

Naked Came The Prosecutor

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By Maureen McDonald

Oakland County Prosecutor L. Brooks Patterson, the darling of the media and leading Young Republican protege, has parlayed the "evils" of welfare, parole, drunk-driving, drugs and "obscenity" into the most saleable political package the suburban county has ever seen.

While Patterson gets great press for his attacks on people who are easily prosecuted and often can't afford the cost of a trial lawyer, the SUN's sources indicate that the charismatic young crusader may be looking the other way on tougher challenges — like organized crime and political corruption in his jurisdiction.

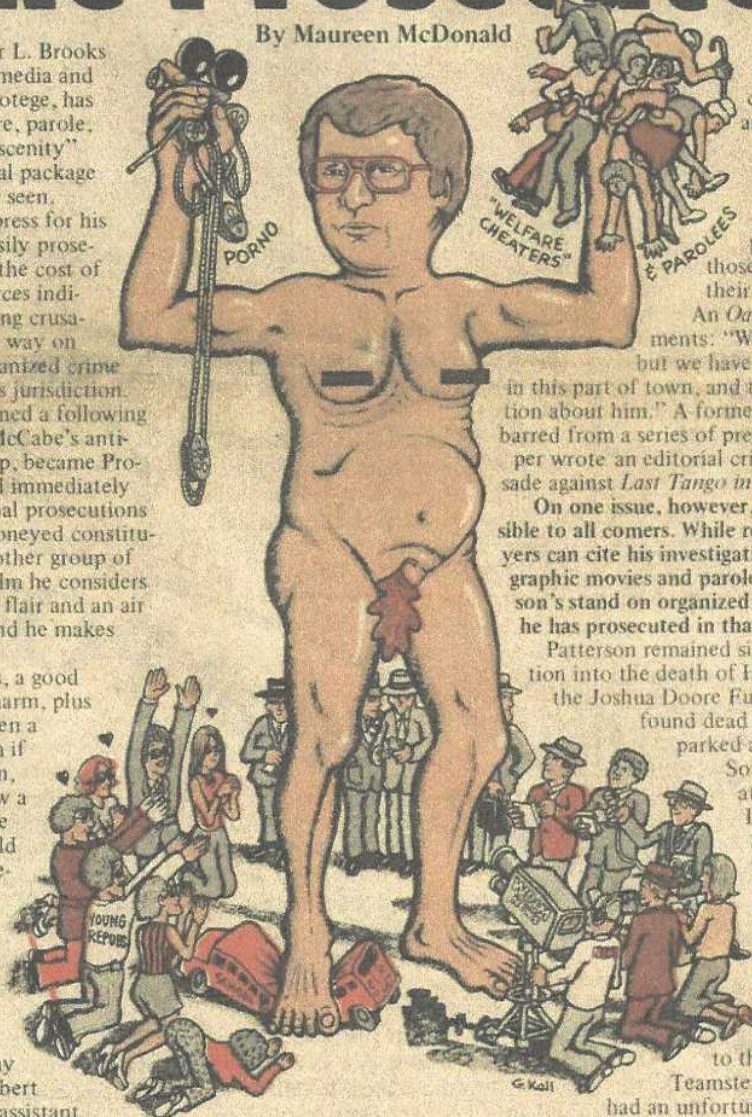
Patterson, 36, who first gained a following in 1971 by defending Irene McCabe's anti-busing National Action Group, became Prosecutor shortly afterward and immediately launched a series of sensational prosecutions tailored to the fears of his moneyed constituency. When he rounds up another group of welfare cheaters or seizes a film he considers "obscene," he does so with a flair and an air of "progressive" outrage — and he makes sure the media are watching.

"El Brooks" has mod looks, a good speaking voice, and lots of charm, plus ample political ambition. When a *Free Press* reporter asked him if he had any "vices" of his own, he replied, "I sometimes chew a whole package of Certs at one sitting." Next question: Would you like to be President someday? Answer: "Doesn't every mother's son?" It's said, though, that the state Attorney General's office would satisfy him temporarily.

Unfortunately for Brooks, "Patterson's worst enemy may be himself," according to Robert Rothner, who used to be his assistant prosecutor. "He has enjoyed a meteoric rise, like Joseph McCarthy and Richard Nixon. Like his predecessors, he has the same sense of overkill. One last thing, one last step will do him in. He has to do this — it's part of his character makeup."

