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THE KENTON DEER-DECOY CASE SHATTERED LIVES

Fake deer in the road leads to lasting wounds, criminal convictions and a town divided

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On Nov. 18, 2005, a group of popular Kenton High School athletes stole a deer decoy and put it in the middle of a hilly, rural road, just to see what would happen. A teenage driver swerved to miss the deer and crashed. Hours later, he and his young passenger were fighting for their lives. Judges sent five Hardin County teens to juvenile detention, but two were allowed to play football before serving their sentences. That move divided the town and rekindled a national debate about the treatment of athletes.

KENTON, Ohio — Bobby Roby threw up his arms and spread his hands wide in frustration. His baggy, brown sweatshirt stretched, offering a peek at the pink railroad track of a scar that slices across his forearm. His mother wanted to know if he'd seen the pictures lately, the ones from the crash.

"I don't know where they are, Mom" he said. "I. Don't. Know."

Mary Roby rushed around her living room, rifling the papers on the table, then on the bookshelves and back to the table, as if he hadn't spoken.

"Where are they? The pictures. I know they're here. Do you have them? You know, from the accident. The pictures."

She didn't wait for another answer. She left the room to check another table. She was searching for the latest Roby family photo album, a grim collection of snapshots showing her only son's shattered arm, his battered face, his mangled leg.

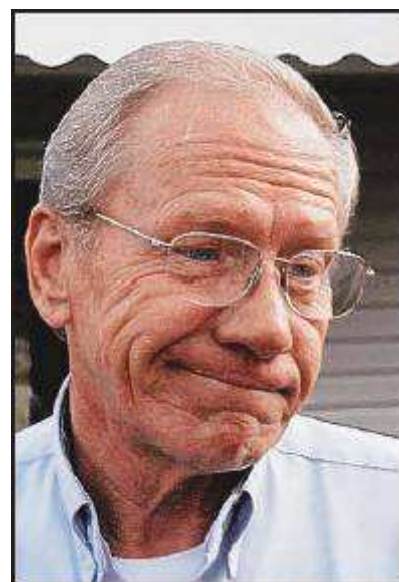
As she rummaged, 19-year-old Bobby dropped down in his recliner, leaned back his head and closed his eyes. He sighed.

He is tired of the pictures, of this story. He's tired, truth be told, of life.

He doesn't remember everything about the accident, just bits



The fence that Bobby Roby's car smashed through hasn't been repaired along County Road 144. The closest hole in the fence came from the Neon; the second was made by crews trying to get to Roby and Dustin Zachariah in the field. Roby has returned to the scene several times. His mother has been only once. "It's just too painful," she says.



Willis Moe says he doesn't hold a grudge against the teenage boys who stole a deer from his backyard in Hepburn. The court ordered all the teens to apologize to Moe.

and pieces. The scenes come to him in flashes, like disjointed clips of a film. He knows he had worked out for hours at the YMCA, played video games and then hung out at a tattoo parlor with friends.

But he doesn't remember why he and Dustin Zachariah were on Hardin County Road 144 that night. He doesn't remember making a conscious decision to head east out of town.

Yet there they were, running about 72 mph in Bobby's month-old Dodge Neon, a car that was supposed to be safe transportation as he started college.

The stereo speakers blared rap, most of it vulgar, from The Game.

The song, Bobby remembers. Now, he almost laughs at its irony.

If I could start my life from scratch

If I could take away the pain of my past

If I had another chance, I would do just that

I'd give anything jus' to go right back

County Road 144 is an old Indian trail, narrow and hilly — a roller-coaster of a road.

Almost 2 miles from Kenton, just about 9 p.m., the sporty black Neon crested a hill.

Bobby had one thought before he jerked the wheel hard to the left: *There's something in the road. Don't hit it.*

Few people around here know County Road 144 by its number. Folks just call it Hepburn Road. The tired hamlet to which it leads is nothing more than a crossroads, home to a couple of dozen houses and a run-down grain elevator.

Willis Moe has lived on one of the corners in Hepburn for 28 years. He's seen and heard about plenty of crashes on these hills.

The road offers a scenic drive, with Amish homes and grazing lots dotting the area and the Scioto River snaking along to the south. The lack of car traffic and the landscape's nooks and crannies make the area a magnet for teenagers looking for a place to sneak a beer or a kiss.

But word travels a lot faster than the Amish buggies here, and within hours of the crash on Nov. 18, a Friday night last year, Moe had heard about the boys who were so badly hurt.

