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SLIGHTED SAMARITAN: Good deed goes bad

Man returns lost wallet only to be handcuffed by casino guard

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Michael Payne went out of his way after finding a lost wallet near his home Sunday, driving all the way across town on his day off to return it to its owner.

But being a good Samaritan got him a lot more than he'd bargained for.

Instead of being thanked, Payne ended up handcuffed in a downtown casino's holding room and falsely accused of theft, he says.

Then, less than an hour after he was taken into custody at the Western Hotel, the security guard who detained him removed the handcuffs and told him he was free to leave the Fremont Street resort. Police never were summoned.

"Then he tells me I'm trespassing on his property, and that I'm banned from ever coming back," said Payne, a 39-year-old Las Vegas who makes his living delivering bottles and cans of 7-Up to valley drugstores.

"Like I'd want to go back to a place where you get handcuffed for trying to do something nice for a stranger."

Western head security officer Pat Carter offered little explanation Tuesday as to why he detained Payne but repeatedly stressed that the hotel was working to determine whether the wallet was stolen and to get it back to its owner.

"There's no story here," Carter repeatedly said when asked questions about why Payne was held in custody.

On Wednesday, the Review-Journal reached the wallet's owner, 57-year-old Thomas Dykens of Williamsport, Pa., who said that he lost the wallet Sunday and that it was returned to him by the resort

early Tuesday evening.

"I didn't think I'd ever see this wallet again," said Dykens, a retired pressman for the Washington Post newspaper who has been vacationing in Las Vegas for a month.

Dykens said he was uncertain why personnel at the hotel would suspect that his wallet had been stolen.

"I'm sure sorry this guy had to go through all that," Dykens said.

"I'd like to say thank you very much. Thank you for being honest and forthright. And I certainly wouldn't mind taking him out to lunch sometime to show my appreciation. Not many people would've done that."

Western General Manager Ray Tagliaferri said there was a good reason that Payne was detained, though he could not elaborate.

"I don't know what it was because I didn't witness it," Tagliaferri said before referring further inquiries to Carter.

"They (security guards) usually handcuff people to protect themselves and the customers. That's how they do it all over town."

Payne said he believes his charitable act was turned into something sinister by a power-wielding security guard.

Payne said he was pulling out of a grocery store parking lot at Tropicana and Eastern avenues Sunday morning when he spotted a car with a wallet on its roof. When the car pulled away, the wallet tumbled to the ground, Payne said. He jumped out of his car, held up traffic for a moment and grabbed the wallet.

Inside it, he found Dykens' driver's license, debit and credit cards, ATM receipts, and a comp ticket for a free meal at the Western. The wallet held no cash.

"My friends told me, 'Why don't you just drop it in the mail?' " Payne said.

"But the date on the meal ticket was May 22nd, so I thought this guy might still be in town. The quickest way for me to get it back to him is to just go down there. I'd sure appreciate it if somebody did that for me."

Dykens, who had stayed at the Western recently, confirmed that he accidentally had left his wallet on the roof of his car after visiting an ATM at the intersection where Payne found it.

Payne drove to the hotel at 899 E. Fremont St. A woman at the front desk referred him to Carter.

"He (Carter) took the wallet and said, 'You need to come into my office,' and I agreed to," Payne said.

"Then he demands that I give him some ID, and before I know it, he's handcuffing me to this bar on the wall."

Payne said he was secured to a bar running above a wooden bench.

Payne said Carter took his ID and began questioning him about where he found the wallet.

"He was more interested in who I was than finding out whose wallet this is," Payne said.

"He said, 'At this point, you are a suspect, and if this wallet has been reported stolen, I'm having you arrested.' "

Payne said the guard asked for his Social Security number and informed him he was going to run a background check to find out whether he was wanted by police.

"I don't have any warrants, and there's no reason for me to go to jail, so I tell him to do whatever he wants," Payne said.

"Then I asked him why he thinks I would steal the wallet and then bring it back. Something just didn't click with this guy."

Payne said he was released about 30 minutes later and told not to return to the resort. Asked how long he detained Payne, Carter replied, "I don't keep track of time."

Tirso Dominguez, a spokesman for the Metropolitan Police Department, said that if Payne would have brought the wallet to a police station, he would have been questioned about how he obtained it. But it's unlikely he would have been taken into custody.

"A criminal's just not going to go out and steal a wallet and then take it back and turn it in," said Dominguez, who as a patrol officer responded to dozens of cases in which citizens recovered lost wallets.

"There'd be no reason to suspect that."

But there are some cases in which police might detain someone with a lost wallet.

"It all depends. If we run the ID (in the wallet) and the guy is missing or dead or something, that's one thing," Dominguez said.

"But usually, a cadet or a police officer is just going to take a property report with all the information of how and where it was found, and contact information on how to get in touch with the person who found it."

He said security guards have the right to detain people for a number of reasons.

"But they cannot call up the department and run a background check on them," he said.

"Only police can do that."

Payne said he remains angry and puzzled about the episode but plans no legal action.

"I guess it's a rarity for people to do something nice for one another in this town," he said.

"You try it and look what happens: You end up chained to a wall. Makes me want to pull my heartstrings back in."

This story is located at:

http://www.reviewjournal.com/lvrj_home/2002/Jun-27-Thu-2002/news/19054034.html