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Making a point

Farmington School district teachers hit the picket lines last week after their contract expired. Negotiations continued and a vote is being taken today by the FEA members to decide whether they will go to the classroom today or strike. To get an update, call either the school board offices at 477-1300 or the FEA hotline at 476-7596. (Staff photo)

Judge Hand vs. media: gag order showdown

The following story was written from information compiled by Editor Steve Bernaby and reporter Louise Obutsky and Shirlee Iden.

The news media and Farmington's 47th District Court Judge Michael Hand will square off in a legal battle this week after a news blackout ordered by Hand was defied by many area newspapers, television and radio stations.

Hand ordered the suppression order last Friday on a demand from Southfield attorney James Lawson, legal counsel for a priest who was arrested under a warrant charging him with second degree sexual misconduct. Those media defying the order will be cited for contempt of court, according to Hand.

Within hours of the arrest, millions of persons in the metropolitan area and across the nation knew the identity of the accused, Channel 7, the Detroit Free Press and the Associated Press identified him as the Rev. Gary Berthiaume, 35, an assistant pastor at Our Lady of Sorrows Catholic Church in Farmington.

The next day, other broadcasters, who contended the veil had been ripped away, also identified Fr. Berthiaume. Parishioners Sunday prayed for him. The parish in effect acknowledged the priest's arrest.

THE LEGAL clash arises over a

little-known or used Michigan statute enacted in 1974. A section says that in the case of sexual misconduct charges, the defending attorney, the defendant or the victim of the crime can demand a gag order be implemented until the defendant has been arraigned in circuit court.

Under the law, a judge must obey the demand of the person ordering that the suppression be implemented. The judge is allowed no discretion.

The suppression order will be in force at least until Friday, said Hand, when a preliminary hearing will be conducted in private. In all other cases, pre-trial hearings are public.

If Hand determines that a crime has been committed and there is probable cause that Fr. Berthiaume was involved, then the case would go to circuit court.

Oakland County Prosecutor L. Brooks Patterson told newsmen any person arrested on a criminal sex charge would automatically be considered a suspect in the murder of a half-dozen children and young teenagers in southern Oakland County. But he cautioned there was no evidence to connect Fr. Berthiaume directly.

THE LAW has been used only once before and that was in the case of Dr. Donald Krohn of Farmington who was later found innocent.

Although the suppression statute is on the books, many legal experts fa-

miliar with Michigan law say it is unconstitutional.

Free Press attorney Brownson Murray said that a 1936 Michigan Supreme Court ruling said that information received from court records can't be suppressed.

"There isn't any doubt that a judge can enjoy witnesses, the prosecutor and police officials from giving out information. But once the information is out, you can't hold it back," said Murray.

MURRAY said the Free Press never was served the suppression order, and that the information was known by reporters before the issue of suppression came up.

"If there is no order issued, it's very difficult to follow," said Murray.

Hand said the intent of the law is to protect a person from adverse publicity when he has been arrested on a warrant, yet hasn't yet been formally charged in circuit court.

He cited the case of the Times Park rapist where a Detroit police officer was arrested last month after being identified by two persons as the rapist. He later was released after it was determined to be a case of mistaken identity.

Hand said he will enforce the suppression order and won't be giving out "any pats on the wrists" when it comes to that enforcement. Maximum sentence for criminal contempt of court is a \$100 fine or 90 days in jail or both.

City woman has best of batter

Heleen Tabaka managed to spoil lunch for the Farmington Observer staff.

Not that they minded, for they concurred with the decision of the Michigan State Fair judges that the Farmington resident's devil's food cake

with butterscotch icing is the best in the state.

This year's blue ribbon marks Mrs. Tabaka's return to competition after a 20-year absence. After her husband and chief fan died, she put off baking in spite of the cajoling of her youngest

son, Irving. She entered the contest in secret as a surprise for her family.

Her entry is a family favorite. "It's not sweet. It gets firm in the refrigerator," she said.

The cake is so popular within the family that her youngest brother has been known to get up in the middle of the night to nibble on a piece of it because he thinks it tastes like ice cream and cake.

Mrs. Tabaka's culinary career had an inauspicious beginning when she married Joe Tabaka in 1934.

"I didn't know how to boil water. I was the only girl in the family, and my father would tell me I didn't have to cook and I could go and read a book," she said.

A WEEK AFTER her wedding, when most brides are relying on their mothers to slip them a few last minute cooking lessons, Mrs. Tabaka's mother took a trip to Europe leaving her with the problem of feeding her husband, father and brothers.

Her aunt and friends gave her some help with fixing the meal that her new husband's friends were convinced would originate in a can.

"Joe's friends came to the back door to see the cans," she laughed.

"Instead, she prepared steak smothered in onions, a salad and her very first cake."

The cake was a checkerboard design that went over well with her first dinner party.

Now, seven children and 12 grandchildren later, Mrs. Tabaka turns out cakes for the holidays and family occasions. A grandson got a birthday cake with a covered wagon on it. Her granddaughter celebrated a birthday with cake baked in the shape of a doll in a pink gown.

Her baking career netted her the title of the best cake in the state in 1956 when she was one of 375 bakers who entered the Detroit News sponsored contest. She has other certificates and ribbons from the State Fair and Crowley's to prove that she's a champion cook.

HER HUSBAND ENCOURAGED her to enter her first State Fair competition. He threatened that if she didn't sign the application, he would do it for her and list several of his favorite treats as entries. Instead of being faced with all that work, she entered one cake, which brought her a ribbon.

With a new ribbon to add to her collection, she's considering next year's entry, another family favorite, strawberry cake.

"I enjoy it very much. I love to bake," she said.

