

editorial opinion

If Headlee fails, worse could be in store

A recent weekend dinner discussion with a state legislator friend brought to the fore a problem which will have uncalculated effects on Michigan's financial future.

The discussion — what will be the repercussions of the controversial and much misunderstood Headlee tax limitation amendment?

After a half-hour of solid disagreement, we did find one point of concord. The Headlee amendment has been so muddled in the voters' minds that in 1980 even harsher measures are sure to be fostered by various groups.

And that, we agreed, is dangerous for local governmental units which would suffer the most under Tisch-type tax cut amendments.

We concluded that the tax rebellion saga in Michigan is yet to see another chapter written.

Whether that chapter is the conclusion or just another story in the long tale of discontent will be better perceived come the 1980 electoral season.

The outcome, ultimately, will be determined by the voters and their reaction to the Headlee amendment.

ment. Early reactions indicate that 1980 will be just another chapter in a long and painful battle.

In short, Tisch, and those of like mind, still are alive politically.

THE PROBLEM is the misconception among property owners of what Headlee would do for them.

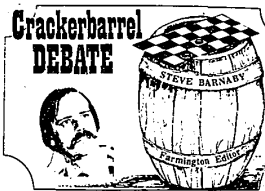
Presently, the state legislature is battling over its interpretation of the controversial amendment. Whatever the outcome of those bills, the misconceptions will remain among the taxpayers.

Streetcorner talk shows that many Headlee supporters believed that with the amendment's passage, property taxes would either remain the same or decrease.

But when tax time rolled around, those homeowners receiving 11-25 percent property tax increases found that Headlee just wasn't what they thought it would be.

The amendment, for all its seeming simplicity, is amazingly complex.

Journalists, lawmakers, finance experts and



Headlee himself spend an inordinate amount of time explaining to and debating with one another over its meaning.

The legislator and I found ourselves in the same quandary.

MEANWHILE, MUNICIPAL finance directors from around the state are chewing their collective

finger nails in anticipation of the 1980 Headlee fallout.

Most municipalities have settled in to living with Headlee, having figured out all the alternatives and how to live, or at least survive, with them.

But most would agree that voters cast ballots in favor of Headlee expecting much different results.

Those results bore little fruit.

While many municipal administrators saw Headlee as an alternative to previous budgeting procedures, nearly all admit that another Tisch-like proposal, if passed, would sink the local government ship.

Headlee and his supporters had a built-in advantage going into the last election — Tisch. His public image and that of his proposal seemed militantly reactionary to many voters. In their minds, Headlee was the rational alternative.

In 1980, Headlee will be the status quo, the target of those wishing to see harsher moves taken.

A more polished public image than Tisch — Richard Headlee, even — could lead us down the path to even more tax confusion.



Area too rich for Olympics?

Now that Detroit has been chosen as the site for the Republican national convention and the National Football League has awarded the 1982 Super Bowl game to the Silverdome in Pontiac, The Stroller has been given the cold shoulder when bidding for the summer Olympic Games.

For more than four decades, Detroit has sent representatives to the world-wide convention. They have been armed with all sorts of plans and had the backing not only of the City of Detroit but all of the major industries. Yet, they always came home empty-handed.

Why?

The Stroller has been puzzled by this question every time it happens. But he finally has received the answer.

Strange as it may seem and as ridiculous as it is, the answer lies in the fact that the vote was not always against Detroit — but against giving the games to the United States.

This is the word from Doug Roby, one of America's representatives on the International Olympic Committee and the head of the American Olympic Committee.

THE STROLLER had the privilege of sitting next to Roby the other evening when he was inducted into the Michigan Amateur Sports Hall of Fame and put the question to him: Why has Detroit always been turned down?

"You'd be surprised," he answered, "but it is the feeling of the international body that America already has too much."

"The international body feels that the games, which are a real bonanza, should go to country that needs that kind of help to cope with its economic problems."

"We have tried everything, but it has been of no use. We did come close once several years ago when the games were awarded to Mexico. We lost out by one vote."

In his pursuit of the Games, Roby has traveled to such far off places as Helsinki, Melbourne, Rome, Tokyo, London, Munich and even to South America. But the answer always is the same.

"It seems to be the philosophy of the International Committee that Detroit — an American — has enough of the worldly goods already and more good could be done by awarding the big sports spectacle to one of the smaller countries," Roby went on, "And I doubt if that thinking ever will change."

