

MS

Promotion review results in firing

By Mark Clausen
Sail Editor in Chief

An 11 year veteran of Public Safety has been fired, partially as a result of a promotion to lieutenant five months ago.

Dean Rowe, a Public Safety sergeant for nine years, accepted a promotion to lieutenant in August, and received word last weekend that he would be dismissed February 15.

THE PROMOTION to lieutenant, Public Safety's second-highest post, included a 6 to 12 month probationary period with an evaluation at the end of the period leading to either dismissal or a two year contract.

Rowe said he believes that if he had not taken the promotion, he would not have been in the position of losing his job. "I took the promotion unwittingly. Had I understood what was involved, I never would have taken it."

According to Rowe and Vice President for Student and Campus Affairs Kenneth Coffman, an arrest incident between Rowe and OU student Paul Gregory, and the subsequent investigation "provided the impetus" for the unfavorable evaluation and firing.

IN A NOVEMBER 3 incident, Rowe allegedly used

"I am confused that the university would tell any employee he lost his job because of...one incident of poor judgment. I've worked here since April 1, 1967, 11 years and nine days." -Dean Rowe

"We don't need policemen like that around students....All he's going to do is cause trouble later, and somebody's going to get hurt." -Paul Gregory

excessive physical force and violated a number of university policies.

Among the alleged violations are: Rowe unnecessarily pursued Gregory for a simple speeding charge, set excessive bail, and violated arrest procedures for OU students.

Rowe has appealed his dismissal under the administrative professional (AP) problem adjustment procedure. The essence of his appeal, according to Thomas Atkinson, his AP representative in the proceedings, is that Rowe's length of service makes termination unjustifiable.

Wilma Ray-Bledsoe said that Rowe's long service has been taken into account and that he has been offered an alternate position as coordinator of the Public Safety dispatchers, a lesser AP position with no police powers and another probationary period.

"THE OFFER IS still available as far as I know,"

said Rowe, "but it is a far cry from the performance and work experience of actual law enforcement. If my judgement was poor, I wouldn't want the lieutenant's job. I would just as soon go back to sergeant."

Rowe did not deny the alleged violations by Gregory. Instead, he questioned the ability of any non-law enforcement personnel to judge the severity and justification of his actions.

WHEN ASKED about his alleged use of excessive force, Rowe said, "How much force is necessary? You cannot take this arrest by itself. Every arrest and each individual respond differently."

According to Rowe the only way to judge if he used too much force would be to "witness each incident and make a generic charge."

According to Ray-Bledsoe, this is not possible. As a result of the investigation into the Gregory incident, Rowe was stripped of his police powers in November.

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Is a desolate work site predictive of COB II's future? OU officials say only "a major catastrophe" can prevent the completion of COB II even though the construction company is questioning a contract provision.

COB II builder raises query about contract

By Maureen McGerty
Sail Staff Writer

Although OU officials contend that there is only "the remotest chance" of termination of the COB-II project, they are reluctant to discuss the nature of contract concerns raised by the contractor.

At the January 10 Board of Trustees meeting, the board requested a legal review of a termination clause in the contract between OU and Etkin, Johnson, and Korb Inc., the firm building COB-II, by OU General Counsel, John DeCarlo.

"THE BOARD REQUESTED that a provision be included in the contract to cover the contingency of termination of appropriated funds," DeCarlo said.

The new provision would "permit the university to terminate the contract if the university failed to receive funding" for the completion of construction, said DeCarlo at the meeting.

The review will determine whether or not a change can be legally made in the present contract. "There are legal restrictions which may or may not permit that. We will review the concern of the contractor," DeCarlo said in a later interview.

SENIOR VICE PRESIDENT of the company, Jack Korb, would not comment on the concerns of the firm. "We have a construction contract. We are building. We would not like to become involved in any articles on the campus," he said. "Our dealings are with George Karas (university engineer) and John DeCarlo."

The present clause which is part of a standard AIA contract allows OU to terminate the contract should there be a "work stoppage for a period of 30 days" or "an act of government" which would prevent continuation of construction, according to DeCarlo.

The proposed clause more clearly defines "an act of government," said DeCarlo.

"(The firm) objects to the restrictive nature of the provision we have included," DeCarlo said.

"THE CLAUSE (was) shown to the firm who signed the agreement," DeCarlo told the board. "They reviewed the contract and contacted Mr. Kenneth Coffman and raised a concern about the clause."