Where is L. Brooks Patterson coming from? "A prosecutor's job is to obtain convictions against lawbreakers," says Morely Winograd, Chairman of the state Democratic Party. "Patterson is not pursuing anybody but newspaper reporters." The *Spinal Column*, the only Oakland County paper to consistently oppose Patterson, accused him of "running the Prosecutor's office from the pages of the newspapers." It's said that Brooks knows by heart the deadlines of every paper, radio station, and television station that covers Oakland county.

"Patterson is a master at producing favorable publicity," concedes Elizabeth Howe, Chairwoman of the Oakland County Democratic Party. "He has a great ability to take an issue and an announcement and present it in a ready-for-news format."



"He conveys the impression that he is interested in fighting crime. And he defines what is and isn't crime."

Patterson uses his definitions to the fullest advantage. He forces the news media to cover his issues in the way he presents them. And he punishes those who buck him by cutting off their information.

An *Oakland Press* reporter comments: "We don't always like Patterson, but we have to write about him. He's a star in this part of town, and the people demand information about him." A former *Spinal Column* reporter was barred from a series of press conferences because her paper wrote an editorial criticizing the prosecutor's crusade against *Last Tango in Paris*.

On one issue, however, Patterson becomes inaccessible to all comers. While reporters, politicians and lawyers can cite his investigations into welfare fraud, pornographic movies and parole, no one can pin down Patterson's stand on organized crime, much less cite a case he has prosecuted in that regard.

Patterson remained silent throughout the investigation into the death of Harvey Leach, the chairman of the Joshua Doore Furniture Company, who was found dead in the trunk of a Cadillac parked at the Congress building in Southfield. Leach never arrived at a scheduled meeting with Leonard Schultz in Franklin.

Schultz was an attorney for the furniture firm and for the Teamsters pension fund.

Patterson remained silent when the U.S. Attorney's office investigated Schultz's home for possible links to Leach's murder. He made only passing reference to the disappearance of former Teamster leader James R. Hoffa, who had an unfortunate dinner date with Schultz,

Anthony Giacalone, and Anthony Provenzano at the Machus Red Fox, a known meeting ground in Bloomfield Township for syndicate types.

Patterson was more angry at Senator Henry Jackson's involvement in the case than concerned about solving the mystery.

Then there's the Southfield lawn mower repair shop of Guido Iaconelli, alleged by the prosecution in the 10th Precinct Conspiracy trial (see page 7) to be the cocaine connection for one of Detroit's biggest heroin pushers.

"The major criminal element has moved into this county and little has been done about it," says Oakland County Commissioner Lawrence Pernick.

Asked why Patterson gave no publicity to the problem, Pernick says: "There are no easy victories in prosecuting organized crime. Headlines are sparse and hard-earned. Most people just don't see organized crime."

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Naked Game

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"They aren't sensitive until it's too late — their children are hooked on hard drugs, their businesses are pushed out, their homes are robbed by professional thieves — then the damage is done.

"The criminal element is taking over legitimate businesses, eating at the heart of our society," Pernick says. "Legitimate businessmen have no ability to compete — not against the massive funds the syndicate has at its disposal."

According to Pernick, Patterson has made two requests to the Commissioners for matching funds to gain a \$1,500,000 grant through the Law Enforcement Assistance Administration. The grants were turned down at a state level, but Patterson could still have access to the \$100,000 of matching county money. He has not used this money to date.

Asked if Patterson could launch a citizen's grand jury on \$100,000, Vincent Piersante, director of the State Attorney General's Organized Crime Division, replied, "Yes, indeed."

The jury could be empaneled for a six month stretch, as in Wayne County, and issue subpoenas to persons involved with organized crime. The jury would meet two days a month at a cost of \$10 a day. The only additional expense would be office space and clerical work.

The LEAA grant of \$1,500,000 would double Patterson's existing \$1,431,000 budget. Oakland County Sheriff

Johannes Spreen vetoed the initial funding request because the syndicate task force would have been arranged along political lines.

Without a citizens' grand jury, organized crime can flourish, Piersante says. The state task force cannot investigate without locally-issued subpoenas.

