

# Bus Gestapo

## DART cops put a guy in jail 11 days for jaywalking

By Jim Schutze

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Let's do it this way. I will tell you this story a few times from different people's points of view, and you can make up your own mind. This is about a guy who wound up spending 11 days in jail on what started out as a jaywalking charge in downtown Dallas. I need to give you the



DART police pepper-sprayed Todd Lyon and cuffed both him and his 14-year-old son, Jared. The father spent 11 days in jail. The offense? Jaywalking.

Subject(s):

[DART](#), [Todd Lyon](#)

official version from the DART police--the cops who work for the local transit agency. According to their report, on the afternoon of October 27, DART police officer B. Harris saw Todd Lyon, a 48-year-old man with long hair, ignore a red light and cross Pacific Avenue on foot downtown. Officer Harris "instructed the subject to return back for his safety, as a southbound train was in motion in the 900 block of Pacific."

Sorry. I have to interject something here. Lyon had just disembarked a DART train, which was actually westbound, at the corner of Pacific and Lamar in the West End. He and his 14-year-old son had crossed on Lamar going south toward the Greyhound bus station. They were in a hurry. After spending a day with his boy, Lyon needed to get the kid on a bus back to his mother's home in Tyler.

Even according to DART's own statement, the instruction to re-cross Pacific Avenue while a train was approaching would have sent Lyon and his son back across the train tracks and into harm's way, not away from it.

"The subject disregarded the instruction and continues the violation," the report states. "Harris advised the subject he was being detained for this listed violation, and the subject stated, 'Fuck this bullshit, motherfucker, I ain't did shit.' Harris retrieved his OC [pepper] spray as the subject then stated, 'Come on, son,' as the subject attempted to walk off."

Now I'm going to give you Todd Lyon's version. Lyon is a big guy with long hair who makes his living as a disc jockey in clubs. He's not a North Dallas banker. His only criminal record is a charge of driving without a license four years ago at a time when he was headed into an emotional decline.

Like half the people I know, he's on anti-depressants now. But if anything--based on what I have seen in one long personal encounter and a number of telephone conversations--the effect of his treatment has been to render him extremely mellow, calm, cool and collected.

"We had just got off the DART train in the West End," he told me. "We were in the legal crosswalk, and we were walking toward the Greyhound station. After we got across, there was two officers there, and we walked right past them."

"I heard one say, 'Y'all need to be on the other side of the street.' That was kind of puzzling to me. It didn't sound like a command. It was a very calm voice. I said in a calm voice, 'Well, we're supposed to be over here. We're going toward the Greyhound station.'"

"I heard him say, 'You longhairs are not going to fuck with me.' He attempted to grab my hand behind my back. Natural reaction, I turned around and grabbed my hand. He was pulling my hair. The other officer slammed me up against the rail.

"I did not hit them. I did not run. I didn't say anything cuss-word. Any witness coming forward will not say I did."

Interesting thing: I did speak to a couple of witnesses, and they do support Lyon's version of the story. Stephen Betzen, 29, a former teacher and environmental crimes investigator who now runs several online businesses, got off the DART train a little behind Lyon and his son and came upon them after DART police had begun the arrest.

Betzen was so stunned by what he saw that he went home and wrote down his observations on 3-by-5 cards. Reading from those cards, he gave me this version:

"I came up just after the beginning of the incident. He [Lyon] has one hand behind his back, and his right hand is holding the railing nearby. He is saying, 'I have done nothing wrong. Let me go.'

"The man was a Caucasian man with long hair in approximately his forties. More police officers show up in both bikes and cars. One of the police officers grabbed the man's hair and pulled back hard. Two other police officers came and tackled the guy, sending him to his knees.

"Another police officer came from his right side and threw a closed-fisted punch. At least that's how it appeared.

"The man's son, I'm guessing approximately 14 to 16 years old, walks toward police and says, 'Stop doing that. He didn't do anything.' Police officer Number Six kicked the boy in his knee, and the boy backed out of reach, still in shock over what was happening.

"When his father was cuffed, police officer Number Six came after the boy, pushing him on the shoulder and yelling, 'Don't ever do that!' Each time the boy moved back, the officer pushed his fingers into his shoulder again, getting in the boy's face as if trying to start a fight.

"Officer Number Five came over and said, 'Let's put him in cuffs,' or something to that effect." The boy was cuffed and later released.

Jacolby Green, 22, in Dallas from Shreveport looking for a job, came upon the arrest at about the same time. He said he and everybody else in the crowd were shocked by the violence of the DART police:

"When I seen it, everybody out there knew that it was wrong. They was just handling this man bad, like he was a straight murderer or hit man or some shit. It was terrible out there that day."

Here's part of the problem with DART, as opposed to a city or a county or a normal political entity run by people who have to stand for re-election. DART is a stonewall fortress. They do not care. Their lawyer wouldn't talk to me. I called every DART board member from Dallas, and they either didn't return my calls or refused to talk to me. Mark Enoch, chairman of the DART board, was polite enough to leave me a phone message saying he wouldn't talk to me.

Just getting their phone numbers was an entire afternoon's chore.

Morgan Lyons, the spokesman for DART, was very helpful and provided me with the agency's official response. My point is that when a person has an issue with a city of Dallas police incident, sooner or later that person can get to an elected official at least long enough to state a case. But DART is a regional agency with an appointed board, and the people on that board are completely insulated from public pressure or concerns. That's what's wrong with allowing all these funky arm's-length agencies to have their own mini-gestapos.

Morgan Lyons told me first that Todd Lyon was arrested because DART cops found he had two outstanding warrants (both from the driving incident four years ago, which Todd Lyon says have been satisfied and should no longer have been on the DART computer).

But I pointed out to Morgan Lyons that the warrants were not discovered until long after Todd Lyon had been taken into custody. So the question was still: Why did DART police arrest Todd Lyon in the first place?

"He was arrested for resisting arrest," Lyons told me several times.

We debated that. Frankly, this was a debate between two non-legal scholars. Or legal non-scholars. I suspect Morgan Lyons is a scholar but not legal. I consider myself legal but not a scholar. At any rate, it was a mess. I sure wish DART's lawyer had come to the phone.

I said I was sure the police have to have some reason for arresting you other than that they just feel like it and then you resist. Finally Lyons compromised with me and said Lyon was arrested for jaywalking.

For me, speaking as a father, the licking Todd Lyon took from the DART cops was not the worst of this. The worst was that the cops left Lyon's 14-year-old son Jared, who lives in Tyler, alone on the street in downtown Dallas.

Jared is sort of a skatey kid, slight of build with long hair exactly like his father's. He seems pretty cool to me, but I can imagine how terrible any father would feel to see his 14-year-old son manhandled by the cops and then sent off alone into the crowds downtown.

Lyon says, "I yelled to him, 'Go to Lance's,' which is my older son who lives in North Dallas."

And that was the last he saw of him.

The boy did find his way to his brother's home. By the way, there is no mention of a child in the official DART report. I guess the arresting officers weren't too proud of that part.

Lyon couldn't afford to bond out of jail. After 11 days, a public defender told him the only way she could get him out was for him to enter a no-contest--in other words, guilty--plea on the charges against him. He did it.

I get calls like this all the time about the DART cops. I'm going to share some more incidents with you in the weeks ahead. If you know of one, call me at 214-757-8460.

Here's this guy with his son, and his big offense is that he crosses against a red light. And this winds up with half a dozen transit cops spraying him with pepper spray, beating on him in front of his kid and then hauling him away in cuffs. And then they send the child off alone into the city. It's like a damn scene from *Sophie's Choice*.

Do we really need this to keep people from jaywalking?