When she's out of the kitchen, Mrs. Tabaka is likely to be found taking craft courses at Madonna, working on her Mark Fridrich doll or boning up on her ceramics skills.

"I try everything," she smiled.

Lift controls, oilman warns

Elimination of government price controls on crude oil and natural gas is a key ingredient in solving the energy crisis, according to James Edwards, a Mobil Oil Corporation district manager.

Edwards, who spoke before the North Farmington Kiwanis Club last week, urged residents to speak out on the national energy policy being formulated in Washington by supporting the petroleum industry's bid to dump price controls.

"The most important single step that should be taken to solve our energy problems is to eliminate government price controls on newly discovered crude oil and natural gas and gradually phase out controls on old oil and gas," he said.

While admitting that this country only has enough "proved oil reserves" (oil that can be produced from already discovered fields) to last seven years, he says total domestic oil reserves, discovered and undiscovered are estimated at 160 billion barrels, enough to last through the next century at current consumption rates.

NATURAL GAS reserves are even less, he said.

"Our proved gas reserves are 228 trillion cubic feet, enough to last just

"We have considerable energy resources, but we apparently lack the will to develop them."

—James Edwards
Mobil Oil executive

about 11 years. But our total potential gas resources are estimated at 920 trillion cubic feet—a 45-year supply at today's consumption rates."

The nation's coal and uranium reserves are enormous, he said, but it is up to this country on how to develop them.

"We have considerable energy resources, but we apparently lack the will to develop them," he said.

The Mobil executive cited the need for conservation, but noted that by itself, conservation just can't solve our energy problems.

"Even the most extreme advocates of conservation acknowledge that we would still need to provide more energy each year to accommodate a work force growing by about 1.9 million persons annually," he said, "and to provide jobs for seven million Americans unemployed."

Conservation, he said, must be balanced with a "positive" program to increase domestic energy production.

"Legitimate environmental requirements should be met, but the door should be closed on legal delays that aren't in the public interest."

Other steps suggested by Edwards to combat an energy shortage are:

- Develop deepwater ports and offshore moorings where "cost-efficient" super-tankers can unload oil.

- Upgrade the U.S. flag fleet to make it competitive in world markets.

- Construction to increase refinery capacity and an adequate program of fuel storage for security purposes.

- An accelerated research on alternate energy sources.

"Above all, let's remember that we indeed can solve our energy problems—and all citizens are a vital part of that solution. In this time of need, the country can ill afford to have the majority of its citizens sit idly by while their lives and the lives of their children are being restructured," he said.

Clarenceville schools prepare for new term

Clarenceville School District students will return to classes Wednesday, ending their summer vacation to meet a slightly reduced educational staff and program.

An estimated 2,850 students from Livonia, Farmington Hills, and Redford Township will follow the teachers return to school on Tuesday.

There will be only morning classes Wednesday with no lunches served but with the regular bus schedule in effect.

Thursday will be the first full day of classes.

New families in the district are urged by school officials to register their children at the nearest school building as soon as possible.

The class schedules for Botsford and Edgewood Elementaries are 8:45 a.m.—2:55 p.m., with Grandview Ele-

mentary starting and closing 20 minutes later.

Junior high pupils will be in class from 8:15 a.m.—2:35 p.m., with senior high students in school from 7:35 a.m.—2:15 p.m.

The school district has been losing about 150 students each year for the past several years resulting in a proportionate reduction in teaching staff and some programs.

The board has also reduced its administrative staff to save funds.

There has been limited public discussion to consolidate the Clarenceville district with its larger neighbor, Livonia, but no meetings have been held.

The suggestion came several months ago from a Livonia school board member, but the Clarenceville board is opposed to any change in boundaries at this time.

Common Cause is Libas' interest

Farmington residents Bill and Christine Libas, volunteer activists for Common Cause, the self-described national citizens' lobby, had the opportunity to meet Nan Waterman recently.

Ms. Waterman, national chairman of Common Cause, visited the Detroit area for a television program and met with Michigan activists of the organization.



Showing off her skill as the state's prize-winning cake maker is Mrs. Heleen Tabaka. (Staff photo by Harry Mauthe)

Hills monthly agenda set.

Meetings to be held at the Farmington Hills City Hall during September are as follows:

The board of appeals will meet at 8 p.m. on Sept. 6 in the court room.

The planning commission will hold a preliminary hearing at 8 p.m. on Sept. 8 in the conference room.

City council will meet at 8 p.m. on Sept. 12 in the court room.

The arts commission will meet at 7 p.m. on Sept. 13 in the jury room.

The planning commission will have a public hearing at 8 p.m. on Sept. 15 in the conference room.

City council will meet at 8 p.m. on Sept. 19 in the court room.

The board of appeals will meet at 8 p.m. on Sept. 20 in the court room.

The beautification commission's meeting will be at 8 p.m. on Sept. 21 in George Majors' office.

The planning commission will have a study session at 8 p.m. on Sept. 22 in conference room A.

City council will have a meeting at 8 p.m. on Sept. 26 in the court room.

Both the industrial economic development commission and the Commission on aging will meet on Sept. 27. The former will be at 8 p.m. in the court room, and the latter at 7:30 p.m. in the jury room.

inside

Amusements	7C
Classifieds	Sec. C
Community Calendar	3B
Editorial Opinion	18A
News	Sec. A
Sports	4C
Suburban Life	Sec. B

SOCCER TIME IN FARMINGTON HILLS

It's time again for soccer in Farmington Hills and Farmington as the Hill Parks and Recreation Department revs up for another autumn and winter of classes for young, old and in-between. For further information on the learning line-up, turn to page 3A.