

Opinion

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Judges take note: Don't mess with the press

IF YOU WANT to see how our Constitution works, don't look in the courtroom of Detroit Recorder's Court Judge Vera Massey Jones. You'll come away disappointed — and maybe a little scared.

It was in Massey Jones' court last week that the legal process went haywire, having been short-circuited deliberately by this heretofore respected judge.

Massey Jones is presiding over the trial of Detroit Cassandra Rutherford, who is charged with assault in the beating of Joanne Massey of Farmington Hills during the Freedom Festival fireworks display in June 1991.

Of course, most people know that this trial is more than an event where a judgment of a simple assault case will be made. Similiar cases are being heard in courtrooms across metropolitan Detroit without much attention being paid by the public.

But because of the principals in the Rutherford trial — or, more significantly, where they live and the different shade of their skins — this trial has drawn press attention on a large scale, and the public is reading and watching.

THE TRIAL is the stuff of which sensational journalism is made. It shapes up as a crumbling, lawless city versus the comparatively affluent and safe suburbs.

And with the addition of defense attorney Cornelius Pitts to this bubbling brew, it is unfortunately turning into an ugly black-versus-white issue with all the makings of a real racial monster.

Enter Judge Massey Jones, who claims she just wants to maintain courtroom decorum and ensure a fair trial for Cassandra Rutherford. In so doing, though, the good judge has effectively slammed the door on an open court, while trampling on some very basic Constitutional rights.

Massey Jones, wielding a judge's iron fist, decreed Feb. 13 that reporters may not take notes in her courtroom. Note-taking would be too

disruptive, she said. Most of the reporters left. She also ordered a deputy to confiscate the notes of another reporter whose only transgression apparently was looking at the jurors.

On and on the harassment went: She barred a radio reporter from audio taping from a cable TV monitor, had a deputy escort a newspaper's attorney from the courtroom when he attempted to speak and in general made life difficult for the journalists who attempted to cover the trial.

MASSEY JONES did wrong — and the Michigan Court of Appeals would seem to back us on that statement. We're happy to note that the Court of Appeals ruled Tuesday that note-taking must be allowed during the trial.

We're disappointed, though, that Massey Jones' ban on still photography will stand.

Massey Jones should go to her room and read the U.S. Constitution, especially the part that guarantees a free press. It wouldn't hurt her to check out the Fourth Amendment protections against unreasonable search and seizure.

And please, Judge Massey Jones, feel free to take notes.

Massey Jones has no business hatching plots that result in closing the peoples' courtroom to the peoples' representatives — the men and women of the press.

It is a public court and the public needs to know, has every right to know, the facts in this case. The press, of course, is the way for the public to be informed of the conduct and outcome of public trials.

No, in our opinion, it isn't the journalists who need to be controlled in Massey Jones' courtroom. But defense attorney Cornelius Pitts, who impresses us as a bully in expensive suits, needs to be cut down a notch or two.

Pitts, who seems to deal in insults and black-on-white racial intimidation when questioning Joanne Was' witnesses, was reprimanded several times by Massey Jones. Justice is blind — and color blind — after all.



In the matter of suburban potholes.....

Bipartisan cry to cut tax grows deafening

THAT STRANGE sound you have been hearing in the background for the past few weeks is nothing more than the spring rustle of the seasonal Pander.

Often seen at the very beginning of spring in election years, Panders cluster together in noisy flocks, usually in search of juicy clumps of voters. Their cry — loud, shrill and persistent — is the key to identification: "Cut Taxes! Cut Taxes!"

Of course, politicians have been pandering to voters ever since elections were invented. But when our Wall Street geniuses, ably assisted by the Reagan Administration, elevated personal greed into America's Top Value during the decade of the 1980s, the bipartisan squawk to cut taxes at all costs has become deafening.

It's NO surprise, therefore, to see Michigan versions of this instinct to pander already solidly on the ballot for this fall.

The Democratic proposal exempts the first \$30,000 in residential property value from school property taxation. As the candidates already are reminding us, this helps "ordinary folks in the middle class." It also would cost \$750 million, to be paid for by an equal increase in business taxes.

Given the immediate recession and the longer term fear that the very basis of Michigan's economy is

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Philip Power

what's really for sale is quite different.

IN MY OPINION, both Democratic and Republican plans should be defeated this November.

That done, however, the stubborn facts of the matter are these: Michigan ranks in the top 10 percent of the country in terms of property taxes. And of the \$8 billion spent on public K-12 education in Michigan, \$5.5 billion came from property taxes.

The evidence is clear. We in Michigan rely entirely too much on the property tax to pay for education. And Michigan ranks in the bottom 40 percent of states in terms of total burden of other taxes combined, including sales and income tax.

That suggests the best strategy now — as it has been for the past 20 years before the seasonal Panders swooped in — is selectively to shift from over-reliance on the property tax toward increases in other, under-utilized taxes.

Phil Power is chairman of the company that owns this newspaper. Its award-winning column will appear periodically.

Fuel tax Metro area needs better roads

MICHIGAN ROADS once were the envy of visitors — well-planned, well-built and well-maintained.