The contractor "probably wants more assurance of some percentage of profit or something in (continued on page 2)

OU cage coach given unrequested short leave

By Stuart Alderman
Sail Sports Editor

OU's basketball coach for the past two seasons, Jim Mitchell, has been given an unrequested leave of absence and will not coach for the remainder of this season, an Athletic Department official said yesterday.

Asst. Athletic Director Lee Frederick said after OU's 55-54 overtime win over Wright State last night that "He (Mitchell) will not coach the remainder of the season." Frederick, an asst. coach for the past three years, will coach the team for the rest of this season.

MITCHELL, WHO coached the Pioneers to a 14-42 record his first

two years, had the team off to an impressive start this year, winning four of their first six before dropping the last three straight.

According to Frederick, Mitchell will return to OU at the beginning of February and a decision regarding his future status at OU will be made at that time.

Coach Mitchell returned to his northern Kentucky home yesterday due to an illness in his family. Corey Van Fleet, director of physical education and athletics, who directed the move, said that Mitchell is presently going through some traumatic times.

"IT HAS BEEN building up within himself," said Van Fleet. "To move the basketball team forward

and have concern for his family, led me to believe he needed time off to get the two sorted out."

Mitchell is expected to return to campus February 1, at which time he will decide whether to continue at OU or return to his home state.

When asked whether Mitchell's absence will affect the team, Van Fleet said that the squad will undergo a few days of adjustments. "On the other hand, an upset preoccupied coach might not be the best leader," added Van Fleet.

PRIOR TO ARRIVING at OU in 1976, Mitchell was an assistant at the University of Cincinnati. He (continued on page 2)

Congress OK's first budget totals \$30,000

By Sheba Bakshi
Sail Staff Writer

University Congress passed its first budget since the organization's existence at last night's meeting.

An amendment was made to include a 10 percent error factor in the \$4,899 budget by Kevin Appleton, after several Congressmembers said the figures presented were too vague to vote on.

Since the definition of the budget was not clear, Appleton said, there should be a ceiling on the allocations with a 10 percent error factor.

"ANYTHING spent over 10 percent is unauthorized and has to come before the Congress."

Congressmember Bruce Babcock said he wanted an absolute ceiling on the budget total, rather than an error factor. "I don't want a dime given out before coming to Congress," he said.

Babcock also raised objections over accountability, questioning who would be held responsible for overspending.

President Mary Sue Rogers replied, "I'm tired of living in your shadow," adding that it would be impossible to know exactly how much she would be spending at any one time.

Larry Tomlinson, Executive Assistant, said the figures were not as exact as they could be, because Congress had not worked with a budget in the past.

Bruce Babcock said the Steering Committee would like to make study of what was said and only then put it on the agenda. "It should be a vehicle to expediate unnecessary

business."

In other action taken, Congress approved chairpersons to four committees: Chuck Holzman of Student Rights Committee (SRC), Bruce Babcock of the Steering Committee, Mary Schaefer of Concert Lecture Board, and Dean Waldrup of Student Allocations Board.

Holzman said questions he would like to raise while chairperson were safety of the new construction site, effectiveness of Public Safety and Oakland Undiapered (Professor Evaluations).

LETTERS

The Oakland Sail welcomes letters from readers. Each letter must include the writer's signature, though your name may be withheld for adequate cause. A letter is most likely to be published when it is legible and concise and when it supplies the reasons behind the viewpoint. All letters are subject to editing for space and clarity. Address: Editor, The Oakland Sail, 36 O.C., Rochester, MI 48063.

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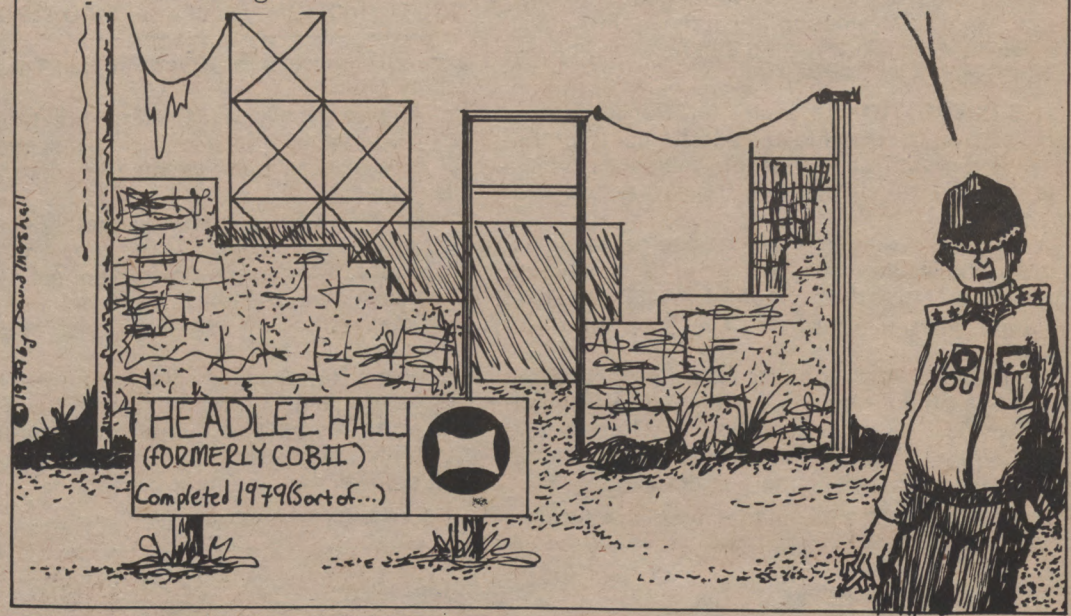
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Well, it was a long, hard fight, but we finally talked Lansing into letting us hold the title on it... 'Course that meant we couldn't afford quite as nice a building...



