

KSU wins MAC title with 71-66 victory over Toledo

NCAA BOUND!

Who will KSU play? Selection show today at 6 p.m. ■ KSU women lose in MAC final. **SPORTS, C1**



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Sunday

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Professors from two colleges, the Akron City Council president and a jury were on Charles Plinton's side . . . but it wasn't enough



DEGREES OF JUSTICE

Story by John Higgins
Beacon Journal staff writer

Photos by Ed Suba Jr.
Beacon Journal photographer

TODAY: The story of what happened to Charles Plinton in Akron.

MONDAY: Answers to questions the Plinton story raises.

Darkness already was falling when Charles Plinton called his mother from his car on the Pennsylvania Turnpike. It was a mid-December afternoon, just a few months ago.

She was pulling into her driveway but stayed in her car, and they talked as they did every day, mother to son.

Frances Parker Robinson could tell her son was dejected. It was the usual: bills, money, his broken life.

It had been more than a year since he'd been suspended from the graduate program at the University of Akron.

Professors from two universities and even the Akron City Council president believed he was treated unjustly here, especially after a jury cleared him. But their efforts on his behalf failed, and he returned home to New Jersey humiliated.

Talk to your father, she suggested. "No, no, I'm 25 years old. I should be able to take care of myself. I don't want to keep asking people for a handout and for help. I'm a grown man."

She said he could move back in with her.

"You know, Carl has his master's already," he said. "I should have had my master's degree."

She told him what happened in Akron wasn't his fault.

"Listen Chuck, we believe in God and prayer. Go down on your knees and pray."

"I just got off my knees from praying and talking to God. I asked God to forgive me."

"Forgive you for what?" "Mom, I don't even have money in the bank to pay my car payment or my share of the rent. I bought a gun. I'm going to end it."

A future with promise

His parents had been so proud of him that bright May day in 2003 when he received his undergraduate degree from Lincoln University.

The small campus about 45 miles southwest of Philadelphia is the nation's oldest historically black college.

Please see **A12**

A graduation photo of Charles Plinton stands against the wall in his mother's apartment in Plainfield, N.J. Frances Parker Robinson, seen reflected in the mirrored entertainment center, speaks of her son's ordeal during a February interview.

Ohio.com

With this story on Ohio.com, listen to audio of Plinton's mother, a Lincoln University professor and others on what happened.

Uncle jailed in baby killing

Stark man charged in rape, murder of 7½-month-old; suspect on suicide watch

By **Kymberli Hagelberg**
Beacon Journal staff writer

A Stark County man was jailed Saturday on charges that he raped and murdered his 7½-month-old niece.

Henry Anthony Sunderman, 32, of Tuscarawas Avenue West in Canton, was on suicide watch at the Stark County Jail. He was being held in lieu of \$2.5 million bond in the death of Zoey Sunderman.

According to Waynesburg police, Henry Sunderman called 911 about 9 a.m. Friday. Paramedics found the child unresponsive. She first was taken to Aultman Hospital, then to the intensive care unit of Akron Children's Hospital, where she died at 2:02 p.m.

Waynesburg Police Sgt. Rachel Volkar said Sunderman was arrested Friday after a short interview at his Canton home.



Henry Sunderman

Please see **Baby, A10**

12-year-old in Uganda scrapes by

Ex-soldier one of many abducted by army, now struggling to live

By **Shashank Bengali**
Knight Ridder Newspapers

GULU, UGANDA: Dennis Ojok's childhood ended three years ago, when he was 9. He was kidnapped from his grandmother's garden and forced to become a soldier in a rebel army that had a bizarre and brutal taste for children.

He survived two harrowing years in the bush before he escaped, only to discover that his grandmother — the only family he knew — had died. The child soldier became a child of the streets, waking before dawn and spending his days searching for menial jobs.

If Dennis manages to earn the equivalent of 15 cents in a day, he'll eat. If he doesn't, he goes hungry.

Not yet a teenager, this little boy, whose soulful eyes and big white smile mask a steely determination, is trying to make a life entirely on his own.

