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Printed on Jul 14, 2021

Lawsuit likely after allegedly drunk man put in squad trunk

By Kevin Diaz
Staff Writer

"I may be a drunk on the street, but I'm no animal to put in the trunk."

So said Charles Lone Eagle, a 43-year-old Vietnam veteran and acknowledged alcoholic who, along with a drinking buddy, was taken to the hospital in the trunk of a Minneapolis police car on April 17.

Lone Eagle, as well as activists and lawyers, including American Indian Movement leader Clyde Bellecourt and Robert Guevara's attorney, Anthony Torres, spoke at a news conference Monday at the Peace Maker Center in south Minneapolis.

"It's clear that we have a case of police lawlessness," said Lone Eagle's attorney, Larry Leventhal. "This is a situation that is astonishing, ugly, one that bears great and close scrutiny." A lawsuit is likely, he said.

Even police officials say that if things happened the way Lone Eagle says, the police officers' conduct may be difficult to excuse. "A trunk is not for the transport of people," said Sgt. Phil Van Tassel, administrative assistant to Police Chief John Laux.

But witnesses to the incident, which came on a night of heavy police patrols anticipating the verdict in the Rodney King case in Los Angeles, said in interviews that the officers did what they felt they had to do under difficult circumstances.

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Printed on Jul 14, 2021

Police/ She found men passed out

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"I told them [the police] I wouldn't do what you guys do for all the money in the world. You deserve a raise," said Laura Ployhar, who found the men passed out on the stoop of her downtown apartment at 10th St. and Park Av. S.

Ployhar's sister, Jenifer Roder, who was also there, said facts about what happened have been misconstrued by both sides. "There's a lot to this, and I don't want to frame these guys [the two police officers] as bad cops," Roder said. "They were very nice. But they were two people who came to do the job they had to do with a callous attitude."

The officers, Mike Lardy and Marv Schumer, have been relieved of duty with pay while the incident is investigated. The police internal affairs division and an FBI civil rights unit are conducting investigations.

There have been varying accounts about how long it took to make the two-block trip to the Hennepin County Medical Center, and whether the officers closed the trunk on the two apparently intoxicated men. A third man, Alvin Freemont, who had also been drinking with them, was laid out in the back seat of the car.

Police have suggested that the ride took less than a minute; Lone Eagle said that they were driven around for 10 or 15 minutes and that the car was occasionally braked hard to jostle the passengers.

Lone Eagle also said the trunk was closed on him and John Boney. A member of the Police Federation, the union that represents police officers, said the trunk was open.

On that dispute, Ployhar and Roder side with Lone Eagle. "The trunk was slammed shut," Roder said. Ployhar said she thought it was closed but wasn't sure whether it was shut tight.

But Ployhar and Roder disputed aspects of Lone Eagle's account. Whereas he said the officers uttered racial epithets about "going back to the reservation," the sisters said they heard no such talk.

Lone Eagle also said he "faked" being unconscious for fear of being beaten. "I don't buy that at all," Ployhar said. "These guys were out cold. I've been a mortician for six years, and these guys looked dead."

Ployhar, a station clerk at the Hennepin County Medical Center, and Roder, a nursing student and chemical dependency counselor, said that nothing about the police officers' actions disturbed them until they put Lone Eagle and Boney in the trunk.

"It was a circus, we couldn't believe it," Roder said. "We offered to call an ambulance, but they didn't want to wait."

The sisters said that they called police between 9:30 and 10 p.m., and that when the car arrived the officers tried to radio for a detox van to take the men to the hospital. When the officers couldn't get a detox van, they were able to revive Freemont partially and put him in the back seat of the squad car. They lifted the other two into the trunk.

Police Federation head Al Berryman said, "I'd like to see what the truth is before I comment. . . . Nobody's going to tell you it isn't a strange way to do it. . . . I would hope it was to get them to the hospital quickly."

