



## Execution restraints don't go far enough

Until now, I've kept my peace about the Racial Justice Act. The new law gives a judge the ability to overturn a death sentence if the defendant can prove racial bias.

I don't have a beef with that aspect of the law. North Carolina prosecutors pursue the death penalty zealously and don't always wear the blindfold of Lady Justice. A 2001 statewide study found black defendants who killed whites were 3.4 times more likely to get the death penalty than those who killed nonwhites.

Still, the Racial Justice Act ultimately upholds the principle that the state should put people to death. The goal instead should be to eliminate the death penalty altogether.

Capital punishment does not deter crime. If so, Texas would be the safest state in the U.S.

When states execute inmates, they are only satisfying society's lust for revenge, nothing more. They are engaging in a practice abandoned long ago by the rest of the Western world and only carried out in places Americans find lacking in human rights: China, Saudi Arabia, Iran, North Korea and others.

The Racial Justice Act, by allowing that certain people should not be put to death, implies that other people should.

In fact, conservative legislators tried and failed to amend the act to allow the state's death penalty to kick back into gear after being stalled since 2006.

But death penalty opponents sustained a setback when the N.C. Supreme Court ruled in May that doctors could participate in executions.

If someone can explain to me how helping to kill an otherwise healthy person is in line with the Hippocratic oath of "do no harm," I'd like to hear it.

I believe the Racial Justice Act could have a positive effect, mostly on the front end of a case. I think it might cause prosecutors to make double-sure they are pursuing death for reasons of justice and nothing else.

This will affect things such as jury selection: An all-white jury won't fly anymore when the defendant is black. Also, prosecutors might think a little more about the evidence they seek to introduce or block.

I don't believe the State Bar is filled with prosecutors eager to throw the book at black men on purely racial grounds. Some black folks believe just that.

I think a likelier scenario is that in high-profile cases — like capital cases — lawyers are swept up in public fervor and do not always take the deliberate, fair approach justice demands.

And the act will not prevent people who want their blood from getting it. The law would probably not apply in cut-and-dry capital cases such as that of Kevin and Tilmon Golphin, who were sentenced in 1998 for murdering Highway Patrol Trooper Ed Lowry and Cumberland County sheriff's deputy David Hathcock. (Kevin Golphin's sentence was commuted to life in prison because of a change in federal law banning the execution of people younger than 18 at the time of their crime.)

Death penalty opponents have cheered the Racial Justice Act. But ultimately, the law ratifies, in part, a practice that is fundamentally wrong.

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**Myron B. Pitts**

## Church debate gets heated

### Some parishioners call for removal of pastor; facilitator to be named

By Michael Futch  
Staff writer

**RED SPRINGS** — There's dissension in the church.

Three days after being padlocked out of his parish, Father Walter Ospina returned to give the Wednesday evening Mass at the Iglesia Catolica San Andres on the outskirts of this rural Robeson County town.

By order of the Bishop of the Raleigh Diocese, it will be the last Mass held in the church until a review of any parishioner's concerns is complete.

Earlier this week, St. Pauls Police Chief Tommy Hagens said the Robeson County District Attorney's Office is looking into an allegation made against Ospina.

Assistant District Attorney Joe Osman, who is handling the case, said Wednesday it remains "in investigative mode."

Osman declined to discuss particulars involving the case. He said no charges have been filed against Ospina, who has denied wrongdoing.

See **CHURCH**, Page 4B



Staff photo by Andrew Craft

Church member Alexander Vicent, center, discusses the issue of Father Walter Ospina with others at Iglesia Catolica San Andres in Red Springs. See video from the church at [fayobserver.com](http://fayobserver.com).

### BBC CELEBRITIES

## Brits do The Mash



Staff photo by Stephanie Bruce

Josie Lawrence, left, and Shane Richie, stars of the BBC soap opera 'EastEnders,' applaud and cheer their fans, who raised \$500 for charity on Wednesday evening at The Mash House during the taping of the BBC-produced show 'Around the World in Eighty Days.'



'EastEnders' fans Rosemary Buerger, left, of Fayetteville, and Claire Meyerhoff, right, of Raleigh, look at their show memorabilia as they wait for the show's stars to arrive.

Fans near and far of the British soap opera 'EastEnders' come to the Fayetteville restaurant to see two of the show's stars.

