

Local chiefs: alter, don't ax, Miranda

By Joanne Mallazewski
Staff writer

Minor modifications to the Miranda rule — requiring police to advise suspects of their legal rights — would benefit police investigations, according to Farmington-area police chiefs.

"I don't see a problem with Miranda on the normal day-to-day," said Frank Lanhoff, Farmington's director of public safety. "There could be some changes, though."

In a move that civil libertarians are calling misguided, U.S. Attorney General Edwin Meese III is seeking to overturn the 21-year-old Miranda rule. A U.S. Justice Department report prepared for Meese says challenging the U.S. Supreme Court decision is "essential."

The attorney general has said the Miranda rule hampers criminal investigations and police from obtaining confessions from suspects. Miranda requires police to inform suspects of their right to re-

main silent and to legal counsel.

Lanhoff and Farmington Hills Police Chief William Dwyer agree in varying degrees with the argument that Miranda hampers criminal investigations. But both do not want to see Miranda overturned.

"If THERE could be some modifications to set some limits," Lanhoff said. "If a suspect wants an attorney, everything (investigation) ceases (until an attorney can be retained and police can question the suspect). There could be lives in the balance."

Based on difficulty of narcotics investigations while with the Detroit Police Department, Dwyer would also like to see modifications.

"Miranda did hinder investigations regarding dealers being arrested and attorneys being present. A very small percentage (of attorneys) represent strictly narcotics dealers and because of Miranda, we would have been able to pursue investigations of the higher echelon (of a drug network)," Dwyer said.



Time, particularly that required in obtaining an attorney for a suspect who cannot afford one, is essential in police investigations, Lanhoff and Dwyer said.

a judge. And time is essential in the gathering of evidence."

POLICE OFFICIALS say they would like to be able to speak with suspects as soon as apprehended — to facilitate further gathering of necessary evidence — rather than waiting through the timely process of obtaining an attorney.

"It's caused problems in homicide investigations," Dwyer said, adding it makes obtaining confessions difficult.

In a published interview, Meese said Miranda's practical effect "is to prevent the police from talking to the person who knows the most about the crime — namely, the perpetrator."

But civil libertarians, such as Howard Simon, executive director of the Michigan American Civil Liberties Union, disagree.

"The most absurd thing the attorney general has said is that there is something to worry about when the police are required to inform American citizens of their constitutional rights," Simon said.

"People may get the impression that these kinds of decisions, that have professionalized the work of police, somehow are responsible for the crime rate, when an infinitesimally small percentage of cases ever involve these kinds of issues," Simon continued.

DISTRICT JUDGE Margaret Schaeffer of Farmington believes the Miranda rule has worked well in its 21 years.

"I haven't experienced any great problems with Miranda," she said. "It does give the person who has no

knowledge of the law — no experience — it gives that person the opportunity to know they don't necessarily have to give a statement."

Lanhoff and Dwyer confirm that their departments have had few, if any, problems with the cases they take to court because of Miranda.

"My experience here in Farmington is that we haven't had cases thrown out. We use Miranda," Lanhoff said.

Dwyer said he believes few abuses of Miranda take place anymore, though it depends on the particular police department. "Most departments have reached a level of professionalism."

Miranda abuses, if any, occur generally within larger police organizations, Lanhoff said, "where aggressive officers try to speed things up. They try to get information as fast as they can and try to circumvent Miranda."

Orchard Lake Road rowdiness falls off

In the wake of stepped-up police patrols, teen rowdiness along Orchard Lake Road in northern Farmington Hills has dropped off sharply.

During the past two weekends, one young person was injured in a fight. Twelve teenagers were ticketed for possessing alcohol, police said.

The fight occurred inside Cabots, a nightclub that hosts Teen Night on Fridays. A 22-year-old Madison Heights man allegedly punched a 17-year-old Detroit man in the face following an argument.

The minors ticketed for possessing alcohol ranged in age 16-19. Two were from Farmington Hills. The

others were from Detroit, West Bloomfield, Plymouth and Northville.

There were no curfew violations. Teens younger than 18 must not be out between midnight and 6 a.m. without adult supervision or legitimate reason. Youths younger than 18 must be in by 10 p.m.

"IT HAS been very quiet," Farmington Hills Police Chief William Dwyer said.

He credited increased police patrols and resulting media coverage with sending out "our message, loud and clear. We'll continue our operations," Dwyer said. "We won't toler-

ate any disorderly conduct or assaultive-type incidents."

