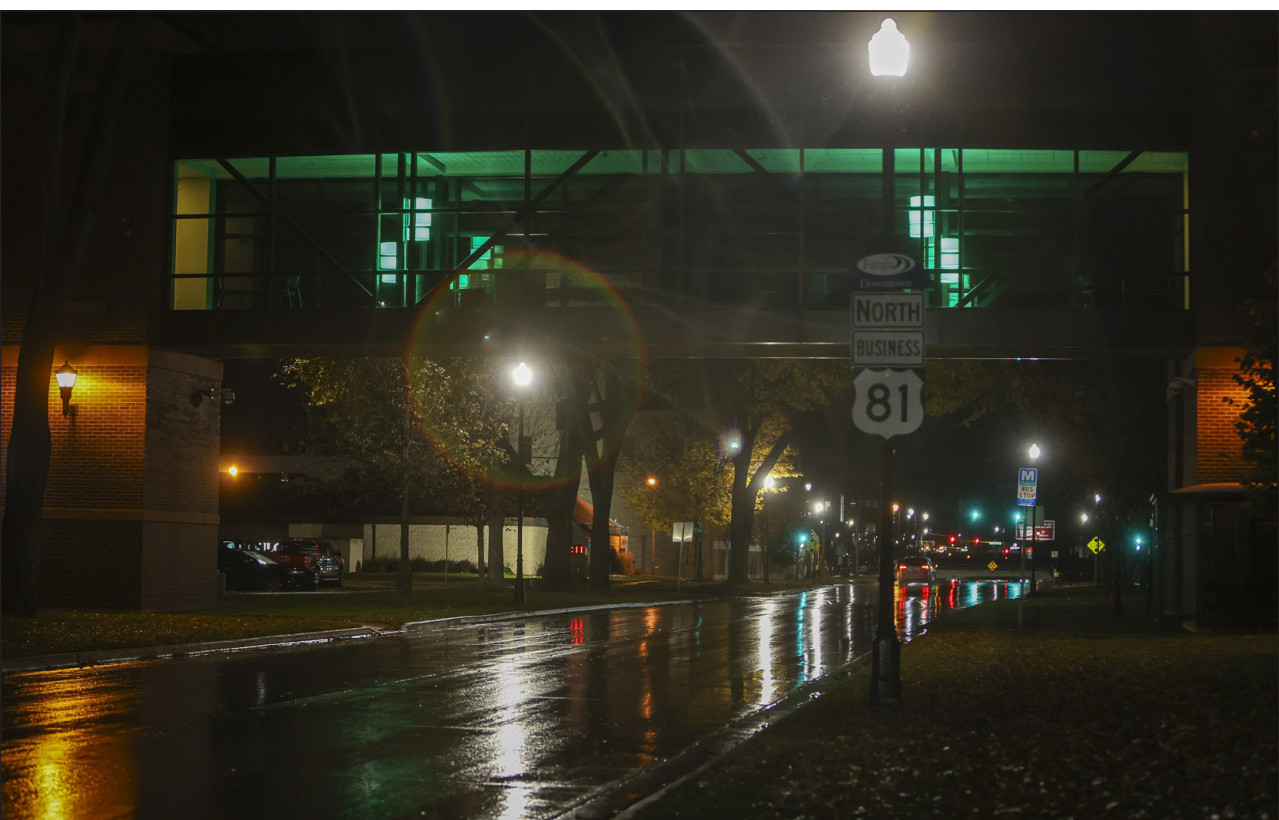


Glowing green



Alyssa Goelzer / The Forum

The skyway connected to the Cass County Courthouse is lit up with green lights for Operation Green Light on Tuesday, Nov. 4, in Fargo. In advance of the upcoming Veterans Day holiday, Cass County buildings will be illuminated green as part of Operation Green Light, a nationwide effort to support military veterans. The initiative, led by the National Association of Counties, raises awareness around the unique challenges faced by many veterans and the resources available at the county, state and federal levels to assist veterans and their families.

