

# Judges pressed to move hearings

By Tim Richard  
Staff writer

## Board wants more 'humane' atmosphere

Probate judges may not want to, but the Oakland County Board of Commissioners would very much like them to hold sanity hearings in the Clinton Valley Center (CVC), a state mental institution in Pontiac.

"We have not heard from the Probate Court one reason why they do not want to hold hearings at the CVC," Commissioner Marilyn Gosling, R-Bloomfield Township, said.

But Commissioner John Rowland, D-Pontiac, argued that CVC rooms were a poor forum for a judicial proceeding and would be inaccessible to the general public.

The county board gave 18-6 approval to a resolution "strongly urging" the four probate judges to hold mental hearings and promising to appropriate \$15,000 for room renovations.

Chairman Nancy McConnell, R-

Bloomfield Township, who chairs the board's health and human services committee, called the price of sending a visiting judge to the CVC cheap in comparison to the cost of hauling up to 25 mental patients to the Court House on days when sanity hearings are to be conducted.

McConnell said the probate judges were invited to a committee hearing but didn't attend, sending an attorney instead.

The issue almost became partisan as Democrats led by Howland provided five of the six votes against holding sanity hearings at CVC. Voting were Democrats Alex Perloff of Southfield and Larry Pernick of Southfield.

Voting yes were 16 Republicans and two Democrats, including James Doyon of Madison Heights.

To Rowland's charge that CVC

rooms lack a dignified atmosphere, Doyon replied, "Judges make the quality of justice — not the bench the judge sits on."

THE BOARD quoted a 1974 law at the judges which requires that mental health hearings be held "at the hospital in which the patient resides whenever practicable."

McConnell brought out many letters from parents of mental patients strongly favoring holding the hearings at CVC. Examples:

• A father: "We have been to the courts several times and find it a great hardship for our (mentally ill) son. He feels stigmatized as a criminal, which he has never been."

• The mother of a female CVC patient: "First, the records and doctors are at hand (in CVC). Second, the patient does not feel like a criminal

since she is not in a court. Also, the facilities are more conducive to confidence at CVC, and from experience I know how traumatic this can be to a patient with problems."

• Alliance for the Mentally Ill of Michigan, headquartered in Birmingham: "Presently there is no place where lawyers and their clients can speak privately (in the Courthouse), and the room where the patients are kept while waiting (for their hearings) is small and smoke-filled."

Parents and relatives are forced to sit through a great many hearings while waiting for the one in which they are interested, and this adds to an already emotional situation."

• Parents and Relatives Association of CVC: "For many patients, going to court is a traumatic experience. . . If court proceedings

could be held at CVC, the patients would find going to court a much less traumatic event."

• Alliance for Mental Health Services, Farmington: "The requirement that patients be transported for such hearings (to the Courthouse) is an additional strain on those receiving care. Also, the costs of transportation and supervision are an expenditure that can and should be curtailed."

GLEN M. DICK, director of the executive's Department of Central Services, compared seven options and concluded that having Probate Court personnel visit CVC two days a week was the least expensive.

Transporting patients to the Court House requires three safety division officers for driving and guarding, he said. Hiring an outside company to

transport patients would cost \$47,000 a year," he estimated.

In the Courthouse holding room, Dick said, "There is no separation among violent/non-violent, male/female, and smokers/non-smokers. The holding room is in the middle of a county office which is used extensively by both county personnel and the general public."

By shifting hearings to CVC, the hospital "retains custody and responsibility of their patients, thereby reducing county liability."

CHIEF PROBATE Judge Barnard said in a letter the best solution "is to support the addition of sufficient manpower for the safety division" but didn't say why.

Barbara Consilio, Probate Court administrator, said the judges have held hearings at CVC "when absolutely necessary (if the patient is non-ambulatory) but found it "consistently unsatisfactory." She didn't say why and cited no cost figures.

## Dems charge Patterson with office misuse

Oakland County Democrats are trying to put heat under Prosecutor L. Brooks Patterson, a Republican, for using public office and staff on his petition drive for the death penalty.

Instead, majority Republicans agreed to ask Patterson for a written report and then decide whether the complaints are justified.

"I believe Brooks is smart enough

to know what he's doing. I don't see a problem with getting it (a report)," said Commissioner John McDonald, R-Farmington, who chairs the board's personnel committee.

It will take about a month, McDonald guessed.

SIX DEMOCRATIC members of the county board passed a resolution, which was referred back to

McDonald's committee, charging violation of a civil service rule.

"Certain personnel in the office of the Oakland County prosecutor have been engaging in political activities during working hours on behalf of the petition drive to place the issue of capital punishment on the November ballot," they said.

Their text demanded a full accounting on use of personnel, public

property and supplies.

Among co-sponsors were James Doyon, D-Madison Heights, and Larry Pernick, D-Southfield.

"Politics," said Commissioner John Olsen, R-Huntington Woods, "I think it's politics," said McDonald.

PATTERSON was out of town and couldn't be reached for comment.

Patterson led a petition drive to

collect 304,000 signatures to place on the Nov. 4 ballot a constitutional amendment lifting Michigan's prohibition against the death penalty. An Ingham circuit judge, however, decided that since the signatures were collected over too long a period of time, the petitions were invalid.

In the public comments section of the board meeting, Paul Feak of Oak Park said that while the pro-

secutor can advocate public policy, Patterson was wrong in 1) using public employees to prepare a lawsuit defense on the issue, 2) using county government stationery in the drive and 3) holding a meeting of his organization in a county room.

Maggie Tyson of Bloomfield Township called it "gross negligence for county officers to use their office to support a political ballot issue."

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