

### Art Smart

Diversity shines at University Art Gallery show

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# TRUMAN STATE UNIVERSITY INDEX

The University's student-produced newspaper

### Defensive Stand

Bulldogs defeat No. 18 Northwest Missouri 60-56 last night

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## Players enter pleas

Two student athletes plead not guilty to felony assault charges

Alison Bowen and  
Conor Nicholl

Managing Editor and  
Sports Editor

Two University football players charged with felony assault last month plead not guilty Monday at the Adair County Circuit Court.

Sophomore Joshua D. Kilcrease, 21, and junior Darnell B. Williams, 21, are accused of striking Wooden Nickel employee Theodore Tarrant with Kilcrease's car and assaulting both Tarrant and Wooden Nickel owner Dan Vogt.

The defendants will appear in court next at 10 a.m. March 6 when the attorneys and judge will decide on a date for the trial to begin.

Presiding Judge Russell Steele

said the beginning trial date will depend on his and the attorneys' schedules.

"I have about a six-month backlog on my docket," he said.

Misti Hollenbeck is the associate defense attorney at Campbell Law Firm, which represents the athletes. She said the attorneys will use the next two months to gather evidence. After this, they will have a better idea of how long the trial might be.

Some citizens of the Kirkville community have responded to the alleged assault, including a column in the Kirkville Daily Express on Monday by sports columnist Jason Hunsicker. In the column, Hunsicker called for football head coach Shannon Currier, Athletic Director Jerry Wollmering and President Barbara Dixon to suspend both players.

Hunsicker used examples from other similar incidents, including

those at Southeast Missouri State University and the University of Missouri-Columbia, in which student athletes were suspended after criminal charges were pressed during the athletic season.

The two athletes have not been officially suspended. Aaron Rasset, assistant football coach and defensive coordinator, said this situation is different because the alleged assault did not occur during the athletic season.

"If it was not in the off-season, we would have to do something, and we would do something," he said. "But the examples about Miz-zou and SEMO weren't comparing apples to apples."

Rasset said that the football staff would have taken some type of action if the incident had occurred during the football season.

"If you suspended them now, then what are you suspending them from?" Rasset said. "If there

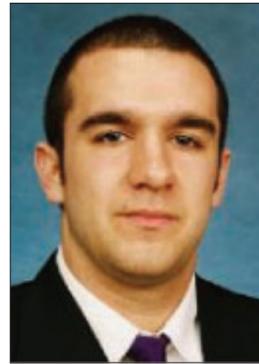
was an upcoming game, then they would not be going on the trip."

Wollmering reiterated Rasset's sentiments.

"Since this has occurred, they haven't practiced in one practice and haven't played in one game," Wollmering said. "We are closely monitoring the situation. Right now, they haven't violated the code of conduct policy."

Wollmering said the University needs more information before the athletic department can reach a decision.

Wollmering also referenced a similar situation that occurred last summer concerning two Pittsburg State University football players. Running back Germaine Race, 20, was charged with one count of battery, and fellow running back Justin R. Bean, 21, was charged with two counts in connection to a disturbance outside a local bar June 28, 2005, according to the Dec. 21,



Joshua Kilcrease



Darnell Williams

2005, issue of The Joplin Globe.

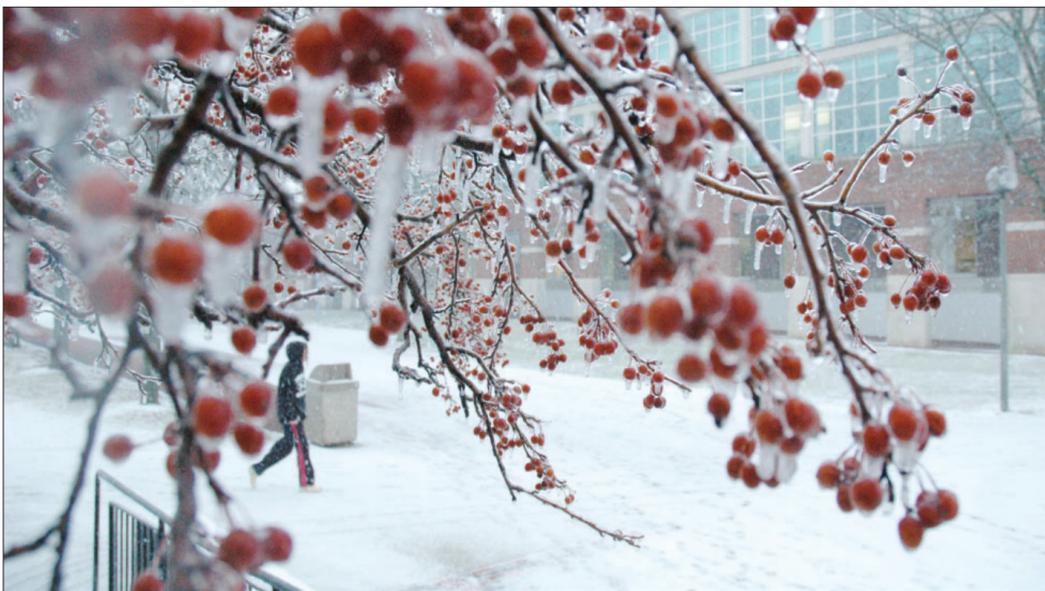
The victims had various injuries, including a split over one eye and head contusions, according to The Globe. All three sought treatment at a nearby hospital, and one victim required two CT scans, according to The Globe.