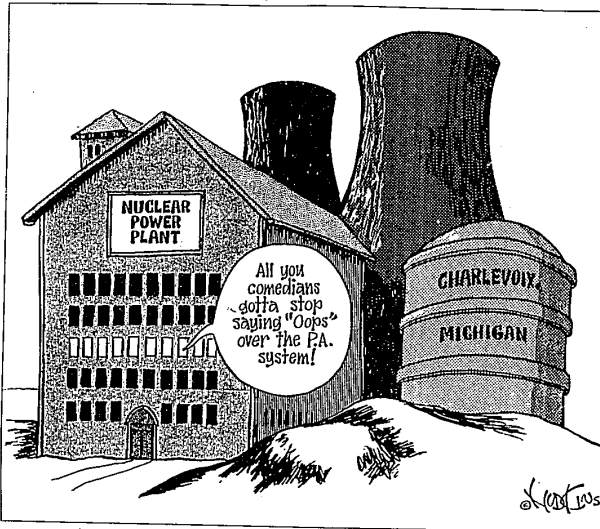
THE LATE FRED MATTHEI spent a fortune of his own money and traveled around the world seeking the games as a companion of Roby. But his best pleadings were in vain.

As he recalled his futile efforts, Roby was forced to smile and confided that things would be a lot different around here if Detroit ever had been awarded the games.

Among the plans he offered in his bid was the building of a huge, modern stadium on the State Fair Grounds in which the track and field events could be held.

He also had plans for some major housing in the vicinity of what is now Wayne State University. This project would have had a great carry-over value in the rehabilitation of the inner city.

"Just think," Roby said, "if that stadium had been built on the State Fair Grounds, there would have been no need for the Silverdome, and all of our sports teams still would be playing inside the city limits."



The ethics of a hired gun

Each year at this season, the legal industry observes Law Day in order to tell the world how wonderful law is. A government of laws, not of men. Equal justice under law. A person is presumed innocent until proven guilty.

And each Law Day, I gag, usually silently. Not this year. Having watched the U.S. Supreme Court produce crackpot rulings in the *Stanford Daily* and *CBS News* cases, and having observed lawyers trying to help local governmental clients circumvent the State Open Meetings Act, I find it time to expose The Law for what it is.

Law is not the pursuit of truth. Law is not the same as justice. Law is winning. It is winning money. It is winning a conviction, if you're a prosecutor; it is winning acquittal if you are defense counsel.

The lawyer is not God. The lawyer is not an angel or a saint. The lawyer is not a philosopher. The lawyer is a hired gun.

As witness, I call upon F. Lee Bailey, famed defender of Dr. Sam Sheppard, Capt. Harold Medina, the Great Plymouth Mail Robbery defendants and Patty Hearst. Bailey delivered a lecture on the art of cross-examination in 1971 at the University of Michigan Graduate School of Business Administration, a lecture that is so thoroughly cynical — ah, let him testify.

"IT IS OBVIOUS that lawyers go to court to win if they can, within certain ethical strictures, and the cross-examination is not therefore conducted by the advocates solely to seek the truth." Having covered trials, I can add that I have heard lawyers say just the contrary.

Did Jack Ruby kill Lee Harvey Oswald? Didn't NUC enter every second of the shooting on film and show it time after time? Bailey's admiration points in another direction:

"(Defense attorney Melvin) Belli won that case. Mr. Ruby died before it could be retried. And he died with a presumption of innocence, so NUC didn't win after all."

You see, the truth that Ruby killed Oswald in front of a camera is far less important to the lawyer's praise. In a lawyer's incredible logic, Ruby and Belli are the winners.



"THE DIRECT EXAMINATION is calculated to be as brief as possible," Bailey continues, "and to carry all of the high impact that it can deliver, which means that it stays away from the details."

"People do not trip up on the central facts and issues as a rule. If they trip up, it's on the details, and when they do, the probabilities begin to swing." No comment.

"The next thing of great importance which is not taught practically (in law schools) is the use of suggestion. When it was mentioned that I was on the faculty of the American Institute of Hypnosis, many people may have wondered what use that technique might have been to me. Hypnosis is no more than suggestion which the subject accepts. . . . Although we don't hypnotize anybody in the courtroom, we do make suggestions with every question in cross-examination; and if we can get the witness to accept the implicit suggestion in the question, we are making points that will count with a jury."

