

Fessler would change prosecutor's office

Fourth in a series

By Tim Richard
staff writer

A last-minute entry into the Republican race for Oakland County prosecutor was state Sen. Richard Fessler of Union Lake.

He is the fourth person seeking the GOP bid in the Aug. 2 primary for the chance to succeed retiring Prosecutor L. Brooks Patterson.

Fessler is in the middle of his second Senate term after serving four terms in the House of Representatives.

Q. Tell us about your law practice in the last four years.

A. I started practice in '73. The last four years I've been in the Birmingham-Bloomfield area. Years ago my practice was concentrated in the criminal area. In the last four years, it has been in criminal and civil — (primarily) contested probate estates, and in the last two years it has moved into real estate development work.

I was in a firm until a few months ago — Gettleman, Fessler and Lincoln. We now moved to Union Lake, and I'm a sole practitioner.

Q. Tell us about your experience in staff hiring.

A. In 1972, I was appointed chief deputy treasurer of Oakland County. I was in charge of all the personnel activities — I think there were 38 employees at that time. In addition, I was in charge of investments — around \$100 million a year.

When I left, that job was split in half — a chief deputy and an investment officer. I used to sit through lunch to keep up with everything.

In the law practice, I've been



Sen. Richard Fessler
hire women, minorities

involved in hiring and maintaining a staff.

Lansing, I'm responsible for all the employees on my staff; it's an excellent staff.

I chair and hire the committee staff for Tourism, State Affairs and Transportation. The staff is two to three different people. One is a civil engineer, which we hire for transportation research and background.

Q. Where did you grow up? And what made you decide to become a lawyer?

A. I grew up in White Lake Township.

In high school I decided I might like to get into public life at some point, and I thought being an at-

torney would open that avenue up.

(Fessler studied accounting at Oakland Community College, English and social studies at Oakland University and law at the University of Detroit. For a while, he operated a wholesale live bait business.)

Q. If you were elected prosecutor, what changes would you make in that office?

A. First, I would review the operations.

I would definitely attempt to balance the office between women attorneys and men. There needs to be some racial balance

If the Board of Commissioners would approve it, I'd like to see some counseling with regard to victims' rights . . . to remove some of the frustrations they feel. I would attempt to get an intake area that would specialize in domestic problems — domestic violence, child abuse.

The third change I would make is to build interaction with local law enforcement and develop a series of instructional videotapes for civic organizations and schools to acquaint people with how to identify a crime in progress, to take safeguards against a crime being perpetrated on them.

We should have a county 800 number, tie that number into the county's central dispatch, and ask people to cooperate in being the anonymous eyes and ears of law enforcement. A lot of crimes would be reported in progress.

Case-wise, this prosecutor's office has some stringent policy guidelines. They've taken away from individual (assistant) prosecutors any discretion whatsoever. It permits a consistent policy (for example) in drugs. But much of those policies need to be re-examined with the law enforcement community.

Q. Brooks Patterson has been well known for a legislative agenda, including a couple of petition drives. Do you have a legislative agenda for the prosecutor?

Q. Yes, and it might change from time to time. One time it might focus on crimes against retail businesses. There's white collar crime that takes place. If it needs change, you'd take the statistical data to the legislature and get change. It also goes into the spouse abuse and child abuse area.

Q. Not to get into the details of your private life, but at one point a publicly-elected judge in a public

courtroom gave you a night in the Nichols Hilton (county jail), a publicly-operated facility. The question is, what do Republican workers say to the undecideds when this comes up as an oral issue in the campaign?

A. I'm a constitutionally oriented individual, pro-law enforcement all my life, with a good record of public service.

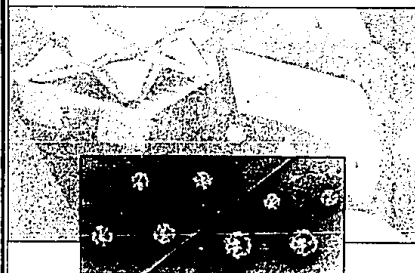
The reason I spent a night in jail is that I was found in civil contempt. The judge has broad discretion to do that. I feel he (Judge Robert Templin) abused his discretion.

I used to do divorce work. Others (lawyers and judges) hadn't seen a case handled like this before. It's almost selective treatment. They can't determine

whether it's a personal vendetta against me, or whether he's attempting to show everyone he's not going to give me special treatment because I'm a state senator. Anyone else, he would have given 72 hours or a week to correct the problem. Had he taken the time to check, he would have found 90 percent of the things he asked had been done.

He issued an order which could not be fulfilled. That's an improper action on his part. You can sanction an individual under civil contempt, but they must have a doorway from which to exit. In my case, the order gave me nowhere to go. He had signed the order committing me to jail before I had started my oral arguments.

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