Parole denied for ND man convicted of 1986 murder

Board will reconsider case after judge rules on motion for new trial

BY PATRICK SPRINGER
The Forum

BISMARCK — Werner Rümmer has served more than 30 years for a murder he has repeatedly denied committing. Now he must wait longer to learn if he will be granted parole.

The North Dakota Parole Board decided on Tuesday, Nov. 4, to deny Rümmer's parole application and to meet again to consider his case after a judge rules on his motion for a new trial.

"This is a very brutal murder," board member Jennifer Thompson said before voting to deny Rümmer's parole. Although Rümmer is now 65 years old, is disabled from neck and back injuries and walks with a cane, "That wouldn't keep him from pulling a trigger on a gun."

Rümmer was convicted in 1995 of the 1986 murder of Gilbert Fassett, a Devils Lake man whose body, mutilated and riddled with stab wounds, was found on the Spirit Lake Reservation. Rümmer was previously named Werner Kunkel, but legally changed his name after his murder conviction.

An evidentiary hearing to examine Rümmer's case for a new trial is scheduled for January. As a result of Tuesday's Parole Board decision, Rümmer will remain in the James River Correctional Center in Jamestown at least until the board can meet after the hearing.

Parole Board members were not assured that Immigration and



Matt Henson / WDAY News

Werner Rümmer met with his defense attorney Dane DeKrey on Tuesday at a North Dakota parole hearing to discuss his possible release after nearly 30 years in prison. Rümmer was convicted of the 1986 murder of Gilbert Fassett.

Customs Enforcement would take custody of Rümmer if he were released and deport him to Germany. That was a major public safety concern, members said, in light of Kunkel's extensive record of convictions for violent crimes — including reckless endangerment, assault and menacing — before his murder conviction.

In his new trial motion, Rümmer argues that prosecutors failed to disclose evidence pointing to his innocence. That evidence included what his lawyers contend were illegally suppressed statements from three witnesses who said they saw Fassett alive after the date prosecutors told jurors that Fassett was murdered.

The conviction largely hinged on testimony from seven witnesses who said Rümmer had confessed to murdering Fassett. Rümmer has countered that each of the witnesses had an ulterior motive for implicating him.

The Forum has covered controversies involving Rümmer's trial, including the role of "jailhouse snitch" testimony. The Great North Innocence Project and Dane DeKrey, a Moorhead lawyer, are representing Rümmer in

his new trial case.

By law, Parole Board members must view Rümmer as a convicted murderer, and cannot second-guess the jury's decision or the legal validity of the conviction, H. Patrick Weir, the board chairman, told Rümmer.

Besides Rümmer's record of violent crimes, Parole Board members were troubled by Rümmer's demonstrated inability to control his anger. After his murder conviction, Rümmer wrote letters threatening jurors, according to Parole Board member statements.

Rümmer was born in Germany. After divorcing his father, Rümmer's mother married an American serviceman and immigrated with her children to Devils Lake. Rümmer kept his German citizenship and never became a U.S. citizen, although he once had resident alien status.

Under his parole plan, Rümmer would immediately upon release from prison be taken into ICE custody to be deported to Germany. German officials have said they would provide housing, food and other assistance, Rümmer told members.

But Parole Board members said they did not

have a commitment from ICE to detain and deport Rümmer, information Weir said might be available when they reconsider Rümmer's application after the judge's decision.

Nick Chase, the U.S. attorney for North Dakota, urged board members to deny parole. He noted that the U.S. attorney's office helped to prosecute Kunkel in state court. Chase noted the brutality of Fassett's murder, involving 90 to 100 stab wounds and mutilation.

"That's a candidate for parole?" he asked. He added, "Germany is not an alternative to incarceration," and in fact is a tourist destination for some.

Rümmer said he had been abused by his adoptive father and was picked on when he was in school because he was German, causing him to become angry and to abuse alcohol and drugs, which led to a life of crime.

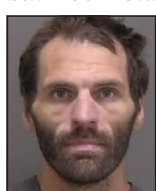
"I'm not the same man I was 40 years ago," he told the Parole Board. "The last 30 years I've gone out of my way to be kind to people."

