

it's time for a block party *inside*



# WINSTON-SALEM JOURNAL

Thursday, September 20, 2007  
www.journalnow.com 50 Cents

Serving Winston-Salem, Forsyth County and all of Northwest North Carolina



◀ Earnhardt's new ride **C1**

online worlds for kids **D1**

## Hayes likely to take stand today

*Psychiatrist says he could be discharged with requirement he get help; N.C. doesn't allow that*



By Dan Galindo  
JOURNAL REPORTER

Michael Hayes is likely to testify today in a hearing that will decide whether he should be released from Dorothea Dix Hospital.

Prosecutor David Sipprell said yesterday that he expects to call Hayes' girlfriend, Michelle Pleasant, to testify and then Hayes, who will be the third and final witness for the state.

After closing arguments, Hayes' fate for the next year will then be up to Steve A. Balog, a judge appointed to hear the case.

State law gives Hayes the right to a hear-

ing each year about whether he still has a mental illness or remains dangerous to others. Hayes went on a shooting rampage in Forsyth County in 1988, killing four people and wounding five. He has waived his right to hearings since his last one, in 2001, which was also decided by Balog.

Yesterday, Sipprell called on one expert, psychiatrist Robert Brown Jr., who said that Hayes remained a "slight" or "low" risk of becoming violent again if he is released.

"I can't put a number on it. I can't put a probability on it," Brown said. "I just believe it to still be there."

Brown said that Hayes has improved in recent years, to the point that he should be discharged — but not without conditions to make sure he gets help.

That's not an option under North Carolina law. Either Hayes is unconditionally released or he remains at Dix another year.

A judge sent Hayes to Dix in 1989, after a Forsyth County jury found him not guilty by reason of insanity.

Hayes regularly asked to be released in the late 1990s, but each time, psychiatrists and psychologists disagreed on whether he was mentally ill or dangerous. The number

of experts favoring his release has gradually grown and those who support his commitment dwindled.

Nine mental-health experts testified this week that he is neither mentally ill nor dangerous. That includes one psychiatrist called by the state in 2001, who at the time said that Hayes had personality disorders.

Hayes' attorney, Karl Knudsen, and psychiatrists testifying this week challenged Brown's conclusions, arguing that he highlighted the rare, minor problems that do

See HAYES, Page A6

### MAKING IT SO: EARTHMOVING STARTS THE PROCESS



To build a ballpark, you first have to move a lot of dirt. That's what's happening on what used to be Watkins Avenue. Construction could start in mid- or late November.

JOURNAL PHOTO BY DAVID ROLF

## Davis resigns after 9 months

*Kernersville's board approves*

By Wesley Young  
JOURNAL REPORTER

KERNERSVILLE

Town Manager Marvin Davis resigned yesterday, leaving a job that he had held for less than nine months.

Davis was caught up in a controversy over pay for firefighters

last week, but Mayor Curtis Swisher said that the firefighter dispute didn't lead to Davis' resignation.

Swisher said that Davis just didn't "click" with some department heads and that employee morale had suffered. Some town elected officials said that the pay controversy brought attention to other town-administration issues, though.

"Some of the town employees' morale is not what it should be, and the board felt that this was an irreversible condition, and for the betterment of Kernersville, we thought this decision was necessary," Swisher said.

Davis' resignation was effective immediately, and the board named Ray Smith as acting town manager. Smith is the town's director of human resources. An interim manager will be chosen later.

The resignation was announced after a three-hour

See MANAGER, Page A6

# Evolving Landscape



JOURNAL GRAPHIC BY RICHARD BOYD II

*There's a whole lot of digging going on in preparation for ballpark*

By Bertrand M. Gutierrez  
JOURNAL REPORTER

A small army of backhoes, bulldozers and dump trucks is making tough work look easy, leveling steep, kudzu-lined slopes to clear the site of Winston-Salem's planned downtown baseball stadium.

Wanda Merschel, the member of the Winston-Salem City Council who represents the area where the stadium is being built, said she saw the machines this week working along the northeast edge of Business 40 and Peters Creek Parkway.

