

ALABAMA ATTORNEY GENERAL TROY KING



Volume 1, Issue 2

From the Desk of Troy King

As I write this, the Alabama Legislature is in session and it has before it an ambitious and righteous crime package. There are many reasons for our legislators to act and not allow even another day to pass without putting these important new protections in place.

It is our honor to stand up for you. It is our privilege to stand beside you. We cannot undo the crime done to you, but you are never alone.

- Troy King

Try telling my friend, Mary Kate Gache, why our state continues to allow the serial killer who murdered her beautiful daughter, Stephanie, to profit from his infamy, a fame paid for with her daughter's life.

Or try explaining to parents and grandparents across this state why their children do not deserve to be shielded from online predators with the same protections that children elsewhere in America already have. They don't understand why we have not closed a loophole in the law and declared

that, if you go on-line looking for a child to prey on and you solicit an undercover policeman posing as a child instead, you are just as guilty and will be punished just as severely.

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Words No Parent Ever Wants to Hear

"There has been an accident, we're sorry but your son is dead." These are the words no parent ever wants to hear, but they are the words my husband and I heard July 21, 2007.

It was about 1:00 a.m. when we heard the car in the drive. I thought it was our son returning home after his shift at the Montgomery Police Department, a job he loved with a passion! He worked the 2:00 pm until 10:30 p.m. shift, was only 24 years old, and still lived at home; often my husband and I would wake up when he got home, listen to him talk about his shift, and let him unwind after a stressful evening.



Officer Eddie McCrory

This night, however, was different. His dog Pete was barking wildly. I told him to be quiet, that it was just Eddie. However my husband knew differently. "No, it isn't," he stated as he got up to put on some clothes. I, on the other hand, went to the door and asked loudly, "Who is it?" to which the reply came

"Captain's Roberts and Phillips, Montgomery Police Department." With those words our world fell apart! Our "baby boy" was dead.

As the story unfolded, we learned Eddie was on his way home, having left work at about 10:47 p.m. He was pronounced dead at the scene at 11:09 p.m., 22 minutes later. He was less than five miles from home. A drunk driver in a Chevy Cavalier traveling over 60 mph hit Eddie's Dodge truck slamming it into a utility pole and breaking it into three pieces. Eddie died of blunt force trauma.

Eddie was not a small man. He was over 6'-7" and weighed about 320 pounds. His fellow officers called him "Big Mac" and "Gentle Giant." Chief Baylor called him "Tiny." He was his daddy's "best friend," and I called him "Baby." He had a beautiful, contagious smile and a heart as big as his frame.

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Words No Parent Ever Wants To Hear

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He had a listening ear for anyone that wanted to talk and always wanted to help if he could. Eddie also had a great love and concern for children.

Eddie's death was a terrible, needless waste! He was the "Good Guy." He had goals, plans, and dreams; and there is no telling what he would have accomplished! The State Trooper that investigated the accident said, "in all the years I have investigated accidents, this is the first time no one has had anything bad to say about the victim."

Eddie graduated from Lowndes Academy. He was captain of the football and basketball teams, football All-Star, and Alabama Sportswriters All-Star Offensive Line. He was a member of the Beta Club, 2000 Boys State Representative, Chaplain of the Student Government Association, and Chaplain of the Fellowship of Christian Athletes.

Because of his academic grades and athletic ability, he received scholarships to attend the University of West Alabama, where he played college football. As to Eddie's character, his coach, Sam McCorkle, stated, "This is my 36th year as a football coach and I assure you I have never had the privilege of being associated with a finer young man than Eddie McCrory." Eddie graduated in 2005 with a B.S. degree and a "B" average. He moved back home and went to work for the Montgomery Mental Health Authority as a caseworker for abused foster boys. Later, Eddie attended the Montgomery Police Academy where he was vice president of his class and received the Top Gun Award for expert marksmanship.

I cannot tell you much about the other driver. I do not know if he even graduated from high school. I can tell you that he was 31 years old, had three previous DUI convictions, and tested positive for cocaine and marijuana. He was fleeing another accident when he hit Eddie. His blood alcohol level was .153. This is twice the legal limit in Alabama. His air bag saved his life. He had no major injuries.

If proper laws had been in effect, maybe Eddie would be alive today. Giving repeat offenders permission to use a 2-ton weapon is the same as handing them a loaded gun. Murder is murder.

There is never a day that goes by that a tear is not shed for the loss of our son. Our lives are forever changed, and we live one day at a time, one breath at a time. This is positively the worst thing that could have happened to us.

We remind each other that "we are in this world but not of it." One day we will see our child again! Our hope and faith in our Lord Jesus Christ keeps us going.

Robert and I are now dedicated to doing whatever we can to prevent others from having to endure this pain and suffering. We are proud to have been able to work with the Attorney General on the "Officer Eddie McCrory Bill," which will strengthen the Alabama DUI laws. Because this bill carries Eddie's name, we feel we are carrying on his legacy.

