

Metro

Truant defendants get earful

By TIM GURRISTER
Standard-Examiner staff

OGDEN — The judicial bench is a fine forum and some of the audience is, literally, captive, as in convicted defendants appearing before a judge.

Second District Judge Stanton Taylor used his forum Monday to verbally club three foot-dragging defendants set for sentencing on offenses they pleaded guilty to last month.

"I don't pay these people to chase you around, Mr. Law," he said firmly to an inappropriately named defendant. The people he was referring to were the officers of the state department of adult probation and parole. They prepare pre-sentence reports for judges to assist them in their deliberations on just punishments.

Actually, the judge doesn't pay those people, the governor does, although they are officers of the court. It was part of Taylor's attempt to scare the three, he said afterward. "I hope I did."

Eric Law, Charles Espinoza and Greg Gardner, all showed up in Taylor's court for sentencing Monday after skipping their pre-sentence interviews. Law had pleaded guilty to theft; Espinoza, to depriving an owner of a vehicle (joy riding); and Gardner to forcible sodomy of a child.

All earned tirades from the judge with threats of prison if they didn't sit for their pre-sentence reports. It's not as though he'd send them to prison for not making an appointment for an interview for a pre-sentence report, but the result could be about the same, Taylor said afterward.

"You will make yourself available, Mr. Law," Taylor said.

Law asked, "Can I explain?"

"Mr. Law, I don't care. I recognize that people will have excuses. But I don't want to hear them. I don't expect excuses. I expect you to do what I tell you. And if you don't, the consequences are, you will go to prison."

Espinoza said he simply "couldn't get in touch with Debbie (Ogden, his probation officer)."

"I didn't tell you to try to get in touch with Debbie. I told you to get in touch with Debbie," Taylor said. "If you don't get in touch with Debbie, you are going to prison. I don't care if you have to sit on your bottom from 8 to 5 at the AP&P office for three weeks."

"The pleasure was mostly mine," Taylor said as the thoroughly chagrined Espinoza left the courtroom.

Gardner told the judge he couldn't find the office.

"Let me just ask you, Mr. Gardner, why didn't you come back here and ask someone? Why didn't you ask your attorney? Why didn't you look in the phone book?"

"There are about 15,000 different things you could have done, Mr. Gardner. If I were looking at life imprisonment, because that's what you are looking at, a 5-to-life sentence in the state prison, I would make more of an effort."

Sentencing was continued to June 25 to allow the three a second chance at getting their pre-sentence reports started. Afterward, the judge explained that without the pre-sentence report — where the probation office will recommend either for the prison term provided by state law for felonies, or lesser penalties such as probation or jail time — he has little leeway.

"I can do what I want," he said. "But to do less than the statutory sentence for an offense, I have to have something to go on."

The investigation for the pre-sentence report includes character references from people who know the defendant, detail on their background, arrest records, sometimes psychological testing and even uncorroborated hearsay that would not be allowed in a trial.

"For them not to show up for their pre-sentence interviews is just irresponsible and that trait is probably part of the reason they are in trouble in the first place," Taylor said. The report is basically what gives a felon a chance at avoiding prison, he said.

"It's what allows us to, pardon the pun, tailor the punishment to the crime."

Proposal would slightly reduce class size

By KENT PETERSEN
Standard-Examiner Davis Bureau

FARMINGTON — Despite accepting a class-size reduction proposal to be finally voted on at the next meeting, members of the Davis school board said Tuesday the \$1.2 million plan would only slightly alleviate the class-size problem.

Nancy Fleming, an assistant district superintendent and head of the class-size reduction committee, said that due to overcrowded classrooms and high teacher-student ratios, the plan doesn't do much to lower class-

sizes. "It won't even make a dent," Fleming said after the meeting. "Other states have a 1-15 teach-

DEA, district agree on a salary increase

Standard-Examiner Davis Bureau

FARMINGTON — Several weeks of negotiations between the Davis School District and the Davis Education Association ended Tuesday with the announcement of a 10.6 percent overall average salary increase, including insurance, for teachers in school year 1990-91. The settlement was reached

after the district and DEA met for 12 sessions, beginning in March. The DEA ratified the proposal by a vote of 1,316-79.

