

HARD WAY OUT

Marty Dwyer didn't tell, and the Guard didn't ask — until the day they listened to the wrong guy

BY DUSTY RHODES

It started with a knock at Marty Dwyer's apartment door. He opened it and found a middle-aged man standing in the public hallway and unabashedly offering him oral sex.

Dwyer quickly pulled the man into his kitchen — not to accept his offer but to discover, without the neighbors hearing, what had brought this strange person to his door. The man, who called himself Kent Fairchild, explained that he had a penchant for cops and military types, and he'd heard about Dwyer — a member of the Air National Guard's security force — from someone named Shawn.

After a brief conversation, Dwyer asked Fairchild to leave. Dwyer admonished him not to talk about him to anyone else and to pass the same message to Shawn.

A few nights later, Fairchild knocked at Dwyer's door again, this time after 10 p.m. Roused from sleep, Dwyer was blunt: He told Fairchild to go away and never come back.

To Dwyer, these encounters seemed bizarre but brief, like a visit from the Fuller Brush salesman from hell or,

Marty Dwyer: "I played by the rules. The Air National Guard would not."

he says, "some Jehovah's Witness gone rogue." He never gave Fairchild another thought until he was summoned by the security-forces manager to meet an investigator in the chaplain's office.

There, Dwyer was handed a printout of his own listing from a Web site called gay.com and immediately placed on administrative leave. Eight months later, on Feb. 28, he was both discharged and fired from his full-time job with the Air National Guard for "homosexual conduct."

What about that famous "Don't ask, don't tell" policy? With more than a decade of service and evaluations rating his job performance as "excellent," Dwyer had vigilantly kept his private life separate from his work as he rose to a position overseeing the security forces' training program. He gave no one any grounds to question his sexual orientation.

But Fairchild prodded the ANG into focusing on Dwyer. Days after being rebuffed by Dwyer, Fairchild — whose real name is Timothy Robert Hugo — filed a complaint with the ANG's inspector general, claiming that Dwyer had threatened him with bodily harm. That "criminal threat" was never substantiated, but the Guard seized upon it as an opportunity to delve into Dwyer's private life. And Hugo's assertion that he had heard that Dwyer had a listing on gay.com turned out to be the death knell for Dwyer's military career.

Hugo has a well-documented track record of filing bogus complaints.

In the months leading up to his appearance before the administrative discharge board, Dwyer's appointed attorney, Lt. Col. Douglas B. Olivero, filed a series of strongly worded motions arguing that the investigation violated Air Force guidelines.

One point of contention was whether the ANG had "credible" information from a "reliable person," which is required before such an inquiry is launched. Lt. Col. Clayton Moushon, representing the ANG, responded that the government found Hugo reliable.

"Indeed, as a self-proclaimed homosexual, Mr. Hugo had no reason to randomly label SSgt Dwyer as a 'closet homosexual' if the allegation was without merit and unless Mr. Hugo was genuinely concerned for his own safety. As the investigation progressed, there was no evidence that ever questioned the credibility of Mr. Hugo," Moushon wrote. "On the contrary, given the widespread knowledge of the military's 'don't ask, don't tell' policy, there is no reason for a homosexual civilian to actively seek out protection from the military under these



Dwyer's photo he had posted on gay.com

circumstances, unless the allegations were in fact true."

But what Moushon must not have known — and what Olivero and even Dwyer didn't know — is that Hugo has a well-documented track record of filing bogus complaints. A simple check with local law-enforcement agencies produces a stack of forms in which he reports everything from domestic battery and verbal death threats to his suspicion that a roommate had damaged his clothes with bleach and broken his new hairdryer.

A search of Hugo's name at local courthouses yields all sorts of handwritten pleadings spelling out fantastic accusations against friends, family members, and alleged former lovers — most of whom, Hugo has claimed, want him dead. In several of these cases, Hugo describes himself as disabled by mental illness. The files are thin because the complaints were quickly dismissed.