"In addition to that, when we sum up the case to whoever will decide it, our entire presentation is a whole string of suggestions." Truth, anyone? Logic? No — it's Law.

"FORCE TIMES SPEED is power," says Bailey, emphasizing the need for a quick mind. "Cross-examination is a function of power. . . ."

"Indeed, if your opponent shows you down by objecting, in order to give his witness time to breathe and think up an answer, you will have to find a way to deal with your opponent." Don't give 'em time to think. That's Law.

"We do not ask . . . open-ended questions on cross-examination as what, why, when, where or how. That's an invitation to a lecture, which is about the worst thing that can happen. . . . You have to cut them off or they'll bury you, absolutely bury you."

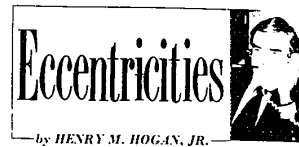
"Each question should be a rifle shot — do suggest to elicit a yes or no on that point and no other."

"Think of the trial attorney in cross-examination as a hunter of jungle beasts, stalking the target."

"I don't want something else and then come back, suddenly and swiftly, and without warning, so that he doesn't have time to think logically."

"Actually we don't destroy witnesses. What we do is chip away at their story, hoping to diminish their credibility to such an extent before the final arguments."

Thank you, F. Lee Bailey, for your most blunt telling book beneath the ideals of your industry. No questions for now.



To keep your school open: Scream loud

It has always been said that you get a better shake for your local tax dollar compared to the expenditure of state or federal tax dollars. The reasons are twofold:

First, you can watch what your local officials are doing. If you don't like it, you can amble down to the city commission, township board or school board meetings and make your views heard. You get lost in sheer numbers when you try to do this in Lansing or Washington.

Second, it doesn't take a huge bureaucracy to collect and decide how to spend your tax dollars locally. Local government is more efficient.

Local government has its shortcomings, however. It is very sensitive to public opinion and many times makes short-sighted decisions purely on emotion.

If large numbers of citizens appear at a public hearing, you can be sure they will make an impact on the final decision, even though they represent a small percentage of the people who will be affected by a final decision.

CURRENTLY, LOCAL school boards in most suburbs are having a problem with too many classrooms and not enough students.

We've watched the baby boom work its way through elementary and junior high schools. Now it is about to pass through the high schools.

Ten to 20 years ago, we were building schools at a furious pace to keep up with the demand. Every year there seemed to be a millage increase to pay for construction and expansion.

Teachers' salaries, which account for more than 80 percent of school district budgets, were doubling.

But American lifestyles have changed. Families are having fewer children. How long this will last is anybody's guess. Will the kids of the baby boom start having more children in a couple of years and recreate a need for more schools?

THE EXPERTS WERE wrong in forecasting needs when we built all these facilities years ago. Can they do any better in the future? Should we bear the costs of preserving these schools for the future or reduce our tax burden now?

While these seem like things that can be analyzed and decided logically, the strengths and weaknesses of local government come into play.

My local area has recently been reassessed for real property taxes. Most residents are going to get a big surprise when their next tax bills arrive, and it won't be a pleasant surprise.

There will be a backlash, and residents will be clamoring for expenses to be cut and taxes reduced.

In the meantime, each time a school board attempts to close a building because of dwindling enrollments, residents around the neighborhood school to be closed will pass petitions and attend meetings to pressure the local board to keep the building open.

THE MORE ESTABLISHED neighborhoods, and hence the better organized ones, will be hit by school closings first because they show the biggest decline in school population and have the oldest, less effectively designed schools.

When a neighborhood school closes, it does affect the property values of the area because people like to be near the school (their kids attend).

In the next year we can expect tremendous loss of value locally when the tax cutters face those who are trying to preserve a neighborhood.

A Division of
Suburban Communications
Corporation

Philip H. Peters
Editorial and News
(not for sale or circulation)

Richard D. Anglin
President
(not for sale or circulation)

Farmington Observer

Subsidiary of the Farmington Observer

Editor: Harry

Editor: Harry

Editor: Harry

Editor: Harry

Editor: Harry

Editor: Harry

Editor: Harry

Editor: Harry

Editor: Harry

Editor: Harry

John Hickey, General Mgr.

Thomas A. Hickey, Executive Editor

George J. Hagan, Advertising Director, Fred J. Wright, Circulation Director