

Guess which TV shows area viewers love, 1H



# CASEY MEARS WINS BRICKYARD 400 POLE

Earnhardt Jr. to start 5th, says he'll finish race 6C ▶



MORGANTON ALL STARS Team heads to Little League World Series, 1C

# The Charlotte Observer

SUNDAY, AUGUST 8, 2004

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C D E F

Price varies by county | \$1.50

## Disabled vets fight pain and red tape

Iraq war victims need more help, VA admits

BY ESTHER SCHRADER  
Los Angeles Times

MANASSAS PARK, Va. — The yellow ribbons are faded and fraying outside the house where Jay Briseno lies tethered to a respirator, his nearly motionless, 21-year-old body a shadow of the young man who last year went to war.

Shot in the back of the neck last June in Baghdad, Iraq, Briseno was rushed with all the speed and efficiency the Army could muster to one hospital after another, brought back from multiple heart attacks and strokes.

But Briseno isn't a soldier anymore. He is a veteran, facing a lifetime of excruciating disability. His care is left to his parents and sisters, who, by his bedside day and night, are struggling to adjust.

For Briseno and his family — as for thousands of others wounded in the Iraq war — the transition from the life they knew as soldiers to a future as disabled veterans is filled with frustration and pain.

The military is more efficient than ever  
SEE WOUNDED | 3A

MARCH, APRIL ATTACKS

## Killings in Hickory still a mystery

Investigations yield few clues, no suspect, uncertain direction

BY DAVID PERLMUTT  
AND GREG LACOUR  
Staff Writers

HICKORY — The links seem indisputable. Three women in their 40s, each with a history of drug use and prostitution, were beaten in the head and left senseless in a five-week span in March and April. Two are dead.



Lail

They probably knew each other. Hickory police knew them before their beatings made headlines. Officers at night often saw them walking along South Center and First streets, the spine of a tough neighborhood called Ridgeview near downtown.



Dickens

Yet Hickory and Catawba County investigators are careful not to conclude they've got a serial killer on their hands.

And they acknowledge an arrest is no closer now

than in April in the killings of Betsy Dickens, 40, whose body was found March 3, and Cynthia Lail, 48, found alive April 9, but who died last week. Another victim, 41, was discovered severely beaten March 25