Commentary

Who judges use of force?

By Gary Foster
Sail Special Writer

Public Safety, a police force with police responsibilities for our safety and well-being. Our guard against the dangers lurking within men.

PROMOTIONS ARE given for solid work performance, reliability, and good judgement. After 11 years, Dean Rowe, a sergeant for nine years, was deemed to have qualities deserving of higher rank and greater responsibilities of a lieutenant. Lieutenant Rowe now has a problem.

When he accepted the promotion he also accepted a six month probationary review. His work must equal the standards set by the department, and apparently his job performance has caught up with him.

Paul Gregory, a student whose life and well-being Lieutenant Rowe protects, claims he was treated roughly by Rowe after being stopped for speeding. Gregory allegedly suffered physical abuse, harassment, and had excessive bail set by the officer. His arrest was marred by violations of OU police.

A RESPONSIBLE LIEUTENANT might have found a better way to handle the routine traffic call.

Yet this is all still side-show beside Rowe's defense. His first claim is that he wouldn't have been fired if he hadn't been promoted. Then he argues, as does his AP representative Tom Atkinson, that he has been an officer too long to be dismissed over a simple harassment and brutality charge.

Rowe didn't deny the charges. He suggested instead that the public—we—can't judge his actions because we're not officers and don't know what it means to be on patrol.

COB-II

(continued from page 1)

the event that funding is not forthcoming," said Kenneth Coffman, vice president of campus and student affairs.

DeCarlo said that the firm requested the provision be "amended or stricken."

OU OFFICIALS say there is a possibility of complications over the funding process, title claims, and uncertainty over lease and financing arrangements.

There is a "professional difference of opinion over whether the issue of the title can be solved," said DeCarlo at the meeting.

While police experiences must affect anyone in the business the respect, courtesy, and competence of an officer is immediately obvious when present. We can and do know what we expect from a police service.

A PERSON WITH a badge must have respect for that badge. An officer who abuses any member of a community does not respect that badge or the community being served. He is appropriately suspect, particularly in a small, quiet university setting.

Tenure is no solution. Evaluation of Public Safety officers is necessary, for our security. An abusive law officer with eleven years on the job is no less dangerous than a rookie.

FOR HIS OWN part, Public Safety Chief Dick Leonard is being quite fair. The department obviously can't have abusive officers if the charges are true, but would like to help Rowe by giving him a position as a dispatcher. Not so glamorous perhaps, but still a living.

The department has extended a chance to one who violated its trust in him for responsible police protection, and it is his choice to refuse or accept. That he should be kept off the force is not a matter where he has choice.

Coach

(continued from page 1)

accumulated more than 500 wins and 91 losses during his 18 years of coaching. Mitchell coached five high school All-Americans, two went on to become college All-Americans.

This season Mitchell's troops were off to an impressive start winning their first four of six contests.

OU's conference record dropped to 1-2 and their overall record stands at 7-8. The players on the team must now adjust to the coaching change, at least for the next two weeks. It's heart-breaking to lose a coach, even if only for two weeks, during mid-season.

"*Mitchell is a good man. I hate to see him go,*" said Senior Tim Kramer, who is the only player left on the team that Mitchell did not recruit himself. "We have to make the best of it. The change was for the better. Things just have to be changed."

"I don't know what to say," said sophomore guard Craig Harts. "I think a lot of him. I wish he was here, but he can't so we'll have to go on without him. We'll take it in stride and will work things out."