And he had heard the rumors. A group of teenage boys — respected, popular, varsity athletes at Kenton High School — had



The red barn sits right near the crest of the hill where Roby lost control of the car. County Road 144 is a rural area, and the road sees almost as many Amish buggies as it does cars.



A third-shift factory worker, Mary Roby was in bed the night the emergency room called to tell her about her son's crash: "They said to me, 'You need to get here as fast as you can. It's as bad as it can be.'"



Roby graduated from Kenton High School in 2005, where he had lettered in golf and baseball. He had gone to school with all of the boys who put the deer in the road.



stolen a fake deer and put it in the middle of the road for fun. They wanted to see what drivers would do as they approached it.

A preacher for more than 30 years, Moe made no judgments. He simply prayed for everyone involved, some of whom he knew.

A few days later, he answered a knock at the front door to find Deputy Sheriff Bob Wagner standing on his porch. After a few minutes of polite conversation, Wagner got to the point. He asked Moe if he had a decoy target deer.

The answer was yes.

Moe told Wagner that he and his sons kept it next to the wife's garden and used it for target practice with their bows.

"Can you show it to me?" the deputy asked.

Moe took him around back and found only a stack of straw bales and the rope that had anchored the deer.

Moe's stomach churned, and suddenly this crash became personal. He already knew the answer, but he turned and asked Wagner anyway: "Is there something you want to tell me?"

The State Highway Patrol report says the car landed on its driver's-side door in a field 426 feet from where it first went off the road. That's almost a football field and a half.

The first 911 call came from a woman on her way home. She sounded scared and shaken. "I almost hit it," she told the dispatcher. "The next car spun out. I think the car rolled and went out in the field."

"It did roll?" the dispatcher asked.

"It looked like it. In my rearview mirror, I could see the lights flipping."

Bobby says he doesn't remember how fast he was going, but says he knows he had his seat belt on. The Highway Patrol says he and Dustin did not.

Bobby doesn't remember trying to fight for control of the car. He doesn't remember coming back across the road, smashing through a fence. He doesn't remember the spins and rolls.

But he knows what it felt like to rocket through the sunroof with shards of glass shredding his skin. And he can still feel the pain of his 6-foot-4, 300-pound body slamming into the ground.

Sometimes, when he closes his eyes, he still can see the flipping car hurtling toward him.

He says he hit the ground first. Then the car. The State Highway Patrol's crash reconstruction report says the Neon weighed 3,616 pounds. Bobby is pretty sure the full weight of it landed on his

Roby's right leg was broken in four places in the crash. He's had 11 surgeries to repair the damage, still walks with a limp and likely faces even more skin grafts.



Roby was a freshman at the University of Northwestern Ohio in Lima and held a job at the Kanton Kroger store when he crashed his new car that night. Now, he says, "Everything I had is gone."



The decoy deer sits on Hardin County Road 144 on Nov. 18, 2005. Bobby Roby swerved to avoid the deer and crashed, critically injuring him and his passenger, Dustin Zachariah.



right leg. Few other things could have caused such damage, crushing bones and stripping off flesh.

He thinks he tried to get up and couldn't. He thinks he tried to yell for his friend but likely didn't.

Dustin doesn't remember anything about the crash, either. He flew out of the car, too.

He was unconscious and bleeding, with one lung collapsed. His twisted body lay in the darkened field of corn stubble.

Bobby couldn't see Dustin; it was too dark. But he knew his friend was close. He could hear him breathing.

"It sounded like he was breathing with a mouth full of water. I don't ever want to hear that sound again."

None of the boys who took the deer have told much of their stories publicly, though each was convicted of criminal charges in Hardin County Common Pleas Court. Court records and testimony provide the only details.

Prosecutor Brad Bailey singled out Taylor Rogers as the one behind the prank.

"He was bored," Bailey said, "and wanted something to do for the weekend."

So the group of friends, all football players and weightlifters and good students, hatched a plan for Saturday night. They would steal a deer and put it in the road. But Corey Manns was leaving town. His family was heading to the Carolinas for vacation, so it would have to happen on Friday.

Sometime that evening, Joshua Lowe, Jesse Howard, Dailyn Campbell, Manns and Rogers sneaked across Moe's backyard and snatched the 3-foot-tall, Styrofoam deer. They loaded it into the trunk of Lowe's car and took it to his parents' garage in Kenton.

