

Our Perspective

If Gaither won't answer to citizens, he should resign

As Catawba County's newspaper for 131 years, The Observer News Enterprise strives to report news that is important to the citizens of this area.

In doing so, The O-N-E aims to be both a voice for the people in Catawba County and also a provider of information important to the people who call this part of North Carolina home. As a forum for citizen voices, we are proud to further and promote healthy discussion of topics that impact Catawba County citizens' lives. As a purveyor of information, The O-N-E strives to keep people apprised of the news happening in government, schools, law enforcement and area organizations — news that touches lives and affects the community we serve. In fact, as a key institution protected by the U.S. Constitution, it is clear that the role played by the press is one that our founding fathers considered essential.

As such, we take this mission seriously.

We encourage debate among citizens — we want our readers to have their voices heard on topics important to them. Meanwhile, we also expect openness and cooperation from those elected and appointed officials leading governments, schools and other arenas where we are charged to serve as "watchdogs."

Fortunately, on most occasions the people leading Catawba County's tax-funded agencies are great partners in disseminating important information. However, that is not always the case — a fact that is becoming clear in the wake of The O-N-E's Jan. 27 edition reporting on Catawba County District Attorney Jay Gaither's admission that he handed his car keys to a drunk driver. Here, by Gaither's refusal to offer any explanation of the situation, the county's top prosecutor of criminal justice is failing to live up to the duties of his elected position. Simply put, the citizens of Catawba County should have the reasonable expectation of Gaither answering questions put before him. Likewise, as a voice for those same citizens, The O-N-E also expects the county's district attorney to answer questions important to the county's justice system — not for our benefit, but for the citizens he serves. Regardless of the circumstances, Catawba County's citizens and the county's newspaper of record for 131 years deserve answers from those elected to serve them. Those answers aren't coming from Gaither.

Since The O-N-E reported the arrest of a man who was driving Gaither's vehicle when he

was charged with driving while intoxicated, we have attempted to contact the district attorney. And since that time, he has not returned phone calls or e-mails. He has not responded to questions about the arrest of a man Gaither described as "a friend." He has not answered any questions about Feb. 24, 2009, nor any other questions at all.

As a result, the tax-paying citizens who fund Gaither's salary don't know whether he was in his vehicle at the time of his friend's arrest. The people of the 25th Judicial Circuit don't know whether the person elected to prosecute justice, should himself be prosecuted. Under N.C. General Statute 20-179 (f1) Gaither could have been charged with aiding and abetting an impaired person. Likewise, citizens don't know whether this situation in Black Mountain last year was simply an unfortunate incident born out of misunderstanding and political spin, or a blatant flouting of the laws Gaither is charged to enforce. The people of Catawba County simply don't know the entire story, and when they expect elected officials to live up to a higher standard, they deserve to know whether those lofty expectations are being met.

What we do know is that Gaither told The O-N-E, as well as the News-Topic of Lenoir, that he gave his keys to a drunk man who was arrested for driving while intoxicated. At the time of his arrest, police say the man had a blood-alcohol content of 0.18, more than twice North Carolina's legal limit for operating an automobile. That being the case, when he gave his car keys to a drunk friend, Gaither endangered the lives of motorists and violated the citizens' trust that he is dedicated to enforcing the laws of this state.

Upon reporting the news of this incident, The O-N-E, in this space a week ago, opined that Gaither neglected his duty to citizens and to the state's justice system. Shortly thereafter, the News-Topic called for Gaither's resignation, arguing that "by letting a drunken person take to the streets, Mr. Gaither failed not only himself, but also the people he represents."

Now, after it became clear that Gaither, by his own admission, contributed to putting a drunk motorist on the road, the county's district attorney is refusing to answer questions from the very people he was elected to serve. If he is unwilling to not only hold himself to a higher standard, but also be responsive to the people of the 25th Judicial District, we, too, believe he should resign his position.