

Kelley's office ponders Oakland utility case

By Kathy Parrish
Tim Richard
staff writers

At the request of state police, Michigan's attorney general is looking into a utility fraud investigation which the Oakland County Prosecutor's office won't pursue.

Stanley Steinborn, chief assistant attorney general, said it is not uncommon for his office to look into a case once a decision has been made by a local prosecutor.

"State police turned over the investigative file to us, and we're looking into it," explained Steinborn. He said his office was contacted on the eve of a

television report linking donations to the L. Brooks Patterson campaign fund to the decision to drop the investigation.

Ironically, one of the donations was given to Republican Patterson during his 1982 race against Attorney General Frank Kelley, a Democrat.

Steinborn said the attorney general's office has not contacted Patterson about the investigation, but Patterson's chief assistant "contacted our criminal division and said he's willing to cooperate with us."

MEANWHILE, Patterson's Democratic opponent in the Nov. 6 election

urged him to take a lie detector test to prove he had nothing to do with his office dropping the case.

"There's something rotten in the prosecutor's office," charged Robert Gaglik during a news conference Friday in front of the Lady Justice statue outside Oakland County Courthouse.

Gaglik, a 32-year-old attorney from Troy, said he would petition the Oakland circuit judges for a grand jury investigation if Patterson refuses to take a polygraph test.

Patterson was unavailable for comment. He was outstate speaking in favor of ballot Proposal C.

A WKYC-TV report two weeks ago

linked auto dealers' gifts to Patterson's campaign with the decision by the prosecutor's office not to charge business owners with tampering with utility meters to save energy costs.

Informant William H. Jones, 35, of Taylor pleaded guilty to a charge of defrauding auto dealers by saying he could fix utility meters. Oakland Circuit Judge George LaPlata placed him on probation for two years.

But the Oakland County Prosecutor's office decided there was not enough evidence to press charges against the business owners.

The Wayne County Prosecutor's office pursued two cases at the request of

Michigan State Police. One firm pleaded guilty. Another is awaiting trial.

Of 81 state utility fraud cases, 11 involve Oakland County businesses, and nine are auto dealers.

PATTERSON ADMITTED He received \$5,000 from the Detroit Auto Dealers Association (DADA) during his 1982 attorney general campaign and \$640 from Robert (Saks) Mechigan, owner of Bob Saks Oldsmobile in Farmington Hills, for his present campaign for prosecutor.

Furious with the Channel 7 report, Patterson denied the gifts were related to the cases being dropped. The prosecutor said he intends to sue the station and reporter Vince Wade for slander.

Patterson offered to take a polygraph test, but only if Wade would publicly apologize to him afterward. The

reporter agreed only to report the polygraph results.

TWO OF THE prosecutor's assistants — Richard Thompson, chief assistant, and Michael Izzo, chief of warrants — voluntarily took polygraphs last week in an attempt to clear Patterson of any involvement.

"They passed the exams, which asked if they were aware of the campaign contributions and if Patterson tried to influence their decision in the utility fraud cases.

During a press conference, Thompson acknowledged that passing a polygraph does not always keep a suspect from being criminally charged by his office.

"They are an investigative tool and are used routinely in investigations," said Thompson. "But they're only as good as the polygraph operator himself."

'C' would cripple road budget

The Oakland County Road Commission this year prepared two budgets — a normal one with a construction program and a 28-percent "cutback" budget if voters pass Proposal C Nov. 6.

"Disaster," said OCRC Chairman Richard V. Vogt of the 1985 cutback budget.

"Utter disaster," said OCRC Managing Director John Grubba of the 1988 program.

AMONG OTHER things, Proposal C would cancel an increase in gasoline and weight taxes passed in 1982 by the Michigan Legislature. These funds go 10 percent to public transportation, 39 percent to the Michigan Department of Transportation, 39 percent to county road commissions and 22 percent to cities and villages.

"Our board has not taken a position on C, and it will not," said Grubba. "Proposal C affects other taxes, and we have neither the competence nor the jurisdiction to decide on them. Who is the Road Commission to advise on how to vote on the income tax?"

"But we are concerned about the effect on our budget. So we prepared a cutback budget as our response to C, if it passes.

"If it does pass, our next step will be to go to the Legislature and persuade them to put (the road improvement) taxes on the ballot and then persuade voters to approve them."

But if the OCRC's three-man board was reluctant to oppose Proposal C, the state Transportation Commission felt differently. The six-member, bipartisan state panel voted unanimously to oppose C, charging it would stop "Michigan's transportation revival of the past two years dead in its tracks."

THE 1985 "cutback" budget of the OCRC would:

- Eliminate the planned replacement of a bridge on Lahser south of Thirteen Mile in Beverly Hills.
- Cut capital expenditures for road equipment replacements from \$2.3 million to \$1 million.
- Eliminate 16 planned staff additions, including a second bridge maintenance crew and a guardrail repair and replacement crew.

In the 1985 cutback budget, Grubba said, his agency would get "five months

of 'old' revenue and seven months of 'new' revenue." But it would have to spend a \$2.5 million fund balance — in effect, its working capital — to keep operating.

IN FISCAL 1986, which will begin Oct. 1, 1985, he said, all road improvements would be eliminated, while maintenance and traffic-safety services would be cut drastically. Other steps:

- Cut the road improvement program (mostly repaving) by 87 percent — from \$4.2 million to \$547,000.
- Reduce authorized positions 24 percent, cut salaries and wages of remaining staff 5 percent and put all but emergency forces on a four-week furlough.
- Reduce construction from \$12 million to \$2.5 million.

Federal matching revenues would also be lost, Grubba said.

In addition, the OCRC would be unable to participate in so-called "tri-party" road improvement projects financed with its own revenues and those of county general government and local governments.

Total 1986 revenue loss would be more than \$18 million or 39 percent — including \$6.9 million from repealed gasoline and weight taxes, \$6.8 million in federal aid and \$1.2 million in tri-party grants.

GRUBBA SAID the 1982 increase in state taxes was aimed not at increasing revenues but to restoring them to the 1979 level. Revenues were cut, he said, because more fuel-efficient cars produced less gasoline taxes, and lighter cars produced less weight taxes.

"I wish they (committee supporting Proposal C) had selected 1979 instead of 1981 as the year to which they would roll back taxes," he said.

"If it does pass, our next step will be to go to the Legislature and persuade them to put (the road improvement) taxes on the ballot and then persuade voters to approve them."

— John Grubba, road commission director

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