

Proponents say protection orders get the job done

BY PAT MURPHY
STAFF WRITER

Despite some notable exceptions, personal protection orders have been an effective way of preventing violence, even death, according to those close to the Oakland County circuit and probate courts.

"It's hard to tell when a PPO has prevented somebody's getting hurt or even killed," said Edward Sosnick, chief judge of the Oakland County Circuit Court. "But I know PPOs have prevented injuries, even deaths."

Probate Judge Barry Grant put it this way, "When I see a woman with bruises on her face or black eye, I know she needs protection. And the PPOs are very effective."

Sosnick, Grant and others talked about PPOs recently in response to increasing concern about the increasing number issued in Oakland and other counties. Since PPOs were first authorized in 1994, the number issued in Oakland County has almost tripled — requiring two full-time people to handle the influx. One is a circuit court records clerk, the other is from the Women's Survival Center of Oakland County.

Four years ago, 1,236 PPOs were issued in Oakland; 3,614 were issued in 1997. So far this year, 1,850 have been issued, according to Lisa Cze, the records clerk who deals with PPOs full-time.

Deputy county clerk G. William Caddell has advised the county board of commissioners that administrative costs associated with handling PPOs is increasing dramatically — particularly after the legislature discontinued the \$10 filing fee required when seeking a PPO. He wants commissioners to be

aware of the problem. Caddell is among those who recognize that PPOs have prevented violence and probably saved lives. But people sometimes seek PPOs to resolve matters that should be handled without court intervention, he said.

"It's gotten way out of hand," circuit court administrator Judith Cunningham said. "PPOs were intended to prevent violence. But they're not always used for that purpose."

Martin Alvin is chief referee for the circuit and probate courts in Oakland County. He supervises seven other referees who review PPO applications before making recommendations to judges who issue PPOs, or order alternative measures.

"We get our weird (or frivolous) cases," Alvin acknowledged, "and we always remember them, we talk about them."

In one such case, a farmer sought a PPO to prevent a neighbor's petting his horse.

In another case, the parents of a 9-year-old boy sought a PPO because a 12-year-old neighbor girl was calling their son names. "It was ridiculous," said commissioner Frank H. Millard, who was the attorney for the 12-year-old. "We spent an hour in circuit court on something that should have been resolved by the kids themselves or their parents."

Millard said he has seen some divorce cases in which lawyers routinely advise their clients — usually a wife or girlfriend — to seek a PPO in order to put the spouse or boyfriend on the defensive.

"Some PPOs simply aren't warranted," he said.

In one gruesome case, a PPO was warranted — but ignored.

Kenneth Williams didn't let

the PPO issued against him keep him from stabbing his ex-wife to death in Southfield. Police said Williams had the PPO in his possession when he stabbed Marcia Williams to death in February, 1997, as she frantically sought help with her cell phone.

Williams was subsequently convicted of second-degree murder and sentenced to life in prison. The PPO against him was issued in Wayne, not Oakland County. But the lesson it underscores is universal.

"A PPO won't stop somebody who is determined to inflict injury," Grant said. "But it will serve as a wake up call to a rational person. It is a rude reminder that he (the vast majority of PPOs are issued against men) will be held accountable for his actions."

Most of the PPOs issued in Oakland have been extremely effective, according to follow up studies done by the Women's Survival Center. "Most were issued against husbands or boyfriends," said spokeswoman Janna Baloussek. Sometimes they might not have realized it is illegal to make harassing phone calls or to stalk someone, she said.

"A PPO will bring some people to their senses," said Baloussek, who has often helped distraught women fill out the necessary forms.

The center did a follow up study of the 979 PPOs issued in the last five months of last year, said Baloussek. The results didn't indicate an undue number of frivolous cases, she insisted.

PPOs were issued to prevent domestic violence, Baloussek said. Twenty-one percent of the orders dealt with stalking cases, she said.

Baloussek and others acknowledge there are enough examples of seemingly frivolous or trivial cases consuming valuable court resources. But the greater majority of PPOs are advisable, they insist — even necessary perhaps.

Judge Grant remembers one case in which a home owner filed for a PPO to keep a neighbor from continuing to walk on his grass. "I told them to find a third

party and talk it out," he said. "I haven't heard from them since, so apparently they resolved their differences."

But some seemingly frivolous cases could escalate into violence without court intervention, said chief referee Alvin. "Our society is becoming less and less civil," he said. "And some obnoxious people won't listen to reason. What do you do when that happens?"

Perhaps there should be a mechanism for weeding out needless requests for PPOs or otherwise refining the process, said Alvin. The courts would problems out.

"But the courts don't want people resorting to violence," Alvin emphasized.

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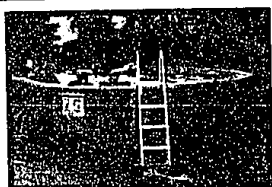
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