

Opinion

Steve Barnaby editor/477-5450

33203 Grand River Ave./Farmington, MI 48024

Phillip Power chairman of the board
Richard Agnalin president
Dick Isham general manager
Dan Chovanec advertising director
Nick Sharkey managing editor
Fred Wright circulation director

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C'mon Marks — give voters a break

If Ben Marks and Donn Wolf had their way, you the residents and taxpayers of Farmington Hills would know only what they want you to know or think you're smart enough to know.

At least that's the impression this dynamic political duo left during last week's council session.

The discussion over financing the city's six-year capital improvements program began quietly enough — that is until famed council watcher Aldo Vagnozzi asked about the city's \$3.4-million surplus.

No big surprise. The surplus was reported in the city's annual audit as well as the Dec. 10 edition of the Farmington Observer. The story was titled "Budget surplus grows." Seems we've written similar stories in the past.

Marks took exception to the Observer's article, calling it sensationalism.

"Give us a break," Marks said. "C'mon Ben, give us a break. We understand you're a fresh-faced council member, but even new councilmembers should know that the city budget is a document published for everyone to read — not just you and your buddies on the council."

ONE REASON this newspaper endorsed him was because Marks vowed to keep the people informed.

How disappointing. After only three meetings Marks has managed to insult the intelligence of those who put him in office — the voters.

The implied fear of these councilmen appears to be that surplus and reserve funds can complicate the issue, confuse the public and hamper council's smooth sailing.

That's not to forget the fact that the surplus story appeared in the paper a little more than a month after voters defeated a request for an additional 1.5 mills for capital improvements over 20 years.

Joanne Maliszewski

But Marks had a suggestion for making sure voters get only the information council believes they should have: press releases.

These city-distributed press releases would, if Mark's suggestion was followed, be printed intact by the Observer.

But Marks should remember that U.S. newspapers have nothing in common with the likes of Pravda — a government mouthpiece. Our business is reporting news, not painting pretty pictures.

COUNCIL ACTION will stand to be judged by both the public and the press.

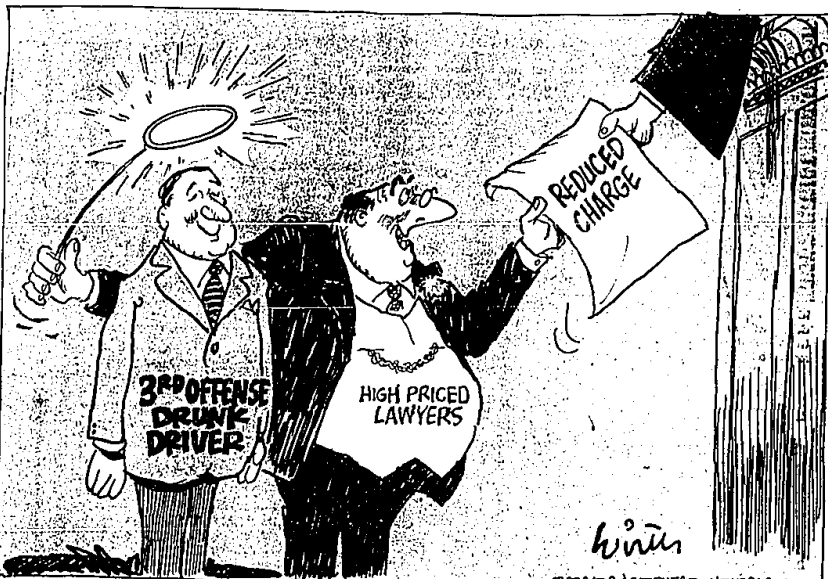
Marks also forgets that the public has a right to know exactly what's happening. After all, the city belongs to the people. Remember, Ben, who really pays the bills and whose future you are affecting.

Sure, government has grown up. It's become complicated and even sophisticated. But voters have grown up too.

If a freshman councilmember can learn to grasp even the most tenuous of tax issues, so can the public — if given the opportunity.

Today voters won't cast a ballot based on ignorance. Only an electorate armed with the truth can set the city on a course of progress. And that is, as we hear it, exactly what the council is looking for — progress.

But those who have been elected to lead the city would do well to remember that government is not a privately owned corporation where decisions are made behind the locked doors of a corporate board room and later handed down on letterhead memos.



Drunk drivers still with us

AFTER NEARLY two years of Michigan's "tough" new drunk-driving laws, it's evident the problem is still with us.