In other cases, Hugo is named as the defendant. His father, stepmother, and several siblings have active orders of protection against him in Macon County. In Springfield, he was arrested for criminal trespass at an apartment house where the owner had asked him to leave on several occasions. In 2004, he was arrested on Christmas Day for violating a protective order filed by a nursing home on behalf of his mother, who is a resident there.

The papers show a pattern of chaos wrought by a man quick to accuse others of wrongdoing and a cadence of cops and attorneys who have listened to Hugo, checked out his tales, and quickly caught on to his shtick. As one Sangamon County sheriff's deputy summed it up in a report, "Tim is 10-96 [cop jargon for 'mental subject'] and is always calling police."

Unfortunately for Marty Dwyer, the one government agency that never recognized Hugo's modus operandi was the Illinois Air National Guard.

Marty Dwyer is a big guy with a barbed wit, a hearty smoker's laugh, and the physique of a teddy bear. His co-workers at the 183d Fighter Wing made a few water-cooler jokes about Dwyer's sexual orientation, but, says one, it wasn't a hot topic.

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Hard way out

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"They'd talk about you if you got too-big feet. It's just conversation," he says. "I'd work with Marty any day of the week. I consider him a friend."

"I never knew," says another co-worker. "I kinda suspected it, but I didn't care. He did a good job."

"I never saw him do anything inappropriate or conduct himself in any manner that would suggest he was homosexual, on-duty or off-duty," says a third co-worker, who, like others still employed by the Guard, asked that his name not be published. "There are homophobics who think he got everything he deserved. But the other 50 percent say he never bothered anybody and think what they did to him was a lynch mob."

This persona wasn't just something Dwyer wore to work. Even the profile he posted on gay.com is borderline bland. "I am interested in a warm, outgoing, and romantic guy under 40," he wrote. Under the heading "Interested In," he listed friendship, love/relationship, conversation, and travel, and ended with the phrase "Friends first and go from there." He described his build as average, his religion as "spiritual," checked "none" under "body piercings," and indicated just one tattoo — an eagle with the letters USAF.

"I've tried to help him in every way I can. I feel very, very sorry for him."

Dwyer, 45, first joined the military in the early 1980s, with the U.S. Army Reserve, where he became a senior military-police instructor. His civilian job — working at the Plaza shopping mall in Evergreen Park, a suburb of Chicago — also involved law enforcement.

In 1989, Dwyer entered the seminary, intending to become a Roman Catholic priest. He earned a degree in religious studies from St. Mary's Seminary and University in Baltimore and spent several years working in parishes. But he left without ever being ordained because, he says, he observed priests sexually abusing children. Two men he reported were arrested, but the church, Dwyer says, tried to ignore the problem.

"It was during the time of 'Let's bury it,'" Dwyer says.

He spent the next few years teaching at Catholic high schools in Jacksonville and Springfield. Then, in 1999, a student's dad, who was in the National Guard, suggested that Dwyer rejoin. After serving a few months as a weekend warrior, Dwyer was hired for a full-time job with the military security police at the 183rd Fighter Wing.

He eventually became the head training officer for security forces — a position for which he was approved by the adjutant general. He was in charge of setting up training for all new officers, for planning training for the squadron,

and for creating exercises for drill weekends. Last May, he reenlisted for another four years.

But later that same month, Tim Hugo came knocking on his door.

Some people who try to describe Hugo use mimicry — rolling their eyes, waving their hands, speaking in a loud, sing-songy, melodramatic voice. Some resort to slang, calling him a "nut," a "freak," a "fruit loop," or "nothing but a creep."

Molly Mack, a lawyer who used to handle domestic-violence complaints for the Sangamon County state's attorney's office, is diplomatic in pinpointing the trait that makes Hugo so dangerous.

"Tim is not easily embarrassed," she says.