There, they used red spray paint to cover the deer with vulgar phrases and "hit me." A lawyer said in court that the boys expected people to stop and read the deer, and that was supposed to be the joke.

Apparently sick with the flu, Rogers threw up in the alley behind Lowe's house as the deer was being prepared. Rogers went home.

His friends picked up two other teens and set out with no particular destination in mind.

Manns and Campbell put the deer in the middle of the eastbound lane of County Road 144. Then the carload circled the country block and waited for something to happen.

Three vehicles passed the deer before Bobby's Neon popped over that hill.

No one has said whether the boys watched the crash or simply saw the carnage as they circled back. Either way, they didn't go for help.

One of them called Rogers to tell him what happened, though.

And Campbell's attorney, Michael Hood, hinted in court that the boys saw the damage they had caused: "Dailyn was sick when he saw that car go off the road. He didn't sleep that night."

All five boys, two of whom have since turned 18, pleaded no contest to charges of vehicular vandalism, petty theft and possession of criminal tools. Four are in juvenile detention; one has completed his sentence.

The case took a turn in August when Campbell and Howard appeared before Judge Gary McKinley. The seasoned judge, who spent 23 years running the Union County Juvenile Court, was hearing this case on assignment.

McKinley sentenced both boys to 60 days in juvenile detention but delayed the commitment. That allowed Campbell, the Kenton Wildcats quarterback, and Howard, a wide receiver, to play out their football season.

The decision devastated the Zachariah and Roby families, divided the town, and revived national debate over the special treatment of athletes.

"When the judge said those words, I couldn't breathe," Bobby's mom said. "Our sons lost jobs, time in school, almost lost their lives, and these boys are going to play football. It seemed like the cruelest kind of justice."

The football team, which had been the Division IV state champion in 2001 and 2002, finished 6-4. Campbell didn't play the last game of the season because he had been suspended for violating team and school rules.

McKinley ordered him picked up immediately by probation officers. In trouble again even before the case was over, Campbell began his detention sentence three days earlier than expected.

The twisted Neon still sits in the police impounding lot. It has been there more than a year, in case it was needed as evidence for a trial.

It eventually will be crushed for scrap.

Dustin and Bobby are left to rebuild their bodies and their lives.

Neither has a job. They can't work, they say, because of injuries that likely will never heal.

In the crash, Dustin's lung collapsed, his bones cracked, his head tore open, his heart was bruised and his brain was nearly scrambled. After a sixday coma, he came to, but with no short-term memory and little hope.

A year of rehabilitation has helped, but he now functions with the mental capacity of an eighth-grader. He'll be 19 in March. The artistic ability that he hoped to turn into a career is gone. Basic math on job applications is a struggle.

For Bobby, the road is just as long. With a broken neck, a crushed leg and a splintered arm, he spent four months in hospitals and nursing homes. Eventually, he went home to his mother's care. There, he spent additional weeks lying in a bed in the living room, unable to sleep, plagued by nightmares.

He's had 12 surgeries, 11 on his leg and one to insert a steel plate in his arm where bone used to be. He raps on his left forearm with a meaty fist. Kathunk. He waits a second for the unnatural sound to sink in: "Kinda like the Tin Man, I guess."

He faces more skin grafts. His leg throbs all the time, yet he refuses pain pills. That would show weakness, he says.

The family's medical bills are approaching a half-million dollars. If Bobby can cover the \$1,900 tuition, he plans to return to the University of Northwestern Ohio on Jan. 8 and continue his high-performance automotive classes. He hopes to find a job that doesn't require having to stand

long. He always wanted to build fast cars and still does.

His mother isn't so sure.

"That's a lot of up-and-down work, you know, in a garage. That would take a good leg," she said with a weary shrug. "I just don't know."

The lack of a good leg — that's what angers Bobby the most.

He lettered in baseball at Kenton High School. He loved golf and earned a varsity K in that, too. He liked to play sports with his friends: backyard football and pickup basketball.

These days, he lumbers more than walks. He always has, really, because of his size. But now he lumbers with a limp.

"You watch, and every person that walks by me on the street or in a store stares at my leg, wondering what's wrong with me," he said. "Then — then — they look at my face. And that pisses me off."

He will continue to heal, the doctors say, but the limp will remain. His leg is misshapen and weak.

It is a leg that aches in the cold and makes climbing stairs a chore.

It is a leg that most certainly will never let him play football.

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