Please see **Uganda, A14**

Public, KSU to see brackets

The public is invited to Kent State at 5 this afternoon as the men's basketball team watches the NCAA Tournament selection show on TV at 6 at the student union (Rathskellar, in the lower level).

The Golden Flashes earned their first berth to the NCAA Tournament since 2002 with Saturday night's 71-66 win over Toledo in the championship game of the Mid-American Conference Tournament.

Today's weather

Showers and a thunderstorm **67° High**
54° Low

NewsChannel 5 forecast, Page B10

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- Rock hall to induct class including Sex Pistols, Black Sabbath. **E1**

Find out what other Americans — including famous ones — earn and what the hottest jobs are. It's all in the annual salary roundup in today's Parade.



"I think where the disconnect lies is the ability to connect the entrepreneurs with the resources available in the community."

JILL HENNESSEY, senior vice president and area manager, National City Bank



We have to work with our citizens and entities in the region. In other words, home-grow what we've got. **ROB BRIGGS**, executive director, GAR Foundation

Leaders suggest how to aid businesses

Our universities teach it. Our chambers of commerce offer it. Yet Akron-area entrepreneurs and small-business owners have a growing need for education and guidance, some local leaders say.

On March 3, a group of business, political and community leaders pledged to address the issue in a discussion the Beacon Journal convened.

Their suggestions: ■ The area needs a Web site and perhaps a physical center dedicated to focusing entrepreneurial thinking and support for small businesses.

■ The site and/or physical center should tap into local expertise at area universities and nonprofit groups.

■ The site, with a reach throughout Northeast Ohio, should be coordinated with the Greater Akron and Canton Regional chambers of commerce.

■ The GAR Foundation will take steps to organize a brainstorming session this summer to consider how to create this "virtual center for entrepreneurial excellence."

For excerpts of this discussion, see **Business, Page D1.**

DEGREES OF JUSTICE



ED SUBA JR./Akron Beacon Journal photos

Marco Sommerville met Charles Plinton at 2003 graduation ceremonies at Lincoln University near Philadelphia, where his daughter Margo (right) was a classmate of Plinton's. When the Akron City Council president learned that Plinton was headed to Akron on a full scholarship for graduate study, he told him to call if he ever needed anything. Months later, Sommerville asked his personal attorney to assist Plinton when he was arrested on drug charges in 2004.

Continued from Page A1

It is alma mater to Justice Thurgood Marshall and Harlem Renaissance poet Langston Hughes.

At Lincoln, they called Plinton "Good-and-Plenty," like the candy, a play on his last name.

"Here comes Good-and-Plenty," his guidance counselor would say. "What's up, Good-and-Plenty?"

He worked for her as a peer adviser and when she told him what he needed to do to get into graduate school, he knuckled down and did the work. That's when she knew he was serious about his future.

His parents hadn't been together since he was a small child and they had different ideas about his postgraduate future. His dad, who shared his name, wanted him to go into business right away. His mother wanted him to get his master's degree first.

They both worried about him going to Ohio, so far from home. They thought he was naive and too trusting of people.

Plinton wouldn't be a complete stranger in Akron, however.

He met Marco Sommerville, the Akron City Council president, at Lincoln's graduation ceremony. Sommerville's daughter was one of Plinton's classmates.

Plinton was headed to the University of Akron in the fall on a full-ride scholarship for a master's in public administra-

tion. He wanted to be a cop, maybe a federal agent.

Sommerville told Plinton that Akron was a good town - and to call if he ever needed anything.

Cut off from job, barred from campus

Plinton was almost finished with his second semester at UA when he was arrested.

He was on his way to class in the downtown Polsky building when two campus police officers stopped in the hallway and handcuffed him while his department head and fellow students watched.

Plinton thought maybe he had unpaid speeding tickets. His father had always warned him about speeding: Why give the police a reason to stop a young black man?

He was indicted on felony drug trafficking charges of selling marijuana twice to a confidential informant and spent almost three days in the Summit County Jail before he was released on bond.

The university moved quickly to sever ties. They suspended Plinton from all classes, even though all he had left to do was take finals.

They canceled the stipend from his research job.

They kicked him out of the dorm.

They threatened to arrest him for trespassing if he set foot on campus without permission.