And although our public transportation has lagged behind other major metropolitan areas, it existed.

No more. Although our road system still goes to all the right places, and even includes the great, still-new I-696 freeway, our older roads are crumbling, from block-long subdivision streets to cross-town mile roads.

And suburban Detroit will become the nation's largest metro area without a regional public transportation system at the end of next month unless a \$7.7 million shortfall is made up.

Not only 35,000 commuters who depend on the SMART suburban bus system, but area motorists, too, would benefit from the funds that an increase in the state fuel tax could provide. It's a hike that could revitalize chewed up roads and keep buses running.

But Gov. John Engler has a double standard when it comes to defending what he will, and won't do. He doesn't mind cutting funds to assist

poor people during hard times — to balance the budget. But as for raising the fuel tax to improve our roads and keep public transportation afloat, he calls into play the economy: "... with so many Michigan families already struggling to make ends meet — now is not the time."

NOW IS EXACTLY the time. Prices at the pump are low. The state's infrastructure is crumbling. And people without cars who are skilled or lucky enough to still have a job must have a way to get to work.

Roads are the responsibility of local municipalities, counties or the Michigan Department of Transportation.

Your life and the life of your car are at risk when you travel a crumbling road.

Neighborhood motorists do everything they can to avoid two-block-long Appleridge Trail in, an otherwise well-endowed West Bloomfield subdivision. The 25-year-old road jiggles the underpinnings out of your car and has been the scene of walkers falling on the uneven pavement where the patchwork meets what is left of the original road.

Affecting many more people, Plymouth Road through western Wayne County has been in need of major repair for the last 10-15 years — yet has received just minor patchwork.

Local cities and villages are working around the elimination of federal revenue sharing, voluntary and required millage rollbacks and this year's assessment freeze.

LOCAL ROAD AGENCIES receive transportation funds at the same level as in 1989. Our cars are more fuel-efficient, so revenue drops even as traffic increases.

The Oakland County Road Commission reports 428 more miles of road than in 1984 when the last fuel tax hike was implemented. They are trying to maintain them with the same number of employees and trucks.

Although new federal money will be available for new construction, there must be a 20 percent local match. It is doubtful that Wayne and Oakland counties are going to have those kinds of matching funds.

People, even in a down economy, recognize real needs and are willing to pay for them.

A statewide fuel tax hike is tolerable because it targets those who use the roads regardless of where they live. It is tolerable because riding on cared-for roads decreases the wear and tear on cars. It is tolerable because even those who drive know how difficult getting around is for those who don't.



FILE PHOTO

Pothole patching becomes a problem for motorists when there is more patchwork than roadway.

from our readers

Buses are needed by suburbs

To the editor:

I am employed as an administrative secretary in downtown Detroit. I commute daily from Canton Township. Over the years, I have relied on the SMART large bus service. It is often my only means to get to my work site.

I am very concerned about the possibility of the SMART large bus service being discontinued. I accepted a position downtown because of the availability of the SMART bus service. I am a single parent and mine is the family's main source of income. Since jobs are presently scarce, I cannot quit my downtown job and find one closer to home. I feel my livelihood is being threatened if the SMART service is discontinued. I own a car, but often leave it home for my teenage son to use for his part-time after school job. His income contributes to paying family bills.

Metro Detroiters have a right to expect garbage collection, street maintenance, a water and sewage system and other services vital to a satisfactory quality of life. As a taxpayer, I feel we have a right to expect this minimal form of public transportation.

Please support the continuation of

SMART public transportation services.
Jean M. Kearney,
Canton

Hurray for the Cobbs

To the editor:

I would like to praise three faculty members of North Farmington High School. It does not seem sufficient to write letters to the school and board of education, because the work of these people should be made public. Sue and Dean Cobb have been directing the plays at North Farmington for the past two years.

Dean had done so historically and then took time to focus on the mass media department. Since his return to the helm of these productions, the quality of the plays has been outstanding.

The dedication of Dean and Sue to the students is incomparable, and the love and commitment the students offer in return is extraordinary. As an added touch, the quality of the productions is superb because the talent of these two people is of the highest caliber.

And, to top it off, the recent production of "Oliver" was managed without money from the board because of the "millage" defeat.

Another special person is Cathy Bennett, choir director. Cathy has consistently led many of the North

Farmington choirs into state competition, which requires passing rigid standards on the district level first. The quality of the music is terrific, and each student develops incredible skills under her direction.

These three people have a belief in and love of children that needs to be recognized and commended. Our three children and hundreds of others have had their lives, talents, and self-esteem enriched dramatically under the guidance of Dean, Cathy, and Sue.

Publicly, we all thank you,
Natalie and Ron Rice,
Farmington Hills

Opinions are to be shared

We welcome your ideas, as do your neighbors. That's why we offer this space on a weekly basis for opinions in your own words. We will help by editing for clarity. To assure authenticity, we ask that you sign your letter and provide a contact phone number.

Letters should be mailed to: the editor, The Farmington Observer, 21898 Farmington Road, Farmington 48336.

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