

Thursday, October 7th, 2004
Baton Rouge, Louisiana

PRESIDENTS AND QUARTERBACKS YOU GOTTA HAVE JUST ONE.

LSU Football Coach Nick Saban might want to turn for a little advice from the Gipper. Only one guy can call the shots. That's what Ronald Reagan decided when he was offered the chance to be co-President back in 1976.

The Republican national convention was taking place at Kemper Arena in Kansas City. Gerald Ford had become President a few years earlier (1974) when Richard Nixon stepped down from the job over Watergate. Ford and Reagan were fighting it out down to the wire at the convention to determine who would face democratic challenger Jimmy Carter.

Ford knew the final vote was going to be close, and even if he won there would be a great deal of Party dissention. So he and his advisers came up with a compromise. A duel presidency. Ford would head the ticket, but Reagan would be given a number of powers which up until then were reserved exclusively for the President. Two guys running the show. Two heads could be better than one in making key decisions.

No way said Reagan. The bucks got to stop with one person. To effectively run the country, one person has to be in charge and everyone else on the President's team has to know it.

Fast forward to this fall's LSU football season. Two decent, above average fellows fighting it out for the starting berth at quarterback. Alternating. First one for a quarter, maybe a little more. Then the other guy. No **ONE** person in charge and no **ONE** leader to take over and bring focus to the rest of the team.

Last year's quarterback, Matt Mauck, left a year early. Some say he was encouraged to do so, to make room for the young super stars of the future. Mouk was 24 years old when he led the Tigers to last year's national championship. He was the old guy the rest of the players looked up to. Last summer before practice began, Mouk was on the field with his receivers each day working on passing routes. Michael Clayton (now with the in the NFL) and Devery Henderson (now with the Saints) got to know his rhythm. Good chemistry developed between the quarterback, the man in charge and his receivers. There were other quarterbacks around who had better skills. Even on LSU's bench. But Mauck was the leader that gave confidence to the rest of the team.

Oh, there were other great players that inspired the Tigers. Marcus Hill (defensive end), Rodney Reed (offensive line), Jack Hunt (safety) and Chad Lavalias (defensive lineman) But Mauck called the shots. He was the focus of setting up and developing each play. One guy. (Who's now in the NFL playing for the Denver Broncos)

It's a little presumptuous giving advice to the coach who won it all last year. He's as good as there is. But Coach, it's time to fish or cut bait on who's going to call the shots on the field. Sometimes you can learn something from a politician. Reagan knew what he was talking about. You gotta go with one guy.

ONE MORE SHOT FOR EDWARDS

After a four month vacation, the U.S. Supreme Court finally came back to work this week. The first case considered, and the way the argument went, gave additional hope to Edwin Edwards for a sentence reduction.

The issue before the court was an interpretation of the principle that juries, and not judges, must rule on the facts that are the building blocks of a criminal sentence. Does the sixth Amendment right to a trial by jury require that any fact that leads to a greater sentence must be proven to a jury beyond a reasonable doubt?

In the Edwards case, Judge Frank Polozola significantly increased the sentences of both Edwin and Stephen Edwards based on conclusions of fact made by him and not the jury. The argument before the court this week was that a judge should not go beyond the federal guidelines, particularly when the judge makes conclusions of fact that were not considered or determined by a jury.

Now follow me on this. A jury acquits a defendant, finding him not guilty on a number of charges. But a federal judge can still consider all the charges piled on by the prosecutors by calling it "relevant conduct." So the prosecutors get two bites at the apple. They can throw out any number of phony charges against a defendant, and even though a jury finds him not guilty, the prosecutors can then go back to the judge and argue the same charges so that the defendant gets a much greater sentence. So the system harshly punishes many people for crimes the jury either never considered or determined never happened.

Anyone charged with a crime is supposedly guaranteed a right to a jury trial under the Sixth Amendment. I say "supposedly." If you want to review numerous constitutional violations sanctioned by federal judges, you will find a long list in my book, "*JUSTICE DENIED*," that will be available in bookstores the first of November.