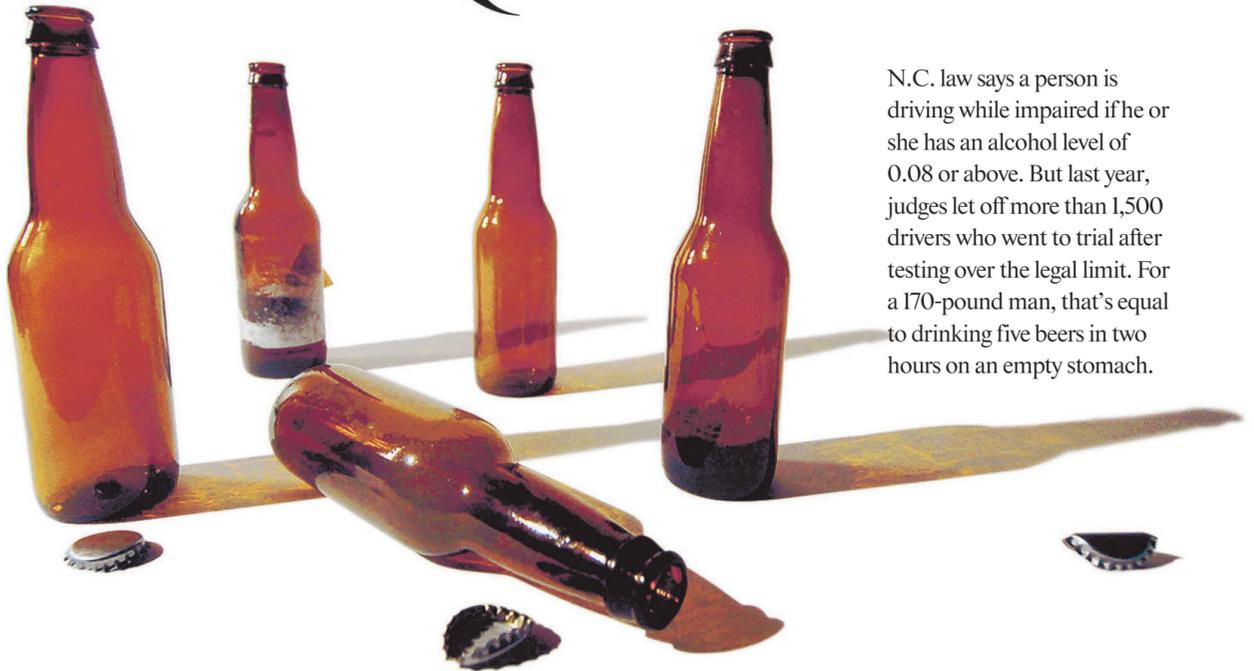
SEE HICKORY | 10A

### Note for Weekend Subscribers

During the Observer's coverage of the Carolina Panthers season, weekend subscribers will receive Monday's paper as part of their regular subscription plan. If you do not want to receive these newspapers, call Circulation at (800) 532-5350.

Observer Investigation | First of a Three-Day Series

# DWI: SOBERING ACQUITTALS



N.C. law says a person is driving while impaired if he or she has an alcohol level of 0.08 or above. But last year, judges let off more than 1,500 drivers who went to trial after testing over the legal limit. For a 170-pound man, that's equal to drinking five beers in two hours on an empty stomach.

### Risky Roads

Three of every 10 Americans will be involved in an alcohol-related crash. In the past decade, such accidents killed more than 5,500 people in North Carolina and more than 4,000 in South Carolina. This three-part Observer special report begins an occasional series examining what happens when people drink and drive in the Carolinas.

### Inside

8-9A | Follow a DWI case from traffic stop to court.

9A | Cyclist spent months recovering after being hit by drunken driver.

### In regional sections

What happens to suspects in S.C. and counties surrounding Charlotte.

### Coming Monday

The Mecklenburg judge whom defense lawyers seek out.

BY AMES ALEXANDER, TED MELLNIK  
AND GARY L. WRIGHT  
Staff Writers

Judges in North Carolina let off more than a third of drunken driving suspects who test over the legal alcohol limit but fight the charges in court.

The drivers include people who crashed their cars, who had open bottles of beer next to their seats and who couldn't recite the alphabet to police.

North Carolina's law says a driver with an alcohol concentration of 0.08 percent or above commits the offense of driving while impaired.

Most people charged with DWI plead guilty. But from 2002 through February 2004, judges acquitted more than 3,500 drunken driving suspects despite test results showing they had more alcohol in their bodies than the law allows.

The odds of escaping conviction depend largely on where a driver is arrested and who the judge is, the Observer found in a study of cases during the 26-month period.

In some N.C. counties, those who go to trial are almost sure to be let go. In others, the opposite is true.

When DWI suspects go to trial after testing over the legal limit in the judicial district that includes the mountain counties of McDowell, Rutherford and Transylvania, about 98 out of 100 are convicted. Five other districts also convict more than 90 percent.

But the coastal counties of Carteret, Craven and Pamlico convict fewer than 10 percent of suspects tried after testing over the alcohol limit. In Wake County, which includes Raleigh, the conviction rate is less than 15 percent.

"That's troubling," N.C. Supreme Court Chief Justice I. Beverly Lake Jr. told the Observer. "I'm astounded at the wide disparity in conviction rates between judges. I don't understand."

SEE DWI | 8A

## Twice let off, driver convicted after brother dies

BY GARY L. WRIGHT  
AND AMES ALEXANDER  
Staff Writers

Robert Barron was twice charged with DWI in Cumberland County, and twice went free.

On Oct. 12, 2002, his luck ran out. Barron, then 23, lost control of his car while driving 90 mph with nearly three times the legal limit of alcohol in his system. The Honda Accord spun, rammed a tree and split in two.

His younger brother, seated beside him, was killed.

Barron, now serving a 20-month prison term for involuntary manslaughter, accepts blame for his brother's death. "I'm going to be doing a sentence for the rest of my life," he said during an interview at the state prison in Duplin County.

The DWI conviction rate in Cumberland County, which includes Fayetteville, is among North Carolina's lowest. From 2002 through February 2004, Cumberland's District Court judges convicted 37 percent of the nearly 1,500 DWI suspects who went to trial.

SEE BROTHER | 9A



Barron was drunk the night his brother died.

TODD SUMLIN — STAFF PHOTO ILLUSTRATION

### Weather

PLEASANT: High: 84. Low: 53. Mostly sunny with a few clouds. Cool tonight. Full forecast, 6D

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