And if anyone didn't see the arrest or hear about it, they could read it on the front page of the student newspaper.

All this before he'd even appeared before a magistrate to plead not guilty.

Plinton: You've got the wrong guy

While in jail, he got a visit from the lead detective, who told him he saw the drug buy. But if he were willing to work for the police as a confidential informant himself, he might get some

consideration from the prosecutor.

The detective, who worked for the UA police and on the Summit County Drug Unit, a multi-agency task force, had done hundreds of cases like this and it was common to leverage street-level drug dealers to get to bigger fish.

Plinton said he'd wear a wire to help catch the real drug dealer, but this was a case of mistaken identity. They had the wrong guy.

Truly innocent people don't offer to help the police, the detective said.

Plinton withdrew his offer.

After his release, he called his old criminology professor at Lincoln University, Terrance Johnson, who had helped get him into the Akron graduate program.

Johnson called Sommerville. Sommerville's take was: This kid threw away his full-ride scholarship on drugs. Everybody busted for drugs says the cops got the wrong guy.

"I don't know if he did it or not, but he's my student," Johnson said.

The professor was right, Sommerville agreed. Let's get him a lawyer and see how it unfolds.

He called his personal attorney, Robert Meeker, and asked him to look into it.

Informant points finger at Plinton

The multi-agency task force gave their confidential informant the ironic nickname of "Hulk" because he was a scrawny 35-year-old felon. Hulk's curriculum vitae included theft, burglary, unauthorized use of a motor vehicle, DUI, domestic violence and possession of drug paraphernalia.

The university gave Hulk a fake schedule of classes and a dorm room next door to Plinton's in Wallaby Hall.

The task force paid Hulk \$50 every time he found a student willing to sell him drugs.

Hulk said Plinton sold him pot in the parking lot outside the dorm twice - on March 3 and on March 11 - with task force officers observing from a distance. They didn't arrest him either time because they thought Hulk could lead them to a bigger bust with powdered or crack cocaine.

But Hulk couldn't land the big deal and now the task force was stuck with just these two pot buys for less than \$100 total. March was almost over and the task force didn't know the name of

their "target" student yet.

That's when Hulk decided to do some crime-solving on his own and get that name. While the lead detective was on vacation, Hulk went to the dorm's building manager and asked to see a security video of the hallway where he and Plinton lived. It showed Plinton leaving his room shortly before the March 11 deal in the parking lot.

The building manager told him the guy he was looking at was Charles Plinton. Hulk testified later that he kept the tape in his dorm room for four or five days and then he turned it over to the police, who looked at it and agreed that this was the guy who was selling drugs to Hulk in the parking lot. It was an important piece of evidence.

The police had no videotape of the actual drug deals, which Hulk arranged on the phone himself without police surveillance. The audio recording from Hulk's microphone during the deals was of poor quality. Neither the drug dealer's cell phone nor the cars he drove away in afterward were connected to Plinton.

It turns out the video Hulk obtained actually helped the defense, which didn't dispute that it was Plinton on the tape. It simply showed a student leaving his room, one whose description didn't match that of the drug seller.

Plinton, at 5-feet-11-inches tall and weighing 160 pounds, had light brown skin, full eyebrows and high cheekbones.

The lead detective wrote in his report that the "target" stood taller than 6 feet and weighed about 200 pounds.

He described the drug-seller's clothes as a blue winter jacket with fur trim and blue jeans.

The dorm video Hulk got from security that day showed Plinton in a black jacket with no fur trim and dark pants.

The detective explained later that when he wrote blue, he meant "dark blue, midnight blue."

