

Opinion

Steve Barnaby editor / 477-5450

33203 Grand River Ave. / Farmington, MI 48024

Philip Power chairman of the board
Richard Agnina president
Dick Iahem general manager
Dan Chovanec advertising director
Nick Sharkey managing editor
Fred Wright circulation director

O&E Thursday, December 13, 1984

Cut the waste, Terry, next year is coming

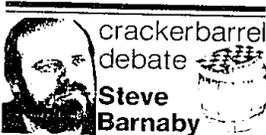
THE GHOST of Things to Come must be having a whale of a time getting ready for the new year.

Oh, it would be simple if all he had to worry about were nuclear disarmament, feeding the starving masses in Africa or the federal deficit. But our friendly ghost has something more pressing on his futuristic calendar — the Farmington Hills Two, otherwise known as Councilman Ben Marks and former Councilman Terry Sever.

Ghostly thought democracy was pretty simple. Nothing like the intrigue in the Kremlin or an unpredictable coup in South America. In the U.S., elections are conducted and through the wisdom of the people an officeholder is selected.

Well, the Ghost of Things to Come never met the gang up at the corner of 11 Mile and Orchard Lake roads — otherwise known as the Farmington Hills City Council.

Seems that in this round of political comedy, Farmington Hills' answer to Harold Stassen — that's Sever — has decided to take his political fight to circuit court. After only three weeks, Sever learned from the Oakland County Board



of Concessors that instead of winning by 25 votes, he actually had lost by one vote.

THAT'S RIGHT, FOLKS, one vote. Count it. And you didn't think your vote counted.

Now, his political nemesis — that's Marks — has been sworn to a council seat still warmed by Sever's body. A heart-breaking development, to be sure.

So off to court we go for the next round which could possibly lead to — you got it — another election. That's right, the court could decide to do make you go out and vote all over again.

Seems fair enough until you start counting the bucks. Then a body might have the tendency to ask to whom that is fair. Fair to Sever, maybe. But whether it is fair to the taxpayers is a whole 'nother matter.

Most folks forget about how much an election costs. Looks cheap enough. But in this case, looks are deceiving — real deceiving. In short, another election to resolve this matter would cost \$10,000 of your money.

SURPRISED? You betcha. Most folks just don't stop to think about the cost of an election. All those election workers, noble as they are, aren't slave laborers. They're getting paid.

Then there is the cost of the ballots, the computer time and on and on. It adds up.

To be sure, losing by one vote is a heartbreaker for anyone. But the system has functioned. The rules are clear. The ballots have been counted — twice.

Winning by one vote is as good as winning by 1,000. Let's stop the running to court and get down to running the city.

Sever should take to heart the lament of Chicago Cub fans — wait till next year.



With OBSERVER & ECCENTRIC NEWSPAPERS 1984

Police rivalry wastes effort

NOT ALL THE salvos being fired across city boundaries are the work of criminals. Police officials themselves do some of the shooting.

Southfield's public safety director Jerry Tobin suggested that Franklin, which contracts police service to Bingham Farms, and Beverly Hills buy services from his department. Critical of the staff size and equipment in the villages, Tobin labeled as "baby-sitting" the service provided their residents.

John Verdon, president of Franklin, retaliated police there provide "more professional services" than Southfield.

"I think the thing that bothered people the most was the method used by Tobin to open the issue up," Verdon said. "He talked to us in 1980-81. To all of a sudden read we need to buy without a call or comment is the wrong approach."

Communication — or lack of it — also could blast apart a shared police contract between the city and township of Plymouth. A police consultant who studied the contract cited problems including "ongoing city/township political issues adversely affecting the police department."

ARE THESE cases of empire building by career professionals? Or are they small-town chiefs protecting their shiny badges while stroking the egos of residents?

Probably both, and these guys are getting away with it. Taxpayers allow them



Sandra Armbruster

selves to be lulled by officials touting services that fail to make the best use of tax dollars.