By Brian Dukes  
Staff writer

Shane Richie and Josie Lawrence entered The Mash House's patio Wednesday night with an eruption of screams and applause.

The welcome came a bit unexpectedly.

The pair, after all, are past (Richie) and present (Lawrence) stars of the popular British soap opera "EastEnders," which airs

### ON THE WEB

View a slide show of the BBC stop at The Mash House at [fayobserver.com](http://fayobserver.com).

on BBC. It should defy logic that more than 30 fans of the show, from three different North Carolina "EastEnders" fan clubs, would travel from across the state, and

See **'EASTENDERS,'** Page 4B

### HOKE COUNTY

## Board: 9 subdivisions exempt from new law

By Jennifer Calhoun  
Staff writer

**RAEFORD** — Nine subdivisions in Hoke County will not be subject to new laws that require sidewalks, curbs and gutters, the county Board of Commissioners said Wednesday.

The new subdivisions are in various stages of development, but they either had not received a final go-ahead from the board to build or the final approval had expired.

Developers had feared the sub-

divisions would be subject to a new subdivision ordinance, which will be considered by the board Sept. 2.

Along with sidewalks, curbs and gutters, the ordinance requires developers to keep a percentage of the subdivision for open space or pay money to a fund to build and maintain parks in the county.

Developers have argued the costs of the new provisions are too expensive and would result in

See **SUBDIVISION**, Page 4B

## BRAC work won't come easy, ex-commander says

■ 'Nobody is going to dump business in your lap,' retired Gen.

Dan K. McNeill tells a group during a luncheon.

By Henry Cuningham  
Military editor

The arrival of Forces Command headquarters in two years will bring opportunities, but getting government work can be a struggle, a former commander said Wednesday.

"It's not going to be easy," retired Gen. Dan K. McNeill said. "Nobody is going to dump business in your lap."

He spoke to a luncheon audience of about 200 at the All American Defense Business Association's general membership meeting at the Crown Center.

The North Carolina native was commander of Forces Command in 2005, when the decision was finalized to relocate the four-star Army headquarters to Fort Bragg from Atlanta. The head-

See **BRAC**, Page 4B

## InBrief

From staff reports

### Part of freeway closing to traffic

The All American Freeway at Morganton Road will close to traffic this weekend.

Jason Salisbury, a resident engineer with the N.C. Department of Transportation, says workers need to dismantle a temporary support deck that was installed along the bridge during construction this year.

A contractor replaced the bridge over the freeway with a wider span. The bridge reopened to traffic on schedule July 31, but some work on the project remained.

Salisbury said part of the freeway under Morganton Road will be closed to traffic starting at 10 p.m. Friday. It is scheduled to open by 6 a.m. Monday, he said.

During the closure, motorists will be allowed to enter and exit the freeway at Morganton Road.

The new bridge will have some lane closures this weekend while the support deck is removed, Salisbury said.

### Maxton meeting today

**MAXTON** — State Rep. Garland Pierce has scheduled a town hall meeting at 6 p.m. today to discuss legislative issues, safety and current laws.

The meeting will be at Townsend Middle School, 105 Carolina St. in Maxton. Trooper Jerome McMillian of the N.C. Highway Patrol will speak about highway safety.

Pierce is asking residents, clergy and community leaders in Hoke, Robeson and Scotland counties, and surrounding areas, to attend the meeting or send a representative.

Refreshments will be served.

For more information, contact Commissioner Sallie McLean with the town of Maxton at 587-3388.

### Blaze destroys home

Fire destroyed a home in the Cedar Creek area Wednesday.

The one-story, wood-frame home was on Mack Simmons Road, about 14 miles south of Fayetteville.

No one was home when the fire started, according to David Chavis, chief of the Vander Fire Department.

The fire started just after noon in an outlet where a fan and air conditioner were plugged into a strip outlet.

The American Red Cross is assisting the three people who lost their home: a 73-year-old woman, a 19-year-old man and a 15-year-old girl.

Firefighters from Beaver Dam and Bethany fire departments assisted.

### Crash into pole kills driver

**LUMBERTON** — A Lumberton woman was killed Tuesday when her car hit a utility pole on Chicken Road and split in half, the Highway Patrol said.

The crash happened at 5:59 p.m. about 4½ miles west of Lumberton, Sgt. Freddy Johnson said.

