

# Carving Out the Rule of Law: The History of the United States Attorney's Office in Eastern Michigan 1815–2008

By Ross Parker, published by Author House (2009), 431 pages, hardcover \$30.99, paperback \$20.49

Reviewed by Joel Shere

**D**etroit attorney Ross Parker's *Carving Out the Rule of Law: The History of the United States Attorney's Office in Eastern Michigan 1815–2008* is an original and engaging history of the United States Attorney's Office for the Eastern District of Michigan (roughly the eastern half of the Lower Peninsula). U.S. attorneys are appointed by the president with the consent of Congress, and as the chief federal prosecutors in their respective districts, they occupy positions of tremendous power and influence in the federal criminal justice system (think Rudy Giuliani when he was U.S. attorney for the Southern District of New York).

Mr. Parker, an assistant U.S. attorney in the Eastern District of Michigan for 28 years before his retirement in 2006, tells the history of his office through short chapter profiles of each of the 51 men (to date, no women and only two men of color) who have thus far held the position of U.S. attorney for the Eastern District. This storytelling device serves the reader well as Mr. Parker writes with a journalist's eye for detail that brings his subjects and their times to life. General-interest readers, as well as attorneys, should find particularly fascinating Mr. Parker's vivid depictions of early Michigan history when fundamental legal institutions, and the very rule of law itself, were being forged by a pioneer generation of Michigan attorneys, among whom were the U.S. attorneys he writes about.

For example, we learn that Solomon Sibley, the first U.S. attorney for the Michigan Territory, was appointed by President Madison in 1815; that Sibley was one of the



Solomon Sibley, United States Attorney 1815–1824

first American settlers to come to Detroit, then a rustic fur trading village, after the British evacuation in July 1796; in 1802 he was responsible for the incorporation of Detroit as a town, and in 1806 he became the town's first mayor; in the War of 1812 he commanded a company of rifles during the British attack on Detroit; he served as a non-voting delegate to Congress from the Michigan Territory, and later as a territorial judge and chief justice of the Michigan Territorial Supreme Court; and that the Sibley House on East Jefferson in Detroit, which he had planned as a residence for his family (he died before its completion), is the oldest remaining wooden residential structure in Detroit and is still in use as a church community center. Mr. Parker writes admiringly of Sibley: "On the Michigan frontier, no person contributed more to the evolu-

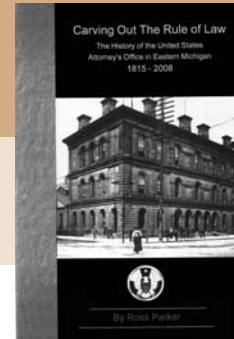


Photo courtesy of the Historical Society of the United States District Court for the Eastern District of Michigan

tionary process of the development of rule of law than Solomon Sibley." (p 2)

Thanks to Mr. Parker's original and informative book, such remarkable pioneering figures as Solomon Sibley are now accessible to lawyers and others interested in the development of Michigan's legal institutions.

High-profile criminal trials have always gripped the imagination of the American public (e.g., the Lindbergh baby kidnapping case, the trial of Julius and Ethel Rosenberg, the "Chicago 7" trial—the list goes on and on), and some of the many pleasures of Mr. Parker's book are his vivid depictions of some of the more sensational criminal cases tried in the Eastern District of Michigan. Two cases cited by Mr. Parker, separated by more than a century, illustrate the enduring fascination of criminal trials as mirrors of their times.

In 1851, U.S. Attorney George C. Bates prosecuted local Mormon leader James Jesse "King" Strang, who had taken up residence with his followers on Beaver Island. Strang (self-proclaimed "King" and "God's Viceroy on Earth") had broken from the mainstream Mormon Church after the death of Joseph Smith. On Beaver Island, fights and other violence erupted between Strang and his followers and other island residents, prompting U.S. Attorney Bates to secure a federal indictment charging Strang and several of his followers with the crimes of counterfeiting, trespassing on public lands, and theft of timber and mail. At a trial in Detroit, described as a media circus, Strang successfully defended himself, all defendants were acquitted, and he and his codefendants returned in triumph to Beaver Island. A year

Photo courtesy of the Archives of Michigan



Photo courtesy of the United States Attorney's Office

United States Attorney's Office 1980

later, Strang was elected to the Michigan legislature, and he continued to operate his colony on Beaver Island until 1856 when he was assassinated by one of his rebellious followers.

Over a century later, in 1985, the city of Detroit was being terrorized by drug-related violence. A federal indictment was obtained against an organization headed by Richard (“Maserati Rick”) Carter whose drug distribution operation centered on Detroit’s east-side was associated with the large-scale cocaine distribution network organized by 18-year-old Richard (“White Boy”) Wershe. Coordinated state and federal prosecutions eventually brought down both organizations. Carter was shot and killed in the hospital where he was recovering from an earlier gunshot wound, and was buried in a \$16,000 casket in the shape of a Mercedes-Benz convertible. Wershe was convicted and sentenced to life without parole. The dismantling of these drug organizations brought some short-term relief to a beleaguered city.

It would give too much away, and space does not permit advertence to other equally fascinating criminal cases discussed by Mr. Parker; for that you will have to read his book.

Finally, a word about the title, *Carving Out the Rule of Law*. The title reflects a deep understanding that the rule of law—the bedrock of American democratic soci-

ety—is not a self-perpetuating gift bestowed by the country’s founders, but rather the product of the daily actions (“carvings” in the author’s telling phrase) of men and women in all areas of public and private life, and especially those charged with administering the criminal justice system which, in the wrong hands, can become a terrible instrument of tyranny and oppression, as seen in many parts of the world today. Toward the end of his book, Mr. Parker writes: “Although the federal legal system is not perfect, it has protected the country from both despotism and anarchy for more than two centuries.” (p 375) This, I think, is the core of Mr. Parker’s message and the inspiration for the title of his informative, insightful, and absorbing book. ■

*Carving Out the Rule of Law is available at amazon.com and barnesandnoble.com and from Ross Parker at rparker54@comcast.net.*

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*Joel Shere served as chief assistant U.S. attorney during the administration of U.S. Attorney Leonard R. Gilman until Mr. Gilman’s untimely death on February 12, 1985, and then as the court-appointed acting U.S. attorney until January 1986, when he was succeeded by presidential appointee Roy C. Hayes. The reviewer is profiled in chapter 44 of Mr. Parker’s book.*