

# Court upholds Patterson case

By SUSAN L. SILK  
**OAKLAND COUNTY** — The U.S. Supreme Court has voted to uphold the 1966 rape conviction brought to the court by Oakland County Prosecutor L. Brooks Patterson.

The high court's 8 to 1 opinion was announced Monday, following a three-month deliberation by the nine member panel.

The decision sends convicted rapist Thomas Tucker, 34, back to Jackson State Prison from the Oakland County jail, to serve out the remainder of his 20 to 40 year prison sentence.

Tucker was arrested for the rape of a 43-year-old Pontiac Township

woman in April, 1966 after she was found tied and severely beaten in her home.

The November, 1966, Tucker conviction came after the testimony of Tucker's friend and alibi, Robert Henderson, contradicted what the defendant told police during interrogation.

Defense appeals to both the Michigan Court of Appeals and the State Supreme Court upheld Tucker's conviction.

The federal district court, however, overturned the conviction in June, 1973. Later the U.S. Court of Appeals upheld the lower federal court's opinion and a new trial was ordered for Tucker.

According to the federal courts'

decisions, Tucker's earlier conviction was "bad" because the suspect was not advised of his right to legal counsel during police interrogation.

The right to have an attorney present during interrogation was established by the U. S. Supreme Court in the 1966 Miranda decision.

That 5-4 decision was hailed by civil libertarians as a landmark in protecting the rights of the accused.

Tucker was arrested before the Miranda decision, his trial followed the high court ruling. The Miranda decision is not, however, retroactive.

Following the federal appellate

court's order to allow Tucker a new trial, Patterson appealed to the U.S. Supreme Court.

Before going to court in March, the prosecutor's office said the high court could sustain the conviction because the Miranda ruling is not retroactive or redefine the present interpretation of Miranda and reexamine the circumstances of the "involuntary confession."

"They could say that failure to read a suspect his rights will not, of itself, automatically make the subsequent action — here the questioning of Henderson — invalid," said Richard Thompson, chief assistant prosecutor.

The high court's interpretation of the Miranda decision, and any subsequent effect, this week's ruling will have on the rights of the accused will not be known until a thorough study of the formal opinion can be completed, Patterson said.

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## Homes needed for 16

Homes are needed by the International Cultural Exchange (ICE) program for 16 Swedish, German and French teenagers visiting the United States for one month beginning in late June and July.

Needing Oakland County families with whom they can visit are Swedish boys and girls arriving on

June 27, German boys arriving July 6 and French boys, July 16.

The 17 and 18-year-olds understand that Michigan families will be working during the weeks of their visit, according to ICE Oakland County recruiter, Mrs. Frank Reynolds.

"It will encourage them to go out

and meet people on their own," she said.

ICE also has openings for students arriving in the United States in August for the entire school year.

For more information, contact Mrs. Reynolds, 6455 Waterford Hill Terrace, Waterford.

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**Promoted in U.F.**

James A. Ridge of Troy has been promoted to associate campaign director of Detroit's United Foundation (U.F.). Ridge, who joined the U.F. in 1965, will have responsibility for overseeing six major campaign units soliciting Torch Drive contributions from businesses and industries in the tri-county metropolitan Detroit area. His previous U.F. assignments have included direction of the Commerce Unit, Schools and Government Unit and the Eastern Wayne Metropolitan Business Unit. His most recent assignment was assistant campaign director with full supervision for the Metropolitan Business Unit.

## Montante runs again

**OAKLAND COUNTY:** Commissioner Joseph R. Montante, M.D. (R-26), has announced his candidacy for reelection to the Oakland County Board of Commissioners.

Montante serves as chairman of the Board of Commissioners' Health Community Board and is a member of the Public Protection and Judiciary, the Buildings and Grounds and the Planning and Zoning Committees. He is also a member of the Planning and Zoning Coordinating Committee, and last January was appointed by the Oakland County Board of Commissioners for a five-year term on the Oakland County Board of Health.

Montante is a member of the Wayne County Medical Society, the Oakland County Medical Society and the Michigan State Medical Society and is on the staff of the Mt. Carmel Mercy Hospital.

On May 15, Montante was elected president of the Board of Governors of the Wayne State University School of Medicine.

He and his wife, Irene, are the parents of six children and reside at 3040 Middlebelt Road, Orchard Lake.



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