

Lansing State Journal

PART OF THE USA TODAY NETWORK

MONDAY 08.22.16

THE POWER OF KNOWING SINCE 1855

WWW.LSJ.COM

Water charges might not fly

Court says misconduct applies only to 'public officers,' not all workers

DAVID EGGERT
ASSOCIATED PRESS

LANSING - The prosecution of current and former state of Michigan employees for their role in Flint's lead-contaminated water crisis likely will face an early test over whether one of the most serious charges can even be levied against the middle- and lower-level government officials.

All eight workers charged so far, five from the Department of Environmental Quality and three with the Department of Health and Human Services, face a misconduct in office charge—a felony that can carry a five-year prison term. The cases are in the early stages of prosecution.

But there is no statute clearly defining official misconduct. Rather, it is a common law offense based on judicial decisions and a doctrine whose origins trace back centuries to England.

The Michigan Supreme Court has ruled that misconduct in office applies only to "public officers," not all government workers.

Peter Henning, a Wayne State University law professor and a former federal prosecutor, said Michigan is one of few states to preserve common law criminal offenses. State courts are still struggling to discern who can face the charge, he said, particularly within bureaucracies staffed mostly with non-elected or non-appointed officials.

"The higher up you get in the bureaucracy and the chain of the command, the more likely you're going to be an officer," Henning said.

Just last month, the state Court of Appeals affirmed a lower judge's decision to toss a misconduct in office charge against a Wayne County lawyer in a failed jail project. The defendant was a "public employee," not a public officer, the court ruled.

Factors to be weighed include whether a position and its duties were created, defined and delegated by the Legislature or through legislative authority. Elected officials such as the governor, lawmakers, mayors and high-ranking appointees are public officers. Police officers have been successfully prosecuted for the crime, too.

The DEQ employees worked in the Office of Drinking Water and Municipal Assistance. The former chief, Liane Shekter Smith, was fired in February while four others — district supervisor Stephen Busch, district engineer Michael Prysby, water quality analyst Adam Rosenthal and specialist Patrick Cook are suspended but recently began being paid again.

See FLINT, Page 6A



PHOTOS BY JULIA NAGY/LANSING STATE JOURNAL

Aaron Aikman sits in a replica of the Ghostbusters hearse at his home in Lansing on Wednesday. He and Jerry Jodloski, of Lansing, teamed up to create the car, which is the same make and model hearse used in the new Ghostbusters film.

WHO YOU GONNA CALL? Duo creates replica of 'Ghostbusters' car

RACHEL GRECO
LANSING STATE JOURNAL

LANSING - When it's on the road, Aaron Aikman and Jerry Jodloski's creation turns heads, elicits honks, and gets the occasional thumbs up. But mostly it generates questions. So many questions.

"Is it yours?" people ask. "How did you do this?"

And the ever popular, "Can I get my picture taken with it?"

Hey, it's okay, Jodloski, 49, said. He gets it.

The 1984 Cadillac hearse is what he calls "a show stopper." It's white with red vinyl wrap on the sides, a red stripe running alongside it. The roof is packed with "gear" and emergency lights. The driver and passenger-side doors sport a familiar, iconic logo — a startled ghost looking out behind a red circle with a line through it.

The license plate on the vehicle's front grill even reads "Ecto-1, New York."

And in case you're wondering, yes, there's a siren, and its blare just



Aaron Aikman stands with a replica of the Ghostbusters hearse at his home in Lansing on Wednesday. The license plate on the vehicle's front grill reads "Ecto-1, New York."

See CAR, Page 2A

Car

Continued from Page 1A

might convince you this is the real deal, the "Ghostbusters" movie ride brought to life.

It took Aikman and Jodloski less than a month to replicate the hearse featured in the 2016 "Ghostbusters" remake, and in a few months it will serve as the centerpiece at the third-annual "How-To Halloween" at the Lansing Center, an event that pays homage to all things spooky and homemade.

For now, it sits in Aikman's already crowded driveway northwest of downtown Lansing awaiting the occasional trip around town.

The reactions the pair gets when they do take it out for a spin are at the heart of why they did it, Jodloski said.

"All of the sudden, if you're having a bad day — not anymore. You just can't help but smile when you see it."

Aikman and Jodloski will tell you their "Ghostbusters" car was a team effort.