"They still had those little Tonka toys out there (Tuesday)

night when I went by," Merschel said yesterday.

She was so moved by all the dirt that has been moved that she called the project manager, Joe Bellissimo, to find out the status of the planned \$22.6 million ballpark. Demolition of houses and a church in the neighborhood has come and gone, and the heavy machines are grading now.

Bellissimo could not be reached for comment, but Merschel said that the bulldozers will probably continue to push dirt until late October.

Construction could start in mid- or late November.

At that pace, the 5,500-seat

ballpark will probably be ready for the Winston-Salem Warthogs by the time the 2009 season starts — weather permitting.

"It really has altered that whole area," Merschel said.

The demolition on Watkins Street and Granville Drive began last month after the city council rezoned the land for the ballpark and an adjoining mixed-use area of stores, residences and offices.

The ballpark project, which will be financed in part by a \$25.4 million commitment by the city and \$12.5 million from Forsyth County, is the largest incentive deal that the city has taken on.

See BASEBALL, Page A6

## Simpson saga evokes memory of 1995 trial

*He beat murder rap but could get life now*

THE ASSOCIATED PRESS

LAS VEGAS

In a scene of legal déjà vu, a grayer, heavier O.J. Simpson stood handcuffed in court yesterday to face charges that could put him behind bars for life. The prosecutor who could not get him 12 years ago was there to watch, and news cameras tracked his every move as though they were covering a slow-speed chase.



O.J. SIMPSON

cluding kidnapping and armed robbery, legal experts were asking: Could a former football star who beat a double-murder rap really do hard time for a crime that sounds like a bad movie?

Police have laid out a case that makes Simpson the leader in a tense, armed holdup of sports-memorabilia collectors, and they arrested a fifth suspect in the case yesterday. Some of the facts — including a recording of

See SIMPSON, Page A6

## Inside TODAY

**The Nation**

Ample supplies has government urging flu vaccinations. **A4**

**The Weather**

Cloudy; highs in upper 70s to near 80, lows in lower 60s. **B8**

Classified.....	L1	Obituaries.....	B4
Comics.....	D4, D5	Police.....	B2
Editorials.....	A8	SAM.....	B2
Carolyn Hax.....	D3	Sudoku.....	D2
Horoscope.....	D3	Stocks.....	B7
Business.....	B6	Tech Bytes.....	D1
Movies.....	D2	Television.....	D6

6 79299 00001 7  
©2007 Winston-Salem Journal  
111th year, No. 171  
A Media General Newspaper

## Blackwater under scrutiny

*Iraq, U.S. to form committee to investigate deadly shooting*

THE ASSOCIATED PRESS

BAGHDAD

Iraq's prime minister disputed Blackwater USA's version of a weekend shooting that left at least 11 people dead, saying he cannot tolerate "the killing of our citizens in cold blood."

Prime Minister Nouri al-Maliki suggested yesterday that the U.S. Embassy should find another company to protect its diplomats.

Blackwater, which provides security for American diplomats and other civilian officials in Iraq, said that its contractors were responding to gunfire from insurgents.

But more witnesses came

forward saying that they saw Blackwater security guards firing at civilians in the Mansour district of western Baghdad on Sunday. Two witnesses said that they heard an explosion before the gunfire, suggesting that a bomb may have exploded near the American convoy, prompting the guards to start shooting.

**Inside**  
• Too many? Civilian contract workers outnumber U.S. military in Iraq. **A7**.

American and Iraqi officials said they will form a joint committee to try to reconcile

widely differing versions of the incident. Conflicting accounts were circulating among Iraqi officials.

Land travel by U.S. diplomats and other civilian officials outside the fortified Green Zone remained suspended for a second day after Iraqi authorities ordered Blackwater to stop working as a separate Iraqi investigation continues.

Blackwater, based in Moyock, N.C., is the main provider of bodyguards and armed escorts for American government civilian employees in Iraq.

A spokeswoman for the U.S. Embassy, Mirembé Nantongo,

See BLACKWATER, Page A7