As you read this, I want you to realize that it could also happen to you or your family. It is the responsibility of all citizens of Alabama to get laws passed to get drunk drivers off our streets and highways! Robert and I strongly request each of you to join us in this fight. Please contact your State Senator and Representative and tell them that you support House Bill 463 for stronger DUI laws. If you are unsure who they are, you can go to www.alabama.gov to find out. You can also spread the word by asking all with whom you come in contact and everyone you know to do the same.

Please pray for our family and others that have lost loved ones.

May God bless each of you.

Robert and Katrinka McCrory



- Every 30 minutes someone dies in an alcohol-related crash. Alcohol is a factor in 6% of all traffic crashes, and over 40% of all fatal crashes.
- Of the 42,642 deaths from motor vehicle crashes in 2006, 17,602 fatalities (41 percent) were in crashes involving alcohol.
- In 2006, there were 403 crashes and 148 deaths due to alcohol use by a boat's occupants.

Source: www.ncvc.org

COLD CASE CORNER

Do You Have Information that Could Help Solve a Barbour County Murder?

The Office of the Alabama Attorney General's Cold Case Unit has recently received a request from Barbour County Sheriff Larry Upshaw to review the unsolved murder of Cynthia Michelle Dykes. Her death occurred on March 11, 1987, near the town of Louisville, Alabama. Miss Dyke's body was discovered in the early morning hours on Old Robertson's Mill Road. She died as a result of asphyxia. Miss Dykes' vehicle was discovered 8 miles east of Clayton on Alabama Highway 30. It appeared that Miss Dykes had apparently experienced problems with her vehicle.

The Cold Case Unit requests that anyone with information regarding this investigation contact the Attorney General's Investigations Division at (334) 242-7345.



The Age of a Case is No Longer a Bar to the Efforts to Obtain Justice.

If you are aware of an old or cold case that you would like to have considered for acceptance into this Unit, I encourage you to contact your local law enforcement agency and ask them to review the case for its appropriateness for referral to this Unit. Once it is received, with the required referral, it will be presented to the Cold Case Review Committee of the Attorney General's Office. This committee will determine whether the case meets the established criteria for acceptance into the Cold Case Unit. We look forward to bringing important resources to bear in the quest for justice.

From the Desk of Troy King

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Or try to tell Robert and Katrina McCrory why their son now sleeps the endless sleep of a hero in a cemetery, the victim not of a burglar's bullet but of a drunk's irresponsible decision. Tell the thousands of Alabamians who have said goodbye to someone they loved because somebody else made the decision to drink and drive, explain to them why Alabama is one of the only states that does not deploy ignition interlock devices to render the cars of habitual drunk drivers immobile.

I urge you to join me. Together, we can make this session of the Legislature be remembered as the one where the scales of justice were brought a little closer to balance, where we said that, in Alabama, we care as much for the rights of those dragged into the criminal justice system as we do for those who dragged them there. If we are to succeed, we must act. This is not a dress rehearsal. If we fail to enact these important measures, our people will go without their important new protections and penalties for another year. We must not allow that to happen.



Meet Janette Carr
Office of the Attorney General
Victims Service Officer

Why she does it!

Janette Carr's life changed forever on March 1, 1979, when her brother, Coffee County Sheriff Neil Grantham, was murdered in front of the county jail. As a result of the judicial nightmare her family still lives with today, she developed a passion for victims and their families. She has been an active member of Victims of Crime and Leniency (VOCAL) for many years and has served as the president of the Wiregrass Chapter. Until recently, her fight for justice for victims was mostly achieved through lobbying for tougher crime bills.

In August of 2006, she took a giant step on faith when she became a Victims Service Officer for Alabama Attorney General Troy King. Although she did not have professional paid experience as a Victims Service Officer, she had over 27 years of personal pain experience as a victim. Janette knows the ordeal victims endure all in the name of justice for she has walked in their shoes, felt their pain, and cried their tears. No victim will ever stand alone, for Janette will be there by their side, protesting paroles and pardons, attending trials, hearings, sentencing, and executions. Janette will be there for the victims ensuring they are treated with dignity and compassion.

Know Your Rights - A Guide to the Victims' Bill of Rights

Part 2

Right to Be Present and to Be Heard at Certain Court Proceedings

The Victim has the right to be present and offer evidence such as an oral or written victim impact statement, or other information about the criminal offense or sentence during any pre-sentencing, sentencing, or restitution proceeding.

The right of the Victim to be heard at any proceeding that is authorized by law lies in the discretion of the Victim.



Rights of the Victim following Sentencing of the Defendant

Once the defendant has been sentenced, the office of the attorney prosecuting the case must notify the Victim as soon as possible of the sentence that has been imposed. The Victim also has the right to know the status and result of any post-conviction or appellate proceeding in the defendant's case. This information must be provided to the Victim by the Office of the Attorney General or the office of the district attorney, whichever is appropriate, immediately after the status is known.

If the Victim has filed a request to be notified, then the agency that has custody of the defendant must give prompt notice to the Victim in the event of an escape as well as notice of the subsequent return of the prisoner into custody.