During a three-week blitz last fall, police made 47 arrests along the Orchard Lake Road retail corridor north of 12 Mile. Twenty-eight arrests were made the first two weekends in January.

The city council adopted a tough, new anti-littering ordinance Jan. 26, also in response to teen rowdiness along the corridor. The civil penalty is a fine of up to \$500 for first offenders. There's a criminal penalty — a fine of up to \$500 and a jail sentence of up to 90 days — for repeat offenders.

The police department has started a 24-hour hotline to dispel rumors and disseminate accurate information about youth activities along Orchard Lake Road. The hotline also can be used to provide information about criminal activities and drug trafficking. Call 475-9699. A recording will take messages evenings and weekends. In emergencies, call the police dispatcher: 477-0911.

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DWYER AND Lanhoff also find it hard to believe that Meese will be successful in his efforts to overturn Miranda. Both police officials say they see the need for the rule that protects citizens' constitutional rights.

"Miranda is important from the side of the rights of the citizen. It protects some basic constitutional rights of the citizen," Lanhoff said. "We need well-thought-through changes — balancing the rights of the individual with the need for information."

Dwyer offered a similar opinion. "I believe in the right to an attorney, remaining silent, being informed. But Miranda also imposes an obstacle in the police officers operating within the color of the law."

Simon, however, wants no change in Miranda.

"The main problem is that police can catch only a small percentage of those people who commit crimes. If you can envision a huge funnel and you compare the number of crimes committed, reported and the number for which suspects are apprehended, charged and punishments imposed, the whole thing funnels down to a smaller and smaller group."

"We don't have a problem with crime because police inform suspects of their rights, or because police can't seize evidence without a warrant," Associated Press contributed to this report.

REPORT OF CONDITION
Consolidating domestic and foreign subsidiaries of the

Michigan National Bank - Farmington of Farmington Hills

In the state of **Michigan**, at the close of business on **December 31, 1986**
published in response to call made by Comptroller of the Currency, under title 12, United States Code, Section 161.
Charter Number **16660** Comptroller of the Currency **7th** District

Statement of Resources and Liabilities

		Thousands of dollars
ASSETS	Cash and balances due from depository institutions:	
	Noninterest-bearing balances and currency and coin	3,189
	Interest-bearing balances:	NONE
	Securities:	1,787
	Federal funds sold and securities purchased under agreements to resell in domestic offices of the bank and of its Edge and Agreement subsidiaries, and in IFIs:	20,000
	Loans and lease financing receivables:	
	Loans and leases, net of unearned income:	32,673
	LESS: Allowance for loan and lease losses	1,002
	LESS: Allocated transfer fee reserve:	NONE
	Loans and leases, net of unearned income, allowance, and reserve:	32,341
	Assets held in trading accounts:	NONE
	Premises and fixed assets (including capitalized leases):	371
	Other real estate owned:	65
	Investments in unconsolidated subsidiaries and associated companies:	NONE
	Customer's liability to this bank on acceptances outstanding:	NONE
Intangible assets:	500	
Other assets:	58,323	
Total assets:		
LIABILITIES	Deposits:	
	In domestic offices:	52,435
	Noninterest-bearing:	10,960
	Interest-bearing:	41,475
	In foreign offices, Edge and Agreement subsidiaries, and IFIs:	NONE
	Noninterest-bearing:	NONE
	Interest-bearing:	NONE
	Federal funds purchased and securities sold under agreements to repurchase in domestic offices of the bank and of its Edge and Agreement subsidiaries, and in IFIs:	NONE
	Owned notes issued to the U.S. Treasury:	100
	Other borrowed money:	1,000
	Mortgage indebtedness and obligations under capitalized leases:	NONE
	Bank's liability on acceptances executed and outstanding:	NONE
	Notes and debentures subordinated to deposits:	NONE
	Other liabilities:	25,132
	Total liabilities:	78,567
Limited-life preferred stock:	NONE	
Perpetual preferred stock:		
Common stock:	500	
Surplus:	1,475	
Undivided profits and capital reserves:	1,000	
Cumulative foreign currency translation adjustments:	NONE	
Total equity capital:	3,975	
Total liabilities, limited-life preferred stock, and equity capital:		82,542

We, the undersigned directors, attest to the correctness of this statement of resources and liabilities. We declare that it has been examined by us, and to the best of our knowledge and belief has been prepared in conformity with the instructions and best practices.

Nancy J. Finley
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