

# Patterson rakes Cooper's crime rulings

By Tim Richard  
staff writer

Declaring District Judge Jessica Cooper "doesn't know or ignores law," Oakland County Prosecutor L. Brooks Patterson endorsed Lawrence Terman in a Circuit Court judge race.

"It's not very often I'll get this deeply immersed in a judicial contest," the prosecutor said in an interview. But he said the Southfield district judge shows "judicial incompetence and insensitivity to the victims of crime."

Patterson cited seven instances compiled by Edward Ciber, chief of his District Court Division. "Each case by itself is not enough to turn her out of office. But the totality — month after month, year after year —" the prosecutor said.

COOPER, 40, said in an interview that Patterson "has no right using prosecutor's time on a judicial matter. I've conducted 3,200 preliminary (in criminal cases) in eight years, and he's got four cases." (Two cases are unresolved, and one incident cited by the prosecutor was a courtroom remark, not a case.)

She said Patterson's complaints amount to one for every 100 trials she has conducted. She quoted a legal canon warning attorneys against making "false statements"

about judges or candidates.

District judges conduct preliminary examinations in felony cases and handle minor civil cases and misdemeanors. Cooper's district covers Southfield city and township and Lathrup Village.

She is seeking elevation Nov. 4 to the Circuit Court, with countywide jurisdiction over criminal cases and major civil cases, including divorce. She and Terman were nominated in the Aug. 5 nonpartisan primary.

Terman, 46, is Rochester Hills city attorney and has an office in Bloomfield Hills.

HERE ARE Patterson's citations and Cooper's responses:

1) Patterson: In a 1984 case, Judge Cooper dismissed charges of larceny from a motor vehicle against three defendants. "She said on the record that she is dismissing charges but a jury would come back (with a verdict of) guilty, we know that." She contended the people (prosecutor's office) did not establish their proofs. "We appealed dismissal, and the Circuit Court reinstated the cases, and all three defendants were convicted."

Cooper: Saying she didn't recall the exam among the 3,200 she has conducted, she said, "I have no idea what they're talking about. There are elements that have to be met. If not, the case has to be dismissed."



Cooper



Patterson

"It doesn't mean we don't all know people are guilty. It means I have to follow the law and dismiss" when proofs are inadequate.

2) Patterson: After dismissing larceny in a building charges against a Hudson's Northland security guard, Cooper "went out to lunch with the defendant's attorney, Kenny Cockrel, who was Cooper's former husband's law partner."

"We appealed, and the case was reinstated by the Circuit Court."

Cooper: "I have never been out to lunch with Kenny Cockrel."

On Cockrel's relationship with her ex-husband, she said: "I've been di-

vorced 13 years. My ex-husband was in law school when we got divorced. What he did in the past 13 years is no concern of mine."

3) Patterson: In a 1982 case, "Defendant was charged with assault upon a police officer. She reduced it to aggravated assault."

"Defendant brought a motion to set aside the verdict. She did, and set it down for trial on assault and battery. The defendant then pled not guilty (no contest) to assault and battery."

Cooper: "Nothing. What's the accusation?"

4) Patterson: "Last spring Brian Zabel (an assistant prosecutor) arrived at court. Cooper took the bench and said, 'The only thing worse than getting up in the morning is doing a criminal call.'"

Cooper: "A joke, a pulp. Taken out of context, Mr. Zabel doesn't have a sense of humor anyway."

5) Patterson: In the 1986 case of a woman charged with murdering her husband in a public office building, Judge Cooper, after the exam, "set bond at \$15,000. But if the defendant checked herself in a mental hospital,

bond would be 10 percent of \$25,000.

"If defendant was not competent, she should have been sent (to) or examined at the forensic center."

"Defendant is avoiding trial before Judge Thorburn. Thorburn continued bond along with having the defendant put up her house as security as well."

Cooper: "I set bond at \$75,000. She was suicidal. She was also beaten."

She deferred further comment because the case still is pending, but cited a June 1985 statement of George Googasian, then president of the Oakland County Bar Association, who replied to Patterson's published charges.

The defendant, Googasian said, "has not been cut loose or given her freedom as the prosecutor implies. She (Cooper) said on the record, 'If you can make arrangements to put her into a place where she will receive some type of care and counseling and will not be at large, then I would consider an alternative to

bond or a lower bond if we can guarantee where she would be."

"The bond order specifically provides that she shall not be discharged from the hospital without prior approval of the court. The point is that the defendant is now, and always has been, in confinement."

6) Patterson: A Fidelity Bank of Franklin manager pointed out a suspicious man to a police officer. The officer asked the man to step outside and asked the man if he had a gun. "Yes," the man replied. The officer "patted the defendant down and took a small handgun from the defendant's pocket."

"Cooper suppressed the gun. We appealed, and Circuit Court reinstated the case."

Cooper: "Even if I did, so what? If I suppressed, there was a legal argument, and I accepted one position over another."

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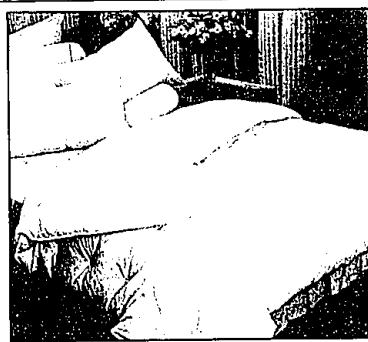
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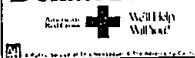
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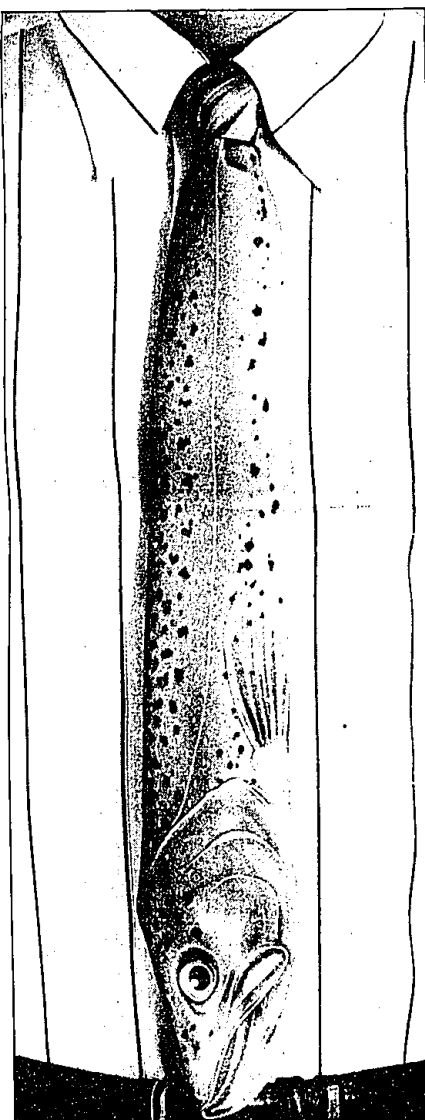
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