Please see A13



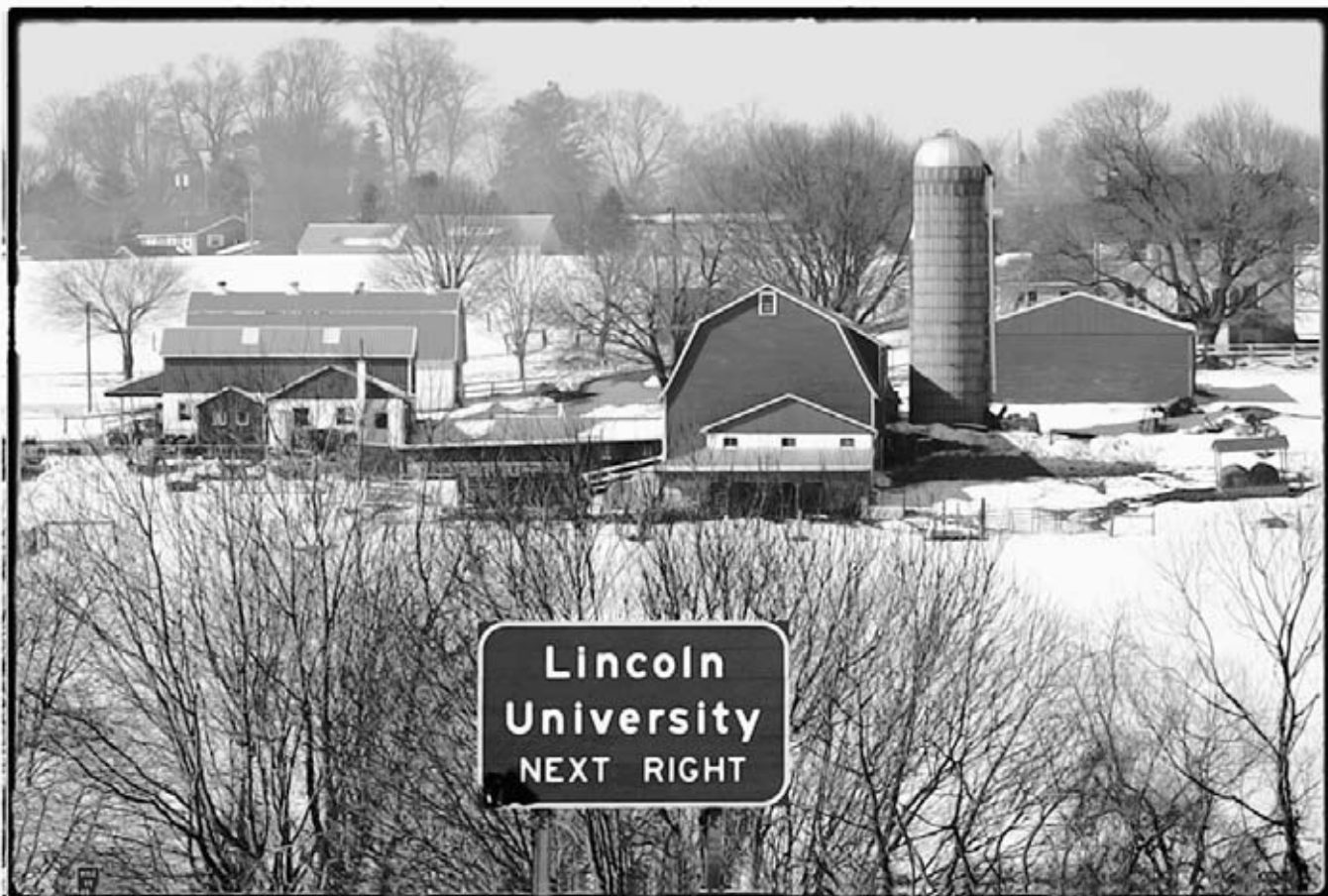
"This thing went wrong after he was vindicated at court. It went wrong at the university level."

Professor Terrance Johnson of Lincoln University



"You literally destroyed this man's life and all you want to say is, well, you know, we have to protect others? But who's protecting him? He was a student, too."

Cryshanna Jackson, a doctoral student who worked with Charles Plinton when they were both graduate students at the University of Akron



A sign in eastern Pennsylvania directs drivers to the university from which Charles Plinton earned his undergraduate degree, and where he was a classmate of Marco Sommerville's daughter, Margo, both of Akron. Criminology professor Terrance Johnson, at Lincoln University, helped Plinton get into a graduate program at the University of Akron.

DEGREES OF JUSTICE



Continued from Page A12

And Plinton looked taller because he was standing next to Hulk. And he looked heavier because of the puffy winter jacket.

