

# DailyBreeze.com

August 20, 2006

## Victims Use Odd Charges to See Justice in Military Recruiter Cases

*One woman is using an 1868 Sioux Indian treaty to sue the government over an alleged assault.*

By Martha Mendoza, The Associated Press

Dissatisfied with the military's handling of sexual assault cases involving recruiters, some local prosecutors and victims are challenging the misconduct on their own, charging everything from a violation of an Indian treaty to racketeering.

Most such cases are handled administratively by the military – for example, 13 of the 19 Air Force recruiters whose misconduct was confirmed since 2004 received letters of reprimand in their personnel files and fines that ranged from \$200 to \$1,200.

In seeking greater penalties, victims and local authorities have taken unusual tacks.

In South Dakota, a young Oglala Sioux woman, Laveeta Elk, is suing the federal government under an 1868 treaty, which says that if “bad men” among government officials commit “any wrong” upon the person or property of any Sioux, the United States will reimburse the injured person for the loss sustained.

Elk chose to have her name released when she filed her lawsuit. She says she was assaulted by Army recruiter Sgt. Joseph Kopf in his government car, while driving her to a military evaluation center. Kopf has been demoted and reassigned within the Army, officials said. Kopf could not be reached for comment.

Her attorney Adam Horowitz said this is the first time this law has been tested. In April, a federal judge denied the government's request to dismiss the lawsuit.

In another case, prosecutor Barbara Trathen of Hamilton County, Ind., has charged National Guard recruiter Sgt. Eric Vetesy – accused of assaulting seven young women – with racketeering along with 31 charges of rape and sexual battery. His trial is scheduled for later this summer.

Vetesy, a married father of three, met most of his alleged victims, ages 16 to 20, while recruiting at Indianapolis-area high schools, according to the indictment. Victims told the grand jury he

threw them against a wall of the armory, raped them on a countertop and forced them to fondle him.

Trathen said she charged him with racketeering under the section that bans corrupt business influence and official misconduct. “It’s rape, yes, and it’s sexual assault. But it’s more than that. He had a pattern of misusing his position of power,” she said.

Copyright © 2006 Copley Press, Inc.