He doesn't mind ringing phones and doorbells in the wee hours of the morning. He has no qualms about causing a scene or creating a ruckus. He seems to throw himself with unmitigated enthusiasm at any guy who catches his fancy — even if that guy happens to be a happily married heterosexual. Police reports and legal pleadings portray him as a mentally ill gadfly; interviews with people who are parties to these legal cases paint a more disturbing portrait.

Hugo, 46, was born in Mattoon and raised by his mother, Oma Jean Fairchild. As a child, he had regular visits with his father and stepmother, Robert and Bonni Hugo, of Decatur. But Bonni says that Tim was never satisfied with his relationship with his father, and she admits that the family didn't handle the situation perfectly.

"The main reason his dad was upset was he found out Tim was gay. But he accepted it eventually," she says. "His being gay has never been an issue with me, and I've told him that repeatedly. But I think Tim has, over the years, tried to cause trouble with his dad because he feels his dad was never there for him. Because of that, he as a strange way of doing things. He'll do everything he can to hurt Bob to get even with him for not being there, and Bob, his fuse is a little shorter, and he just gives up."

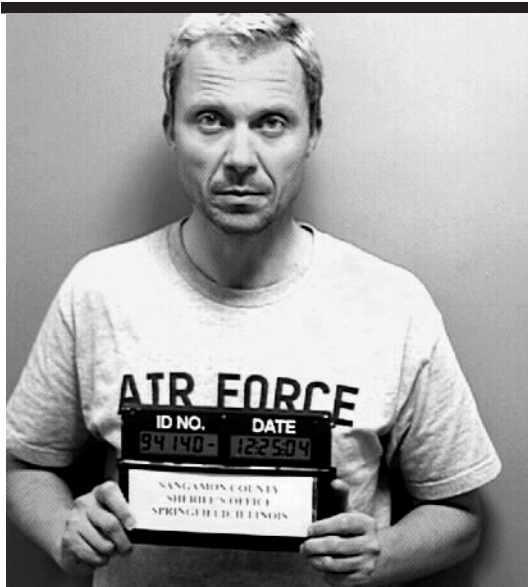
Wilson Douglas, pastor of Wesleyan Holiness Church in Springfield and a friend of Hugo's mother, says that her "nervous" condition may have affected his upbringing.

"He grew up kind of protected," Douglas says. When Hugo was away at college, his mother would panic if she didn't hear from him every day. "She'd call and say, 'Is he dead?'" Douglas recalls.

Hugo and his mother "moved in and out of Springfield for years," Douglas says. They also spent time in Oklahoma and Florida.

Oklahoma court records show that Hugo filed a lawsuit against a college official and sought protective orders against his landlord, a co-worker, and the principal at the elementary school where he briefly worked as a teacher. He succeeded in getting temporary orders, but the cases were subsequently dismissed.

In 1993, he filed suit against Dr. Kenneth Elsner, the now-retired dean of the alternative-certification program at University of Central



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Timothy Robert Hugo
- Vs. -
Bonni Patricia Hugo
Plaintiff/Defendant

Case No. 04 OP131

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Petition for Order of Protection, for
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follows: The Court is prejudicial against
Plaintiff, and had thus already denied
Plaintiff much needed Orders of Pro-
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Defendant

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Timothy Hugo has filed numerous legal complaints against family, friends, and alleged former lovers. The mug shot (upper left) was taken on Christmas Day 2004, when he was arrested for violating a protective order against his mother.

described himself as an “unemployed teacher” and promised to file a subsequent civil suit charging Daniels with defamation, “Contractual Interference [sic] . . . Assault [sic] . . . Slander & Liable [sic].” Terry Simpson, superintendent of the Guthrie Public Schools, declined to elaborate on the case, saying that district policy prohibits the divulging of personnel information.

Hugo’s former landlord, Sam Kysar, did not return a phone call seeking comment, but Arlene Schultz, manager of the Hammond Manor Apartments in Bethany, Okla., a 98-unit complex where Hugo and his mother lived for less than two years, recognizes Hugo as soon as a reporter mentions “complaint,” without even hearing his name. “Everybody remembers Tim,” she says.

