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Suspect in arson clears one case

Jury acquits Graf for park incident

By Julie Arrington
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A Forsyth County woman accused of torching her house as part of an insurance scam has apparently cleared one of many legal hurdles she faces.

A Forsyth County State Court jury on Wednesday acquitted Pamela Morrow Graf on one count each of driving under the influence of alcohol and drugs, driving under the influence of drugs and reckless driving.

The trial began Tuesday.

Graf was arrested March 24 after a park ranger and Forsyth County Sheriff's deputy reported a "possible impaired driver" at Central Park. The investigating deputy arrested Graf, who refused blood and breath tests and was taken to jail without incident.



Graf

At the time, Graf was out on bond on drug and first-degree arson charges in connection with the Jan. 18, 2009, blaze that destroyed her Lanier Drive home in northeastern Forsyth.

In Wednesday's case, attorney Parker McFarland said the prosecution failed to meet its burden of proof beyond reasonable doubt in his client's driving charges.

Though authorities reportedly smelled alcohol on Graf, McFarland said jurors on the six-member panel told him after the trial they believed she passed field sobriety tests March 24.

"There was a video tape in the case and that I think was a big factor because she wasn't slurring her speech and she was standing upright and she wasn't unsteady on her feet," he said.

"There was nothing unusual either in her exit from the vehicle or her walking, that sort of thing, and I think those were big factors."

McFarland noted that in a DUI case, the issue is not whether alcohol has been ingested, but whether the person is impaired.

He said authorities suspected drug use because Graf's pupils appeared constricted. However, she was stopped about 3:45 p.m. and her eyes could've looked that way because of daylight, he said.

"Of course people's pupils will constrict in the daytime and they'll dilate at night time so you can see better," he said.

McFarland said Graf was stopped when she was on her way to the sheriff's north precinct, which is on the same

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Graf

grounds as the park, to file a report in an unrelated civil case.

She drove up on a walking trail, which led to the reckless-driving charge.

A sign restricting driving to maintenance vehicles on the trail is posted.

However, jurors told McFarland that because the asphalt on the walking trail is the same as the parking lot, they thought she could've missed the sign.

He said maintenance vehicles were parked on the trail that day.

"It's not so much she was driving there, it was that she didn't have an authorized vehicle," he said.

McFarland acknowledged that witnesses for the prosecution testified

that Graf was speeding, but couldn't recall what the speed limit is at the park and couldn't say for sure how fast she was going.

Graf pleaded not guilty in December to the arson charge, as well as one count each of possession of cocaine and possession of marijuana less than an ounce.

McFarland said she remains in custody on those charges, which could come up for trial in April.

"There's more work to be done, but it's good for today," he said.

Graf's boyfriend, Steve Edward Strobel, has also been charged with arson, obstruction of justice and providing a false statement in connection with the fire.

Graf claimed after the blaze that she and Strobel left Jan. 16, 2009, for the presidential inauguration in Washington, D.C., and

were not home at the time her house burned down.

Graf, who has maintained she was targeted because of her support for President Barack Obama, said the spray-painting of a racial slur and phrase on a fence along her property was a hate crime.

She was released from jail March 2 after posting \$88,242 bond and was required to wear an ankle monitor.

A series of incidents and arrests in north and middle Georgia followed.

Graf has been in custody since last spring, when she turned up at a hospital in Commerce, off Interstate 85 in northeast Georgia, for treatment of an apparent drug overdose.

Strobel, who also pleaded not guilty in December, has been free on \$27,610 bond since Feb. 22, 2009.