Heather Lynn Locklear, 22, of 1741 Deep Branch Road, was traveling south on Chicken Road when her 1994 Toyota ran off the right side of the road, Johnson said.

The car, which was traveling at an estimated speed of 75 mph, hit a utility pole, breaking the car into two pieces, Johnson said. "It ripped in half, and the pieces separated and overturned," he said. "It was a pretty severe crash."

The speed limit on the road is 55 mph, Johnson said.

Locklear was not wearing a seat belt, he said.

### SUPPORT GROUPS

#### THURSDAY

- **Bereavement Support Group of Cape Fear Valley HomeCare & Hospice:** 615-6740 or 615-6511.
- **Called 2 Conquer (C2C For Men):** 488-3227.
- **Families in Recovery Sharing Together:** 309-2587.
- **Adult Children of Alcohol/Dysfunction:** 850-1126.
- **Methadone Anonymous:** (800) 810-8423.
- **Gamblers Anonymous:** 7 p.m., Christ United Methodist Church, 3101 Raeford Road.
- **In Christ We Do Recover:** Woody, 423-0608 or 424-8800, ext. 272.
- **Take Off Pounds Sensibly:** (800) 932-8677 or go to [www.tops.org](http://www.tops.org).
- **Alcoholics Anonymous:** Hot lines: 678-8733 or 678-8002.
- **AA Book Study:** 7:30 p.m., Trinity United Methodist Church, 6974 Raeford Road.
- **AI-Anon:** Help line: (800) 457-3019.
- **Narcotics Anonymous:** (866) 418-9500 or go to [www.crna.org](http://www.crna.org).
- **Sexual Assault Women's Support Group:** 6-7:30 p.m. 485-7273.
- **Fayetteville Huntington's disease:** 424-3664.
- **Female heart bypass:** 224-7602.
- **Hepatitis and liver disease:** 425-1217 or 484-1786.
- **Happy Hearts Cardiac:** 671-5067.
- **Coming Together Children's Support Group:** 609-6337.
- **For Caregivers:** Ellouise, 484-0111.
- **Living with Disabilities/Wounded soldiers:** 303-0209 or [www.disability.meetup.com/48/](http://www.disability.meetup.com/48/)

# 5 charged in robbery

A staff report

**CARTHAGE** — The Moore County Sheriff's Office has arrested five people in connection with an early August armed robbery of a pizza delivery man.

Mark John Iammatteo of Eagle Springs reported Aug. 2 that two people robbed him at gunpoint, according to a news release from the Sheriff's Office. Iammatteo is a Domino's pizza delivery man.

### Subdivision

From Page 1B

higher home prices.

But residents have complained about the lack of sidewalks in some of the county's busier neighborhoods, saying it has become a safety concern.

Curbs and gutters can prevent flooding and road deterioration, which has been another concern for residents and county officials over the years.

Jim Kizer, a developer with Moorman, Kizer & Reitzel Inc. in Fayetteville, told the board

On Tuesday, Marshallrett Orlando Ross, 19, of the 2600 block of N.C. 705 in Robbins, and Markus Antonio Brower, 19, of the 100 block of Owens Road in Robbins, were each charged with robbery with a dangerous weapon and conspiracy to commit armed robbery. Bail was set at \$25,000 for Brower and \$5,000 for Ross.

On Wednesday, Brooke Racquel Lindsay, 19, of the 600 block of Timber Lane in Rob-

bins; Ayla Michelle Lindsay, 17, of the 100 block of Lindsay Lane in Eagle Springs; and Dominique Evette Smith, 16, of the 1900 block of N.C. 211 in Eagle Springs were each charged with armed robbery and conspiracy to commit armed robbery.

Bail was set at \$10,000 for Ayla Lindsay and \$40,000 each for Smith and Brooke Lindsay.

All five people are scheduled to appear in court on Monday.

Wednesday that adding open space and curb and guttering to a development that has already been planned would increase costs and possibly halt the project altogether.

One of the subdivisions under discussion was a 459-lot development called Bedford that Kizer is developing. He said if Bedford, which is on Fayetteville Road, was approved under the new ordinance, the company would either have to eliminate some lots to make room for open space or pay the county.

Curbs and gutters would cost developers an additional \$1,500 to \$2,000 per lot, which could

halt the project, he said.

"These are the kinds of things that will shoot this project out of the water," Kizer said.