Hugo and his mother lived at Hammond Manor twice, moving to Florida briefly in between. The first time, Schultz says, Fairchild was healthy and Hugo well-behaved.

“He was real nice. He didn’t bother the neighbors. He was just kind of a loner. He just

took care of his mother,” she says.

But when they returned in the late 1990s, Fairchild stayed in her room, and Schultz believes that Hugo may have kept his mother overmedicated. He wouldn’t even let Meals on Wheels volunteers inside the apartment, instead having them leave food outside the door.

In May 1999, he filed a petition — describing himself as “a disabled Oklahoma school teacher” — seeking a protective order against Kysar, claiming that the owner had hammered on his door, “threatening me with physical harm,” after he complained to health authorities about the condition of the swimming pool.

Schultz agrees that the pool regularly turns green after a hard rain, but she chuckles at the notion that Kysar could have threatened Hugo.

“If you ever met Sam, you’d know he’s not a violent person. He’s so soft-spoken, and he loves people,” she says.

Libby Myers, who worked with Hugo off and on for more than a year, also laughs when she hears the text of Hugo’s petition requesting a protective order against her in February 2000.

“Libby Myer [sic] illegally restrained me from entering my place of employment and performing my duties at work,” Hugo wrote. “Libby Myer [sic] screamed vulgar and abusive language to me in the face: calling me son-of-a-bitch, Jack Ass, and a Bastard. Chased me around two office rooms making threats bodily, and disturbed the peace of the office place.”

Myers, a 62-year-old retired registered nurse,

Oklahoma.

Elsner says Hugo was having problems with his first student-teaching assignment.

“I recall he took offense at something going on in the teachers’ lounge, and they asked me to remove him. We found another assignment next semester, and we were able to allow him to complete the program,” Elsner says. Although almost 10 years have passed since Elsner last saw Hugo, he remembers him: “As I recall, he had some personality characteristics that might have contributed to his problems.”

Four years later, after apparently losing his job teaching the sixth grade at Fogarty Elementary in Guthrie, Okla., Hugo sought a protective order against the principal, Dr. Pamela Daniels. In court documents, he

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says that she now uses a cane to get around but that back in 2000 she was in worse shape, with three compressed vertebrae.

"I want to know how somebody who uses a walker could chase anybody around," she asks. The only time she "restrained" Hugo from entering the office, she says, was when she was slowly backing out the door, dragging her walker after her, and Hugo was waiting to come back inside after a break. She also denies using any bad language.

"I told him: 'People that act and talk like you are the reason homosexuals are called queer' — and that's as far as I got toward being vulgar," Myers says. She emphasizes that she didn't disapprove of Hugo's sexual orientation, just "the way he conducted himself."

Their workplace was a telemarketing firm called Jobs for the Disadvantaged, where they made cold calls hawking \$5 light bulbs, pricey gift wrap, and fruit cake — an operation that Myers says was a scam.

The ANG had no evidence that Dwyer had engaged in homosexual conduct.

Hugo was friendly at first, regaling her with tales of how he would pick up men, get them drunk, and entice them to participate in "homosexual acts" — after which he would take their wallets.

"He bragged about it at the office," Myers recalls.

But when he started accusing her of "harassing" him if she happened to enter the kitchen area while he was there, she began bringing a Thermos of coffee or a cooler with soda pop, just to avoid him. When she brought home-cooked food to share with her co-workers, Hugo announced that Myers' house was infested with roaches — even though he had never been to her home.

After the temporary protective order he sought against Myers was dismissed, he appeared at the grocery store and followed her through the aisles. When she asked a security guard to escort him out, Hugo yelled, "You can't arrest me! I'm bipolar!"

In 2003, Wilson Douglas — the pastor who has been a friend of Hugo's and his mother's for decades — helped them move back to Springfield. Bonni Hugo says that her stepson rejoined the family. "He would come over and see us a lot. We'd have a good time, we'd go out to eat, he'd come over to the house, he'd spend the night," she says.

