

# Local News

## Tokars attorney takes stand himself

Rare tactic used  
to rebut witness

By Don Plummer  
and R. Robin McDonald  
STAFF WRITERS

**LaFayette** — The murder trial of former Atlanta prosecutor Fred Tokars was rocked Tuesday by the surprising testimony of a defense attorney who said he was compelled to testify after prosecutors misrepresented Tokars' federal conviction.

Jerry Froelich testified that he also wanted to set the record straight about the prison sentence of star prosecution witness Eddie Lawrence. While Tokars will "die in prison," Froelich said, "Lawrence will not spend a day in state prison. He's in the federal witness protection pro-

gram, and the U.S. Marshal's Service is not going to allow him in a state prison."

Froelich, who unsuccessfully defended Tokars in federal court, said that in exchange for testifying against Tokars, Lawrence received a 12-year federal prison sentence he is serving concurrently with a state life sentence for his role in arranging Sara Tokars' murder.

But Cobb County District Attorney Tom Charron challenged Froelich's characterization of the plea bargain, saying that the U.S. marshals have been told that Lawrence should be transferred to state custody when he finishes his federal sentence.

Tokars received multiple life terms without parole on federal convictions for money laundering and racketeering.

Froelich downplayed Tokars' appeal to the U.S. Supreme

Court. "The Supreme Court receives 15,000 or 20,000 appeals a year," Froelich said. "I think they rule on about 100."

Former U.S. Attorney Joe Whitley said Froelich's decision to testify was "unique in my experience." In coming to the witness stand, the defense attorney could have been forced to reveal client confidences, Whitley said.

Froelich said he felt compelled to testify after Charron read the federal indictment describing interstate cocaine trafficking, money laundering, torture and murder to the jury. "They read parts of the indictment that were not related to Fred Tokars," Froelich said. "There's no way I could stand by, allowing such misleading testimony to go in."

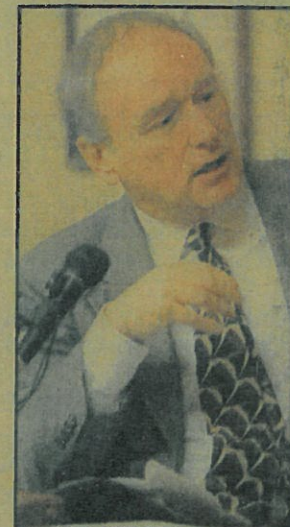
Froelich said charges in the indictment that did not pertain to Tokars included allegations that

Atlanta police cadet Michael Jones was tortured by drug dealers associated with Tokars; a \$40,000 Lexus was purchased with drug money that he said Tokars knew nothing about; and money laundering through several night clubs that he said occurred long before Tokars met the other defendants.

Whitley said Charron can blunt Froelich's ploy and other attacks on Lawrence's credibility by appealing to jurors to make their decision on the case before them. "Tom Charron could tell jurors they have a separate sovereign obligation under Georgia law to consider this case in isolation from what might happen in another jurisdiction," Whitley said. "No one can ascertain what may happen in the federal case."

■  
*'Please don't kill my son'*

**B2**



JOE MCTYRE / Staff

**In a bold and unusual move, defense attorney Jerry Froelich testifies that prosecutors misrepresented the federal case against his convicted client, Fred Tokars.**



WEDNESDAY, MARCH 12, 1997

The Atlanta Journal-Constitution

# Local News

## Tokars attorney takes stand himself

Rare tactic used  
to rebut witness

By Don Plummer  
and R. Robin McDonald

STAFF WRITERS

**LaFayette** — The murder trial of former Atlanta prosecutor Fred Tokars was rocked Tuesday by the surprising testimony of a defense attorney who said he was compelled to testify after prosecutors misrepresented Tokars' federal conviction.

Jerry Froelich testified that he also wanted to set the record straight about the prison sentence of star prosecution witness Eddie Lawrence. While Tokars will "die in prison," Froelich said, "Lawrence will not spend a

gram, and the U.S. Marshal's Service is not going to allow him in a state prison."

Froelich, who unsuccessfully defended Tokars in federal court, said that in exchange for testifying against Tokars, Lawrence received a 12-year federal prison sentence he is serving concurrently with a state life sentence for his role in arranging Sara Tokars' murder.

But Cobb County District Attorney Tom Charron challenged Froelich's characterization of the plea bargain, saying that the U.S. marshals have been told that Lawrence should be transferred to state custody when he finishes his federal sentence.

Tokars received multiple life terms without parole on federal convictions for money laundering and racketeering.

Court. "The Supreme Court receives 15,000 or 20,000 appeals a year," Froelich said. "I think they rule on about 100."

Former U.S. Attorney Joe Whitley said Froelich's decision to testify was "unique in my experience." In coming to the witness stand, the defense attorney could have been forced to reveal client confidences, Whitley said.

Froelich said he felt compelled to testify after Charron read the federal indictment describing interstate cocaine trafficking, money laundering, torture and murder to the jury. "They read parts of the indictment that were not related to Fred Tokars," Froelich said. "There's no way I could stand by, allowing such misleading testimony to go in."

Froelich said charges in the

Atlanta police cadet Michael Jones was tortured by drug dealers associated with Tokars; a \$40,000 Lexus was purchased with drug money that he said Tokars knew nothing about; and money laundering through several night clubs that he said occurred long before Tokars met the other defendants.

Whitley said Charron can blunt Froelich's ploy and other attacks on Lawrence's credibility by appealing to jurors to make their decision on the case before them. "Tom Charron could tell jurors they have a separate sovereign obligation under Georgia law to consider this case in isolation from what might happen in another jurisdiction," Whitley said. "No one can ascertain what may happen in the federal case."



JOE MCTYRE / Staff

**In a bold and unusual move, defense attorney Jerry Froelich testifies that prosecutors misrepresented the federal case.**