The Victim's Right to Have His/Her Property Returned

If property of the Victim was taken during the course of an investigation of a case, the Victim has the right to request that the property be returned to the Victim before trial. The law enforcement agency that has possession of the Victim's property is required to make a good faith effort to return the Victim's property. If it is not possible to return the Victim's property before the trial, the Victim must be informed as to the reasons why.

Victim's Statement Added to Prisoner's Records

After submitting a request to the Department of Corrections, the Victim has the right to submit a written statement or oral recording to the Department of Corrections to be added to the prisoner's records. If the Victim submits such a statement to the Department of Corrections, then the Department is required to consider this statement before the prisoner may be released, or during any review for community status of the prisoner.

Victim's Right to Receive Restitution

In cases where the defendant is required to make restitution payments to the Victim, the clerk of court is authorized to collect those payments. The clerk is then required to disburse the restitution money to the Victim no later than 15 days after the payment has been made by the defendant. To ensure that defendants are not allowed to escape restitution payments, the clerk of court is required to provide the district attorney and probation office with a list of the names of those defendants who are behind on their restitution payments.

Victim's Right to Be Notified of a Prisoner's Release or Death

Once the Victim provides a request to the state agency that has custody of the prisoner to be notified, that agency must notify the Victim of the following information:

- A notice at least 15 days in advance that a prisoner's sentence is ending and will be released
- A notice by the Alabama Board of Pardons and Paroles that the Victim has the right to be present and to be heard at a pardon or parole hearing held for the prisoner
- A notice that the prisoner has died, within 15 days after his death

Victim's Right to Be Notified of Defendant's Release from Mental Health Facility

Some defendants are not incarcerated in prison or jail, but instead are sent to the Alabama Department of Mental Health and Mental Retardation, or a regional or community mental health facility. Whenever the mental health facility that houses the defendant prepares to release a defendant, that facility must send a notice to the court (as well as to others). The Victim is entitled to receive a copy of this report if the Victim makes a request in writing to the facility holding the defendant.

LINKS & RESOURCES

Office of the Attorney General
State of Alabama
11 South Union Street
Montgomery, Alabama 36130

Office: (334) 242-7300
Toll Free: (800) 626-7676
www.ago.state.al.us
Email: troyking@ago.state.al.us

Attorney General's
Victim Assistance
(800) 626-7676
www.ago.state.al.us

Alabama Crime Victims
Compensation Commission
(800) 541-9388
(334) 290-4420
www.acvcc.state.al.us

Victims of Crime and Leniency
(VOCAL)
(800) 239-3219
www.vocalonline.org

Alabama Coalition Against
Domestic Violence
(334) 832-4842
www.acadv.org

Mothers Against Drunk Driving
(800) 635-0722
(334) 277-7722
www.madd.org

Alabama Network of Children's
Advocacy Centers
(334) 834-3468
www.alabamacacs.org

Alabama Coalition Against Rape
(334) 264-0123
www.acar.org



Alabama Mothers Against Drunk Driving MADD Helps Survivors Survive

MADD is the largest victim assistance service program of its kind in the United States, and we have become a leader in our nation's fight against drunk driving and in support of victims. This leadership has developed through actively working to heighten awareness of the crime, setting and attaining public policy goals, assisting victims and their families, and empowering youth to affect change in their community.

If you or a loved one has been affected by a drunk driving crash, MADD is here to help you. We have trained victim advocates statewide that provide bereaved families and injured victims with the following: emotional support; literature on victim issues; resources to help cope with the complex legal, medical, and financial ramifications of a crash; and navigation of the criminal and civil justice systems. There is no fee for our services.

We understand the grief, anger, confusion, and frustration you may be feeling and we want to help. We are just a phone call away. Here is how you can start receiving support today.

CALL OR E-MAIL

To be put in touch with an Alabama MADD Victim Advocate call 1 (800) 635-0722 or (334) 277-7722. If you need to speak with someone immediately, call MADD's 24 Hour Victim/Survivor Help line at 1 (877) MADD-HELP (877-623-3435). Send us an e-mail at victimservicesal@netscape.net.

INFORMATION

We have a wide selection of free publications for crash victims, which are available in English and Spanish. Topics include grief and healing, talking to children and teens about death, coping with serious injury, the criminal and civil court system and many more. We also offer MADDvocate magazine, which provides in-depth articles, news, resources, and other information specifically for drunk driving victims/survivors. If you would like to start receiving the MADDvocate magazine, just send us your name and address and request to be put on the mailing list.

TALK ONLINE

MADD hosts live <http://chat.madd.org/forum/> every Monday night at 7 p.m. CT and every Thursday night at 8:30 p.m. CT. These online gatherings provide opportunities for victims and family members to share their insights, feelings, and experiences in a safe, understanding environment.

MADD-Alabama
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Montgomery, Alabama 36117
Telephone: (334) 277-7722
Victim Support Line: (800) 635-0722
Fax: (334) 277-8228