

**'The functions of protecting county buildings and property, and preserving the peace upon such premises . . . may not be delegated to an officer or agency other than the county sheriff . . .**

**— Attorney General Frank Kelley**

## Kelley says safety job is sheriff's

By Suzie Rollins Singer  
staff writer

Democratic Oakland County commissioners, armed with a state attorney general's opinion, are asking their Republican colleagues to help merge the county public safety division and the sheriff's department.

Calling the two functions a "waste of taxpayers' money," Democrats said they will introduce a resolution at Thursday's meeting requesting the merger, said Commissioner Lawrence Pernick, D-Southfield.

Presently, the 44-member public safety division reports to County Executive Daniel T. Murphy, a Republican. The division is responsible for patrolling county property. Several months ago, the Board of Commissioners granted Murphy deputizing powers of his officers.

DEMOCRATS, however, contend the public safety function should be performed by the department of Sheriff Johannes Spreen, a Democrat.

The public safety division has been the subject of a political tug of war between the parties.

Recently, state Rep. Joe Forbes, D-Oak Park,

asked Attorney General Frank Kelly to issue an opinion about who should supervise the safety division.

Without issuing a numbered opinion, Kelley wrote on May 12, making two points:

• "The functions of protecting county buildings and property, and preserving the peace upon such premises, with the power of arrest and custody of persons violating such provisions, are law enforcement functions within the power, authority and responsibility of the county sheriff which may not be delegated to an officer or agency other than the county sheriff . . .

• "A county executive of an optional unified county is precluded . . . from exercising the law enforcement powers conferred by general law on the county sheriff. For the same reason, the board of commissioners . . . may not confer the powers of the sheriff upon the county executive."

ALTHOUGH THE attorney general's report is not legally binding, Pernick said he hopes Republicans will listen to its message.

"It's clear if we consolidate operations, we will save some money for the taxpayers. I don't think people want to waste money," Pernick said.

"And we have an added liability if anyone (in the safety division) is injured while serving beyond the scope of their duties."

Safety division deputies have arrest powers on county property. However, Sheriff Johannes Spreen has said that a recent homicide in an Independence Township county-owned park was never reported to sheriff's deputies for investigation. He contends that the safety division's powers are unclear.

Pernick said, "I think it's in the public interest to consolidate the department. There would be no additional expenses, and it would eliminate a lot of unnecessary management people."

BUT MURPHY disagreed, saying the attorney general had no business interfering with county operations.

"The attorney general has never written an opinion for us before on county matters, and I don't plan to pay attention to his opinion. He is completely out of place," he said.

Murphy compared the county safety division to those on university campuses, which patrol the grounds without being members of a law enforcement agency.



### Ask the man . . .

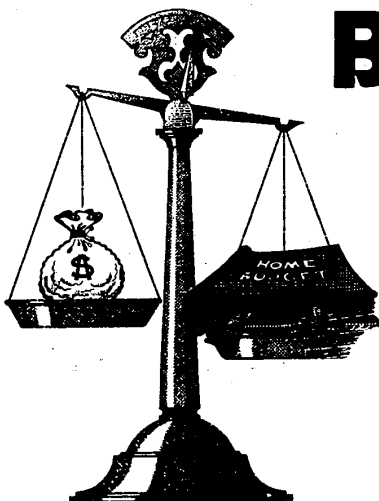
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