The plan, announced at the school board meeting, has these features:

- All teachers will receive a 6.2 percent increase in salary.
- For those who qualify, step increases earned for years of ex-

perience range from 3.5 to 4 percent. Lane changes for voluntary continuing education average an additional 3.5 percent.

■ With a 16 percent increase in health care costs for Davis District employees, teachers will receive as a percent of salary, an average of a 1.8 percent increase.

er-student ratio; we have a 1-28 ratio in our elementary schools. (The proposal) would drop that to 1-27. It's not even an eyelash

from what we had before."

Yet Fleming does believe the proposal, which would supply 70 percent of the plan's fund to ele-

mentary schools, can still be beneficial to the district and at least gets the district started toward reducing class sizes.

She said the money will increase attention and one-on-one education for elementary school students and help bring teachers into schools that have grade-level badges, or for example, too many third-grade science students.

By implementing more support into the elementary schools, she said, the students will get a better education and be better prepared to handle school in later years because of the attention they received early on.

"If we concentrate on one area, then we can show some real growth and progress in K-3 (kindergarten through third grade). It'll make a difference in the progress, support and opportunity for the kids," she said.



August Miller/Standard-Examiner

Debbie and John Ledkins practice one of his songs.

Police officer is also songwriter

By VALERIE PHILLIPS
Standard-Examiner Davis Bureau

LAYTON — Police officer John Ledkins writes tickets at work and songs at home.

As different as police work and songwriting may seem, the two come together when the Layton officer and his wife, Debbie, perform his song, "Lawman." Originally written for the dedication of Utah's Peace Officer Memorial, the song expresses the frustration, fears and dreams of law enforcement as a tribute to those Utahns who died while on duty.

"You write what you feel ... going to family fights and seeing wives beat up, kidnap cases, and how drug abuse really destroys people's lives," he said.

Music also helps relieve the stress of the job. He tells how one night, while working as an Ogden City officer, he responded to a grisly death call. To take his mind off the experience, he started running a melody through his head, and after awhile, some lyrics came. His song, "I Came Here a Stranger," was born.

Although Ledkins is known for his police songs, he's actual-

ly only written two: "Lawman," and "Sour Grapes," a humorous Johnny Cash-style account of an unfortunate driver who ends up in jail for drunken driving because he's chewing sour grape gum.

The rest of his 50-odd compositions include love ballads and ditties.

His "Country Summer Afternoons" won the 1983 American Music Awards' country folk division in the four-state Utah region. The song, which relives happy childhood memories, is a favorite when the Ledkinses perform for senior citizen-

Health board will evaluate director

Duty will no longer be commission's

By BRYON SAXTON
Standard-Examiner Davis Bureau

FARMINGTON — Because of the "unprofessional" way in which the Davis County health director's resignation was handled, the county Board of Health has decided to reassume the role of evaluating the position.

The board voted Tuesday to form a committee to evaluate the director's performance instead of allowing that responsibility to lie solely with the Davis County Commission. The board is responsible for hiring and firing the county health director.

Several years ago, the board was involved in the evaluation of its director, but that changed when County Commissioner Bill Peters took over that role, said health board member Glenn Richardson. No one seemed sure of when the change took place.

The health board said it wants that responsibility back, coming in the wake of a dispute between health director Dr. Enrico Leopardi and county commissioners.

Leopardi's May 1 resignation was rescinded by the health board on May 29 after his attorney sent a letter saying Leopardi had been coerced into resigning by two county commissioners.

Commissioner Gayle Stevenson later acknowledged that he and Peters met with Leopardi, but denied that they asked or forced him to resign.

Leopardi has been named in a \$1 million sexual harassment and

discrimination civil lawsuit by former health department secretary Julie Vicknair.

Vicknair claims she was subjected to "unwelcome verbal and physical conduct of a sexual nature." The case is expected to go to trial this month.

