

Jury verdict mixed in county sex discrimination suit

By PAT MURPHY
STAFF WRITER

Both sides claimed victory in the discrimination case against the Oakland County Prosecutor's Office in which a federal jury awarded \$150,200 to former assistant prosecutor Kathleen Bohner-Solomon.

"The award speaks for itself," Bohner-Solomon's lawyer, Robert W. Palmer said Friday after a jury awarded the money to his client in U.S. District Court before Judge Anna Diggs-Taylor.

Palmer had asked for \$770,000, including lost wages and punitive

damages. But the jury of four women and three men awarded the lesser amount after nearly two days of deliberation.

"I'm pleased with the decision," said Palmer, who added he will also ask the court to award attorney fees. "Essentially the jury ruled in our favor."

County prosecutor Richard Thompson, however, said he too is pleased. The jury dismissed most of Bohner-Solomon's arguments, he said, and awarded her a fraction of what she had asked.

In a mixed decision, the jury cleared Thompson of charges he

had discriminated against Bohner-Solomon because she is a woman. It ruled, however, that Thompson, who was second-in-command of the office then, was wrong for denying her civil rights by refusing access to her personnel file and job performance evaluation.

The jury also ruled that Edward J. Cibir, who was then head of the prosecutor's district court division and the immediate supervisor of Bohner-Solomon, had discriminated against her because of her sex. The defense had argued Cibir didn't discriminate,

but he treated men and women equally badly.

The suit by Bohner-Solomon stems from 1986 to 1988 when she was an assistant working directly for Cibir. Thompson was chief assistant to then-prosecutor L. Brooks Patterson at the time.

In January 1989, when Thompson succeeded Patterson as prosecutor, the only one of 60 assistants not retained was Bohner-Solomon.

Bohner-Solomon filed suit claiming the reason she was not rehired was because of ill feelings toward her from Cibir because

she is a woman. She also claimed Thompson violated her civil rights by denying access to personnel records.

Another part of Bohner-Solomon's initial suit was dismissed earlier in the nine-day trial. That was Bohner-Solomon's claim that at least part of the discriminatory actions stemmed from the fact she has a child from an interracial relationship.

Thompson was upbeat Friday. He had taken the stand twice, firmly defending his policies and management style. "Bohner-Solomon was the only woman assist-

ant I didn't reappoint. But I did reappoint 18 other women assistants."

An equally upbeat Palmer disputed any contention the jury's award exonerated Thompson. "He can't claim victory when the jury went against him for \$150,200," Palmer insisted.

Two former assistant prosecutors — Oakland Circuit Judge Denise K. Langford-Morris and Walled Lake Magistrate Andre Richardson — were among the witnesses who testified on behalf of the prosecutor's office.

Crowd supports Engler on sales tax hike plan

Gov. John Engler brought his Proposal A bandwagon to Birmingham Friday and found a largely supportive audience for his school finance reform package.

Speaking at The Community House as a guest of the Senior Men's Club of Birmingham, Engler touted the sales tax increase called for in Proposal A as the best way to pay for public education.

"The sales tax makes sense and we can export it," he said. "Some people in the Legislature don't agree, and they're called Democrats."

Engler's comments struck a favorable chord with many club members.

"I thought he was terrific," said Bloomfield Hills resident Tom Roberts. "I think he presented the case very well, and I agree with him totally."

Tom Harris of Beverly Hills also gave Engler high marks for presenting a forceful argument for Proposal A, but said he wasn't swayed by the speech.

"He explained his position very

adequately, and as a former teacher, I am very interested in this issue," he said. "But I'm still deciding how to vote on March 15."

Engler's speech was cut short because he arrived 45 minutes late, explaining that a press conference with Detroit Mayor Dennis Archer about having the city designated a federal enterprise zone ran longer than expected.

"I have a good excuse for being late, but there are no excuses for being late," he said.

Engler used most of his speech to talk up the benefits of the sales tax plan to Michigan's economy.

"The backup plan pushed by the Democrats is awful because it would saddle Michigan with one of the highest income taxes in the nation," he said. "And when you add Detroit's resident income tax, it would give that city the highest income tax of any city in the nation and that's not the kind of message we want to send to the private sector."

State Senate chops real estate transfer tax

By TIM RICHARD
STAFF WRITER

The state Senate has moved to reduce the most unpopular part of the school finance reform package — the real estate transfer tax — before it even takes effect.

Senators voted to cut the rate from 2 percent to 0.75 percent and sent the bill to the House where an even stiffer battle is expected this week.

"It's frustrating," said the sponsor, Sen. Michael Bouchard, R-Birmingham. "I put the bill in at zero (tax rate). I would prefer zero. I'm trying to get as big a cut as I can."

"But the House absolutely won't take up anything less than a 0.75 percent rate, and nothing less than 0.75 percent will be signed into law."

Bouchard had to fight down a conservative Republican attempt by Gil DiNello of Eastpointe, Doug Carl of Utica and Jack Wel-

born of Kalamazoo to cut the rate to zero. They failed in a 6 to 17 unrecorded amendment vote.

Carl denounced fellow senators for the "height of hypocrisy" for refusing his demand for a record roll call, a procedure that takes eight votes.

Senate Bill 999 was approved 31 to 3 with 4 absent. Here's how area senators voted:

Yes — Bouchard, Jack Faxon, D-Farmington Hills, David Honglman, R-West Bloomfield.

No — none.

Absent (excused) — Mat Dunkskies, R-Lake Orion.

Bouchard said a little noticed feature of his bill will "grandfather" people buying on land contract. If they signed the land contract prior to the effective date of the law, they won't be subject to the real estate transfer tax when their purchase is completed.

Bouchard said transfers between related corporate entities

also would be exempt — for example, if ABC Home Building transferred title to ABS Home Sales.

Under Proposal A on the March 15 ballot, the real estate transfer tax takes effect next Jan. 1; under the statutory plan B, this May 1.

At 2 percent, Bouchard said, the tax would have raised \$426 million; at 0.75, \$160 million a year. "That's still a \$266 million savings," he said.

Senators supported amendments to exempt property transfers from parent to child and grandparent to child from the transfer tax.

They also exempted properties where the state equalized value had dropped between purchase and sale. That amendment was offered by Sen. Lana Pollack, D-Ann Arbor, who nevertheless voted against the bill on final passage.

Pollack said the tax cut would

rob municipalities, community colleges, prenatal care and deferred maintenance on college buildings. "Yours was an irresponsible but, understandably popular action," said Pollack, a U.S. Senate candidate.

Also voting no was Sen. Debbie Stabenow, D-Lansing, a gubernatorial candidate. Stabenow argued that next year school funds will be \$300 million short. She said the state can't afford the Bouchard tax cut because the fiscal 1994 surplus is "artificial" because of double taxation — the property tax doesn't expire until July 1, but the new taxes will kick in May 1.

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