But sometime after Christmas 2003, she says, Hugo began pestering the family for money. He started by asking for back child support he claimed his father owed his mother; he was unhappy when a Macon County judge ruled that the amount was less than \$1,000. He then asked his father to list him as the benefi-

ary on the only life-insurance policy he had — a \$10,000 policy meant to pay for funeral expenses. His father refused.

"That infuriated Tim," Bonni Hugo recalls.

Hugo started calling his relatives constantly. If he couldn't get them on the phone, he would call them at work and try to speak with their employers. "I don't know — maybe he had a little breakdown," his stepmother says.

About this same time, Hugo filed a lawsuit against Patriot Auto Sales, a used-car dealership where he had purchased a 1988 Buick Park Avenue for \$950 more than a year earlier. Complaining that the car was now burning oil, Hugo asked the court to award him \$1,005.

"He had been driving it over a year, he had never changed the oil, and he wondered why it smoked," says Patriot owner Paul LeJeune.

Losing that case apparently caused Hugo to file other complaints. He had met LeJeune through Douglas, the pastor, and had called Douglas to testify in the case. After the pastor refused to say that LeJeune had lied about the car's condition, his church suddenly started receiving visits from all sorts of inspectors, checking out complaints phoned in by Hugo.

"He had fire department, the electric people; they checked, and we didn't have anything wrong with the church," Douglas says.

On April 4, Hugo called Springfield police to report that members were bringing indigent children to the church in a van and forcing them to change into "long robes" and sit segregated by sex. "If a child cried or wanted to be with a sibling, they would yell at them to shut up, and forcibly make them sit down," according to the police report.

But when officers arrived at the church, they found the children wearing their own clothes, and boys and girls sitting together. "The children stated they liked coming to the church, were not forced to be there, and was [sic] not abused," according to the report. "Officers then left after no violations were observed."

That same month, Hugo called the chancery of the Diocese of Springfield in search of counseling. He met former Bishop Daniel Ryan, and embarked on a friendship that lasted several weeks. Hugo would later tell police that the relationship was sexual; Ryan told officers that Hugo needed psychiatric help and that they were "only friends." Whatever its character, the relationship ended in the early-morning hours of July 5, when Hugo called police claiming that Ryan — who relied on a walker — had kicked him in the knee, causing a bruise.

The next day — again in the early-morning hours — Hugo called 911 to request a welfare check on a man named Jeff at a mobile home located in an unincorporated area. But when a sheriff's deputy knocked on the door, the tenant, Jim Buerkett, said that Hugo had been calling nonstop for three hours and that there was no "Jeff" there.

Buerkett, a former union concrete finisher who is devoutly heterosexual, knew Hugo only as "Ken Doll" — a guy who showed up, uninvited, to a party.

"Next thing I know, he's calling me. The guy's a freak!" Buerkett says. "I kept telling him, 'No, I don't swing that way.'"

A few days after the party, Buerkett ran into "Ken" again, this time with a smaller group getting together for drinks. Buerkett was halfway through his first wine cooler when he felt "loopy, like really loopy." He asked a friend to call a cab, and made it home just before he passed out.

He awoke the next morning with his feet hanging out his front door and the key still in the lock. "I know I got drugged," Buerkett says. "I know I did."

Buerkett didn't report the incident, because he couldn't pinpoint who had tampered with his drink. Still, he feels certain it was Hugo. "It could've been somebody else at the party, but those were all people I knew," he says.

Hugo's stepmother, Bonni Hugo, says Buerkett's tale echoes stories Tim has told her. "He did not ever mention [drugs] to me; he just said every man he's ever had a relationship with, whether for one night or a month, he always gets a souvenir, something to prove he's been with them," she says. "He tries to get a picture, after the guy goes to sleep or passes out. He used to brag to all of us how much money he could get by saying, 'I think I'm going to send these pictures to your wife, your girlfriend, your relative.'"

Bonni Hugo believes her stepson suffers from a genuine mental illness, but she has no idea how to heal him.

