

POINTS OF VIEW

'Matter of principle' could lead to police state

Tina, who lives in a low-income Oakland County suburb, is unhappy with the legal industry these days.

Tina never was charged with a crime. But Detroit cops confiscated the 12-year-old Pontiac she paid for — no jury trial.

Nearly five years later, she won her case in the Michigan Court of Appeals, but she still doesn't have her car or money back because the prosecutor is taking the case to the Supreme Court.

For a \$600 car? Yep.

It's embarrassing just to write the story, let alone live it as Tina did, but you deserve to know what the government is doing.

J.C., Tina's husband, felt the need for a little extracurricular adventure and drove the car to a Detroit neighborhood which the prosecutor calls a "vice market."

No less a resident than Kym Worthy (of Malice Green trial fame) had testified about conditions.

J.C. picked up Kathy, who had a police record as a lady of the evening. They parked. Police pulled up, shone

their flashlight into the car, and observed Kathy performing fellatio on J.C. "Gross indecency," said the cops. J.C. was convicted.

It wasn't a prostitution case. "Defendant was only charged with gross indecency, however, presumably because there was no proof that the activities in which (J.C. and Kathy) engaged were in exchange for payment," said the Court of Appeals.

Police say the old Pontiac was a nuisance under this statute: "Any building, vehicle, boat, aircraft or place used for the purposes of lewdness, assignation or prostitution or gambling . . . is declared a nuisance" that may be "enjoined and abated" in court. In short, government may take the property in which those deeds were committed.

The theory seems to be that the property committed the crime," said attorney Paul Denenfeld of the American Civil Liberties Union. "Property has no constitutional rights" — hence a civil case, no jury, no court-appointed attorney.



TIM RICHARD

■ Nearly five years later, she won her case in the Michigan Court of Appeals, but she still doesn't have her car or money back because the prosecutor is taking the case to the Supreme Court.

For a \$600 car? Yep.

The case went before Wayne Circuit Judge Michael Talbot, known for his basketball score sentences of 200 years that have been reversed by the higher courts. At the time, said Denenfeld, Talbot was getting all forfeiture cases; they weren't assigned by blind draw. J.C. and Tina lost the car. It was a hardship in suburbia, where public transit is in short supply. Denenfeld handled their appeal.

In a 2-1 ruling, the Court of Appeals reversed, saying there was no proof of prostitution, and the old Pontiac had been used only once so it couldn't be called a "nuisance."

"It's a matter of principle," said Larry Roberts in the prosecutor's office. "Communities in Wayne County are seizing cars of Johns. There are very, very few repeat offenders. If it were a matter of one prostitute on one corner, I wouldn't go to the Supreme Court with it."

Roberts will argue that the Court of Appeals has tied law enforcement's hands by ruling that one misuse of a

car doesn't make it a nuisance.

Oh, there's a "buy back" program — that Roberts praises and Denenfeld disposes. If your car is seized, you can pay an \$800 fee to get it back, and there will be no civil forfeiture suit.

"It exacts swift, sure punishment," said Roberts.

"It shows the ease of forfeiture," replied Denenfeld.

Footnote: A couple years back, when prosecutor John O'Hair wanted to know what Detroit was doing with its forfeiture money, he had to file a Freedom of Information request, was denied, and had to sue to find out what became of the money.

Myself, I have a strong suspicion Michigan is marching toward a police state as it gives ever more Draconian "tools" to cops.

Tim Richard reports regularly on the local implications of state and regional events. The Court of Appeals case number is 132568. His office phone is (313) 349-1700.

Keeping quality in education is a 'fateful battle'

The schools in the Farmington District are among the best in the country, as evidenced by North Farmington's recent awarding of National Exemplary School status.

Our children are receiving a high quality, innovative, outcome-based education that will prepare them to compete in colleges and the work place in the 21st Century.

Most of us have been and are more than willing to pay our share of the costs of that outstanding education because we believe that our futures are tied inextricably to the future of our children.

We are now engaged, however, in a fateful battle with the forces of darkness which would substitute their judgment for the judgment of those to whom we have entrusted the educational well-being of our children — those who have studied diligently to become leaders in this extremely important field.

These forces seek a return to a more "simple era" when decisions did not have to be made (but were made for you), when information was not delivered in milliseconds (but in months, if at all), when each son was assured a job in the same plant in which his fa-

ther worked (a plant owned by a local resident rather than a foreign entity), and when daughters knew that their place would be in the same home in which their mothers served the men in the family for their entire lives.

Not father's world

Unfortunately the world of today is not (to coin a phrase) "your father's world."

It is a highly competitive, very confusing and demanding world — one in which our children must be prepared to act decisively and intelligently, to utilize all of their education in an appropriate fashion, to make instantaneous decisions and to be prepared to enter careers that aren't even thought of today.

My son, Eric, a junior at the University of Michigan and a graduate of North Farmington High School, was well prepared by our local public educators to enter this kind of world.

He is designing his own major at the university because he believes the traditional majors do not give him the opportunities he wants.

He is thus working toward a degree in environmental economics and will be taking international political sci-

GUEST COLUMNIST



DAVID HARON

■ It is a highly competitive, very confusing and demanding world — one in which our children must be prepared to act decisively and intelligently, to utilize all of their education in an appropriate fashion, to make instantaneous decisions and to be prepared to enter careers that aren't even thought of today.

ence courses.

He will be prepared to enter a world in which a global economy and a global perspective will be necessary.