Tobin grouches that Franklin isn't even on the same radio frequency as Southfield. No problem, Verdon said, because Franklin buys its dispatching service from Farmington Hills.

On the other hand, Verdon claims "people in Franklin and Bingham know how many cars are on patrol and have known for many years."

But he becomes quarrelsome when questions are raised about how low patrol coverage actually may drop at times. Verdon says he's worried that the bad guys in Detroit may find out. Well, it may be a good idea for Franklin and Bingham residents to learn just what they're paying for.

The verbal barrage is just plain silly. Any reasonable suggestion that furthers the fight against crime ought to be considered.

EXPERIENCE shows sharing services works.

Money was a motivator in getting such Wayne County communities as Livonia, Inkster, Garden City and Westland cooperating, according to William Rechin, police chief in Westland. A federal grant paid a percentage of the costs for a crime-prevention unit.

Many communities join the state in mass purchases of police vehicles.

Redford Township buys a computerized record file system from Livonia, according to Livonia Chief William Crayk, and soon will be using a computer-aided dispatch operation.

Livonia cooperates in joint training programs and a shared traffic grant hosted by Garden City.

CRIMINALS DON'T recognize city boundaries. Growing suburban commercial centers entice them. Freeways ensure their mobility.

Tobin, who has worked in Detroit and Birmingham during his 30-year career, makes another point. "Detroit let other communities become established based on the use of its services," he said. Tobin worries the same thing will happen to Southfield.

Why should the villages worry about police and fire equipment when they have "tacit insurance" from Southfield? Tobin asks.

Communities with small staffs have at least a moral obligation to support the cost of such efforts that benefit them.

discover Michigan

THE STATE CONSTITUTION, adopted in 1963, specifically makes truth a defense against charges of libel. In Section 19 of the Declaration of Rights, the Constitution says: "In all prosecutions for libels the truth may be given in evidence to the jury and, if it appears to the jury that the matter charged as libelous is true and was published with good motive and for justifiable ends, the accused shall be acquitted."

Article 1 also guarantees freedom of speech and of the press. In Sec. 5, the Constitution says: "Every person may freely speak, write, express and publish his views on all subjects being responsible for the abuse of such right; and no law shall be enacted to restrain or abridge the liberty of speech or of the press."

People Mover good investment

WITHOUT QUESTION, SEMTA's People Mover can boost downtown Detroit as a convention and shopping area. The People Mover — automated electric cars on an elevated guideway — would have no rival in North America as an innovation.

But SEMTA is in deep financial trouble over it, and the trouble is not all SEMTA's fault. After being budgeted at \$137 million, the People Mover had to be redesigned.

One reason was that the proposed Cadillac Center project, where a station was to be located, fell through. Then the Midlender Center project came along. Then the mayor of Detroit decided Cobo Hall needed expanding, so its station had to be changed and a maintenance garage moved elsewhere.

Then the David Whitney Building was given a station. Then some riverfront land turned out to be too spongy to hold the guideway, and reinforcements had to be built.

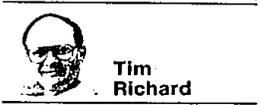
SEMTA made the changes after the general contract was let. The changes were responsive to a changing downtown, but SEMTA had no assured method of paying for them. Altogether, the changes will add \$55 million to the price tag.

IF JIMMY Carter were still president, perhaps SEMTA could run to Washington and ask for a federal bailout. If Bill Miller were still governor and this were the mid-1970s, perhaps SEMTA could run to Lansing and get a state bailout.

But if the federal Urban Mass Transit Administration under Ronald Reagan's presidency had its way, the Downtown People Mover would never have been funded, and the money would be going for western water or a Tennessee canal.

At most, according to U.S. Rep. Carl Pursell, R-Plymouth, UMTA might find \$33 million to help the SEMTA project. As a member of the House Appropriations Committee, Pursell got the People Mover funded, and he ought to know.

By anyone's calculations, SEMTA still needs to find \$33 million to complete the



Tim Richard

project, which is half built.

