

PRISONERS DEFIED POLICE IN CRASH

Detroit Free Press (MI) - Tuesday, February 6, 1990

Author: JOE SWICKARD, DAN GILLMOR and , STANCE C. PRATER Free Press Staff Writers

Fearing explosion and fire more than police bullets, shackled prisoners defied police warnings and leapt from the Detroit police Sabreliner jet after it crash-landed Saturday at City Airport, one of the prisoner's lawyers said Monday.

Richard Lustig, lawyer for Najah (Nick) Konja, said his client told him that officers ordered Najah and fellow prisoner Issam (Sam the Bull) Hermiz to stay inside the plane after the crash.

The officers, who bailed out of the plane after it skidded to a halt, threatened to shoot Hermiz and Najah if they left the plane, Lustig said, recounting his client's version of events.

But afraid that jet fuel might ignite and explode, both prisoners -- wearing leg shackles and handcuffs -- "jumped out anyway and hopped on down the runway," Lustig said. "Obviously, the police did not shoot them."

Lustig spoke after the witnesses declined to answer any questions during a pretrial hearing in Recorder's Court, invoking their Fifth Amendment rights.

The pair, the only known witnesses to the February 1989 slaying of reputed drug lord **Harry Kalasho** , were brought in to testify against accused killer Raed Jihad.

But their lawyers were concerned that testimony from the proceeding might be used against them in their pending cocaine conspiracy trial in federal court in Tampa.

Judge Richard Hathaway ruled that Hermiz and Konja will not be called at the Detroit trial, but said their testimony from hearings last year -- in which they identified Jihad as the man who cut down **Kalasho** in a spray of automatic pistol fire from a car -- can be read to the jury.

Regarding the jet crash, Lustig and N.C. DeDay LaRene, Hermiz' lawyer, said their clients were never seen by medical personnel afterward despite complaints of bruises to their heads and bodies.

From what Konja told him, Lustig said, the jet started its descent "early, and then it dipped."

"The pilot yelled 'Hold on,' " Lustig said. "He couldn't level it out."

Meanwhile, Detroit City Councilman Mel Ravitz on Monday asked police officials for a full accounting of the accident by Wednesday or Friday.

Ravitz wanted to know the extent of the damage, the value of plane's insurance, estimates for repairs and how the department will transport suspects and witnesses while the jet is inoperable.

The Federal Aviation Administration said the jet's pilot, Gene (Moon) Mullins, holds the highest pilots license available: Air Transport Pilot.

Memo: SHORTER IN METRO FINAL 1B

Edition: METRO EDITION

Section: NWS

Page: 4B

Index Terms: PRISONER ; DETROIT ; AIRPLANE ; ACCIDENT ; CITY AIRPORT

Record Number: 9001050716

Copyright (c) 1990 Detroit Free Press