Besides, he said, it was Plinton's distinctive facial features that he memorized from 30 feet away, not his clothes or measurements.

Supervisor, time sheet are alibi

It was harder to explain away Plinton's alibi for March 3, the date of the first drug deal in the parking lot.

He had been working in the Polsky building across campus. A time sheet, signed by his supervisor long before the arrest, confirmed it.

Plinton's department head, Professor Raymond Cox, never doubted Plinton because the crime seemed totally out of character. He also knew the supervisor who signed Plinton's time sheet was obsessive about accuracy because she paid the students with grants involving public money.

Cryshanna Jackson, a doctoral candidate who worked with Plinton, remembered Plinton was at work that day because of excitement in the office about another student presenting her dissertation prospectus.

The grad assistants all worked in a cramped little office with two computers and no windows. The drug charges made no sense to Jackson anyway because Plinton was always talking about wanting to be a cop.

One time, they were at a restaurant and she joked that they should all just suddenly get up and leave without paying - a classic "dine-and-dash."

Plinton just shook his head: no, no, no. He was always talking like that, about morals and right and wrong.

Besides, Jackson had known some real drug dealers in her time. If Plinton were a drug dealer, how come he never had any money? How come he was always broke like the other grad students? It just didn't fit.

His older brother David asked him straight up, brother to brother, if he'd done it. Usually, he'd pretend he was as street smart as David, but he quietly acknowledged what they both knew.

"Now Dave," he said. "You know how nerdy I am."

No guilty plea, no deal

Plinton's lawyer, Meeker, hoped maybe the assistant prosecutor would just let this one go; it had too many holes in it. Sommerville hoped so, too.

But later, Meeker told him the case was moving forward.

"You've got to be kidding me," Sommerville said.

The assistant prosecutor did offer a deal, however: Plead guilty to one of the two felonies and get probation, no jail time.

Plinton said he didn't do it and he wasn't pleading to it.

About a week before trial, Meeker filed notice of Plinton's work alibi.

The next day, July 28, something extraordinary happened.

The lead detective called the arresting officer and asked him to write a new, additional arrest report detailing an alleged confession that Plinton made as he was led away in handcuffs on April 26.

The UA officer wrote from his memory of the arrest three months earlier that Plinton exhibited a "posture of shame" and blurted out that he'd only done it once because a friend said it was a way to make money.

The officer, Jeff Newman, testified the three months went by because he was too busy with classes and other commitments.

Plinton's lawyer made sure the jury understood how improbable this scenario was when he cross-examined the arresting officer:

"Three months and two days later after it happened, you finally get around to documenting what I assume the prosecutor thinks is a very important piece of evidence when we're right about to go to trial in this case, and then you hand that report to the sergeant, who then gives it to the prosecutor, and then gives it to me," Meeker said. "That's how it all happened, right?"

"Correct," the officer said.

Plinton testified he told the arresting officer no such thing.

"I never made that admission," he said.

Jury wastes no time, acquits him

The mostly white jury deliberated only 40 minutes before they returned with not-guilty verdicts on both counts.

"There wasn't much debate," said Jeannie Woodall, one of the jurors. "By what was presented, it was mistaken identity to me." She didn't believe Hulk and didn't think her fellow jurors thought much of him either.

"In my opinion, he would have said anything to help the police make their case, just for personal advantage," she said.

For Plinton, it had been an ordeal, but the system worked. He had his day in court and a jury of peers found him not guilty.

Plinton called friends and family from his cell phone with the news, elated because he could soon get back on track toward graduation.

But he still had to appear before the university hearing board - where the rules are different.

University court a different world

Everyone in Charles Plinton's corner thought the disciplinary hearing would be just a formality. He'd show them his



ED SUBA JR./Akron Beacon Journal photos

How this story was reported

To tell the Charles Plinton story, we interviewed his family, colleagues and officials from the University of Akron, his mentors at Lincoln University, and participants in his criminal case and the university hearing.

We also reviewed the criminal court transcript and police reports, and a summary of the university hearing. The university could not provide the audiotape of the hearing, explaining the tape was lost when files were moved to a new office.

not-guilty verdicts and they'd reinstate him, fix the spring semester that he'd lost because of the arrest and get back to work on his master's degree.