He couldn't have foreseen this need in high school, but the excellent preparatory education he received at North Farmington, where teachers challenged the traditional and taught with innovative methods, gave him the courage to take a chance and the incentive to question the norm.

No more incentives

If the politically popular, but fiscally and educationally irresponsible, SB-1 is permitted to remain in-tact and all districts are "equalized," I'm afraid that the innovations will stop, that the incentives will disappear. Our students will be equalized at mediocrity and my daughter, Andrea, a bright junior at North, will not have the same preparation as her brother.

I know and firmly believe that the parents and students of this district do not want mediocrity, will not be satisfied with mediocrity, and will not accept a world in which their children will not have greater opportunities than they did.

Unfortunately, if we all sit back and do nothing, if our local newspaper de-

votes more space to fashion, sports, food and "nature" than it does to the school fiscal crisis and to the educational process, mediocrity will be the legacy that we will leave our children. I urge each parent in this district to write to our representatives and senators, to Gov. Engler and to this paper demanding solutions that maintain the quality of education in this community.

MetroVision's Channel 10, operated by the Farmington School District, is listing the numbers and addresses of our senators and representatives on a regular basis. One letter will not be enough, unfortunately, because one letter can be ignored.

Everyone has to write, everyone has to attend school board and school meetings and open houses and everyone has to call.

If an unsatisfactory solution to the devastation wreaked by SB-1 is implemented by the legislature and you have done nothing to stop it, the forces of darkness will have won and it will be left to you to explain to your children when they ask you why it happened and what you did to stop it.

David Haron is an attorney and a Farmington Hills resident.

Practical ways of running government are quick fix

Nobody challenges the fact that government doesn't work well. The dispute comes in what to do about it.

The right wing believes government can never work, and therefore the solution is to cut it (and taxes), no matter what. The left wing believes that government would work if only we spent much more money on it.

There is, however, a small but growing bunch of practical folks who believe that if you understand just why government is "stuck on dumb" (as somebody said in a seminar I attended last week), you can figure out how to fix it.

That's what last week's to-do about reinventing government was all about. As usual, the mainstream media — the TV networks, the Detroit newspapers, the wire services and the assorted Washington-based thumb-suckers — got it entirely wrong.

It's neither an ordinary budget story about dollars saved or bureaucrats laid off. Nor is it a standard Washington political story about who's ahead. It's a story about a fundamental change in the philosophy guiding the management of government.

For decades now, governmental activity (whether local, state or federal) was run by two central doctrines which are at the core of why government does not work:

1. What's important is the amount of money appropriated or authorized (input), not what is actually accomplished (outcomes). If all you count is what you paid, it's certain you got screwed.

2. Anybody who works for government is either a fool or a knave, and therefore their activities must be regulated from the top down with exquisite detail. That's the reason for the 10,000-page personnel manual. That's why managers aren't allowed to go to the local store to buy good (and cheap) mosquito repellent. That's why the most important part of a bureaucrat's world is avoiding audit mistakes.

The folks who want to reinvent government believe quite the opposite.



PHILIP POWER

They want to concentrate on the outcomes: to identify and measure quite precisely the outcomes customers want and the costs required to get them. If they're poor quality or cost too much, it's possible to do something about it.

And they want to do away with regulations and rules and jurisdictions and CYA memos, thereby empowering people in the field to use their heads and make sensible decisions.

Michigan, it turns out, is a hotbed of ordinary folks fixed on the work of reinventing government. Here's an example:

At Oakland Community College, they got interested in the time students (customers) stood in line to register for classes. Somebody got the bright idea of ignoring the regulations and letting folks register by a touch-tone telephone: Punch in, punch numbers for courses, get alternative times if a section is filled, and pay later.

Two-thirds of OCC students now use this system, registered in under three minutes instead of the 45 minutes for in-person registration.

That's not a national news item, but it's a wonderful example of how concentrating on outcomes and customer satisfaction can make a big difference.

Phil Power, chairman of the company that owns this newspaper, is featured in David Osborne's recent book, *Reinventing Government*, for his work with Michigan's job training system. Tell Power about other examples by calling his voice mail touch-tone number, (313) 953-2047 ext. 1880.

Stewart-Glenn
STOREWIDE SUMMER SALE

EXTENDED THRU SEPTEMBER 27

SAVE 35% AND MORE

on ALL Hardin, Pennsylvania House and Conover

SAVE 25%-40%

on all other furniture and accessory lines

Hardin • Pearson • Conover
Jamestown • Bradington-Young
Woodmark • Hancock • Moore • Stiffel
Pennsylvania House • Stearns • Foster
& many other fine lines.

Stewart-Glenn is celebrating our 76th year with our greatest STOREWIDE SUMMER SALE EVER. Save thousands of dollars on Hardin and every other fine furniture line in our store. We want to be your full service furniture store. See us while the savings sizzle.

Solid Cherry Mirror Back China With River-Sat Lighting
Value Price \$2195
For A Limited Time from HARDEN

Produce 7 Piece Solid Cherry Dining Room Includes 15" table and six chairs (choice of 1100 fabrics)
Value Price \$2999
For A Limited Time from HARDEN

Stewart-Glenn
of Bloomfield Hills

2600 N. Woodward Ave.
Just South of Square Lake Rd.
Fine Furniture Since 1917

332-8348
Open Mon., Thurs., Fri. 10-9 p.m.
Tues., Wed., Sat. 10-6 p.m.