

Clarkson raps entrapment play again

By JACKIE KLEIN

SOUTHFIELD—District Court Judge S. James Clarkson, sued by the Oakland County prosecutor in September for dismissing charges against five suspected drug dealers, has done it again.

Clarkson claims the five suspects were trapped by government agents who arrested the five. He was challenged by Oakland County Prosecutor L. Brooks Patterson. Two weeks ago, he was reinstated and three are under appeal.

Last week, Clarkson dismissed charges of unlawful delivery of controlled substances against Carolyn Gutch, 30, and her husband Joseph, 32, of Southfield.

"Decoying or conspiring with persons suspected of criminal designs for the purpose of arresting them in the commission of the offense, has been denounced by the Michigan Supreme Court," Clarkson said.

"THE ALLEGED offense against Carolyn and Joseph Gutch is a product of the creative activity of government officials. In this case, the defendants must be relieved of criminal liability regardless of their participation toward commission of the alleged crime."

Clarkson said the couple's arrest resulted from entrapment planned and executed by state police officers in the narcotics division dressed in Levis, sweaters and leather jackets and wearing shoulder-length hair.

"The officers contacted Gutch and offered to buy a controlled substance from him," Clarkson said. "In other words, the government took part in the commission of a crime."

The Michigan Supreme Court, Clarkson said, has ruled the basis of entrapment defense is that the methods used by police are repugnant to fair play and justice.

The objective test of entrapment, according to the court, focuses on the conduct of government agents rather than on whether the defendant was predisposed or innocent, Clarkson said.

"I refuse to allow erosion of the purity and simplicity of the objective test," he said. "Government officials

set a trap by participating in a crime to get a conviction.

"IN TOO MANY cases, officers act like the Gods, and this must be prohibited with the thunder of Watergate still pounding in our ears. Government cannot play the devil's advocate."

Clarkson said all Narcotic Enforcement Teams with whom he has come in contact use the purchasing method for the sole purpose of making an arrest.

"These undercover agents are manufacturing crime by buying controlled substances over and over and attempting to force people to secure drugs to make a sale. The fact that the defendant may have had a part in this illegal transaction isn't the issue."

"The issue is whether the officers' conduct was reprehensible and did he use other than traditional means to

lure crime?"

Patterson's definition of entrapment is when a law enforcement officer or government agent tricks or cajoles a person, not otherwise disposed, into committing a crime.

"WHEN AN officer puts an idea in a defendant's mind, pursues it and causes the individual to commit a crime by assistance, that's entrapment," Patterson said.

"The opposite is when a defendant is willing to commit an offense and the officer takes advantage of the individual's criminal predisposition to arrest him."



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Analog computer joins LIT staff

By CARL STODDARD

Nestled into the electrical engineering department at Lawrence Institute of Technology (LIT) is AD 64, AD 64, until recently, worked for General Motors at the Millford Proving Ground. Two weeks ago, AD 64 was unplugged and shipped to LIT in Southfield.

AD 64 is a computer. To be exact, it is an analog computer, and people at LIT will tell you that it is a fairly sophisticated bank of circuitry.

The computer was donated to LIT by GM. A corporation spokesman,

Bud McMullen, said GM was planning to phase out AD 64 and bring in a bigger computer.

Three employees at the proving ground learned AD 64 was on its way out and asked GM to donate it to LIT. The auto company approved the donation and early in January, AD 64 became part of the LIT student body.

DR. RICHARD MICHAEL, dean of the technical institute at LIT, said the computer is capable of solving differential equations, adjusting electrical voltages, and solving circuit problems.

Such computers are frequently used by electrical engineers. Dr. Michael said, and the AD 64 will help provide practical experience for electrical engineering students. He said the new computer will be used primarily by electrical engineering students in their junior and senior years.

LIT now has a smaller analog computer, but it does not have nearly the capacity of the AD 64. Dr. Michael said.

"This is a fairly complex piece of equipment," Michael said. The persons responsible for bring-

ing the computer to LIT are students Louise Erickson and Brian Hegg and LIT instructor Mike Briggs.

According to McMullen, the AD 64 is worth about \$3,000. A new analog computer, similar to the AD 64, would cost considerably more, he said.

The computer is about the size of an office desk and is covered with an assortment of dials, gauges and whatnots.

LIT is a non-profit, four-year institution with an enrollment of more than 4,300 students. It is at 21000 Ten Mile Road.

Farmington OKs SEMCOG plans

FARMINGTON—The city gave Southeast Michigan Council of Governments (SEMCOG) the go-ahead Monday night to act for Farmington in federal water quality planning.

"The Federal Water Pollution Control Act provides for regional planning activities, and it would appear that SEMCOG is the ideal agency to conduct such planning," said City Manager Robert Deadman.

Without SEMCOG, communities would either be obliged to develop their own areawide plans, or accept state planning, he said.

"SEMCOG believes it has both the resources and the technical capability to perform under the requirements of the Federal government for this planning activity," Deadman said.

planning, local government will have more input."

SEMCOG's plans would go through committees with some local elected officials. The general assembly would ultimately decide whether to alter, deny or accept the final "208 Water Quality Plan" for southeast Michigan.

