

Judge's opinion cited

Oakland Strike Force legality upheld

By MICHAEL MATUSZEWSKI

Oakland County's Organized Crime Strike Force is legal and need not be disbanded.

Corporation Counsel Robert Allen, chief lawyer for the board of commissioners, this week reversed his earlier opinion that Prosecutor L. Brooks Patterson lacked authority to set up the elite, undercover unit.

Allen based his reversal on a recent ruling by Oakland County Circuit Judge Richard Kuhn. Kuhn's ruling said Patterson's investigatory unit was legal.

Speaking before the public services committee of the county board of commissioners, Patterson said he was happy the legality of the strike force had been upheld and pledged that during the next two years the

force would focus on "white collar, conspiratorial" crime.

THE ISSUE of the strike force's legality arose when several commission Democrats, most notably Alexander Perinoff (D-Southfield), challenged Patterson's right to set up a "private police force" within his department.

They contended that Patterson's unit could only prosecute, not "ferret out," criminals.

Allen, in a preliminary opinion released Jan. 11, agreed with those challenging the prosecutor's investigatory powers. He further recommended that the board of commissioners seek a declaratory judgment from Oakland Circuit Court.

Patterson and several strike force assistant prosecutors called Allen's draft opinion "shallow," "narrow," and "baloney."

EVEN IN THE face of Allen's 180-degree turn and Judge Kuhn's ruling, some Democratic commissioners wanted to seek the declaratory judgment.

However, Commissioner Henry Host (R-Troy), chairman of the public services committee which would first have to approve that move, said the question of the strike force's legality has been settled and no declaratory judgment will be sought.



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