

Moelke's Frisk Law Faces Council Axe

State Takes Action Against 51,735 Drivers

LANSING—Driver improvement activities conducted by the Michigan Department of State in 1967 continued at a high level, with overall actions under 1966 record highs and actions involving the driving privilege rising to their highest level in history.

According to Secretary of State James M. Hare, actions involving the driving privilege were taken against 51,735 drivers, a rise of some 4,500 over 1966 and a near 20,000 increase over 1965.

TYPES OF ACTIONS involved, said Hare, included cancellation of licenses, suspensions and revocations, restrictions of driving privilege, revocations for failure to appear at driver improvement hearings, referrals to county driver safety schools, and denial of licenses.

Hare noted that more than 3,000 drivers had been called in for appearances at multiple interviews. And 69,000 warning letters had been sent out to drivers who had accumulated between five and 12 points and who "appeared dangerously close to being in trouble."

"Most of these persons," explained Hare, "were drivers who were in point trouble for the first time. In many instances, a friendly letter citing the problem often has excellent results, and the driver straightens up without our Department having to take any further action."

Cutback In Road Funds Hurts State

LANSING—The recent \$80 million cutback in 1968 Federal highway aid will result in a \$20 million cutback in Michigan's road construction program, the Department of State Highways reports.

John P. Woodford, Deputy State Highway Director, said the Department was notified by the U.S. Department of Transportation that Michigan's share of the cutback will be \$7.6 million.

"Combined with state matching funds, this will mean a \$10 million cutback in our construction program," he said.

The Department previously announced that \$18.2 million of highway construction had been programmed for 1968, an increase of \$73 million over 1967.

However, the projection was based on receipt of all Federal aid on a current basis, including \$20.5 million withheld from it in 1966-67.

Woman Follows Negro As Mayor

Springfield, O., one of the first American cities to have a Negro mayor, now has a woman mayor for the first time.

The new mayor, Mrs. Lewis J. Brunk, the wife of a dentist and the mother of two children, was named Tuesday night to succeed Robert Henry, the Negro funeral director who held the post the last two years.

The mayor here is a member of City Commission and is named by the other four commissioners under Springfield's city manager type of government.

Gets Parking Ticket With A Prayer

The policeman read the note on the windshield of a car parked in Longview, Tex., in a no parking area.

"I have circled this block 10 times, and I have an appointment and must keep it or lose my job. Forgive us our trespasses."

The officer wrote a note of his own. It read:

"I have circled this block 20 years. If I don't give you a ticket I will lose my job. Lead us not into temptation."

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JERRY RAYMOND

Mayor Harvey Moelke's move to obtain a stop and frisk law for Livonia appears destined for quick oblivion, a survey by The Observer of six of the City's seven councilmen indicates.

All six question the constitutionality of such a law and Livonia councilmen bluntly charge the mayor's motives with being "politically inspired."

Moelke broached the subject of a stop and frisk law during an interview with a reporter and the story was carried in the Jan. 17 edition of The Observer. At the time, he said such a law was needed to help police fight a growing wave of break-ins and vandalism in the City.

UNDER HIS DIRECTION, the City's Legal Department has since submitted a stop-and-frisk amendment to the present misdemeanor ordinance.

The amendment reads: "Temporary Questioning of Suspicious Persons in Public Places. No person shall refuse to give his name, address and an explanation of his actions upon demand of a police officer who has stopped such person in a public place in the City of Livonia, whom he reasonably suspects is committing, has committed or is about to commit a felony or a breach of the peace, or is violating a condition of pardon, parole or probation."

"When a police officer has stopped a person for questioning pursuant to this ordinance and reasonably suspects he is in danger, he may search such person for a dangerous weapon. The police officer may take and keep any such weapon or any other thing, the possession of which may constitute a crime, until he has completed the questioning, at which time he shall either return such item, if lawfully possessed, or arrest such person."

"I have heard neither the Livonia Police Department nor the municipal judge ask for such a law and I think it has become a political football," Council Vice President Robert F. Nash said, for Livonia appears destined for quick oblivion, a survey by The Observer of six of the City's seven councilmen indicates.

"My feeling about such a law is negative, although I certainly by think it is unconstitutional. Nor do I think it is needed. We already have one under the State Constitution of 1963 where dangerous weapons or narcotics found by police officers are admissible evidence."

"I ALSO THINK our problem in Livonia are altogether different than Detroit's problems and I for one am waiting for an opinion from the State Attorney General's office on such a law."

An outspoken critic of the mayor, Councilman Jack Salvasore, accused Moelke of "wanting to perpetuate himself like Hubbard."

He was referring to long-time Mayor Orville Hubbard, of Dearborn, where voters recently approved a stop-and-frisk ordinance backed by their mayor.

"Moelke is patterning himself like Hubbard for the sake of political expediency and I think he is completely out of line," Salvatore said.

"In the first place," he observed, "I don't think such a law would be constitutional. Secondly, I don't think you should talk in terms of this legislation unless you have surveyed the real needs of the community. If he had done so, the mayor would have found that our own police department does not think such a law advisable."

Councilman Jerry Raymond termed Council action on such a

stop and frisk proposal "a mute question."

"It cannot be placed before the Council," he said, "it is beyond our authority; we are talking here of constitutional law."

Raymond, attorney, explained that the Council's authority is limited to the enactment of ordinances but not laws, and added: "The only thing we (the Council) may do is to provide for a ticket, not an arrest."

"I WOULD WANT to take a long, close look at such a law," Councilman Edward G. Milligan told The Observer. "There is a serious question here that in trying to protect many people we may be violating the constitutional rights of a few. What if such a law is passed and the police risk 99 criminals out of 100 but in some way violates the basic rights of one guy out of 100 who is an honest and upright citizen?"

Councilman Edward H. McNamara said: "I'm not concerned with the rights of the guilty as much as the infringement on the rights of the innocent. The innocent become the victims of a law directed at the guilty and as long as a guarantee against such isn't there I'm very much opposed to it."

"Basically, I'm opposed to the stop and frisk law because I feel it is an infringement of an individual's personal rights," Council President Peter A. Ventura said.

Remarking on the public sentiment supporting such a law, Ventura suggested "that perhaps it could be tried in a 90-day trial period after which all individuals stopped by police under the law would be asked to testify before a hearing of the Council."

He added: "But I still will want to take a hard look at such a law."

Councilman Rudolf R. Kleinert was unavailable to remark on the survey.

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