What's the solution? Tougher laws? Rehabilitation programs for heavy drinkers? Educational programs that teach responsible drinking?

First and foremost, say groups like MADD (Mothers Against Drunk Driving), the group that led enactment of the new laws in 1982, is the need for tough laws that are enforced.

CRITICS ACCUSE state courts and prosecutors of watering down the laws, either by assessing less than maximum penalties or allowing offenders to plead guilty to reduced charges. The argument merits serious consideration.

The new laws, which took effect in late March 1983:

- Make it a crime "per se" to drive with a blood alcohol content of 0.10 percent or more. Previously this was only a "presumption" of guilt.

- Provide for an automatic six-month license suspension and six penalty points on one's driving record for refusing to take a Breathalyzer test. Roadside Breathalyzer tests by police are authorized by the law.

- Increase the penalties for drunk driving. For a third offense within 10 years, the maximums are fines from \$500 to \$5,000, minimum license revocation of five years, and one- to five-year prison sentences.

Jim Ritz

THE PROBLEM, say the secretary of state's office and state police, is that too many judges and prosecutors are simply going too easy on offenders.

Multiple offenders are allowed to plead guilty to first-time offenses — over and over. And judges allegedly buckle in when lawyers argue that their clients need to retain their driving privileges, at least on a restricted basis, for work or going to treatment programs.

Those are also serious points. A law can't be so cast in concrete that it doesn't take into account human factors — in worthy cases.

ONE THING seems certain: When the numbers of suspensions and jail terms handed out since the laws took effect are measured against the numbers of alcohol-related offenses, there is doubt whether enough true suspensions and jail terms are being handed out to deter drunk driving.

The Detroit News studied the first 270 license restoration cases filed in just Macomb County after the laws went into effect.

It found that alcohol was a factor in 62.5 percent of the cases. Only one of the appeals in the alcohol-related cases was denied.

ELAINE CHARNEY, director of the secretary of state's license appeals division, says the courts are going too easy in license restoration appeals.

One problem is that when district courts, the original courts of jurisdiction, impose penalties, they aren't appealable to circuit courts. But if sanctions are imposed administratively by the secretary of state's office, they are.

There are 7,000 such appeals filed each year, and 88 percent of the appellants get their licenses back — usually on a restricted basis, but some with full driving privileges.

THE LACK of a "perceived risk" encourages drivers to take chances with the law, Charney said.

Secretary of State Richard Austin says judges are empowered to consider things his office can't — particularly need. For example, a judge can consider a driver's need to drive to work.

Austin said his office and the courts are discussing ways to arrive at "a more consistent approach" between the two agencies. Hopefully, they'll reach an agreement.

If not, public opinion will continue to press for more laws to accomplish that objective.

Next week: What else can be done?

Specter of crime looms in our minds

THE SUBWAY shooter is now fairly well-known. Bernhard Goetz: New York self-employed engineer, slight, bespectacled, bachelor. Doesn't look like Clint Eastwood or Charles Bronson. Why did I think that?

When I read an early story about the man who shot four youths on a New York City subway, there was an intriguing touch. The story said the gunman bent over one of the youths he shot and whispered something to him. Nobody at that point knew what.

The thought came to me: He whispered, "You made my day." Of course, he didn't say that, did he? Subsequent accounts failed to clear up the matter.

THE FARMINGTON Observer each week asks readers to call in their viewpoint on a current topic. Last week, the Observer asked readers what they would have done had they been in Goetz's situation — surrounded by four youths who appeared menacing.

According to reports, the teen-agers asked first for a cigarette and then for \$5. Goetz said he had \$5 for each of them, drew a pistol and shot each in the body.

I thought a number of Farmington Observer readers would sympathize with Goetz and that a few would deplore the vigilante action. I but one caller said that 1) they would do the same thing or 2) they would do the same thing but make sure all four predators were dead.

THE SUBWAY case has drawn the nation's attention. It has all the elements of an attention grabber — in much the same way that the Kitty Genovese case was, the way the New Bedford rape on a pool table was, the way many cases are.

But this time, instead of another emotional tale about how the goons and thugs had destroyed or ruined some victim's life with no help from bystanders, it was a case of a victim who needed no help, one who turned on his transgressors and made them pay. Justice dispensed in an immediate and awesome fashion.