Commissioners ultimately decided to allow Bedford and the following subdivisions under the current ordinance: Durham Landing on Chason Road, Dwight Sullivan on South Parker Church Road, Hendrix Farms II on Phillippi Church Road, Mariners Pointe on Camden Road, Riverbrooke on U.S. 401 Business, Steeplechase on Aberdeen Road and Westgate Subdivision on Adcox Road.

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# Man faces molestation charges

A staff report

A Bladen County man is accused of molesting two children in Cumberland County last year.

Joshua Clark, 19, of the 100 block of Upton Place in Elizabethtown, is charged with two counts of committing a sex offense and one count each of statutory rape and taking indecent liberties with a child, according to a news release from the



Clark

Cumberland County Sheriff's Office.

The victims, both girls, are 13 and 7, the release said. The incidents happened between March and July 2008, and in November and December while Clark was staying with a friend in the St. Pauls-Hope Mills area, said Debbie Tanna, a spokeswoman for the Sheriff's Office.

Clark's bail was set at \$75,000.

# Church: Raleigh bishop says Ospina 'remains in good standing,' has his support

From Page 1B

Temporary locks had been removed Sunday from the doors of San Andres, or St. Andrew Catholic Church. Four Red Springs Police officers stood watch under a large oak tree Wednesday evening in case things got heated as they had during a Sunday morning protest in the parking lot.

Inside, the church was filled to near capacity with two factions from the Spanish-speaking community: members of the parish and community who are urging the Raleigh Diocese to remove Ospina as their priest; and another group of about 65, largely from Lumberton and St. Pauls, who support the Colombian-born Roman Catholic pastor.

Ospina, who is 33, has been priest of the Red Springs church for nearly 13 months. He celebrates the Spanish Mass at St. Francis De Sales Catholic Church in Lumberton and the missionary station of St. Andrew in St. Pauls.

Ospina entered the sanctuary Wednesday evening with Monsignor David Brockman, former pastor at Saint Patrick Catholic Church in Fayetteville, and Carlos Arce, vicar for Hispanics in the Catholic Diocese of Raleigh.

It was a show of support from the diocese.

The diocese has stated it has no reason to remove Ospina and that he will remain

pastor of St. Andrew where he has been assigned to serve the Hispanic population of Robeson County.

After a subdued, weary-looking Ospina delivered Mass, Brockman read from a prepared statement issued by Bishop Michael F. Burbidge of Raleigh.

He told the congregation of about 250 people that Ospina "remains in good standing and has my support and confidence," according to an English translation of the statement.

But because of the concerns of some parishioners, celebration of any regularly scheduled Masses at St. Andrew will be postponed, Brockman said. A facilitator will be appointed this week, he said, and "will gather together with Father Ospina and the lay leadership to address each of the concerns in a timely matter."

Following the service, three churchgoers who want Ospina removed from the parish said Brockman ignored a letter that they requested he read to the congregation.

"He didn't pay attention to us," said 27-year-old Julio Sanchez of Red Springs.

Part of that letter reads, "... we do not understand how after so many problems of communication, mistreat and injustice which are well known by the 'Dioceses' of Raleigh, the Rev. Ospina continues oppressing a community."

Frank Morock, who is spokesman for

the Raleigh Diocese, said Ospina will remain pastor of the parish during the fact-gathering process.

"I'm speechless in the way I think this is an injustice (that) they're staging here," said parishioner Maria Perez, who is 25 and a 14-year member of St. Andrew.

But Lourdez Salazar was among the flock who disagreed.

Salazar, who is 29 and from Lumberton, called Ospina a spiritual man who loves the Eucharist.

"We worked with him," she said. "He worked with us. They don't have what they want. They want him out. They don't want his service. We do."

Many Hispanic Roman Catholics who worship at the Red Springs church are unhappy with Ospina. He does not, they say, make time for them, he's disrespectful and a poor communicator. And, they say, he's not active in the the Hispanic community like his predecessor, Carlos Arce.

"I cannot receive the body of Christ and the blood of Christ with his dirty hands," said Gabriela Sanchez, who is 22. "I'll have to go to another parish."

Fourteen-year-old Ana Martinez disagreed.

"They're wrong, man," she said. "They don't like him."

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### 'EastEnders'

From Page 1B

beyond, to shower the pair with adulation.

But logic has little place in the hearts of true fans.

