

Michigan governor signs law witch-hunting workers for “energy theft”

By Committee Against Utility Shutoffs (CAUS)
23 July 2010

The Committee Against Utility Shutoffs (CAUS) condemns legislation signed into law by Michigan’s Democratic governor, Jennifer Granholm, Tuesday, sanctioning a crackdown on poor residents in Detroit and other cities for alleged “energy theft.”

The five-bill law is chiefly sponsored by Democratic state senators in Detroit, but it is overwhelmingly supported by both parties in the state legislature. The legislation is designed to cover up the responsibility of the real criminals—utility giants DTE Energy and Consumers Energy—for the deadly house fires and other tragedies that result each year from the termination of gas and electrical service to hundreds of thousands of working class families in Michigan.

It is designed to sanction the actions of DTE that led to the deaths of two wheelchair-bound brothers (Marvin and Tyrone Allen) and their housemate in a January 5 fire on Dexter Avenue and another deadly fire March 2 on Bangor Street. In both cases, the company cancelled service to the homes, allegedly because they had illegal connections.

Hours before the Bangor fire, Sylvia Young, the 31-year-old mother of seven children, pleaded with DTE not to shut off service in the freezing weather, explaining that the service was in the name of her landlord. Her appeal was ignored, and a fire, which erupted while she was out buying space heaters, claimed the lives of three of her children, ages 3-5.

The new law gives utilities the authority to shut off gas and electrical service to a particular location it claims has an illegal hookup and to “install equipment to deter future unauthorized use.” Critics of the bill noted this would allow utility companies to discontinue heat, lights and electrical service to a tenant even if the landlord was responsible for the unauthorized connection. The shutoffs could take place in the middle of winter in homes that include small children or the elderly dependent on electric medical equipment.

Service will remain off until the landlord pays all past fees and a penalty for the unauthorized hookup. The law mandates the landlord to turn in the names of individual

tenants he claims established the hookups themselves. In addition, the law will make it a felony offense, punishable by up to five years in prison and a \$5,000 fine for the first violation, for anyone to “illegally sell or transfer utility service,” including tampering with or bypassing gas and electric meters.

Finally, the law creates specific penalties for assaulting utility employees or contractors, with offenses ranging from a misdemeanor to a felony punishable by imprisonment for up to 10 years and a \$10,000 fine for a worker’s death. This is aimed at addressing the recurring incidents of family members and neighbors confronting DTE employees sent to disconnect their utilities.

Mark Johnson of DTE’s “theft division” said the company—which uses aerial surveillance and thermal imaging to detect violators—discovered 60,000 cases in which electric power or gas that had been turned off was illegally reconnected last year. As of early May, company officials say DTE collaborated with the Detroit Police Department and the Wayne County Prosecutor’s Office in 44 arrests related to energy theft so far this year.

If there are tens of thousands of people with unauthorized hookups in Detroit, then it is a measure of the enormous destitution in the city, where the real unemployment rate approaches 50 percent. Large sections of the population cannot afford the high rates charged by the company, which are rubber stamped by the governor’s regulatory agency. While claiming to have lost \$100 million to theft—and blaming its rate increases on it—DTE made more than half a billion dollars in profits last year and saw its first quarter earning rise by 29 percent.

The new law will unleash a wave of shutoffs over the next several months, even before the winter “season of death” approaches. Moreover, it will be used to permanently shut utilities to thousands of homes, a move that dovetails with Mayor David Bing’s plans to close down neighborhoods deemed too poor to continue city services.

As the findings of the Citizens Inquiry into the Dexter Avenue Fire: Utility Shutoffs and the Social Crisis in Detroit

stated, “The Allen brothers and the Young children perished because DTE cut utility service to their homes. Without gas or electricity, the families were forced to resort to unsafe methods to try to stay warm during Detroit’s freezing winter. If DTE had not shut off the utilities, the preconditions for a deadly blaze would not have been created.

“The fires cannot be blamed on ‘energy theft.’ Unauthorized hookups exist because utilities are unaffordable and because DTE terminates service. The fire danger starts not when an unauthorized hookup is installed at a home, but when heat or electricity are cut to the home. Furthermore, these fires did not occur because people failed to seek help with their utility bills, as the state government claims. They happened because the government allows DTE to charge exorbitant rates and shut off people’s utilities.”

The passage of the law confirms another finding by the commission: that the Democrats and Republicans are no more than the political front men for the energy monopolies and their big investors. The sponsors of the bill all received thousands of dollars in campaign cash from DTE. This includes Tupac Hunter, a Democratic state senator from Detroit, who got \$3,400 from DTE, including \$500 from DTE CEO Anthony Earley Jr.; Samuel ‘Buzz’ Thomas, Democrat-Detroit (\$7,350); Dennis Olshove, Democrat-Warren (\$3,500); Irma Clark-Coleman, Democrat-Detroit (\$4,300); and Mike Nofs, Republican-Jackson (\$15,250).

Standing side by side with officials for the utility companies who lobbied for the bill, Governor Granholm—who also enjoys close ties to DTE and Consumers Energy—claimed unauthorized connections had forced the utilities to pass on their costs to customers, while failing to mention the multimillion-dollar payoffs to their top executives and shareholders. “When individuals tamper with their connections or meters, every customer pays the increased cost of service to cover the losses,” Granholm said.

Seeking to exonerate the companies from responsibility for deadly house fires, the governor said, “Unauthorized connections and meter tampering”—not the decision to cut a family off of gas and electricity—“cause serious safety problems resulting in fires, explosions, electrocution injuries or even death.”

Granholm concluded by repeating the lie that there was plenty of help for residents who could not afford to pay their bills. “For people who in these tough times are finding it difficult to heat their homes, there are other resources available,” Granholm said. In fact, the joint utility-government program, The Heat and Warmth Fund (THAW), has run out of money, and the major federal

program, Low Income Home Energy Assistance Program (LIHEAP), is facing millions in budget cuts from the Obama administration.

Joining the anti-working class line up with Granholm and the utility bosses Tuesday were top officials from the Utility Workers Union of America (UWUA) and the International Brotherhood of Electrical Workers (IBEW) unions who also lobbied for the reactionary legislation. The union bureaucrats claimed this was out of concern for the safety of their members.

“It’s a huge problem,” said Jim Harrison, president of the UWUA Local 223, “We have incidents happening on a weekly basis. Incidents of assault are to the point...we were concerned that eventually we were going to have a fatality.”

This is a fraud. If workers are being threatened it is because they are being sent out to shut off utilities—a measure that imperils the lives of working class and poor residents in the city. That is, they are being sent to do the dirty work for the corporate bosses who don’t want blood on their own hands. If the unions in any sense actually represented the interests of the workers they would instruct utility workers to defy management’s orders and protect any worker who faced victimization for doing so.

However, these are not genuine workers organizations but tools of corporate management, which do everything to promote the interests of the company and erode the class-consciousness and basic social solidarity of the working class. These are the same officials who in the name of labor-management “partnership” just imposed major concessions on 4,300 DTE workers and sold out the strike of tree trimmers who are contracted by the company.

Utility workers have far more in common with the workers and unemployed in Detroit than they do with DTE CEO Anthony Earley Jr., who pocketed \$7.2 million last year. Any utility worker who lost his job—and hundreds of DTE workers have done so over the last few years—would find himself in the same boat as jobless workers in Detroit, facing the imminent shutoff of lights, heats and power to their homes.

That is why the Committee Against Utility Shutoffs urges utility workers to take a stand with their class brothers and sisters and join the fight to guarantee utilities as a basic human right for everyone.

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