Mike Beebe and the Legislature. In a statement Thursday, McDaniel spokesman Aaron Sadler commended the judge.

"We are grateful that Judge Fox agreed with our position as it relates to costs and fees in this matter," Sadler said. "We intend to vigorously defend this decision and the \$1.2 billion verdict on appeal."

Tasked with determining whether the amount of legal fees sought by the state was "reasonable," Fox wrote that he relied not only on factors required by the Arkansas Supreme Court but also on the intent of the Legislature as expressed in the Medicaid fraud

law and the state's Deceptive Trade Practices Act.

Lawmakers specifically empowered the judiciary to order violators of those laws to reimburse the state for legal fees and expenses, Fox wrote, noting that the statutes use the word "shall" in describing how those violators can be made to pay state expenses. The General Assembly clearly wanted fines and damages recouped under the law to be returned to state coffers in their entirety, Fox wrote.

"The purpose ... being that the taxpayers will recover all

costs incurred by the attorney general," his findings state. "Applied to the present case, the clear legislative intent is that every dollar of the penalties set prescribed by the Arkansas General Assembly should go to the Medicaid Trust Fund."

Fox also awarded the Texas attorneys \$298,800 in expenses after deducting \$12,980 they had sought for one of their expert witnesses. The defense shouldn't have to pay for that witness, since he was not allowed to testify at the trial, the judge wrote.

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Bridge

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son, all of Little Rock.

Voting against the ordinance were Justices of the Peace Doug Reed of Roland, Karilyn Brown of Sherwood, Phil Stowers and Paul Elliott of Maumelle and Shane Stacks of North Little Rock.

The vote split largely along party lines, with only Johnson among the six Republicans on the Quorum Court voting for the ordinance. All nine Democrats backed the ordinance for Villines, also a Democrat.

The ordinance contained an emergency clause and, as a result, needed 10 votes for passage.

Many justices of the peace who supported the proposal said the bridge, while short of the signature bridge some in the community had envisioned, would be singular enough to attract attention, people and their money to the area.

"I've heard the pros and cons," Coney said. "It will bring jobs and revenue to our great city."

At least two justices of the peace who voted for the ordinance said their affirmative vote didn't necessarily mean they backed Villines' idea of painting the bridge red, white and blue.

"I am adamantly for the arches," Denton said, but he noted that his constituent communication ran 135-10 against the proposed color scheme. "I am adamantly opposed to the red, white and blue bridge."

Opponents on the Quorum Court said their votes reflected largely on their constituencies, which by phone and e-mail overwhelmingly

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