Promotion

Rowe is claiming the administration did not listen to his explanation of the arrest. Rowe says that is "the impetus" for the unfavorable evaluation. "That incident is not being addressed at this time," he said.

To Rowe, the violations he was charged with were cases of poor judgement and do not justify his dismissal. "I am confused that the university would tell any employee he lost his job because of...one incident of poor judgement," he said. "I've worked here since April 1, 1967, 11 years and nine days."

GREGORY SAID he thought Rowe's actions were more than poor judgement. When asked what he thought of Rowe losing his job, Gregory said: "We don't need policemen like that around students...All he's going to do is cause trouble later, and somebody's going to get hurt."

Gregory said Rowe should "definitely" lose his job as lieutenant.

However, according to Rowe, the results of the investigation into the Gregory incident, and the charges stemming from it were not the actual violations listed as the basis for his unsatisfactory evaluation.

"The administration has

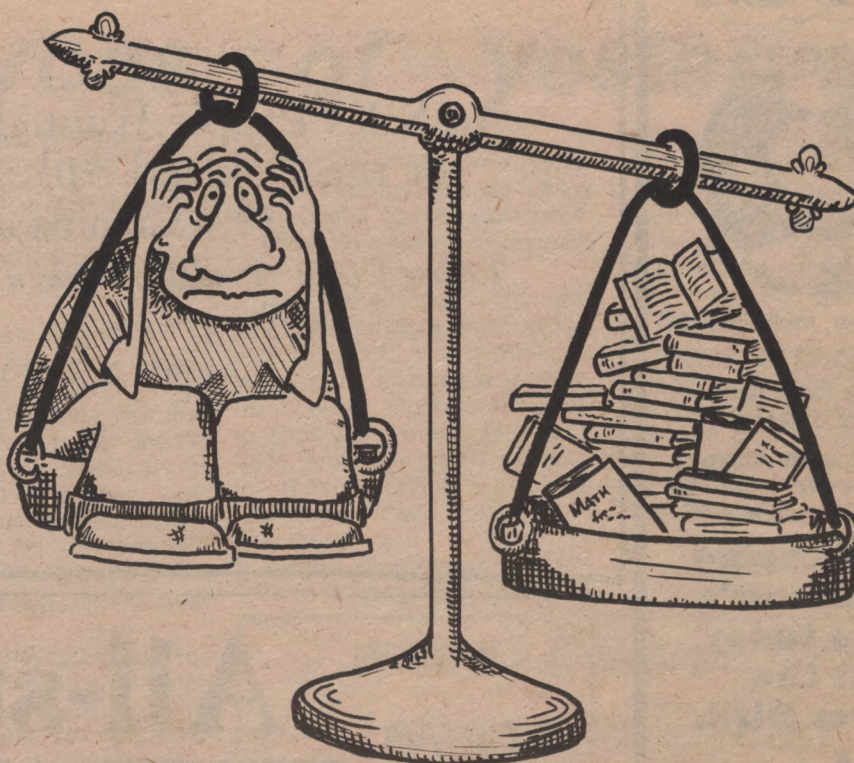
(continued from page 1) made no attempts to resolve the allegations (by Gregory)," he said. "It (the evaluation) was based on other violations of in-house policy...and nothing to do with his (Gregory's) allegations."

Vice President for Campus and Student Affairs Kenneth Coffman said he would not comment about the case, but said, though, that he thought Rowe was given a fair hearing.

He also commented on the nature of the charges against Rowe. "I believe you are misinformed," he said when it was suggested that Rowe's firing was not related to the Gregory incident. Later, though he said the same charge was "a fair statement."

ACCORDING TO ROWE, the results of the case are important to a number of APs. "They are concerned about the guidelines...They don't have the same kind of job security as with a union," Rowe said.

"I've been given support by a number of people I've never seen before," Rowe said. "They call to express concern and support. It is one of the most interesting and exciting things ever to happen to me."



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Students speak out

Has the change in the drinking age affected your social lifestyle?



"No, if you want it (alcohol) you can get it."

Matt Stuit, Physical Therapy, 18, freshman.



"Not mine, I'm over 21."

Maureen Sweeney, Nursing, 23, junior.



"Most definitely. It's not fair to take away our drinking rights. I was old enough to drink, but not now, yet I can still vote, and they can send me to war, or to prison. If this can happen, I should be able to drink."

Anthony Mooreland, Management, 19, sophomore.

"No. I drink more at home than at the bar, I don't really know what the bar scene is like now. It's too bad for people who have older boyfriends, or that like the bar scene and can't participate anymore."



Janet Markey, Sociology, 21, junior.

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