What happened next shocked them all.

Plinton had to represent himself; his defense lawyer was permitted only as a silent adviser.

And hearsay evidence was allowed. The panel of appointed faculty members and students, by a vote of 3-2, found Plinton "responsible" for "dealing drugs to a confidential informant."

That's the word they used - "responsible" instead of "guilty" - because colleges that accuse students of committing actual crimes risk getting sued for defamation.

The two who voted against finding him responsible questioned the identification of Plinton as the one who sold the drugs.

Under the section of the report titled "Reasoning," however, the majority wrote:

"We believe the ID of the police officer. We believe the ID of (the) confidential informant."

Just like that, the University of Akron decided that Plinton had done it after all, no matter what the jury said.

Plinton's lawyer said the hearing was unfair, but it can't be reviewed because the university says that it has lost the tape recording, despite its stated policy to keep disciplinary records for six years.

Plinton was suspended for a semester and banned from the dorms for life; after his suspension, he'd have to re-apply for the tuition waiver and stipend he had been awarded when he first arrived in Akron.

Appeal would add to legal fees

Cryshanna Jackson, his alibi witness, had no idea that could happen to a student.

"You literally destroyed this man's life and all you want to say is, well, you know, we have to protect others? But who's protecting him? He was a student, too," she said.

Professor Johnson couldn't believe it. "This thing went wrong after he was vindicated at court," Johnson said. "It went wrong at the university level."

Sommerville, the city council president, couldn't believe it either. Plinton sounded devastated when he

talked to him on the phone.

"Well listen, you've just got to hang in there and you've got to be strong," Sommerville said. Give it a few months and let things cool down. Then they would find a way to get him back into the university.

Plinton had seven days to appeal the decision and wade through yet another layer of bureaucracy.

But it was over. Plinton was broke. He couldn't afford to pay the attorney fees he'd already racked up and he didn't want to be any more of a burden. It was time to go home.

There was a poem they always quoted at Lincoln University when their students got discouraged, *Mother to Son* by Langston Hughes:

*Well, son, I'll tell you:
Life for me ain't been no crystal stair.*

Professor Johnson told Plinton that he had to get past this.

"You can do two things. You can sit there and fight Akron and everybody else, or you can let someone else deal with that, but you move on," he said. "I don't want you to be 44 or 45 and still talking about what they did to you."

Home and working, but restless

Over the next year, Plinton did try to move on. He lived with his mom and brother for a while in her New Jersey apartment, then with his dad in Norristown, a northwest suburb of Philadelphia. Then he got an apartment around the corner from his dad in the same complex.

Plinton worked for an office supply store and later as an insurance claims adjuster. He had to explain to prospective employers about the arrest, which showed up on background checks.

In October 2005, Plinton visited Lincoln University during homecoming and saw his former guidance counselor.

She was glad to see old "Good-and-Plenty" and asked him how things were going in Akron, if he was back on track with his classes.

She hadn't heard about the hearing, and he didn't tell her.

On Dec. 12, Plinton called his mother, Frances, on his cell phone around 5 p.m.

She was just getting home and he was less than two hours away, driving her direction on the turnpike, driving east into the gathering night.

He was calm when he told her about the gun. He said he didn't want her to learn about it some other way. He didn't want her to be blindsided.

"Listen, I'll come to you," she pleaded. "Please Chuck, just pull over wherever you are, I'll come to you."

"No, no, don't do it," he said.

"Please, please, Chuck, don't do it," she cried. "It's not your life to take."

She was in her driveway in New Jersey, too far away to help.

"Please, let me look at you one more time," she begged.

He promised he would come to her first. They both said "I love you" and hung up together. Then his mother dialed his brother, David, on the cell phone. David tried to call his kid brother, but Plinton didn't pick up.

His mother didn't want to call the police because she was afraid they would just hear "black man with a gun" and get trigger-happy. She called Plinton's father, but he didn't think his son would actually go through with it and they should just wait for him to come home.