"I've tried to help him in every way I can. I feel very, very sorry for him. But at some point, you don't know at what cost," she says. "I truly don't know how to help him."

In August 2004, Hugo's father, stepmother and siblings were granted orders of protection to prevent Hugo from calling or visiting them. Those orders are still active today.

These incidents represent just some of what the Air National Guard might have discovered had they checked into Hugo's credibility. In the year before he knocked on Dwyer's door, Hugo filed more petitions against his relatives, only to have his complaints dismissed as "frivolous." He was arrested twice and, while in jail, was robbed by his transient roommates. His tires were slashed, he fled a fender-bender, and he was evicted from his apartment after setting fire to it, according to police reports.

If the ANG officers looking for Dwyer's profile on gay.com had just done a Google search on Hugo, they would have stumbled across a lengthy article in the summer 2005 issue of *Ad Majorem Dei Gloriam*, published by Stephen Brady's conservative Roman Catholic Faithful Inc. In the prologue to a detailed account of Hugo's relationship with former Bishop Daniel Ryan, Brady introduces Hugo as "a needy, confused and seemingly lost individual desperately seeking love in life."

The investigator assigned to Dwyer's case — Chief Master Sgt. Stephen J. Eakle, a retired Peoria Police Department captain — spent more than an hour interviewing Hugo on June

28. He noted that Hugo's only occupation was "SSI disability for mental breakdown" and that Hugo had discussed this incident with his mental-health counselor.

Hugo told Eakle that he had heard about Dwyer from someone named Shawn, who had "picked up" Hugo in a public park. According to Hugo's statement, "Shawn" had met Dwyer online and spent an evening watching *American Idol* with him but never had a physical relationship with the military cop. Thus, the ANG had no evidence that Dwyer had engaged in homosexual conduct.

As for the "criminal threat" — the allegation that gave the military an excuse to investigate and oust Dwyer — it was flimsy, even by Hugo's standards. All Dwyer had said to Hugo, according to Eakle's report, was something like "If you tell anyone, I'll take care of you."

With Dwyer facing discharge, his military attorney, Olivero, argued that Hugo's statement and the gay.com printout should be suppressed because the investigation itself was improper. A criminal threat fell under the jurisdiction of the local police, not the military, Olivero argued. And notes from the ANG investigation suggest that the government's lawyer, Moushon, agreed, though he saw it as a way to ascertain whether Dwyer is gay.

In a memo documenting his June 4 conversation with Moushon, Lt. Col. Jeffrey Rice, the ANG inspector general, writes: "The complaint should be given to local law enforcement. If that is done, we can use local law enforcement investigation to launch an investigation into sexual orientation if that comes up in the external investigation."

But the next day, Moushon decided that ANG could investigate.

No one with the Illinois Air National Guard would speak with a reporter about Dwyer's discharge. Lt. Col. Tim Franklin, public-affairs officer for the Illinois National Guard, says the fact that Dwyer has filed a complaint with the Illinois Department of Human Rights prevents all discussion of the case.

Hugo, now living in California, says he doesn't know Marty Dwyer and has no memory of filing any complaint against him. Reminded of his hour-long interview with Eakle, Hugo's phone suddenly clicked off. He never answered later calls or responded to messages asking for comment.

Dwyer, whose firing came just after he had surgery to repair a torn ligament in his right arm, now faces months of physical rehabilitation with only VA health benefits.

Though Hugo started the chain of events that ended his career, Dwyer doesn't hold him responsible. He blames the ANG for mishandling Hugo's complaint.

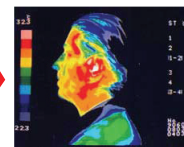
"Throughout the entire investigation, I played by the rules. The Air National Guard would not," he says. ■

Contact Dusty Rhodes at drhodes@illinoistimes.com.

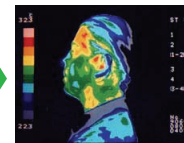
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