Readers can reach Patrick Springer at 701-241-5522 or pspringer@forumcomm.com.

Police use pepper balls to arrest man who barricaded himself in bathroom stall at downtown Fargo business

BY WENDY REUER
The Forum

FARGO — Police used non-lethal force on a man late Tuesday, Nov. 4, who barricaded himself in a bathroom stall at a downtown Fargo business where he had allegedly pointed a flare gun at officers.



Platt

Fargo police officers ultimately arrested the man, 35-year-old Samuel Platt, with no permanent address, marking the second time in less than a year that he was arrested for allegedly threatening police officers.

According to a statement from the Fargo Police Department, officers were called to a downtown business in the 100 block of Broadway North to remove a man causing a disturbance around 10 p.m. Tuesday.

Staff called 911 and reported that the man walked into a bathroom with a flare gun. When officers arrived, they found Platt in the bathroom. When Platt pointed a flare gun — which police said was a potentially deadly weapon — at one of the officers, the officers moved to the doorway of the bathroom, and Platt locked himself in one of the stalls.

According to Fargo police, officers attempted to establish a dialogue and rapport with Platt while he was in the stall, but he "was not receptive to officers' efforts, and he refused to put down the flare gun and surrender to officers, despite repeated orders to do so."

To get Platt out of the stall, officers eventually fired pepper balls — less-lethal projectiles containing a chemical irritant — at the stall door, court documents said. Platt then opened the stall door and came out, pointing the flare gun at officers, police said. An officer then fired pepper balls directly at Platt. A second officer fired what police said was a "less-lethal impact projectile" that hit Platt, and officers were able to arrest him.

Officers then found the flare gun was loaded with a flare, and Platt had additional flares with him, court documents said.

According to documents filed in Cass County District Court, officers

reviewed state law and found that a flare gun is classified as a firearm because it expels an explosive. Platt is not allowed to have a firearm due to a Minnesota felony conviction.

He was transported to a local hospital to be medically cleared before he was booked into the Cass County Jail. At the jail, about 0.36 ounces of methamphetamine were found in Platt's property, court documents said.

His arrest on Tuesday was similar to an arrest in April, when police were called to a Fargo hotel for a man who would not leave, according to Cass County District Court documents.

During that April 17 incident, police were called to a hotel in the 3000 block of 39th Street South for a disturbance, court documents said. When officers tried to speak to Platt, he walked away from them and refused to identify himself. Platt was "talking nonsense" and made several "rapid, jerky movements," according to court documents.

It was "apparent that this male was more than likely under the influence of a narcotic," the arresting officer wrote in the criminal complaint.

When Platt refused to leave, officers attempted to place him under arrest, and he pantomimed shooting one of the officers in the head with finger guns. A hotel guest helped the officers place Platt in handcuffs, court documents said.

Once arrested, officers found methamphetamine and a knife on Platt. He then told police, "Lucky I didn't stab you guys with that knife," court documents said.

He pleaded guilty to misdemeanor charges of preventing arrest, drug possession and criminal trespass on April 21 in Cass County District Court.

In May, Platt was arrested in Cass County and subsequently extradited to Minnesota to face a parole violation charge in Beltrami County following a conviction for theft.

After Tuesday's arrest, Platt is expected to be charged in Cass County District Court with terrorizing, preventing arrest, unlawful possession of a firearm, possession of methamphetamine, possession of drug paraphernalia and criminal trespass.

LOCAL BRIEF

Firefighters rescue dog from Moorhead house fire

MOORHEAD — Moorhead firefighters responded to a house fire just before 3 p.m. Tuesday, Nov. 4.

A passerby reported the fire in the 400 block of 12th Street North, according to a release from the Moorhead Fire Department. When firefighters arrived, they found the back of a

single-family house on fire up to the eaves. After knocking down the fire, firefighters went into the residence, where they rescued the dog.

No one was believed to be at home at the time of the fire and no injuries were reported. No damage estimate was immediately available and the cause of the fire is under investigation, the release said.

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