

Oakland judges question prosecutor's aims

By Janice Brunson
staff writer

Are citizens getting their money's worth from the Oakland County prosecutor?

In this era of tightened budgets, is justice being served?

Such questions are valid, according to some Oakland County judges and defense attorneys, who fear courts are increasingly burdened with work and that cases are over-charged by zealous prosecutors who refuse to plea bargain, even in instances where it is warranted.

Oakland County prosecutor Richard Thompson, who describes his office as among the toughest in the state, says he and 89 assistants are doing their job as mandated by law and critics are self-serving, pointing to isolated instances to prove their point.

Consider:

- After stealing a newspaper from a Birmingham coin machine, the defendant was tried before Oakland County Circuit Judge Frederick Ziem, who had earlier retired from the bench. It was acting as a visiting



'To be able to serve the people within the limited resources we have, each side must compromise. And to brand a person with a felony, in an instance that is isolated and where there is no prior record, lacks compassion.'

— Circuit Judge Hilda Gage

Judge to ease congested court dockets.

A Romeo man, involved in anrimonial divorce, was brought to trial on charges of felonious eavesdropping after installing a video camera above the bed in his ex-wife's bedroom.

- Following a four-day trial in

Oakland County Probate Court, in which four teens were charged with carrying dangerous weapons with unlawful intent, a jury acquitted only minutes before acquitting all four.

At issue, judges and attorneys agree, is not criminal accountability. It is overcharging or filing charges

more serious than are warranted by the crime, and failing to consider plea bargaining as a viable alternative to costly trials by judge or jury in system already threatened with overload.

Since assuming office in 1988, Thompson has backed tough stances against plea bargaining. Of 20,000 charges brought annually, less than 10 percent are plea bargained, he said.

'WE ARE ALL part of the same system,' said Oakland Circuit Judge Hilda Gage, who feels she spends infinite amounts of time on nuisance cases stemming from break-ins, shoplifting or, as in a trial a year, failure to return rented property.

In more cases, Gage maintains, which charges could be justifiably reduced from felony retail fraud to filed in Wayne or Washtenaw counties, likely would be.

Understand, what we're talking about is cases, that if plea bargained do, wouldn't make any difference the sentence,' she said.

'Plea bargaining would be a lot easier, but it wouldn't do the job for the citizens. My job is not to make the judiciary's job easier.'

'I do not apologize for maintaining a tough office.'

'There are preliminary exams.

Thompson defends tough stance

By Janice Brunson
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Just look south to Detroit, said Oakland County prosecutor Richard Thompson, and his tough stance on crime makes sense.

'My goal is to enforce the law and send a clear message: People who violate the law in Oakland County will pay for their crimes. They will be held accountable by the system. Otherwise, you lose control of the streets.'

Thompson supports his position with certain statistics.

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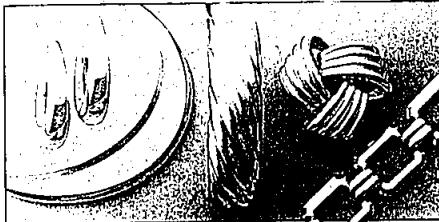
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ously be made easier. I think they might be handled another way.'

LAST YEAR, 16 judges on the Oakland circuit bench were assigned an estimated 32,000 cases or some 1,950 each. Of the total number, nearly 8,000 were criminal cases, with 439 going to trial. The Oakland County Commission has approved two additional judgeships, but no relief is in sight before January 1993, if then.

Kuhn was originally assigned the stolen newspaper case but, to ease his crowded docket, reassigned it and two additional cases to a visiting Judge, Ziem. There were no funds for visiting judges last year and may well not be this year, Kuhn said.

Former Oakland County prosecutor Brian Patterson, one of the officers most critical of the changes, 'They want a tough prosecutor' and Thompson 'has probably taken (toughness) a step further' than when Patterson was prosecutor.

'I see the office a tad tougher to negotiate with,' he said. Patterson is now in private practice and provided defense during the eavesdropping trial last November. The defendant was found not guilty.

'My client was not overcharged. I thought the charge was reasonable. If he was to be charged, it was the only charge that could be applied. But the evidence did not warrant any charge, as shown by the verdict,' Patterson said.

Assistant prosecutor Gregory Trowbridge defended the charge. 'I would gladly prosecute that case again. The way I look at it, when you

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— Prosecutor Richard Thompson

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