

# Lawyer: Shooting accounts differ

■ A man wounded by a lawman in a drug raid is suing to recover medical expenses and lost wages.

By Andrew Barksdale

Staff writer

The lawyer for an unarmed man who was shot last year during a drug raid says there are significant discrepancies about what happened.

The lawyer, Michael Goldberg of Atlanta, represents Charles Alford, who was shot three times by Capt. LaRue Windham of the Cumberland County Sheriff's Office.

Alford, who is 46, has recovered from his injuries. Windham was cleared of wrongdoing and promoted to captain last summer.

Alford filed a civil suit against Windham and Sheriff Moose Butler and his department this year. He seeks \$180,000 in medical bills, \$30,000 in lost wages and punitive damages in an amount to be determined by a jury.

Lawyers in the case took depositions this week from all six



**Capt. LaRue Windham** was cleared in a 2003 shooting.

deputy sheriffs, including Windham, who were part of a special-response team involved in the drug raid Feb. 27, 2003.

According to the lawsuit, the deputies used a battering ram to open the back door of a mobile home at 312 Ministry Lane. They wore black uniforms and masks and carried semi-automatic weapons and pistols. The suit claims no weapons were found at the residence.

Six other adults and two children, who were 8 and 13, were inside the trailer at the time of the raid. No one else was hurt.

The house is off Lock's Creek Church and Old Vander roads east of Fayetteville.

According to sworn depositions this week, Goldberg said, the first two deputies who entered the house testified that nobody inside was acting aggressively.

The lawsuit identifies those

two officers as Lt. Chuck Parker and Deputy Paul Mead.

Seconds later, Windham entered. He testified in a deposition this week, Goldberg said, that a woman jumped on his back while Alford tried to grab his pistol. Windham then fired his weapon.

The last three deputies testified they saw Alford on the floor with gunshot wounds lying beside a woman after they followed Windham inside seconds later.

The suit does not identify the other three officers or the woman.

Windham's lawyer, Reggie Gillespie of Durham, did not return a phone call late Friday.

## Officers' statements

Ronnie Mitchell, who represents Sheriff Butler, said the officers' statements taken the night of the shooting do not differ from this week's depositions. He said there are some minor inconsistencies in their stories, but that is to be expected from a highly intense incident, such as this, that lasted less than a minute.

The lawsuit was filed in February in the U.S. District Court's Western Division. It

claims Butler failed to adequately supervise and train Windham and failed to discipline him after the shooting. The suit says Alford's civil rights were violated.

County Attorney Grainger Barrett said the sheriff's internal affairs department, the State Bureau of Investigation and Hoke County District Attorney Kristy Newton reviewed the case and determined there was no reason to charge any of the officers in the raid.

Cumberland County District Attorney Ed Grannis asked Newton to review the case because of his long-standing relationships with those involved.

"We think that the testimony of the fellow officers that went into the residence in this high-risk search warrant raid was consistent on all main points," Barrett said.

According to the lawsuit, Alford was shot in the right arm, left chest and right abdomen. He is a long-distance truck driver who sometimes stayed with family in Fayetteville.

He was never charged.

His sister, Janet Alford, who is 48, and her two children, Gary and Lakina Alford, were charged

with trafficking in crack cocaine and have been sentenced to time in federal prison.

They were among the adults inside the trailer at the time of the raid.

Mitchell said testimony from all four Alfords was inconsistent, but he declined to elaborate.

The Sheriff's Office was working with the U.S. Drug Enforcement Administration when the raid occurred.

Goldberg said he is concerned that the internal affairs department did not note the officers' discrepancies in its investigation. He is investigating whether the Sheriff's Office has a pattern of using excessive force.

Barrett said the department sometimes gets complaints of excessive force by people who are arrested. "It's the nature of the business," he said.

Barrett said he was not aware of a single complaint against the sheriff's special-response team that was ever upheld by a court or internal investigators.

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