Richardson, a professor at the University of Utah, said the health board needs to serve in an evaluation role to have "documentation" of what, if anything, is going on.

"It's our responsibility as a board to deal with the director, and we need those tools," he said.

Richardson said the situation involving Leopardi's resignation was "unprofessional."

Steve Baker, county personnel director, said Richardson will head a four-member committee of health board members who will make an appraisal of the health director's position.

Baker said the information gathered will then be reported to the health board.

Richardson suggested that as part of the appraisal process, anonymous input could come from county staff.

Commissioner Stevenson, who attended the meeting, said the commission has no argument with the plan.

"It is common for boards to do the evaluations of the director. Yes, that is appropriate action," he said.

Miners

From 1C

them that impression," Massie said after the seminar.

Among the 78,000 members of the association he founded, he said he's had "maybe 25" tell them they hit a strike worth \$250,000 or more and about 3,000 who claim to make a living at it.

While gold prospectors "are probably bigger liars than fisherman are," he said about 95 percent of the members do find some gold.

Roy Boyette, of Ogden, plunked down his \$40, joining the association and buying the claim book that shows members the location of association mining claims where they can prospect for free.

"I'm not going to get (the investment) back in gold," he said. "Not many people get rich doing this. I'm going to get it back in recreation."

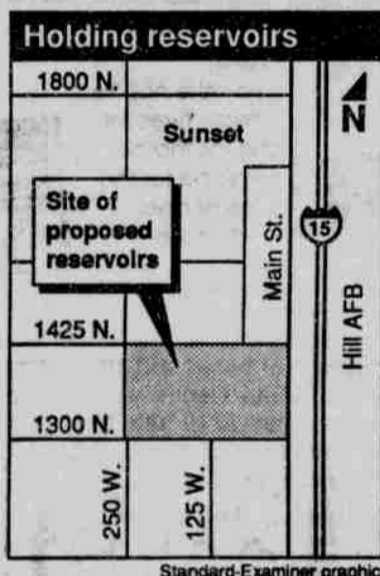
He said he's been panning for about a year while camping with his family, but hasn't yet found any of the precious metal. Even though he signed up, he's skeptical about many altruistic motives from Massie.

Of the membership dues and book sales, Boyette said, "I think that's where George's gold mine is."

"I suspect a lot of people feel that way," Massie responded. "Ask me if I care. It's like I told them tonight. I'm a volunteer. That way, if you don't like what I say, you can't fire me."

He and Woody Caldwell, membership chairman who is accompanying Massie on the seminar tour of 11 cities, both said they draw no salary from the association's proceeds.

"I just came because I like his jokes. I heard some new ones tonight," said George Flewelling, of Ogden. He and wife, Hazel, have been members of Massie's association for about 10 years.



Standard-Examiner graphic

City to allow building of reservoirs

By DONNA BROWN
Standard-Examiner correspondent

SUNSET — After more than a year of negotiations, the city has agreed to let the Davis and Weber Counties Canal Co. build holding reservoirs in Sunset to provide West Point with secondary water.

The company has purchased 11 acres of commercial property between 250 West and State Road 126 along 1300 North. The deal came after what canal company manager Floyd Baham called a long haul to get the city's permission.

In a special meeting last week, the city council approved a conditional-use permit to allow the construction of two reservoirs on the property.

The property is at the right elevation to create gravity pressure behind water delivered to West Point for residential watering of lawns and gardens, Baham said. One 30 acre-foot reservoir, 12-13 feet deep, would be built on the east end of the property. The second would be built later when the system is expanded.

In the past, Sunset officials have shunned the reservoirs be-

cause of concerns over safety, appearance and lost tax revenue. Officials hesitated to give a use permit to a non-profit organization for use of property that could be developed by other businesses.

Baham said that since Mayor Norman Sant took office this year, negotiations have improved.

Sant said he believes the reservoirs are the "lesser of two evils" compared to the heavy traffic other businesses in the area would generate.

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