When their case was under investigation, Race and Bean both were allowed to play for the Gorillas.

They pleaded no contest to the misdemeanor offenses Dec. 20, according to The Globe. A phone call left Wednesday afternoon for Chuck Broyles, Pittsburg State athletic director and football head coach, was unreturned as of press time.

Prosecuting Attorney Mark Williams was unavailable for comment.

-Amy Deis contributed to this report.



Grapes of Wrath  
Photo by Phil Jarrett

A January ice and snow storm Friday welcomed students back with a touch of winter wonder. Despite less than tropical temperatures, many students braved the cold to enjoy the beauty.

## NTSB resolves cause of crash

Sara DeGonia  
News Editor

One year, three months and five days after American Connection flight 5966 crashed, a multitude of questions finally have answers.

The National Transportation Safety Board announced Tuesday that several pilot errors, including improper cockpit conduct and inappropriate instrument monitoring, caused flight 5966 to crash at about 7:45 p.m. Oct. 19, 2004, just four miles southwest of the Kirkville Regional Airport.

The crash killed the two-man crew and 11 of 13 passengers on board, leaving only two survivors: Wendy Bonham and John Krogh, both of Utah.

Krogh said the NTSB's ruling was not a surprising conclusion to the investigation.

"Well, I'm not surprised at it," Krogh said. "I kind of had some impressions like that. ... I'm not surprised at what they concluded."

After watching the video of the NTSB meeting Tuesday with colleague and fellow survivor Bonham, Krogh said he felt sympathetic toward Capt. Kim Sasse and co-pilot Jonathan Palmer's loved ones.

"I feel sorry for the pilots' families," he said. "I'm sure it was a real blow to them to have the finger pointed at them in terms of responsibility, but I guess it's human nature to make mistakes. Unfortunately, their mistakes were multiplied."

Krogh said he harbors no resentment toward the pilots.

"I don't blame them," he said. "I have no animosity toward them at all."

Keith Holloway, public affairs officer for the NTSB, said the casual demeanor and fatigue of the pilots contributed to their degraded performance.

"It was not professional," Holloway said. "The manner, the topic of conversation that was going on: The conversation was in violation of sterile cockpit procedures. After about 10,000 feet, any conversations in the cockpit should not deviate from anything that has to do with flying the aircraft."

The cockpit voice recordings, released by the NTSB on March 18, 2005, revealed an inappropriate attitude displayed by Sasse, 48, and Palmer, 29.

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## Mayor's address sets goals for city

Grace Mattie  
Staff Reporter

Mayor Martha Rowe delivered the State of the City address at 8 a.m. Friday at City Hall for the first time in two years.

"It was a very nice crowd," Rowe said. "I was pleased with it."

Former Mayor Debbie Masten did not give the State of the City address in 2005, citing security reasons.

In her address, Rowe not only reflected on the accomplishments of fiscal year 2005, but she also gave citizens a peek at what the council wishes to accomplish in 2006 with its \$23 million budget.

The goals set for 2005 were economic development, continuing efficiency in government, completing projects and fiscal improvement, and the city accomplished several items in each area, according to the official transcript of the address as submitted by City Clerk Vickie Brumbaugh.

In addition to bringing in chain retailers Home Depot, Walgreens and Ruby Tuesday, the city opened the new four-lane section of Highway 63, brought 100 new jobs to the community and brought 65 jobs through other commitments, according to the transcript.

Projects the council completed include new sidewalks on Baltimore and New streets, a sewer line extension in the Industrial Park and finished roads, according to the transcript.