Aikman, 45, a Capital Area Transportation Authority bus driver of 17 years, has been restoring cars and creating things with their parts for more than 30 years.

Jodloski, a father of three and the owner of Jammin' DJs, has spent the last decade designing and creating Halloween and movie-themed displays in his free time.

Together they utilized Aikman's mechanical know-how and Jodloski's creative flair to recreate the famous movie vehicle. When it goes on display at the Lansing Center this October it will even sport the small ghost hood ornament seen in the film.

'I had to meet this guy'

Still, the project never would have happened if Jodloski hadn't spotted one of Aikman's Hollywood-inspired creations during a local car show.

"The Reaper's Ride" took Aikman six months and \$6,000 to build with help from friends. It's his take on Grandpa's "dragula," a vehicle featured on an episode of the 1960s television show "The Munsters."

The body consists of two coffins, the frame is custom built from parts taken off a 1972 Chevy Nova SS and a V8 engine sits in front. It's street legal, can travel at 75 miles per hour and is Aikman's first "from scratch" vehicle. He dedicated it to his father Dale, who died when Aikman was a toddler.

In the fall of 2014 the spooky dragster was sitting in a restaurant parking lot off Michigan Avenue when Jodloski was driving by.

"I saw it and I just did a U-turn," he said. "I had to meet this guy."

Jodloski's no stranger to movie-themed vehicle creations. He has his own, a Dodge Durango SUV he remade to look like a yellow and green "Jurassic



The finished "Ghostbusters" logo is put on the side of a 1984 Cadillac hearse in Jodloski's garage.

COURTESY PHOTO



Jerry Jodloski remade his Dodge Durango into a "Jurassic Park" themed tour vehicle, inspired by the 1993 film.

COURTESY PHOTO

Park" tour vehicle.

"He came in and he said, 'Alright, who owns that coffin car?'" Aikman said. "He told me, 'I need your car.'"

And Aikman obliged, leading that October's Downtown Lansing Zombie Walk, held at the same time as the first "How-To Halloween."

It was the beginning of their friendship.

Then last year Jodloski pointed out that Aikman's 1984 Cadillac hearse, one of more than a dozen cars he owns, looked similar to the hearse featured in the new movie trailer for the upcoming "Ghostbusters" remake.

"I was like, 'Well, you know what? I've

always wanted a movie car,'" Aikman said.

And project Ecto-1 was born.

Impressive result

"This would have been difficult to do alone," Jodloski said. "But I kind of had a thought of how we could do it, and our skills complemented each other. He did

"Anybody could build this car if they threw thousands of dollars at it ... But I think the neatest thing is that we did it with just hundreds."

JERRY JODLOSKI

his part. I did my part."

The end result was parked in the driveway next to Aikman's Lansing home Wednesday afternoon. And on his porch was a poster board filled with photographs of the movie version. During the design process the duo used the photos as a starting point. Aikman can point out the subtle differences between their rendition and the original.

Jodloski is responsible for the red vinyl on the car's exterior, along with the "Ghostbusters" logo on the sides and rear of the car, and Aikman focused on the crowded hood that's packed with what looks like "ghost busting" equipment. It's really a collection of stuff — piping, tanks, scraps, old fire extinguishers — that Aikman hunted down at salvage yards and other places and organized to look like the movie hearse.

"All the parts are not accurate," Aikman said. "They're as close as I could get them."

Jodloski said the creative ways the pair kept their costs down makes the finished product that much more satisfying.

"Anybody could build this car if they threw thousands of dollars at it," he said. "But I think the neatest thing is that we did it with just hundreds."

Aikman and Jodloski have already started planning next year's project — the conversion of a 1970 Dodge van they picked up in Wisconsin into "The Mystery Machine" from Scooby-Doo.

The hearse was completed just a few weeks ago, and Aikman has displayed it at a few local car events already.

"Everybody can relate to it," he said.

Both men say it's the perfect promotional prop for this year's "How-To Halloween," set for Oct. 15-16.

Beyond that, Aikman said it's just a blast to own.

"Had you asked me 10 years ago, 'Would you ever want a movie vehicle?' I would have said yes, but never in my wildest imagination did I think I'd have one, and now, thanks to Jerry and his idea, I've got one."

Contact Rachel Greco at (517) 528-2075 or rgreco@lsj.com. Follow her on Twitter @GrecoatLSJ.