

Man to be tried in police car burning

By JOE SWICKARD
Free Press Staff Writer

A 20-year-old Redford Township man was ordered Tuesday to stand trial in Recorder's Court for burning a Detroit police car and resisting arrest during the melee that greeted the Tigers' World Series championship.

Chief Assistant Prosecutor Elliott Hall, however, declined to ask that Nicholas LaBate also be charged with rioting, which was suggested as an additional count by Detroit District Judge Marion Moore.

Outside court, Hall, while discussing the charges, rebuked the debate about whether the disturbances outside Tiger Stadium and elsewhere in the downtown area were a riot.

"The two counts are enough to deal with the matter," Hall said in response to a reporter's question. "It wouldn't be fair to charge him with the entire riot."

Photographed teen became a national symbol. Page 1A.

When pressed on his use of the word "riot" — which has been studiously avoided by local officials and news organizations, but has been widely used elsewhere — Hall backtracked, saying it was "a confused situation" that did not rise to the level of a riot.

DEFENSE ATTORNEY Richard Nelson said there was "no realistic way" the prosecution could prove that LaBate started any of the fires that eventually destroyed the police car.

If convicted, LaBate, free on \$3,500 bond, faces a maximum four-year prison sentence.

Two Detroit police reservists testified Tuesday that they saw LaBate inside the police car, on Michigan just

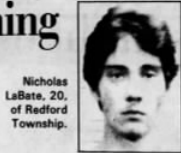
west of Trumbull, while its front seat was on fire.

Reserve Officer Ceolices Butts said he had just escorted a bus through the crowd filling the intersection when he saw "a bunch of people trashing a scout car."

Butts said the crowd, armed with sticks and jack handles, had ripped off the hood, torn out the car's police computer and smashed the windows. He said he pulled LaBate from inside the car and noticed a "flame in the center of the seat." LaBate was empty-handed, Butts said.

LaBate, he said, punched him in the face and tried to flee through the crowd before being tackled and forcibly subdued.

RESERVIST Timothy Stackpool, Butts' partner, said he was trying to arrest a man swinging a jack handle



Nicholas LaBate, 20, of Redford Township.

when he saw LaBate inside the car, holding "some type of cylindrical object in his hand, with a flame protruding out of the end of it."

Stackpool, who said he had been hit in the face by a bottle thrown from the crowd, testified that during the struggle to arrest LaBate, he saw "several different kinds of lights emitting from the vehicle — almost like a Fourth of July celebration."

A disposable butane cigarette lighter, with the name "Nick" scratched on it, was confiscated from LaBate, said Lt. William Peck, of the Police-Fire Arson Unit.

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Dirt flies as 10th District foes exchange digs

10TH DISTRICT, from Page 3A on Public Works has proved important to Michigan and its farm industry.

"FARMERS NEED roads, transportation, water," Albosta said. "And when you consider projects in other members' districts, you build up relationships that are very important when you need the 218 votes to get a farm bill through. My primary objective is agriculture."

Albosta brought Rep. Kika de la Garza, D-Tex., chairman of the House Agriculture Committee, to Michigan to reassure 10th District farmers that Albosta "can do a hell of a lot more for agriculture where he is. And anybody who thinks different doesn't know what he's talking about."

Schuette says Albosta's explanation for giving up the committee seat "just doesn't wash."

"Seven freshman Democrats got on the committee in 1983, and he got off," House Republican Leader Robert Michel of Illinois has assured Schuette a place on the Agriculture Committee if he gets elected.

Albosta has written a "Dear Fellow Farmer" letter to district voters warning that Schuette only wants the committee seat "to help write regulations on agriculture chemicals" — including those made by Dow.

"First, he says I'm a liar. Then, he says my vote will be for sale," Schuette says. "It's the campaign of desperation. . . . He knows we're closing."

SCHUETTE HAS released two polls taken for his campaign. One in September showed him 29 percentage points behind. Another this month showed him 12 percentage points behind, 52-40 percent with eight percent undecided.

The Albosta camp has its own polls showing the incumbent with a larger lead, but about the same low percentage of undecideds, which they say doesn't give Schuette much room to move up.

Albosta was the center of national news media attention last year when he headed a congressional inquiry into

how Ronald Reagan got one of former President Carter's briefing books before their 1980 campaign debates.

"We really didn't complete that," Albosta said. But he said the probe laid the groundwork for pending ethics-in-government legislation.

Schuette carries around copies of the subcommittee's two-volume report and says the "stigation was" a bad waste of \$500,000 — "poor policy."

Schuette says he is personally opposed to abortion and would vote against the use of tax dollars for such operations, but "I think it should be an individual decision."

wealthy," Albosta said.

SCHUETTE has not sought public office before. He was the political director of the Reagan-Bush campaign in Michigan in 1980 and has been active in Republican politics since he was 18.

He is a staunch Reagan conservative who says Albosta has voted against the president "82 percent of the time. . . . And you can't tell me the voters of this district think Reagan is wrong 82 percent of the time."

But it's not unusual to see cars in the district sporting two bumper stickers

— one for Reagan and one for Albosta. "People, I believe, like the checks and balances, and they like their own congressmen," said Albosta, who even Schuette admits does a good job of constituent service. "That's why 90 percent or more of the incumbents get re-elected."

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Patterson's two top aides take lie tests

POLYGRAPH, from Page 3A

In June to Patterson's re-election campaign. In November 1982 — a month after the State Police utility fraud investigation began — Patterson received a \$5,000 contribution from the Detroit Auto Dealers Association (DADA) to the campaign fund of his unsuccessful attorney general's race.

Michigan's trial on charges of conspiracy to defraud the utilities in Wayne County is pending. Southfield auto dealer Marvin Tamaroff, treasurer of DADA at the time of the \$5,000 contribution, was among the car dealers under investigation. He was never charged.

THOMPSON SAID Tuesday that he and Izzo voluntarily submitted to the polygraph tests because "I felt Brooks was taking a lot of criticism, a lot of heat in the media, over a decision that I made, not him. I went to his house Sunday night and told him I wanted to take the polygraph, and he said OK."

Patterson said Tuesday that Thompson and Izzo acted "on their own" in taking the tests. "I appreciate their sacrifice, but, damn it, they didn't have to do it. I resent the fact that my staff has to take a polygraph to clear me."

THE OTHER QUESTIONS in the test taken Tuesday by Thompson were:

- "Before your August 1984 decision in these utilities fraud cases, were you aware of any campaign contributions to Mr. Patterson by Mechigan or Tamaroff?"
- "Are you deliberately trying to deceive the public regarding the reasons for your utilities fraud decisions?"
- "Are you deliberately lying about any true facts in this utility fraud case?"

Izzo's questions were identical, except for the first question, which asked if he was aware of any auto dealer contributions "before Vince Wade broke this story?"

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