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Wahlfield elated as speedy verdict clears him, real estate agent Tabor

By Tracy L. Sybert
The Grand Rapids Press

Kent County Commissioner Fritz Wahlfield saw a two-year "cloud of questions" about his credibility disperse in a few minutes Thursday when he and a local real estate agent were found not guilty on felony charges.

And Wahlfield said he may seek disciplinary action against the Grand Rapids appraiser whose testimony was the basis of the prosecution's case.

A 12-member jury deliberated 15 minutes before announcing Wahlfield and local real estate agent Thomas Tabor not

guilty on charges of conspiracy and attempted false pretenses.

"That was hardly enough time to pick a jury foreman," said Keary Sawyer, Wahlfield's attorney.

"We're very elated," Wahlfield, with his wife Marlene by his side, said after the verdict. "We've had many sleepless nights since this began."

The case arose from Tabor's attempt in February 1987 to lower a proposed 88 percent increase in the property tax assessment of an office building he purchased from Wahlfield the previous year.

At a Feb. 10, 1987, meeting with Wahlfield and city appraiser Thomas Ecken-

berg, Tabor submitted documents listing the purchase price of the building as \$550,000, rather than the actual \$750,000.

The documents — a land contract and purchase agreement — bore the signatures of both men. A month later at a Grand Rapids Board of Review hearing, Tabor admitted he submitted false documents to the city.

Wahlfield has maintained the falsified documents were blank when he signed them and he was unaware of any deception at the meeting with Eckenberg.

After an 11-month investigation, Attor-



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Fritz and Marlene Wahlfield celebrate with their attorney, Keary Sawyer.

TRIAL

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ney General Frank Kelley's office in March charged Tabor and Wahlfield. The charges carried maximum sentences of 14 years in prison and fines totalling \$12,000.

After Tabor's presentation during the March 1987 Board of Review meeting where he withdrew the false documents, the board reduced his assessment from the \$348,500 originally proposed by Eckenberg to \$300,000.

By state law, assessed value of property is supposed to equal half of its market value.

Tabor testified during the trial that although he took a "short cut" in submitting false documents to the city, it was in an effort to reduce Eckenberg's "excessive" proposed assessment to a fairer level.

Tabor's attorney, Henry Guikema, told jurors in closing arguments Thursday that Tabor could not be convicted of false pretenses because they were not attempting to get something to which they were not entitled. He also said that Tabor abandoned all attempts at false pretenses when he made his

admission to the Board of Review. "The jury verdict absolutely shows that neither of the gentleman had any intention whatsoever of defrauding the city of Grand Rapids out of even a single tax dollar," said Guikema.

Mark Blumer, the assistant attorney general who prosecuted the case, said he was "just stunned" by the verdict.

"I am absolutely satisfied in my own mind that there was enough evidence for the conviction," he said. "I thought the evidence for the felonies was simply overwhelming."

Both defense attorneys questioned the testimony of Eckenberg, a major prosecution witness, during the trial. On Thursday they pointed to several contradictions and noted that Eckenberg testified his original assessment proposal had been "excessive."

Wahlfield and Tabor testified earlier in the week that Wahlfield attended the Feb. 10, 1987, meeting only at Eckenberg's insistence.

Wahlfield said after the trial that he may request that the Grand Rapids assessor's office review Eckenberg's conduct. "I don't want him ever, ever to do this to another

taxpayer in the city," said Wahlfield.

Both Tabor and Wahlfield said the verdict ends a nearly two-year ordeal that has jeopardized their professional reputations.

Wahlfield said he lost business as a building contractor and that — in the first months following the filing of the charges — he seemed to be taken less seriously by his fellow county commissioners.

"There seemed to be a cloud of questions as to my credibility," he said.

Wahlfield was re-elected with 62 percent of the vote last week, despite his impending trial. Wahlfield — a Republican representing Alpine, Sparta and Tyrone townships and part of Plainfield Township — defeated Democrat Robert Hug.

Tabor's co-owner in the Realty Connection, Jaynellen Denny, said business suffered when the first news accounts of the case began in March 1987.

"We pulled together to the point where we are probably more successful than we ever were," she said.

ATHLETIC CLOTHING?