



OAKLAND JUDGE CRACKS DOWN ON LIARS TO TRY TO RAISE FAITH IN JUSTICE SYSTEM - CAMPAIGN URGES CONSEQUENCES FOR PERJURY

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Those entering Judge Michael Warren's courtroom routinely get this warning from their attorneys: Don't lie under oath because this judge will punish you. Warren, an Oakland County circuit judge, is one of a tiny minority of judges in the state actively pursuing people who appear to lie on the witness stand. And he is on a campaign to get fellow judges to crack down on the prevaricators in their own courtrooms - a move he said will bring a new level of integrity and faith in the justice system.

"There are very few judges who take it seriously," Warren said Tuesday. "That only encourages those people who have a predilection to break the law to continue to do so."

It is widely known in state and federal courts nationwide that witnesses frequently lie under oath, and that prosecuting such perjury - a felony - can be costly and time consuming. As a result, few perjury cases are prosecuted.

For example, in Oakland County, there were fewer than five felony prosecutions for perjury in 2005. That year, Wayne County prosecuted five perjury cases of defendants, said Jack Fennessey, a spokesman for the Prosecutor's Office.

Enter Warren, who uses his power of contempt of court as a quicker, more efficient means of holding liars accountable. Since taking the bench in 2003, Warren has dragged about two dozen witnesses back into his courtroom after they lied, or tried to defraud the court, and cited them for misdemeanor contempt. Because county prosecutors don't generally pursue perjury, Warren has appointed independent prosecutors to handle the cases. All the defendants have been convicted, or have admitted to lying under oath. Punishment ranges from \$250 fines, to community service to 30 days in jail.

"People respond to sanctions or incentives," Warren said.

His crackdown on perjury, he said, also helps ensure justice for those who tell the truth. "What we forget here is that perjury is not just an affront to the court, it has severe consequences for the party playing by the rules," he said.

Warren first realized the extent to which people lie under oath soon after he took the bench. The mother of a defendant in an armed robbery case took the stand and produced a handwritten letter she said she'd received from her son's codefendant, a written confession clearing her son of the robbery. A handwriting expert determined it was a forgery. The mother admitted to Warren that she'd made the whole thing up.

Warren sent her to jail for 7 days.

Similarly, in a divorce case, the plaintiff denied making derogatory and racial slurs against his ex-wife. The ex-wife produced a tape of the plaintiff's telephone conversation. Warren sent him to jail for 3 days.

His get-tough campaign is not lost on attorneys.

"He started this a while back, and now the word is out," said attorney Don McGinnis, president of the Oakland County Bar Association.

"People lie all the time. But with Judge Warren, lawyers counsel their clients going in that there will be consequences. I think he's doing the right thing."

Oakland County Chief Deputy Prosecutor Deborah Carley said Warren's campaign is giving her office cause to

look harder at people who lie on the stand to obstruct justice. "We're going to be taking a second look at some of these cases," she said.

Warren is also working with legislators to increase the fines and jail time judges can give to those found in contempt.

"There has been an erosion of the respect for law, the rule of law and the judicial process," Warren said.

"This is a step we can take to begin to regain that."

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CAPTION: Judge Michael Warren, in court Thursday, has no problem with punishing witnesses who lie under oath. "What we forget here is that perjury is not just an affront to the court," he said. "It has severe consequences" for those who are seeking justice and telling the truth. Warren is one of only a few judges in the state actively pursuing perjury cases.

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