"It's a big deal that they've come here," said Victoria Wise, who drove 10 hours from Cleveland to attend the meet and greet. She used to live in England, where she became hooked on the show in 1989.

"The show deals with real, deep, meaningful social issues," Wise said. "It's very realistic — unlike a lot of American soaps. That's what makes it stand out."

Fans got what they came for.

"Hello, everybody!" exclaimed Richie with a smile that brimmed from ear to ear as he and Lawrence greeted the crowd.

"Oh, this is brilliant," said Lawrence, who American audiences may remember from hilarious stunts on "Whose Line Is It Anyway?"

The pair, best known to "EastEnders" fans as Alfie Moon and Manda Best, stopped at The Mash House to meet "EastEnders" fans while journeying across the Southeast as part of a separate BBC-produced show "Around the World in Eighty Days."

The show features six pairs of celebrities crisscrossing the world in a relay race to circumnavigate the globe to raise money for the Children in Need 2009 charity.

Richie and Lawrence are the final celebrity pairing, and the final leg of the relay.

The pair posed for pictures, signed autographs, hugged necks and told stories about life on "EastEnders." Their adoring fans devoured every morsel.

Richie even offered a few spoilers — don't worry — about the show, which is actually six or seven seasons ahead in the UK.

Judging by the awed reactions from fans, Richie and Lawrence might as well have been back "home" on the show, which is centered on residents of Albert Square in the fictional Walford borough of London's East End.

Richie and Lawrence, however, have been far from home since Aug. 14, when they arrived in the U.S. to accept the "baton" — a carpetbag containing a GPS-enabled phone and satellite tracker — from the fifth leg of "Around the World in Eighty Days" celebrities John Barrowman, one of the stars of BBC's "West End," and TV and radio host Myleene Klass.

The baton was exchanged in Memphis, Tenn., where Richie and

Lawrence hopped into an RV to begin their journey in a manner befitting Memphis.

"They exchanged the baton while dressed as Elvises," said Kez Margrie, producer for "Around the World in Eighty Days."

"It was a riot; so many people stopped them wanting to take pictures," Margrie said.

The pair have, until Tuesday, Margrie said, had an easy voyage.

"They were slightly ahead of schedule, but now we're behind and we may have trouble ahead," Margrie said.

The pair have a passage booked out of Wilmington today but have been told they may be delayed because of the gathering strength of Hurricane Bill. They have until the end of Aug. 31 to return to England before the 80 days is up.

And, no, the pair can't simply book a flight. In keeping with the spirit of the Jules Verne novel that inspired the show, the travelers have to avoid airplane travel.

"It's going to be cutting it close," Margrie said. "But if we don't make it, we've certainly had a lot of fun and met a lot of new friends."

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### BRAC

From Page 1B

quarters move will relocate about 2,800 workers, including contractors who work inside the headquarters.

The relocation can serve as a catalyst for defense industry jobs in the surrounding civilian community, said Paul Dordal, executive director of the BRAC Regional Task Force, the liaison organization between the military and local governments.

McNeill is on the board of directors of the Raleigh-based N.C. Military Foundation, which tries to generate jobs and investment in North Carolina from defense and homeland security companies.

McNeill lives in Fayetteville and is do-

ing part-time work as an independent contractor with the government and private companies. It's not easy putting together proposals and getting paid from the government, he said.

"There is opportunity coming" also with the arrival of the three-star U.S. Army Reserve Command, McNeill said.

"Don't dismiss that one," McNeill said. "They come as a package deal."

While McNeill was in Atlanta, his command had an annual budget of more than \$21 billion, which was \$6 billion more than the state of Georgia, he said.

Between 11 percent and 12 percent of the Forces Command budget might be spent in Georgia, he said.

"Are you going to turn up your noses at the possibility of having access, being able to leverage your business into, \$1.2 to \$1.8 billion?" McNeill said. "No, I think

probably not."

McNeill said it was a struggle to set up a business relationship with the government even after the Army chief of staff personally invited him to serve as a senior mentor.

"But in the process of getting through this bureaucratic maze, I'd get so frustrated" that he almost decided not to do the job.

A military lawyer suggested McNeill hire a lawyer to help him arrange employment as a contractor.

McNeill said he told the person who gave him the advice, "I will shoot you right in the face before I hire a lawyer to get this stuff sorted out."

He eventually got everything worked out.

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