"We believe that SEMCOG would be in the best position to do the 208 Water Quality Planning for southeastern Michigan," Deadman said. "SEMCOG has been actively en-

gaged in such areas as transportation, land use, recreation, housing and solid waste disposal planning for many years. It would appear that Water Quality Management Planning has similarities to other plans that have been developed by SEMCOG."

SECTION 208 of the Water Pollution Control Act defines seven major elements in water quality planning, including:

• sources of pollutants and methods of dealing with them,
 • the number and location of treat-

ment plants needed during the next 20 years,

• management structures responsible for implementing the plan,
 • methods to coordinate all waste water treatment and surface drainage planning activities.

Also included are: Disposal method or recommendations for treated and residual waste water, projections of economic, social and environmental impact on the planning area, and recommendations on financial implementation of the plan.

Fracassi to veto council

By JACKIE KLEIN

SOUTHFIELD—Mayor Donald Fracassi will veto a Jan. 13 city council resolution to support the designation of the Southeast Michigan Council of Governments (SEMCOG) as a water quality planning agency.

It will take five city council votes to override the mayor's veto which he plans to submit at the Jan. 27 meeting. The resolution, proposed by SEMCOG delegate councilman John Marzocchi, passed 5-2 the first time, with council president Steve Hurtle and councilman Philip Peterson dissenting.

"Communication between SEMCOG and the city is lacking, and I refuse to support a measure that will affect our residents without sufficient information," Fracassi said after the Jan. 20 city council meeting.

FRACASSI PRODUCED literature from SEMCOG marked "important memo" and dated Jan. 8. "I just found this 'important memo' on water quality planning tonight," he complained.

"I know nothing about the structure of SEMCOG or its budget, and I need more time to dig into some facts. I want to know the ramifications of the Federal Water Pollution Control Act

and what SEMCOG can do about solving water quality problems."

According to the SEMCOG resolution, serious water pollution problems exist in the seven-county region, caused by population concentration and intensive industrial activity.

The Federal Pollution Control Act has defined national water quality goals to be reached by 1983, provides for water quality management for areas like southeast Michigan and calls for involvement of local governments to solve common problems.

GOV. MILLIKEN HAS indicated he intends to designate regional planning councils such as SEMCOG as comprehensive areawide planning agencies for water quality management.

At the Jan. 13 city council meeting, Fracassi claimed the proposed water quality study overlaps others and is a waste of federal money.

"We lack the background to decide the city's choice," he said. "What about the Oakland County Water Au-

thority? How many other agencies have to do the same work and charge the federal government for more and more reports?"

Marzocchi admitted after the Jan. 20 meeting that he was disappointed in the mayor's reactions.

"SEMCOG isn't an implementing agency," he explained. "But it will develop a plan with the cooperation of local officials to define water quality problems and offer solutions."

"SEMCOG IS MADE UP of citizens, elected officials and staff. It isn't another bureaucracy threatening to usurp the powers of home rule cities."

"The federal government has mandated the regional planning agency act as a clearing house for funding. Southfield will be in serious trouble if it isn't included in a plan to combat water pollution."

"It took the city council many years to decide to join SEMCOG. Now the mayor and some council members want to shoot down the first regional plan they're asked to deal with."

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Lathrup students make the grades

SOUTHFIELD—Eighty-two students from Southfield-Lathrup High School qualified for Michigan Competitive Scholarships by their high achievement on the exam.

Michael Adams, Carla Ahern, David Alderman, William Anton, Susan Averbach.

Laura Berry, David Bigelow, Judith Bornstein, Kevin Burke, Kathleen Cavanaugh.

Anne Chase, Catherine Coen, Susan Cohen, Jeffrey Cutler, Diane Damasky.

Susan Dean, Craig Debussey, Diane Dwyer, Joseph Feder, Allan Finn.

Audrey Flinders, Randy Frederick, Beverly Ford, Neil Friedman, Beverly Gold.

Mindy Goldberg, Pamela Gordon, Steven Gornish, Douglas Gotsie, Alex Green, Rhonda Hacker.

Bridget Herley, Anthony Hirschel, Diana Keddzie, Sean Kelly, Myles

Koby, Leslie Kohn, Kent Kokko, Jeffrey Kolovsky, Barry Kubel, Cynthia Lewis, Michael Liberman, Dominic Lorkan.

Diane Lyrik, Kevin Malover, Suzahl Marzachi, Gloria Mardrosian, Lauren Margolis, Thomas McCrory.

Randall Milberg, David Miller, Katherine Mills, Mark Molton, Elizabeth Monemari, Ann Morris.

Irene Moskowitz, Thomas Nathan, Michael Ober, Jane Peterson, Mary Peterson, Bruce Poduska.

Jeff Rabinowitz, Keith Reich, Carolyn Rosenberg, Jay Ross, Cynthia Salestin, Wendy Selzer.

Robert Silberberg, Ronald Silberstein, Stephanie Simsek, Elise Stein, Gary Stein, Jodie Stein.

Wendie Stein, Kimberly Stone, Larry Svaby, Nancy Vogeley, Robert Warinski, Kenneth Wenzel.

Michael Whitefield, Jim Yee, Miriam Zeides.

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