Last January, the city hired Steve Bell as full-time recreation director and John Buckwalter as director of Public Works, which resulted in cutting three full-time employees, according to the transcript. Kirkville voters renewed the city's transportation sales tax. The Rotary Centennial Amphitheater was completed, and Spur Pond will be restored for recreational fishing. Once again the city received a Distinguished Budget Presentation Award and a Certificate of Achievement for Excellence in Financial Reporting.

The city's fiscal improvements include the \$2.5 million in water revenue bonds that voters affirmed, inventories of all city-owned equipment and meeting the established 20 percent general fund reserve.

Yet there is always more that needs to be done, and Rowe pointed out four goals for 2006, according to the transcript.

The council seeks to continue economic development efforts with partner Kirkville Regional Economic Development, Inc., to promote job creation and business expansion in Kirkville.

The 2006 budget also includes \$8.1 million in capital, and capital improvements will include police cars, street equipment, a heater for the outdoor pool, road relocation and apron work at the airport, water plant improvements and the 2006 street program, according to the transcript.

Ron Gaber, chairman of the Ha-

**Kirksville's  
Goals for 2006**

- **Continued economic development efforts** - Continue to promote job creation and business expansions.
- **Continued efficiency in government** - Analyze costs compared to benefits of new programs. Update accounting software to allow for online payments.
- **Protecting city-owned assets** - Long-range plans for maintenance and upkeep of water, wastewater, parks, airport, public buildings and other capital assets.
- **Building partnerships** - Maintain, strengthen and create partnerships, which will be mutually beneficial to both the groups and the community.

Design by Lindsay Koski/Index

zel Creek Concerned Citizens Committee, said one item was left off Rowe's list. Gaber said Rowe failed to mention what the council plans to do with the petition the HCCCC submitted to it Nov. 21, 2005.

"Why would you not list protecting your water supply as one of your goals?" Gaber said.

Gaber said he does not understand why the petition was not enough.

"There hasn't been an issue in the past year that has had as many citizens speak out or more covered by the media, and they still didn't say anything about it," Gaber said.

"That's disappointing."

Gaber said he sent an e-mail to all council members, as well as to City Manager Mari Macomber, expressing his disappointment. But Gaber said he does not want hard feelings between him and the council.

"It's not a matter of working against them," Gaber said. "It's a matter of working with them."

Rowe said the address did not mention the petition because it has since gone to the watershed commission that will make suggestions to the council later in the year.

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## Attorney general files charge against Scott

Nathan Becker  
Assistant News Editor

The Missouri Attorney General's Office has again filed a charge of driving while intoxicated against former Kirkville City Councilman Richard Scott.

The office filed the charge Jan. 19, more than two months after Mark Williams, Adair County prosecuting attorney, dropped the DWI charge against Scott because of a conflict of interest in the case, said John Fougere, press secretary for the Attorney General's Office.

Fougere said the trial is set to take place at 1:30 p.m. Feb. 22. Although it is tentatively scheduled to take place in Adair County, the trial might be moved to a different court because the office expects Scott to request a change of venue because he did so previously, Fougere said.

If convicted, Scott could face up to six months in jail and a maximum fine of \$500, Fougere said.

When the trial occurs, the Attorney General's Office will act

as prosecutor in the case, Fougere said.

"This happens from time to time, ... when a local prosecuting attorney takes him or herself out of a case due to a conflict of interest," Fougere said. "Then, many times, we'll be asked to step in as a special prosecutor in the case."

Fougere said he didn't know if the Attorney General's Office had any reason to drop the charge.

"I can't get into a situation where I'm trying to speculate what's going to happen," he said. " ... You know, we'll just see where it takes us."

Police pulled Scott over after he was seen driving erratically, the Index reported last February. He was not arrested, however. Williams filed the initial DWI charge in March but dropped it in November, the day the trial was supposed to occur in Shelby County. The trial had been moved from Adair County because of a granted change of venue request.

Scott declined comment. Scott's attorney, Jay Benson, could not be reached at his office for comment.

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#### Makeover Madness

Columnist Prajwal Sharma laments the potential effects of "Home Edition."



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#### Move-in Day

Science division faculty move into Magruder Hall during winter break.



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#### Good and Funky

Couple runs store, helps needy after rising above difficult life situations.



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### THIS WEEK | weather

Friday	Saturday	Sunday
Mostly cloudy	Showers	Showers
High 50 Low 42	High 48 Low 42	High 46 Low 34