Piersante said this very problem stymied investigation into Lt. Governor James Dammon's alleged Troy land use scandal involving members of the Lincoln Trust Company. The Attorney General's office could not obtain subpoenas to force members of the Trust Company to talk.

Patterson has done nothing with the list of Oakland County organized crime figures provided him by Piersante.

Piersante notes that organized crime has moved into land sales. Oakland County's biggest asset is unused land. It offers a legitimate business with reasonable profits.

Piersante says that it is not easy to label how the money is moving into legitimate channels. It

could be through the Teamster Pension Fund, or through money gained by the bookmaking services (horses and other sports). Without subpoena powers, no one may know.

Piersante, who is considered one of the toughest cops in the state of Michigan, says his office has one of the smallest budgets because of resistance built into government.

He says reluctance to establishing an organized crime task force at a county level is embedded in politics. "Those who control the purse strings ask 'Are you going to investigate me?' and they don't allocate the funds."

They do, however, allocate a \$45,000 budget, plus the services of an attorney, two investigators and a secretary, to police Oakland County's welfare recipients.

Maggie Tyson, chairperson of the Friends of the

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By Kathie

suit to block the city from issuing bonds for construction. The case was dismissed by Oakland County circuit judge Arthur E. Moore, who, according to Bigger, was a friend of Pontiac Stadium Authority committee member James Clarkson and stadium supporter L. Harvey Lodge, then state Senator.

The Bigger bunch appealed, lost, filed a new suit and kept at it until they were slapped with a \$30 million lawsuit by Clarkson, the Northeast Oakland Chamber of Commerce, the Downtown Pontiac Business Association and a number of Pontiac entrepreneurs who claimed that stadium construction was being unduly delayed.

The suit snooked most of Bigger's col-

As you settle into your seat at the new Pontiac Metropolitan Stadium November 9 to watch the Lions face Cleveland, consider the following: you may never again be party to so colossal a rip-off.

Although at one time both Detroit and Pontiac saw the building of a new stadium as the key to economic rebirth for their cities, it's now apparent that Detroit's loss in its stadium bid was hardly Pontiac's gain.

Far from the civic commercial bonanza some pre-

the Prosecutor

Oakland County Welfare Coalition, said Patterson could better spend that money cracking down on severe crimes.

"Instead he harasses welfare mothers who are only trying to feed their children," Tyson says.

The average monthly Aid to Dependent Children grant is \$228.30 or \$2,750 a year. The maximum allowable grant for a family of four — which would cover rent, heat, lights, utilities, food, clothing and personal needs — is \$379.80 a month, or \$4,567.60 a year. The U.S. Bureau of Labor Statistics says a family of four needs \$10,500 to live a moderate but adequate existence.

Patterson has prosecuted 200 welfare recipients for earning a little extra money. Tyson said most of the recipients are too poor to hire a lawyer to defend themselves.

Patterson

pounces with equal vigor on prison parolees, stating "We're being raped, robbed, and murdered by the same people over and over again."

Zolton Ferency, Professor of Criminology at Michigan State University, disputes Patterson on this issue.

"There is absolutely no evidence that parolees commit the same crimes. In fact, convicted murderers seldom, if ever, commit the same crime again."

"There is no question, though, that the issue has great appeal. People are uptight about crime and violence. He has a ready audience."

"Patterson has the power to reverse the tide of sociological research by brandishing community fears. His efforts are negligible, at best."

Ferency feels the community would do more to reduce crime by providing more amenities to prisoners, such as conjugal visits, work releases, and half-way houses, which would ease a parolee's re-entrance into society.

Ferency doubts Patterson will achieve statewide office by crusading on parole re-

form. He notes that the legislation authored by Patterson to block early release of parolees has gone nowhere — proof that his idea has no basis in reality.

Ferency also notes that the populist base Patterson stands on is similar to that of George Wallace, and thus too small to gain more than 20 per cent of the statewide vote.

Rothner, the attorney who first handled the Studio North obscenity case, feels the film may cause Patterson's fall from the Prosecuting Attorney's office.

"Patterson said the community supported him, it wanted the theatre to stop showing the film; yet a jury of Ferndale citizens could not find the film obscene."

Editorializing on the obscenity issue, the *Spinal Column* said: "Liberty is severely eroded when any man elects himself as judge over what the public can and cannot see. Patterson is working from his, not court guidelines."