It was no real surprise to see that New Yorkers immediately came to Goetz's defense. After all, we all have heard that



Bob Wisler

New York is a jungle where beasts roam at night and the subway is a gauntlet of danger and terror.

But have we in peaceful Farmington and the neighboring suburbs so much to fear? WE HAVE reached the point where the specter of crime is more immense than its actuality. The pervasiveness of the news, especially television, has ensured that we know immediately and in great detail all the aspects of man's inhumanity to man. A crime that happens in Massachusetts or Hoboken seems as if it happened to someone nearby whom we know.

Along with this, we have had for years a moaning by judges, prosecutors and police about the way criminals are able to evade the law. They can't be caught; they are caught but get off due to unfathomable "technicalities"; they are convicted and get light sentences; they get out before their time due to easy parole systems.

IN REAL life, the refrain about the need to crack down is led by no less a figure than Supreme Court Justice Warren Burger. And around here, Oakland County Prosecutor Brooks Patterson continually beats the drum for capital punishment.

In the space of a few hours, I saw on the TV tube Clint Eastwood as Dirty Harry Callahan and Sandra Locke (Eastwood's real-life wife — what a team!) gun down a pack of goons and Charles Bronson as a police inspector who saved the courts the cost of a trial by executing a deranged killer.

The idea that there is satisfaction in swift and immediate retribution without benefit of legal proceedings is a part of our popular culture.

The conditions create an atmosphere in which a suburbanite far removed from crime sympathizes with a man who sets himself up as judge, jury and executioner.

It may not get better until there is a different atmosphere, one in which people believe the system of justice operates well.

A FUN PART of going away during the Christmas holidays is catching up on the news when I return. I hate to alert the paperboy before I leave on vacation. It's a treat to sit down and wade through a stack of newspapers when I come home.

The holiday season is a time for good spirit. It's also time for strange events. Maybe the astrologers can tell us why. Consider the following:

- A SHEEPDOG attacked an 87-year old woman in Birmingham on Dec. 19. City officials are seeking a court order to have the dog destroyed. Kathryn Schwab, the dog's owner and mother of the woman, is fighting the city.

Object of the debate is King Boogs, an English sheepdog. King Boogs is a show dog with an estimated value of \$6,000. According to the county medical examiner, the woman died as a result of extensive head and neck injuries caused by the dog's attack.

But Schwab argued in 48th District Court last week that her mother suffered a stroke and fell. Schwab says her mother hit her head on the wall before crashing down on the dog, who was sound asleep at the time. According to Schwab, King Boogs then grabbed her mother with clenched jaws in an attempt to get free.

Witnesses for the city of Birmingham and Schwab will take the stand when the hearing resumes Jan. 14.

Sorry, dog fans. I can't get excited



Nick Sharkey

about this one. It's a waste of taxpayers' dollars to drag it through the courts.

- PERFORATIONS in computer ballot cards — called chads — may determine the outcome in a close race for Farmington Hills City Council.

On Nov. 6, Terry Sever apparently defeated Ben Marks by a small margin. Marks, however, asked for a recount and was successful. The Oakland County Board of Canvassers officially declared him the winner by one vote.

Last week, Sever challenged the recount in Oakland Circuit Court. Arguments in the case will resume in two weeks.

It seems that when computer cards are punched, sometimes part of the rectangular perforation (a chad) remains on the card.

If a chad is off the card by two or more corners, it is a valid vote, explained Patricia Sanderson, chairwoman of the Board of Canvassers. If it's off the card by only one corner, the vote is invalid. Canvassers

had to determine how many corners were off on 12-20 ballots.

Come on. It's too fine of a line to rule a ballot valid or invalid depending on what portion of the chad remains on the computer card. Let's count all the cards and find out who is the real winner.

- A POSTMAN with 29 years of service, Frank DePlanche, was fired a few days before Christmas for putting his own, unstamped Christmas cards in mailboxes along his route.

The firing set off a storm of protest, including the picketing of his post office by his wife on Christmas Eve. Finally, cooler heads prevailed and the postman was reinstated.

I agree with a reprimand or even a suspension for this offense, but not a firing. Why were post office officials playing Scoop? Perhaps they were trying to make an example of DePlanche and they have serious problems with unstamped mail.

I HAVE finally gone through the old papers, and they've been taken out with the trash. My life won't be changed by the outcome of King Boogs, computer chads or a fired postman. But it's fun to have an opinion and argue with friends with opposing views. It's enough to warm a cold winter evening by the fireplace.