
Interview: Sharon McPhail

The Privatizers Have Looted the Schools

Sharon McPhail, a Detroit attorney and former president of the National Bar Association, is one of two attorneys representing the plaintiffs in a Federal civil rights suit against last year's takeover of the Detroit public school system by the State of Michigan. On Aug. 8, she ran for Wayne County Prosecutor. In the following interview, conducted on Nov. 1, McPhail discusses the fight against the takeover, and the evidence that she was defrauded in the election.

EIR: We thought that, in light of the fight going on in Camden, New Jersey against the state takeover of that city, we should update our readers on the fight against the takeover of Detroit's public schools. What is the status of it?

McPhail: The District Court judge ruled against us last week. She ruled against us pretty much on all counts. It's not something that we hadn't expected. She's a Reagan appointee, so we were looking for a decision along those lines anyway.

EIR: Will you appeal that now?

McPhail: Yes, we already have filed a notice of appeal, at the 6th Circuit Court of Appeals.

EIR: Will you review for our readers what the grounds for the case were?

McPhail: We filed under five different counts. What we were attempting to get her to do, was to recognize the racial animus in the process, under the Voting Rights Act, because of the effect upon a city that is nearly 90% black, which she declined to do. I'm interested in seeing the opinion, because we had a conspiracy count, that involved the business community conspiring with the legislature to pass this legislation, so they could get their hands on the money that Detroit had voted for new schools for the kids. It's interesting, because it's a year and some months into the so-called reform takeover, and they've not built a single new school, and they're now saying they're not going to, that they're going to just repair the old ones.

So what they've done is, they've stolen the money that was voted for the kids, and they've just divvied it up among themselves.

EIR: How much was this?

McPhail: It was \$1.5 billion, and there's only \$63 million left. They've looted the system, that's what they've done.

EIR: Is there any uprising going on in Detroit about this?

McPhail: Nope. There really isn't.

EIR: Why not?

McPhail: People don't know, and they don't know, not because the information isn't available to them, but because they don't access the information. I don't know why they don't access it, but they don't. People really don't know. They only know that they pay a lot of taxes. The other thing is that many people are just too stretched out, trying to live day to day, to focus on things like that, which is really too bad, because they're the very people that it's affecting.

Detroit will be paying for those new schools that we voted for, for 15 years. There will not be another opportunity for kids in the city to get new schools for at least that long. So, you're talking about basically two more generations of kids up through elementary school, in those old buildings that, in many cases, are inadequate to house them now.

EIR: This fits a pattern in the country. In Camden, the city council is being ousted and replaced by state control. You have Gov. Tom Ridge (R) in Pennsylvania threatening to take over the Philadelphia schools.

McPhail: Yes. They just vote themselves in, vote themselves taxes, spend all the money that's for the people who live in the jurisdiction that they're taking over, and never give the people anything.

EIR: Were the Detroit schools given to private companies?

McPhail: No, that was in Inkster. Inkster actually turned the schools over to a private company. But Inkster didn't do that by itself. They were driven to that place by the state, in the way that the state handled the school resources in the first place, and in that the state allowed all of this proliferation of charter schools to bleed the system, to the point where it couldn't pay its bills. There were so many kids that had come out of that system to charter schools, that the system couldn't operate anymore. And that's exactly what they're trying to do with this voucher thing. [The referendum in support of vouchers in Michigan was defeated in the Nov. 7 election.]

Then they just take over, and what money there is—for example, here, they complained and moaned about overhead and how there was too much middle management, and then they came in and hired 25 \$100,000-a-year administrators to work with them, who are friends of the people who are there now. It's so incredibly criminal.

EIR: You ran for Wayne County Prosecutor. What happened in the election?

McPhail: We discovered what happened because we did a recount. Otherwise, we would never have known. They literally stole the election. They added people's names to poll books, for whom there is no application to vote, which is outright voter fraud. They made up ballots for people who didn't vote, and they were seen doing it, and I have a witness who saw them doing it. They did something with the absentee ballots, in addition to adding names. They transferred votes of mine to another candidate in order to lift his numbers.

EIR: When you say "they," who are you talking about?

McPhail: I'm talking about the clerk's office, the people who work for the city clerk, and there's not many of them involved, there's just a few. But they are pretty careless, and they were observed doing it.

EIR: This is the City of Detroit?

McPhail: Yes, the City of Detroit is one, but there were problems all over the county. Two-thirds of the election could not be audited, could not be recounted, because of tampering with locks and seals on the ballot boxes.

EIR: What was the actual vote? How much did you lose by?

McPhail: Eleven thousand votes.

EIR: And you found evidence that would invalidate that election?

McPhail: It should. If it doesn't, I don't know what would invalidate an election. But, let me tell you, there's no way it's going to happen, because the people who would have to do it are all in the pocket of the guy who supposedly won, Mike Duggan.

EIR: Is Mike Duggan in office now?

McPhail: No, Jan. 1. So there's actually time to do something about it.

EIR: Do you have documentation?

McPhail: I have the last page of the poll books, where they added the names, and the county canvass actually showed that they had added names. The canvassers were ordered in the poll books, but they didn't canvass every precinct, like they're supposed to. So you see there are only some where you're going to find what the county canvass turned up. The only way you can discover that people's names have been added to the poll books, is that you have to check the poll book names against the applications to vote, which people sign when they come in to vote. They do that in every precinct; they just spot did it. On the ones where they did it, they found all these names and no applications to vote.

So, in looking at the poll books in the recount, we found a number of them, and I've got copies of those. I've got pages of the transcript of the recount hearing, where the Board of

Canvassers said that there was no way to get a fair recount, that we didn't get one, and that we *couldn't* get one, because the election was so screwed up and mismanaged. They just outright said that.

EIR: Will you have to go into court to get the election overturned?

McPhail: Within seven days of the recount, I had to do that.

EIR: Do you think you would have won, had there been a legitimate vote?

McPhail: Yes. People are pretty outraged, as outraged as people around here get, about this, but they just don't do anything. I think it's a feeling of helplessness that takes them over.

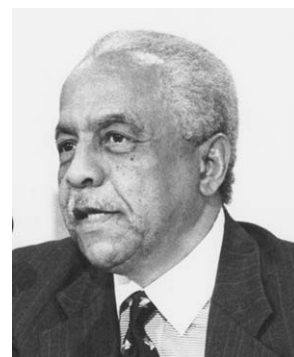
EIR: Well, we've certainly seen that on the macro front. People see a stock market crash and a collapse of the financial system going on all around them and continue to say that everything is fine. So, their not reacting on this is not so surprising. Combined with what's going on in Camden and the school case, it's important to get this kind of picture out.

McPhail: That's what's going on, and we're just fighting.

Interview: Ed Vaughn

Rights Are Being Repeatedly Violated

Rep. Ed Vaughn (D-Detroit) first served in the Michigan Legislature during 1978-79. He was elected again in 1994, and currently serves as Minority Vice-Chair of the Constitutional Law and Ethics Committee, and is a member of the Committees on Economic Development, and Regulatory Reform. He formerly chaired the Michigan Legislative Black Caucus, and is currently the First Vice-Chair. Under term-limit legislation, Representative Vaughn will lose his seat in January 2001. He ran a challenge for president of the Detroit chapter of the NAACP in the Nov. 9 election, where



Rep. Ed Vaughn