Roder said the officers probably thought they were there to protect "two ladies" rather than the drunken men. "I think we were coming at it from different perspectives," Roder said. "I told them I called the police because I thought these guys needed some help. They just said, 'They do it to themselves. . . . These are your tax dollars at work.' "

Lone Eagle acknowledged that he and his buddies had been drinking since 1 p.m. that day, when they had met at the downtown library and "pitched in to buy a jug."

They drank vodka and beer, he said, until they passed out on the stoop where they were found. "I was pretty drunk, but I had been sleeping so I could tell what was happening," he said.

He said he awoke to a baton poke in the ribs, and then was thrown into the trunk on top of Boney. "It was dusty and dark, and there was the smell of gas fumes," he said. "I was helpless; I was scared."

Bellecourt said he was alerted a few days later by an anonymous nurse who was upset at seeing the police pull up with two men in the trunk. Bellecourt said one of the officers reportedly said that "he didn't want to dirty his back seat with the garbage they were bringing in."

Lone Eagle, a native of Eagle Butte, S.D., said he has drunk heavily since he was an infantry soldier in Vietnam. He said he has been taken to detoxification centers 14 or 15 times in the past 1½ years. Along with several other American Indians, he filed a grievance against the now-defunct detox center at 1800 Chicago Av. S. in Minneapolis after his arm was broken there eight months ago, allegedly by a staff member.

He said Boney and Freemont are also frequent inebriates. All three have been taken to detox centers since the April 17 incident. Lone Eagle said Boney and Freemont were unable to attend yesterday's news conference because they are in treatment facilities or detox centers.

Lone Eagle said that the FBI has approached him for a statement, but that he refused to talk with agents until he had an attorney. The Police Department's internal affairs division has interviewed Boney and sent an investigator to Lone Eagle's news conference to ask for a formal statement.

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The findings by the arson investigation team coincided with the release of the first two autopsy reports from the Tarrant County medical examiner's office, showing that a man and a woman whose charred bodies were found atop a concrete bunker each died of a single gunshot wound to the side of the head.

The man has been identified as David Michael Jones, 38, Koresh's brother-in-law and one of his "Mighty Men," the band of Old Testament-style warriors who kept their weapons by their bedsides and taught other cult members to shoot to kill.

Jones, a mail carrier for the U.S. Postal Service, had a pivotal role in the Feb. 28 raid that began the standoff, in which four agents of the Bureau of Alcohol, Tobacco and Firearms were killed. Jones reportedly spotted a news vehicle on the roadside near the compound on the morning of the initial raid and warned Koresh that federal agents were about to descend.

Justice of the Peace David Pareya identified the woman, whose body was found near that of Jones, as Shari E. Doyle, 18. Her father, Clive, escaped the blaze.

Also yesterday, Paul Fatta, 35, one of Koresh's reputed "inner circle," surrendered to Texas Rangers in Houston. He was charged with conspiracy to manufacture and possess unregistered machine guns, said Texas Ranger Brantley Foster. U.S. Magistrate Marsha Crone ordered Fatta held pending a detention hearing Friday.

Fatta and his 14-year-old son left the compound the day of the raid to attend a gun show. They could not return after authorities sealed off the area after the gun battle.

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Before long, he was back on the air, bashing Clinton.

Because Perot thrives on attention, some Clinton advisers believe that the best thing the White House could do would be to ignore him. (The second approach.)

But Frank Luntz, a former poll taker for Perot, said: "Ross Perot has become too popular and too credible for Bill Clinton to ignore. He can buy his way on television. And he's like the Chinese army: Just when you think you're rid of them, more come."

Despite the pleas for restraint, there have been instances in which Clinton angrily lashed out at Perot. (The third approach.)

Some White House advisers said such tactics simply play into Perot's hands. But White House press secretary Dee Dee Myers sees it differently. "I think that when Perot says something that is wrong, you have to point out that it's wrong," she said.

The risk with this approach, however, is that it will encourage Perot to become even more of an enemy.

Perhaps realizing that Perot is not about to disappear, some White House officials have suggested that maybe the best thing for Clinton would be for Perot to run for president again and split the rural and suburban vote with the Republicans, leaving the big cities to the president.

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