

MIRS Capitol Capsule, Monday, November 19, 2012

QUOTE OF THE DAY

"If you have a million dollars you have the right to put a ham sandwich in the constitution if you can get people to vote for it."

-- Lansing Attorney and consultant Richard **McLELLAN**, talking about ballot proposals on today's edition of [MIRS' Monday Podcast](#).

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Kent County GOP Chair Poised To Take On Schostak

Sam **MOORE**, the Kent County Republican Party chair, is poised to challenge Michigan Republican Party (MRP) Chair Bobby **SCHOSTAK** who formally announced his bid for a second term today.

While Moore's formal announcement is being planned down the road, the 30-year-old one-term Kent County GOP chair said he is making telephone calls and garnering "incredible" support for a run that he says will focus on energizing grassroots organizations at the county, district, college and local levels.

If he follows through with the campaign, Moore is considered a top-shelf candidate who would pose a significant challenge to Schostak, whose relationship with the local Tea Party groups, while good, isn't iron clad.

Meanwhile, Schostak officially launched his bid for a second term today, saying in a press release that he had the backing of 100 grassroots endorsements, including 13 Tea Party leaders, 11 district chairs, 51 members of the Michigan Republican State Committee, 41 county chairs and countless other activists and grassroots leaders.

"Today I am announcing my intentions to run for re-election so I may return to battle on your behalf, so we may continue to work side-by-side in the endeavor to ensure freedom is not silenced and conservative principles are pursued," he said.

Others interested in running also include MRP Vice Chair Victor **DIAZ** and potentially Troy **ROLLING**, who ran in 2010. Tea Party leader Norm **HUGHES** and National Committeeman Dave **AGEMA** have been approached, but aren't actively pursuing the option.

If there's a race, Tea Party members will relish the opportunity to look at all of the candidates, read their

A total of 67 percent of local leaders surveyed by U-M just don't believe Lansing would deliver on revenue replacement without an amendment.

The survey was released today by U-M's Center for Local, State and Urban Policy (CLOSUP) and included surveys of 1,329 Michigan jurisdictions (counties, cities, townships and villages) conducted this past spring. The survey found that 74 percent of local leaders would support the elimination of the tax if the state replaces the revenue in whole.

On Thursday, Lt. Gov. Brian **CALLEY** met with the Michigan Municipal League (MML) about an alternate PPT revenue replacement plan that dedicates 1.5 cents of the 6-cent use tax for PPT replacement. Under the plan, the money would go to a quasi-governmental unit, which would reimburse locals at, on average, 90 percent of what they had been receiving under the PPT.

Calley has argued that this alternative gives locals a funding stream that is not subject to the annual appropriations process and is as close to a guarantee as one is going to get in state government.

If the locals don't like this option, Plan B, apparently, is the Senate-passed PPT elimination plan that made revenue replacement part of the annual appropriations process.

A House committee was scheduled to take up the revised bill this week, but it now appears that has been pushed back at least a week.

MML's Samantha **HARKINS** said "conceptually," she likes the progress being made in the administration's revised plan, but they're doing more research on the plan before submitting it to the MML board next week for consideration.

Currently, the MML is neutral on the PPT elimination bills.

"The challenge is making sure there's a guarantee," she said. "I'm not sure, with all of the moving pieces, that we have a guarantee."

Among jurisdictions receiving PPT revenue, 51 percent report that the funds are important to their budgets. A total of 83 percent of the state's largest jurisdictions deemed PPT dollars as important to their budget.

Other findings of the CLOSUP survey included:

- 42 percent of local units of government find the PPT difficult to administer (24 percent disagreed).
- 46 percent of local governments felt the revenues generated by the PPT were worth the local government cost of administration.
- Only 19 percent of local government leaders view the PPT as a barrier to economic development in their community.

The full report on the survey can be found at: <http://closup.umich.edu>

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Charges Against Imprisoned Convicted Rapist Dropped

A St. Clair County man convicted of raping a woman in a Meijer parking lot nearly 10 years ago left court today a free man after local prosecutors dismissed charges against him following a state Supreme Court decision in July that he be given a new trial.

James **GRISSOM** had been sent to prison for 15 to 35 years in 2003 for sexually assaulting Sara **YLEN**. He was released after St. Clair Circuit Court Judge Cynthia **LANE** said Ylen made as "few as one and as many as nine" false allegations of sexual assault.

"Simply put, the newly discovered evidence places in serious doubt whether the complainant was sexually assaulted at all," Lane wrote.

The case seems from the 2003 conviction of Grissom, who was found guilty of raping the then-26-year-old woman in a Fort Gratiot Meijer parking lot. The alleged rape happened between noon and 12:30 p.m. on May 12, 2001, by a man with long dirty hair, a scraggly beard and a hat, who the victim didn't identify for several months later as Grissom, who worked at Meijer at the time.

The incident was far from an open-and-shut case.

It took the victim several days before she reported her assault included a rape. Although the alleged rape happened in the middle of the day in a Meijer parking lot, no witnesses reported seeing or hearing anything. Her story of the alleged assault changed several times. She threw away all of her clothing, even though she knew that DNA evidence could be obtained from the clothing.

However, the victim did pick Grissom out after viewing more than 7,500 photographs. She remembered her attacker having a skull tattoo on his upper right arm, which Grissom does. Grissom shaved his head and beard the day before the line-up. The victim remembered being assaulted with a gold ring, which Grissom pawned away four days after the alleged assault.

Two years after Grissom was given two 15-to 35-year sentences for raping the woman, prosecutors were given a packet of information in which the woman's credibility was questioned.

She may have made false allegations of sexual assault in California before the Grissom trial, but after the alleged assault in St. Clair County. The information added new questions on the credibility of the victim and the courts were charged with deciding whether the Grissom had a reasonable chance of being acquitted.

On Oct. 1, 2001, Ylen filed a sexual assault report in Fresno in which many of the details behind her claim matched those in the alleged Fort Gratiot Meijer incident. Both were in the middle of the day with no eye witnesses involving a similar vehicle and her attacker doing the exact same things to her.

In July, the state Supreme Court -- in a split decision -- ordered the local court to take one more look into the case because of Ylen's questionable credibility (See "[Court Ordered To Relook At Rape Conviction](#)," 7/31/12).

The State Appellate Defender Office represented Grissom in the case.

In its motion today, the prosecutor wrote "There is no longer any reasonable likelihood of conviction in this case due to newly discovered evidence . . . In light of the time served by the Defendant at this point, it does not serve the interests of justice to pursue prosecution of this case further."

Grissom had been behind bars since March 2003.

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Teacher: State Shouldn't Be 'Testing' EAA On Students

A 10th-grade English and language arts teacher from Detroit took center stage this afternoon before the House Education Committee.

As the committee continued to consider whether to establish the state's Education Achievement Authority (EAA) fully in statute, first-year EAA teacher Brooke **HARRIS** made a passionate argument today against the authority's techniques.

"My students, the children of Detroit, are not a group of lab rats on which we should test a detrimental curriculum that is not even fully functional or completely developed," Harris said at one point. "We should also not be testing a possibly detrimental school district that has not had the opportunity to prove itself."

She added, "My students have been let down in the past, and I cannot stand idly by as they are let down once again in the future."

Last week, the Education Committee took about three hours of testimony on  [HB 6004](#), which would place