The logical money source, according to Pursell and state Sen. Richard Fessler, R-West Bloomfield, is business.

BUSINESS, BY its own testimony, would benefit hugely from the People Mover. But how does one go about setting up the financing? There are three possibilities:

1. Voluntary contributions. The method is probably unworkable. How do you determine one's benefit and fair share? How do you get them from the stick-in-the-mud?

2. Special assessment. Pursell proposes this method. UMTA chief Ralph Stanley likes it, and Sen. Fessler is studying it. The question is whether the special assessment district should be set up by the city of Detroit or by SEMTA, which would have to be given such authority by enabling legislation.

3. A stock sale. This is my own idea. Instead of using government's taxation powers, why not ask businesspeople to invest in the People Mover? It is, after all, supposed to be at least a self-supporting project, not requiring the heavy subsidies that buses and dial-a-ride services need.

There is precedent for such a mix of public and private money. Alexander Hanson, the whiz kid Treasury secretary in the Washington Administration, set up the First Bank of the United States that way, with the federal government owning one-fifth of the stock.

The People Mover is a golden opportunity. It shouldn't be abandoned. It requires a bailout — a business bailout of a governmental agency as opposed to the government rescue of Chrysler Corp. There simply must be a way to do it.

Court chills our right to know

WHY WOULD 50 journalists gather on a bright Thursday afternoon to listen to a three-hour lecture?

Last week, Observer & Eccentric reporters, photographers and editors attended a conference conducted by an attorney on legal actions against newspapers.

Libel is the most frequent grounds for a suit against newspapers. Libel is a defamatory statement published about an individual or business.

Attorney Darrell Grams said financial stakes are high. The average libel award is now \$1.5 million. This compares to a \$750,000 average for product liability awards and \$700,000 for medical malpractice awards.

In 80 percent of trials, juries rule against newspapers. But 80 percent of those verdicts are overturned on appeals to higher courts.

Although most libel suits are eventually dismissed, legal costs are enormous for newspapers.

LAST WEEK, I also attended a meeting of police officials and journalists in Canton Township. A police officer said newspapers are immune from law suits if they report what the police say in a crime story.

Not so. In crime stories, newspapers can publish only what they are told by



Nick Sharkey

normally reliable sources. For example, the publication of an off-hand comment by a police officer could result in a libel verdict.

After a Michigan Court of Appeals decision in September, more restrictions are being put on the republication of information obtained from the police.

In that case, David Rouch of Battle Creek was arrested for an alleged attack on a baby-sitter, which included rape. The Battle Creek newspaper published a short article about the arrest and details of the alleged crime.

After investigation, Rouch was released and a second man was arrested. A year later, Rouch filed a libel suit against the newspaper. The circuit court dismissed the suit without taking it to trial but was reversed by the Michigan Court of Appeals in September.

Newspapers have been immune from law suits in matters of public interest, such as an arrest for murder or rape. But the Rouch case may change that. The Court of Appeals ruled that details "of the

alleged crime were merely matters that the public would find generally interesting and not matters 'deserving robust public debate.'"

According to the court, the newspaper should have waited until the suspect was either named in a warrant or arraigned. It sent the case back to circuit court for possible trial.

SO WHAT does this mean to you? Journalists talk of the "chilling effect" of law suits. Constant worry about possible \$1.5-million verdicts can affect news reporting. Thus, you are less well informed about your community.

Neighbors become panicky if they think a rapist or murderer is on the loose. They have doubts about police protection. Isn't it better if they know details when a suspect has been arrested for a crime?

If there are too many restrictions on the press, you lose your knowledge of what goes on in the world around you. It's not a matter of newspapers right to publish.

Newspapers are not accepting the Rouch verdict. They have joined to get it overturned by the state Supreme Court.

This newspaper is also trying to make sure its staff knows press law and doesn't fear the "chilling effect." We want to continue to report what's happening in this community. That's why we went back to "school" last week.