It was obvious from the justices' responses this week that some major changes will take place. A majority of the justices verbally rejected the right of a trial judge to go beyond the guidelines. So there's reason for the ex Gov. and son to have hope. This case has been put on the fast track because of the thousands of prisoners that could be affected. So look for a decision by the first of the year.

MARTHA'S BIG DAY IS TOMORROW.

She is officially number 55170-054 starting at 2:30 tomorrow afternoon. And you know what? I'll bet not one of you reading this rant can brag that you have something in common with Martha. Well I can. You see, I was number 03312-095.

Oh alright. I'll go ahead and come clean. I know many of you have been wondering whether I have been secretly counseling Martha Stewart during the past few months following her conviction. (Remember? Making false statements but she wasn't charged with any crime. Go figure.)

Well, yes. I have been counseling Martha in my own way. I gave her some suggestions as to what she should be doing in her final days before going off to Prison. Here are a few:

1. Come up with 50 new shades of gray for Martha Stewart Paints.
2. Start marketing new "Martha Stewart Soap-on-a-Rope."
3. Start crocheting toilet-seat doilies, because the metal's probably cold in the morning.
4. Consider cutting deal with Bush administration in exchange for lucrative post-war Iraqi catering contract.
5. Start work on new book: " *Minimum Security with Maximum Flair.* "
6. Test whether a little club soda and lemon juice can remove stains from the soul.
7. Possible strategy for appeal: Blame it all on Scott Peterson!
8. Roll around in a huge pile of money one last time before going off to jail

I could go on and on. I don't mind making fun of Martha because what she faces isn't all that bad. Five months? Baseball season lasts longer than that. The time will fly by and she will be out in March for spring gardening.

And she isn't fairing too bad financially either. Last week, **Martha Stewart Living Omnimedia** disclosed the terms of a five-year contract with Martha that she has agreed to. After she serves her five-month prison sentence, she will receive a salary of \$900,000, an annual bonus of \$495,000 to \$1.35 million and a \$100,000 expense account. By merely signing this contract, she also gets a \$200,000 signing bonus. Kinda like the NFL.

And we will all definitely sleep better knowing this dangerous woman is now, at least temporarily, off the streets. (For a good article on how she was selectively prosecuted and what a waste of time and taxpayers money that took place, go to http://www.confusionroad.com/article.php?article_id=222

BATON ROUGE MAYOR'S RACE UPDATE

Reaction was swift and lively to my recent article on Kip Holden's chances in the capitol cities' mayor's race. Neither side was pleased with my conclusions. The e-mails came in fast and furious.

“Why are you pandering to the Holden crowd? It's obvious you are pushing his agenda?”

“You just had to bring up the race issue, didn't you? Kip's going to win this election.. You need to be more fair.”

“Simpson's not as strong as you make him out to be. I disagree with your conclusion that he still has a good chance.”

“Holden has a record he has to defend too. What didn't you bring this up?”

They went on and on. So maybe I got it right. If both camps felt like I wasn't positive enough for their candidate, perhaps it was a pretty fair evaluation. And both camps are, to a small degree, stuck with me. Mayor Bobby Simpson's top campaign operative is Bob Munson, who was an executive assistant on my staff during the 80s when I was Secretary of State. The Holden campaign is run by Rannah Gray who was my chief of staff during my Secretary of State days.

There are polls being run this weekend on both this race as well as the Louisiana congressional races. We will no doubt have a better picture of public sentiment in next week's column

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“Only the inveterately naïve will imagine it wasn't the notoriety of this defendant that somehow induced prosecutors to go forward with cases they otherwise would have chucked as too reliant on weak evidence and strained legal interpretations. There's something out of joint about a legal system that pours resources into trying to find a crime, any crime, to lay against Martha Stewart while parents to go through the streets with a bullhorn trying to find their son's murderer.”

The Wall Street Journal

Peace and Justice.

Jim Brown