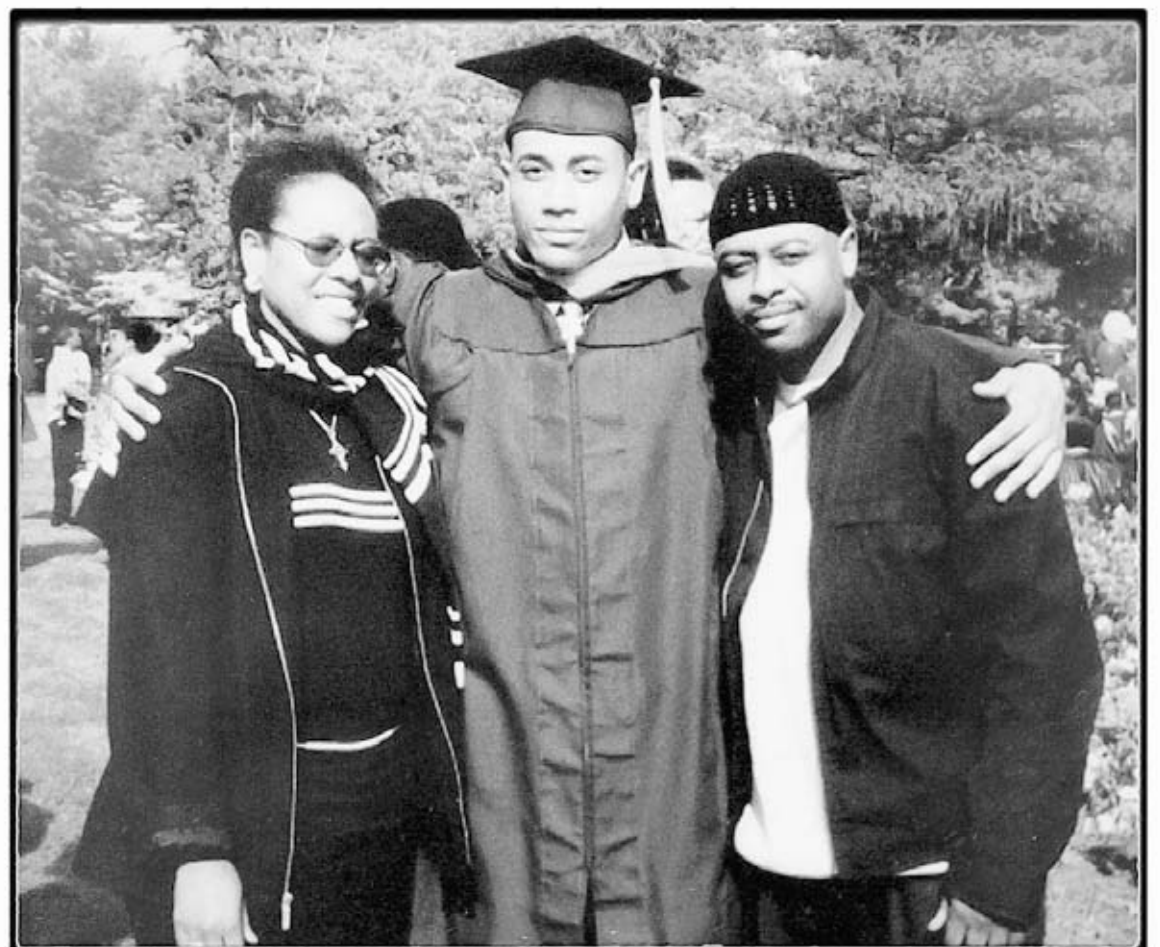
At 3:30 a.m., Plinton's father called.

The state police had found Plinton in his car by the side of the turnpike, about 8 miles from the New Jersey line, with a single gunshot to the head.

"Fran, he did it," he said, weeping.

"Please, please, Chuck, don't do it. It's not your life to take."

Frances Parker Robinson said those were among her last words to her son, Charles Plinton, 25, as she recounts his life story in a February interview at Robinson's Plainfield, N.J., home. His older brother, David Sanders, listens in.



Charles Plinton (center) celebrates graduation from Lincoln University in Pennsylvania with sister Deborah Hurley and brother David Sanders in 2003.