

28 w Thursday/September 10, 1992/Star Tribune

Around the Twin Cities

St. Paul/Police seeking man who raped 2 teenage girls near Phalen Shopping Center

St. Paul police said Wednesday that they are investigating the weekend rape of two teenage girls by a man armed with a knife and a toy gun. The incident occurred shortly before midnight Sunday near the Phalen Shopping Center, police said. The girls, 15 and 17, both from St. Paul, walked across the center's parking lot, then cut between two buildings. A man who resembled a black man ran up to them, held a large kitchen knife to one girl's neck and told the other: "If you run, I'll cut her throat."

Minneapolis/Motorcyclist killed on ramp

A 31-year-old Minneapolis man was killed in a motorcycle accident on the east ramp from Interstate Hwy. 54 to Broadway in Minneapolis about 1:40 a.m. Wednesday. He was pronounced dead at the scene. Officials would not say whether he was wearing a helmet.

Mound/Housing official enters guilty plea

The former executive director of the Mound Housing and Redevelopment Authority (MHRA) pleaded guilty Wednesday in federal court in Minneapolis to embezzling at least \$5,000 from the program. The amount of money, Woychik took in a dispute and U.S. District Judge Harry MacLaughlin will determine the amount at the sentencing. Restitution can be part of the sentence.

Minneapolis/Man arrested after shots fired

Police arrested a man who allegedly fired a gun out an apartment window Wednesday night near the junction of Interstate Hwy. 94 and 35W, south of downtown Minneapolis. The man, 34, was arrested after police fired shots at the apartment building in the 1700 block of Stevens Av. S.

Two police officers reportedly were compiled from staff and Associated Press reports.

Lund permitted to return to hospital

By Mark Brunwick
Staff Writer

Member respect Russell Lund is set to be moved from the Hennepin County jail to the mental health unit of Fairview Riverside Medical Center Wednesday after a judge ruled that the hospital was secure enough to keep the grocery store heir in custody.

Lund, 59, had been jailed while awaiting trial approval to go to the Minneapolis hospital, where he will be kept without a pass and under 24-hour surveillance. He has been set at \$12 million — a \$2 million secured bond — on the condition he remain at the hospital.

"Fairview is a hospital, not a jail," Lund attorney David Roman argued. "Nobody can guarantee that someone won't escape. But there is an extra \$12 million at stake. Mr. Lund could get some help with the hospital. Both the state and the defense would like to see the man get some help. If he does run, he's got \$12 million at stake."

After listening to testimony from hospital officials yesterday, Hennepin County District Judge Andrew

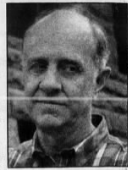
Judge rules it is secure enough to hold suspect

Chauvin ruled that the hospital qualified as a secured facility. District court judge Andrew ruled that Lund's condition improves to the point where he might be discharged, and that the sheriff's office handles all transportation.

Lund has been charged with two counts of first-degree murder in the Aug. 3 shooting deaths of his estranged wife Barbara, 53, and her boyfriend, Kevin Kelly, 46, in Russell Lund's Minnesota home.

In a related development, the Minnesota Court of Appeals stayed an order enjoining Lund's divorce file and agreed to take the order under advisement. Attorneys for the Lund said argued that to open it would violate the family's privacy and possibly jeopardize Russell Lund's criminal case.

"It is in his (Lund's) interest in a fair trial, and not the public's free access to information, that the overriding constitutional right which every trial



Russell Lund Jr., who was transferred from jail back to Fairview Riverside Medical Center.

is obligated to protect," argued Lund's attorneys, Peter and Lakeland Watson in a motion filed yesterday with the Appeals Court.

Hennepin County District Judge Michael Davis ordered the file unsealed last week but agreed to stay the order while attorneys for the Lund appeal.

Davis' ruling came after the Star Tribune sought access to the file. In their brief to the Appeals Court, the newspaper's attorneys said the Lund's arguments did not overcome the First Amendment and rights to public access of such information.

"Since the killings the public has wondered about the motives behind the shooting, documents providing potential insight have remained sealed. Increasingly, the public also has wondered about the perceived special treatment given to Mr. Lund due to his wealth and influence," wrote Tom Schroeder, one of the newspaper's attorneys.

"Each day the public is denied access to public data harms common law and First Amendment rights, and discourages the exercise of these rights in future cases," he said.

Rival says Page is trying to buy court seat

By Robert Wherrett
Staff Writer

The race for a seat on the Minnesota Supreme Court heated up Wednesday when candidate Alan Page was accused by another candidate of trying to buy his way onto the court.

Kevin Johnson, an assistant Hennepin County attorney, said Page is using money and the reputation he earned as a professional football player to win a seat on the court.

"Alan Page is a nice guy, a great football player. But he's not qualified for the Supreme Court," Johnson said at a news conference he called in St. Paul.

Page, who played for the Minnesota Vikings and Chicago Bears, is a lawyer who works for the state attorney general's office. His campaign denied the charge yesterday and issued a statement calling Johnson's comments "hypocritical and ungracious."

Page, Johnson said Edward W. Bearse, a district judge in Anoka, was

Supreme Court candidate Kevin Johnson said opponent Alan Page is taking unfair advantage of his fame as a football player.

Page's campaign called Johnson's criticism "hypocritical and ungracious."

Page recently fought the system to help him get on the court, Johnson said. Page signed autographs at the

Mail of America at its recent grand opening. "I'm questioning Alan Page's judgment. I don't think we want suckers on the Supreme Court," he said.

Johnson also claimed that Page, who lives in Minneapolis, is planning to spend up to \$250,000 on his campaign. "Our highest court is not for sale," Johnson said.

Steve Crivens, manager of Page's campaign, said Page has raised \$15,000 and does not plan to spend \$250,000.

He acknowledged that Page did sign autographs at the mall, but said the latter dispute is immaterial. Johnson's office will file a motion to disqualify Page from the race.

"Mr. Page is very qualified for the Supreme Court," Crivens said. "Accusations that he is not a fake."

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Also yesterday, Johnson proposed changes in the way judges are chosen and elected in Minnesota. The existing system is "a political free-for-all," that is "beneath the dignity of the Minnesota judiciary," he said.

He proposed enlarging the state judicial merit selection commission that now recommends names to the governor for appointments to district judgeships. He also proposed that the commission give recommendations for vacancies on the Court of Appeals and the Supreme Court.

In addition, judges would run without opponents. Voters would decide to "retain" or "not retain" judges who would continue to serve six-year terms, according to Johnson's proposal. If a judge were not retained, the governor would appoint a judge to fill the vacancy.

This kind of system would require an amendment to the state Constitution and would need voter approval.

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