Dorothy MacIntosh, head of the Ferndale Republicans Club, led a group of 30 picketers past the home of attorney Thomas G. Plunkett, who successfully won a hung jury in the obscenity trial.

Betty Howe comments, "It's no co-incidence that the pickets were whipped up by the party to support Patterson. The next thing they'll use is violence."

It's a deplorable situation. I just wonder who suggested it."

Howe would not put it past El Brooks, first remembering his anti-

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STADIUM Ripoff & How You

subsidies to the stadium have also met with resistance. A Senate bill which would prohibit any state funds going to stadiums in the future was introduced by John Hertel this year and passed the senate 23-7, but has since been bottled up in the House appropriations committee. Hertel insists the bill was intentionally sent to the wrong committee, as it hardly concerns appropriations, in order to sweep it under the rug. "I'm certain the fact that there are influential people involved here has a great deal to do with the outcome."

Both brothers decried last year's 4:40 a.m. Senate vote to hand over \$1.6 million in state subsidies for the stadium. "That's probably why it

Press takes a poll and finds that 95 per cent of the people oppose state funds for the stadium and then their Representatives and Senators turn around and vote for it, there's something unusual going on, to say the least," says John Hertel.

The Hertels' suit calling for an end to state subsidies to the stadium is now before the court of appeals.

There have been other instances of public officials turning up their noses at the public while pro-

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first remembering his anti-busing days. "He parlayed this cause into a saleable product, violence included. Ferndale can fight its own battle, not by being used as a stepping stone for Brooks' political career."

Patterson told the SUN that he wants to prosecute all crimes, regardless of how small. For example: He fired six high school volunteers from Bloomfield Hills and Farmington because none would admit to stealing a marked dollar from a secretary's purse.

He threatened to take the Milford Board of Education to court because it allowed the high school to have a smoking lounge.

He personally confiscated a pack of cigarettes from an underaged youth he observed buying them from a vending machine.

He has urged municipal and county officials to close pinball arcades, pool rooms, and bar rock concerts in the name of controlling drug traffic. When the SUN's Ralph Vartabedian asked him if that meant high schools should be closed because drugs are sometimes trafficked there, Patterson replied, "It wouldn't be a bad idea, sometimes."

He implemented a drunk driver's education program which offenders were forced to take before going to trial, a direct violation of citizens' right to trial.

These crimes may be "small", but Patterson told *Detroit Magazine* that "it won't always be that way."

"One of the greatest frustrations of this job is seeing things I know are wrong but can't correct," Patterson says. "That's because I'm just a crummy little county prosecutor."

Brooks, however, has high hopes of rising above his present humble position to the status of a new, "hipper," media-wise George Wallace, Joe McCarthy or Richard

Nixon, in the "silent majority," so-called populist" tradition. In fact, he hasn't stopped running for office since the day he *took* office. It may be that his tendency to pounce on newsworthy issues like a thousand pound canary will be his downfall, as it was McCarthy's and Nixon's. For all the fanfare, El Brooks' grandstanding hasn't been producing results on a par with his publicity. His glamor may be making him a hot news commodity right now, but his chronic overreaching could well get in the way of his grandiose plans.

In the meantime, people are beginning to wonder why the Viceman Cometh wherever there are easy, politically handy prosecutions to be had, but stayeth away from tougher customers, like organized crime. The Prosecutor, according to Patterson, is supposed to investigate all criminal acts. Could it be that Brooks' spectacular roundups of welfare cheaters and "obscene" films might distract public attention from higher-level goings-on in Oakland County? And that to pick up the \$100,000 offered for an investigation into organized crime in Oakland County, along with Piersante's list of local syndicate figures, would be politically less advantageous than issuing tirades against parolees and pinball arcades?

After all, L. Brooks Patterson doesn't want to be a "crummy little prosecutor" forever.

*Maureen McDonald has watched L. Brooks Patterson woo the presses from a reporter's desk at the **Daily Tribune** in Royal Oak. The paper, which endorsed Patterson in his election campaign, wasn't interested in exploring the story behind Mr. Patterson's "Mr. Clean" image. With the help of freelance writer Ralph Vartabedian, she spent three weeks investigating the prosecutor to compile this account.*